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; prohibiting legislators and statewide elected officers from personally representing another person or entity for compensation before any state government body or state agency except judicial tribunals for six years following vacation of office; providing that the prohibition applies to individuals who were members of the legislature or who were statewide elected officers at any time after November 8, 2016.

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

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

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

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

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

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

   (e) A member of the legislature or a statewide elected 
officer may not personally represent another person or 
entity for compensation before any state government body or 
state agency other than judicial tribunals of which the 
individual was an officer or member for a period of six two 
years following vacation of office. A member of the 
legislature may not personally represent another person or
entity for compensation during term of office before any state agency other than judicial tribunals. Similar restrictions on other public officers and employees may be established by law.

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

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

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

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

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

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

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

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

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

ARTICLE XII
SCHEDULE

Section 37. State officers post-service personal
representation prohibitions.—The amendment to Section 8 of
Article II prohibiting legislators and statewide elected
officers from providing personal representation for compensation
before any state government body or state agency for six years
following vacation of office is applicable only to those
individuals who were members of the legislature or who were
statewide elected officers at any time after November 8, 2016.

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

CONSTITUTIONAL AMENDMENT
ARTICLE II, SECTION 8
ARTICLE XII, SECTION 37

STATE OFFICERS POST-SERVICE PERSONAL REPRESENTATION

PROHIBITIONS.—Proposing an amendment to the State Constitution prohibiting legislators and statewide elected officers from personally representing another person or entity for compensation before any state government body or state agency except judicial tribunals for six years following vacation of office; providing that the prohibition applies to individuals who were members of the legislature or who were statewide elected officers at any time after November 8, 2016.