



127342

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/15/2023	.	
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The Committee on Ethics and Elections (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (7) of section 112.313, Florida
Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees
of agencies, and local government attorneys.—

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

(a) No public officer or employee of an agency shall have



127342

11 or hold any employment or contractual relationship with any
12 business entity or any agency which is subject to the regulation
13 of, or is doing business with, an agency of which he or she is
14 an officer or employee, excluding those organizations and their
15 officers who, when acting in their official capacity, enter into
16 or negotiate a collective bargaining contract with the state or
17 any municipality, county, or other political subdivision of the
18 state; nor shall an officer or employee of an agency have or
19 hold any employment or contractual relationship that will create
20 a continuing or frequently recurring conflict between his or her
21 private interests and the performance of his or her public
22 duties or that would impede the full and faithful discharge of
23 his or her public duties.

24 1. When the agency referred to is that certain kind of
25 special tax district created by general or special law and is
26 limited specifically to constructing, maintaining, managing, and
27 financing improvements in the land area over which the agency
28 has jurisdiction, or when the agency has been organized pursuant
29 to chapter 298, then employment with, or entering into a
30 contractual relationship with, such business entity by a public
31 officer or employee of such agency is ~~shall~~ not ~~be~~ prohibited by
32 this subsection or be deemed a conflict per se. However, conduct
33 by such officer or employee that is prohibited by, or otherwise
34 frustrates the intent of, this section, including conduct that
35 violates subsections (6) or (8), is ~~shall be~~ deemed a conflict
36 of interest in violation of the standards of conduct set forth
37 by this section.

38 2. When the agency referred to is a legislative body and
39 the regulatory power over the business entity resides in another



127342

40 agency, or when the regulatory power which the legislative body
41 exercises over the business entity or agency is strictly through
42 the enactment of laws or ordinances, then employment or a
43 contractual relationship with such business entity by a public
44 officer or employee of a legislative body shall not be
45 prohibited by this subsection or be deemed a conflict.

46 (b) This subsection shall not prohibit a public officer or
47 employee from practicing in a particular profession or
48 occupation when such practice by persons holding such public
49 office or employment is required or permitted by law or
50 ordinance.

51 Section 2. Section 112.3142, Florida Statutes, is amended
52 to read:

53 112.3142 Ethics training for specified constitutional
54 officers, elected municipal officers, ~~and~~ commissioners of
55 community redevelopment agencies, and elected local officers of
56 independent special districts.-

57 (1) As used in this section, the term "constitutional
58 officers" includes the Governor, the Lieutenant Governor, the
59 Attorney General, the Chief Financial Officer, the Commissioner
60 of Agriculture, state attorneys, public defenders, sheriffs, tax
61 collectors, property appraisers, supervisors of elections,
62 clerks of the circuit court, county commissioners, district
63 school board members, and superintendents of schools.

64 (2) (a) All constitutional officers must complete 4 hours of
65 ethics training each calendar year which addresses, at a
66 minimum, s. 8, Art. II of the State Constitution, the Code of
67 Ethics for Public Officers and Employees, and the public records
68 and public meetings laws of this state. This requirement may be



127342

69 satisfied by completion of a continuing legal education class or
70 other continuing professional education class, seminar, or
71 presentation if the required subjects are covered.

72 (b) All elected municipal officers must complete 4 hours of
73 ethics training each calendar year which addresses, at a
74 minimum, s. 8, Art. II of the State Constitution, the Code of
75 Ethics for Public Officers and Employees, and the public records
76 and public meetings laws of this state. This requirement may be
77 satisfied by completion of a continuing legal education class or
78 other continuing professional education class, seminar, or
79 presentation if the required subjects are covered.

80 (c) Beginning January 1, 2020, each commissioner of a
81 community redevelopment agency created under part III of chapter
82 163 must complete 4 hours of ethics training each calendar year
83 which addresses, at a minimum, s. 8, Art. II of the State
84 Constitution, the Code of Ethics for Public Officers and
85 Employees, and the public records and public meetings laws of
86 this state. This requirement may be satisfied by completion of a
87 continuing legal education class or other continuing
88 professional education class, seminar, or presentation, if the
89 required subject material is covered by the class.

90 (d) Beginning January 1, 2024, each elected local officer
91 of an independent special district as defined in s. 189.012 and
92 each person who is appointed to fill a vacancy for an unexpired
93 term of such elective office must complete 4 hours of ethics
94 training each calendar year which addresses, at a minimum, s. 8,
95 Art. II of the State Constitution, the Code of Ethics for Public
96 Officers and Employees, and the public records and public
97 meeting laws of this state. This requirement may be satisfied by



127342

98 completion of a continuing legal education class or another
99 continuing professional education class, seminar, or
100 presentation, if the required subject matter is covered by such
101 class, seminar, or presentation.

102 (e) The commission shall adopt rules establishing minimum
103 course content for the portion of an ethics training class which
104 addresses s. 8, Art. II of the State Constitution and the Code
105 of Ethics for Public Officers and Employees.

106 (f) ~~(e)~~ The Legislature intends that a constitutional
107 officer, an ~~or~~ elected municipal officer, or an elected local
108 officer of an independent special district who is required to
109 complete ethics training pursuant to this section receive the
110 required training as close as possible to the date that he or
111 she assumes office. A constitutional officer, an ~~or~~ elected
112 municipal officer, or an elected local officer of an independent
113 special district assuming a new office or new term of office on
114 or before March 31 must complete the annual training on or
115 before December 31 of the year in which the term of office
116 began. A constitutional officer, an ~~or~~ elected municipal
117 officer, or an elected local officer of an independent special
118 district assuming a new office or new term of office after March
119 31 is not required to complete ethics training for the calendar
120 year in which the term of office began.

121 (3) Each house of the Legislature shall provide for ethics
122 training pursuant to its rules.

123 Section 3. This act shall take effect on July 1, 2023.

124
125 ===== T I T L E A M E N D M E N T =====

126 And the title is amended as follows:



127342

127 Delete everything before the enacting clause
128 and insert:

129 A bill to be entitled
130 An act relating to ethics requirements for officers
131 and employees of special tax districts; amending s.
132 112.313, F.S.; specifying that certain conduct by
133 certain public officers and employees is deemed a
134 conflict of interest; amending s. 112.3142, F.S.;
135 requiring certain ethics training for elected local
136 officers of independent special districts beginning on
137 a specified date; specifying requirements for such
138 training; providing an effective date.