

By Senator Clemens

31-00822-18

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1                   A bill to be entitled  
2       An act relating to voting conflicts; amending s.  
3       112.3143, F.S.; requiring a member of the Legislature  
4       to disclose any matter that would inure to the special  
5       private gain or loss of the member, or a principal,  
6       relative, or business associate of the member, before  
7       being called to vote on such measure; prescribing the  
8       methods of the disclosure; providing an effective  
9       date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Subsection (2) of section 112.3143, Florida  
14       Statutes, is amended to read:

15       112.3143 Voting conflicts.—

16       (2) (a) A state public officer, other than a member of the  
17       Legislature, may not vote on any matter that the officer knows  
18       would inure to his or her special private gain or loss. Any  
19       state public officer who abstains from voting in an official  
20       capacity upon any measure that the officer knows would inure to  
21       the officer's special private gain or loss, or who votes in an  
22       official capacity on a measure that he or she knows would inure  
23       to the special private gain or loss of any principal by whom the  
24       officer is retained or to the parent organization or subsidiary  
25       of a corporate principal by which the officer is retained, other  
26       than an agency as defined in s. 112.312(2); or which the officer  
27       knows would inure to the special private gain or loss of a  
28       relative or business associate of the public officer, shall make  
29       every reasonable effort to disclose the nature of his or her

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30 interest as a public record in a memorandum filed with the  
31 person responsible for recording the minutes of the meeting, who  
32 shall incorporate the memorandum in the minutes. If it is not  
33 possible for the state public officer to file a memorandum  
34 before the vote, the memorandum must be filed with the person  
35 responsible for recording the minutes of the meeting no later  
36 than 15 days after the vote.

37 (b) A member of the Legislature shall, upon being called to  
38 vote on a measure, disclose any matter that the member knows  
39 would inure to his or her special private gain or loss; that he  
40 or she knows would inure to the special private gain or loss of  
41 any principal by whom he or she is retained, other than an  
42 agency as defined in s. 112.312(2); or that he or she knows  
43 would inure to the special private gain or loss of a relative or  
44 business associate of the member. Regardless of whether the  
45 member abstains from voting or votes on the measure, the member  
46 shall disclose the nature of his or her interest as a public  
47 record in a memorandum filed with the Secretary of the Senate or  
48 the Clerk of the House of Representatives as soon as he or she  
49 becomes aware of the conflict. If the member abstains from  
50 voting on the measure, he or she must also state before the body  
51 the reasons for abstaining, which must be recorded in the  
52 journal of his or her respective house. If the member becomes  
53 aware of the conflict during a committee, subcommittee, council,  
54 caucus, or other meeting or a sitting on the floor, the member  
55 must report the conflict as soon as possible after the  
56 conclusion of the meeting or adjournment of the sitting ~~may~~  
57 ~~satisfy the disclosure requirements of this section by filing a~~  
58 ~~disclosure form created pursuant to the rules of the member's~~

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59 ~~respective house if the member discloses the information~~  
60 ~~required by this subsection.~~

61 Section 2. This act shall take effect July 1, 2018.