



317468

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 4/AD/2R

.

02/01/2024 11:49 AM

.

.

Senator Burgess moved the following:

Senate Amendment (with title amendment)

Between lines 276 and 277

insert:

Section 5. Section 112.326, Florida Statutes, is amended to read:

112.326 Additional requirements by political subdivisions and agencies not prohibited; certain procedures preempted.—

(1) Except as provided in subsection (2), ~~Nothing in this part does not act shall~~ prohibit the governing body of any political subdivision, by ordinance, or agency, by rule, from



317468

12 imposing upon its own officers and employees additional or more
13 stringent standards of conduct and disclosure requirements than
14 those specified in this part, provided that those standards of
15 conduct and disclosure requirements do not otherwise conflict
16 with the provisions of this part.

17 (2) If a political subdivision or an agency adopts by
18 ordinance or rule additional or more stringent standards of
19 conduct and disclosure requirements pursuant to subsection (1),
20 any noncriminal complaint procedure must:

21 (a) Require a complaint to be written and signed under oath
22 or affirmation by the person making the complaint;

23 (b) Require a complaint to be based upon personal knowledge
24 or information other than hearsay;

25 (c) Prohibit the initiation of a complaint or investigation
26 by the governing body of the political subdivision, agency, or
27 any entity created to enforce the standards; and

28 (d) Include a provision establishing a process for the
29 recovery of costs and attorney fees for public officers, public
30 employees, or candidates for public office against a person
31 found by the governing body of the political subdivision,
32 agency, or entity created to enforce the standards to have filed
33 the complaint with a malicious intent to injure the reputation
34 of such officer, employee, or candidate by filing the complaint
35 with knowledge that the complaint contains one or more false
36 allegations or with reckless disregard for whether the complaint
37 contains false allegations of fact material to a violation.

38 (3) Any existing or future ordinance or rule adopted by a
39 political subdivision or an agency which is in conflict with
40 subsection (2) is void.



317468

41
42
43
44
45
46
47
48
49
50
51
52

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

And the title is amended as follows:

Delete line 81

and insert:

commission regarding specified timeframes; amending s.
112.326, F.S.; providing requirements for noncriminal
complaint procedures if a political subdivision or an
agency adopts more stringent standards of conduct and
disclosure requirements; providing that existing and
future ordinances and rules that are in conflict with
specified provisions are void; providing