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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/05/2023	.	
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	.	

The Committee on Governmental Oversight and Accountability (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



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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) and (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



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. Paragraphs (d) and (e) of subsection (2) of
52 section 112.3142, Florida Statutes, are redesignated as
53 paragraphs (e) and (f), respectively, present paragraph (e) of
54 that subsection is amended, and a new paragraph (d) is added to
55 that subsection, to read:

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

60 (2)

61 (d) Beginning January 1, 2024, each elected local officer
62 of an independent special district, as defined in s. 189.012,
63 and each person who is appointed to fill a vacancy for an
64 unexpired term of such elective office 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



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69 satisfied by completion of a continuing legal education class or
70 other continuing professional education class, seminar, or
71 presentation, if the required subject matter is covered by such
72 class, seminar, or presentation.

73 (f)(e) The Legislature intends that a constitutional
74 officer, ~~or~~ elected municipal officer, or elected local officer
75 of an independent special district who is required to complete
76 ethics training pursuant to this section receive the required
77 training as close as possible to the date that he or she assumes
78 office. A constitutional officer, ~~or~~ elected municipal officer,
79 or elected local officer of an independent special district
80 assuming a new office or new term of office on or before March
81 31 must complete the annual training on or before December 31 of
82 the year in which the term of office began. A constitutional
83 officer, ~~or~~ elected municipal officer, or elected local officer
84 of an independent special district assuming a new office or new
85 term of office after March 31 is not required to complete ethics
86 training for the calendar year in which the term of office
87 began.

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

89
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete everything before the enacting clause
93 and insert:

94 A bill to be entitled
95 An act relating to ethics requirements for officers
96 and employees of special tax districts; amending s.
97 112.313, F.S.; specifying that certain conduct by



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98 certain public officers and employees is deemed a
99 conflict of interest; making technical changes;
100 amending s. 112.3142, F.S.; requiring certain ethics
101 training for elected local officers of independent
102 special districts, beginning on a specified date;
103 specifying requirements for such training; providing
104 an effective date.