

By Senator Rodriguez

37-01506-20

20201850__

1 A bill to be entitled
2 An act relating to voting conflicts; amending s.
3 112.3143, F.S.; revising requirements for the
4 disclosure of voting conflicts by specified public
5 officers; providing an effective date.
6

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

9 Section 1. Paragraph (a) of subsection (2) and paragraph
10 (a) of subsection (3) of section 112.3143, Florida Statutes, are
11 amended to read:

12 112.3143 Voting conflicts.—

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

37-01506-20

20201850__

30 being taken, publicly state to the assembly the nature of the
31 officer's interest in the matter from which he or she is
32 abstaining from voting and the time and manner in which the
33 officer became aware of the conflict. If it is not possible for
34 the state public officer to file a memorandum before the vote,
35 the memorandum must be filed with the person responsible for
36 recording the minutes of the meeting no later than 15 days after
37 the vote.

38 (3) (a) A ~~Ne~~ county, municipal, or other local public
39 officer may not shall vote in an official capacity upon any
40 measure which would inure to his or her special private gain or
41 loss; which he or she knows would inure to the special private
42 gain or loss of any principal by whom he or she is retained or
43 to the parent organization or subsidiary of a 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
48 shall, before ~~prior to~~ the vote being taken, publicly state to
49 the assembly the nature of the officer's interest in the matter
50 from which he or she is abstaining from voting and the time and
51 manner in which the officer became aware of the conflict.

52 Within 15 days after the vote occurs, the public officer shall
53 also disclose the nature of his or her interest as a public
54 record in a memorandum filed with the person responsible for
55 recording the minutes of the meeting, who shall incorporate the
56 memorandum in the minutes.

57 Section 2. This act shall take effect July 1, 2020.