

House Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article II and the creation of Section 37 of Article XII of the State Constitution; extending the prohibition on specified legislators and statewide elected officers of personal representation for compensation before an entity of which the individual was an officer or member from two years to six years following vacation of office; subjecting appointed state officers to the same prohibition; prohibiting specified legislators from such representation before any state agency other than judicial tribunals for six years following vacation of office.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 8 of Article II and the creation of Section 37 of Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE II
GENERAL PROVISIONS

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26 SECTION 8. Ethics in government.—A public office is a
27 public trust. The people shall have the right to secure and
28 sustain that trust against abuse. To assure this right:

29 (a) All elected constitutional officers and candidates for
30 such offices and, as may be determined by law, other public
31 officers, candidates, and employees shall file full and public
32 disclosure of their financial interests.

33 (b) All elected public officers and candidates for such
34 offices shall file full and public disclosure of their campaign
35 finances.

36 (c) Any public officer or employee who breaches the public
37 trust for private gain and any person or entity inducing such
38 breach shall be liable to the state for all financial benefits
39 obtained by such actions. The manner of recovery and additional
40 damages may be provided by law.

41 (d) Any public officer or employee who is convicted of a
42 felony involving a breach of public trust shall be subject to
43 forfeiture of rights and privileges under a public retirement
44 system or pension plan in such manner as may be provided by law.

45 (e) A ~~No~~ member of the legislature, an appointed state
46 officer as defined by general law in the code of ethics, or a
47 statewide elected officer may not ~~shall~~ personally represent
48 another person or entity for compensation before the government
49 body or agency of which the individual was an officer or member
50 for a period of six ~~two~~ years following vacation of office. A ~~No~~

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51 member of the legislature may not ~~shall~~ personally represent
52 another person or entity for compensation during term of office,
53 or for a period of six years following vacation of office,
54 before any state agency other than judicial tribunals. Similar
55 restrictions on other public officers and employees may be
56 established by law.

57 (f) There shall be an independent commission to conduct
58 investigations and make public reports on all complaints
59 concerning breach of public trust by public officers or
60 employees not within the jurisdiction of the judicial
61 qualifications commission.

62 (g) A code of ethics for all state employees and
63 nonjudicial officers prohibiting conflict between public duty
64 and private interests shall be prescribed by law.

65 (h) This section shall not be construed to limit
66 disclosures and prohibitions which may be established by law to
67 preserve the public trust and avoid conflicts between public
68 duties and private interests.

69 (i) Schedule—On the effective date of this amendment and
70 until changed by law:

71 (1) Full and public disclosure of financial interests
72 shall mean filing with the custodian of state records by July 1
73 of each year a sworn statement showing net worth and identifying
74 each asset and liability in excess of \$1,000 and its value
75 together with one of the following:

76 a. A copy of the person's most recent federal income tax
77 return; or

78 b. A sworn statement which identifies each separate source
79 and amount of income which exceeds \$1,000. The forms for such
80 source disclosure and the rules under which they are to be filed
81 shall be prescribed by the independent commission established in
82 subsection (f), and such rules shall include disclosure of
83 secondary sources of income.

84 (2) Persons holding statewide elective offices shall also
85 file disclosure of their financial interests pursuant to
86 subsection (i) (1).

87 (3) The independent commission provided for in subsection
88 (f) shall mean the Florida Commission on Ethics.

89 ARTICLE XII

90 SCHEDULE

91 Section 37. State officers post-service personal
92 representation prohibitions.—The amendment to Section 8 of
93 Article II extending the prohibition on legislators and
94 statewide elected officers providing personal representation for
95 compensation before the government body or agency of which the
96 individual was an officer or member from two years following
97 vacation of office to six years is applicable only to those
98 individuals who were members of the legislature or who were
99 statewide elected officers at any time after November 8, 2016.
100 The amendment to Section 8 of Article II extending the

101 prohibition on legislators providing personal representation for
 102 compensation during term of office before any state agency other
 103 than judicial tribunals to six years following vacation of
 104 office is applicable only to those individuals who were members
 105 of the legislature at any time after November 8, 2016. The
 106 amendment to Section 8 of Article II prohibiting appointed state
 107 officers from providing personal representation for compensation
 108 before the government body or agency of which the individual was
 109 an officer or member for six years following vacation of office
 110 is applicable only to those appointed state officers who were in
 111 such positions at any time after July 1, 2017.

112
 113 BE IT FURTHER RESOLVED that the following statement be
 114 placed on the ballot:

115 CONSTITUTIONAL AMENDMENT

116 ARTICLE II, SECTION 8

117 STATE OFFICERS POST-SERVICE PERSONAL REPRESENTATION

118 PROHIBITIONS.—Proposing an amendment to the State Constitution
 119 extending the prohibition on specified legislators and statewide
 120 elected officers providing personal representation for
 121 compensation before an entity of which the individual was an
 122 officer or member from two years to six years following vacation
 123 of office, subjecting the same prohibition on appointed state
 124 officers, and prohibiting specified legislators from providing

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125 | such representation before any state agency other than judicial
126 | tribunals for six years following vacation of office.