

26 | is subject to the regulation of, or is doing business with, an
27 | agency of which he or she is an officer or employee, excluding
28 | those organizations and their officers who, when acting in their
29 | official capacity, enter into or negotiate a collective
30 | bargaining contract with the state or any municipality, county,
31 | or other political subdivision of the state. Additionally, ~~nor~~
32 | ~~shall~~ an officer or employee of an agency may not have or hold
33 | any employment or contractual relationship that will create a
34 | continuing or frequently recurring conflict between his or her
35 | private interests and the performance of his or her public
36 | duties or that would impede the full and faithful discharge of
37 | his or her public duties.

38 | ~~1. When the agency referred to is that certain kind of~~
39 | ~~special tax district created by general or special law and is~~
40 | ~~limited specifically to constructing, maintaining, managing, and~~
41 | ~~financing improvements in the land area over which the agency~~
42 | ~~has jurisdiction, or when the agency has been organized pursuant~~
43 | ~~to chapter 298, then employment with, or entering into a~~
44 | ~~contractual relationship with, such business entity by a public~~
45 | ~~officer or employee of such agency shall not be prohibited by~~
46 | ~~this subsection or be deemed a conflict per se. However, conduct~~
47 | ~~by such officer or employee that is prohibited by, or otherwise~~
48 | ~~frustrates the intent of, this section shall be deemed a~~
49 | ~~conflict of interest in violation of the standards of conduct~~
50 | ~~set forth by this section.~~

51 2. When the agency referred to is a legislative body and
 52 the regulatory power over the business entity resides in another
 53 agency, or when the regulatory power which the legislative body
 54 exercises over the business entity or agency is strictly through
 55 the enactment of laws or ordinances, ~~then~~ employment or a
 56 contractual relationship with such business entity by a public
 57 officer or employee of a legislative body is ~~shall not be~~
 58 prohibited by this subsection and is not ~~or be deemed~~ a
 59 conflict.

60 (b) This subsection does ~~shall~~ not prohibit a public
 61 officer or an employee of an agency from practicing in a
 62 particular profession or occupation when such practice by
 63 persons holding such public office or employment is required or
 64 permitted by law or by a county or municipal ordinance.

65 Section 2. Paragraphs (d) and (e) of subsection (2) of
 66 section 112.3142, Florida Statutes, are redesignated as
 67 paragraphs (e) and (f), respectively, present paragraph (e) of
 68 that subsection is amended, and a new paragraph (d) is added to
 69 that subsection to read:

70 112.3142 Ethics training for specified constitutional
 71 officers, elected municipal officers, ~~and~~ commissioners, and
 72 elected local officers of independent special districts.-

73 (2)

74 (d) Beginning January 1, 2024, each elected local officer
 75 of an independent special district, as defined in s. 189.012,

76 | and each person who is appointed to fill a vacancy for an
 77 | unexpired term of such elective office must complete 4 hours of
 78 | ethics training each calendar year which addresses, at a
 79 | minimum, s. 8, Art. II of the State Constitution, the Code of
 80 | Ethics for Public Officers and Employees, and the public records
 81 | and public meetings laws of this state. This requirement may be
 82 | satisfied by completion of a continuing legal education class or
 83 | other continuing professional education class, seminar, or
 84 | presentation, if the required subject matter is covered by such
 85 | class, seminar, or presentation.

86 | (e) The Legislature intends that a constitutional officer,
 87 | ~~or~~ elected municipal officer, or elected local officer of an
 88 | independent special district who is required to complete ethics
 89 | training pursuant to this section receive the required training
 90 | as close as possible to the date that he or she assumes office.
 91 | A constitutional officer, ~~or~~ elected municipal officer, or
 92 | elected local officer of an independent special district
 93 | assuming a new office or new term of office on or before March
 94 | 31 must complete the annual training on or before December 31 of
 95 | the year in which the term of office began. A constitutional
 96 | officer, ~~or~~ elected municipal officer, or elected local officer
 97 | of an independent special district assuming a new office or new
 98 | term of office after March 31 is not required to complete ethics
 99 | training for the calendar year in which the term of office
 100 | began.

101 Section 3. Subsection (6) of section 189.031, Florida
 102 Statutes, is amended to read:

103 189.031 Legislative intent for the creation of independent
 104 special districts; special act prohibitions; model elements and
 105 other requirements; local general-purpose government/Governor
 106 and Cabinet creation authorizations.—

107 (6) GOVERNANCE.—For purposes of s. 8(h)(2), Art. II of the
 108 State Constitution, a board member or a public employee of a
 109 special district does not abuse his or her public position if
 110 the board member or public employee commits an act or omission
 111 that is authorized under s. 112.313(12), (15), or (16) ~~s.~~
 112 ~~112.313(7), (12), (15), or (16)~~ or s. 112.3143(3)(b), and an
 113 abuse of a board member's position does not include any act or
 114 omission in connection with a vote when the board member has
 115 followed the procedures required by s. 112.3143.

116 Section 4. Subsection (1) of section 190.007, Florida
 117 Statutes, is amended to read:

118 190.007 Board of supervisors; general duties.—

119 (1) The board shall employ, and fix the compensation of, a
 120 district manager. The district manager shall have charge and
 121 supervision of the works of the district and shall be
 122 responsible for preserving and maintaining any improvement or
 123 facility constructed or erected pursuant to the provisions of
 124 this act, for maintaining and operating the equipment owned by
 125 the district, and for performing such other duties as may be

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126 prescribed by the board. It shall not be a conflict of interest
127 under chapter 112 for a board member or the district manager or
128 another employee of the district to be a stockholder, officer,
129 or employee of a landowner or of an entity affiliated with a
130 landowner. The district manager may hire or otherwise employ and
131 terminate the employment of such other persons, including,
132 without limitation, professional, supervisory, and clerical
133 employees, as may be necessary and authorized by the board. The
134 compensation and other conditions of employment of the officers
135 and employees of the district shall be as provided by the board.
136 For purposes of s. 8(h)(2), Art. II of the State Constitution, a
137 board member or a public employee of a district does not abuse
138 his or her public position if the board member or public
139 employee commits an act or omission that is authorized under
140 this subsection, s. 112.313(12), (15), or (16) ~~s. 112.313(7),~~
141 ~~(12), (15), or (16),~~ or s. 112.3143(3)(b), and an abuse of a
142 board member's public position does not include any act or
143 omission in connection with a vote when the board member has
144 followed the procedures required by s. 112.3143.

145 Section 5. This act shall take effect July 1, 2023.