

By Commissioner Rouson

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1                   A proposal to amend  
2           Section 8 of Article II and create a new section in  
3           Article XII of the State Constitution to prohibit  
4           legislators and statewide elected officers from  
5           personally representing another person or entity for  
6           compensation before any state government body or state  
7           agency except judicial tribunals for six years  
8           following vacation of office and to provide that the  
9           prohibition applies to individuals who were members of  
10          the Legislature or who were statewide elected officers  
11          at any time after November 6, 2018.

12  
13 Be It Proposed by the Constitution Revision Commission of  
14 Florida:

15  
16           Section 8 of Article II of the State Constitution is  
17 amended to read:

18                                   ARTICLE II

19   GENERAL PROVISIONS

20           SECTION 8. Ethics in government.—A public office is a  
21 public trust. The people shall have the right to secure and  
22 sustain that trust against abuse. To assure this right:

23           (a) All elected constitutional officers and candidates for  
24 such offices and, as may be determined by law, other public  
25 officers, candidates, and employees shall file full and public  
26 disclosure of their financial interests.

27           (b) All elected public officers and candidates for such  
28 offices shall file full and public disclosure of their campaign  
29 finances.

30           (c) Any public officer or employee who breaches the public  
31 trust for private gain and any person or entity inducing such  
32 breach shall be liable to the state for all financial benefits

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33 obtained by such actions. The manner of recovery and additional  
34 damages may be provided by law.

35 (d) Any public officer or employee who is convicted of a  
36 felony involving a breach of public trust shall be subject to  
37 forfeiture of rights and privileges under a public retirement  
38 system or pension plan in such manner as may be provided by law.

39 (e) A ~~No~~ member of the legislature or a statewide elected  
40 officer may not ~~shall~~ personally represent another person or  
41 entity for compensation before any state ~~the~~ government body or  
42 state agency other than judicial tribunals ~~of which the~~  
43 ~~individual was an officer or member~~ for a period of six ~~two~~  
44 years following vacation of office. A ~~No~~ member of the  
45 legislature may not ~~shall~~ personally represent another person or  
46 entity for compensation during term of office before any state  
47 agency other than judicial tribunals. Similar restrictions on  
48 other public officers and employees may be established by law.

49 (f) There shall be an independent commission to conduct  
50 investigations and make public reports on all complaints  
51 concerning breach of public trust by public officers or  
52 employees not within the jurisdiction of the judicial  
53 qualifications commission.

54 (g) A code of ethics for all state employees and  
55 nonjudicial officers prohibiting conflict between public duty  
56 and private interests shall be prescribed by law.

57 (h) This section shall not be construed to limit  
58 disclosures and prohibitions which may be established by law to  
59 preserve the public trust and avoid conflicts between public  
60 duties and private interests.

61 (i) ~~Schedule-~~On the effective date of this amendment and

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62 until changed by law:

63 (1) Full and public disclosure of financial interests shall  
64 mean filing with the custodian of state records by July 1 of  
65 each year a sworn statement showing net worth and identifying  
66 each asset and liability in excess of \$1,000 and its value  
67 together with one of the following:

68 a. A copy of the person's most recent federal income tax  
69 return; or

70 b. A sworn statement which identifies each separate source  
71 and amount of income which exceeds \$1,000. The forms for such  
72 source disclosure and the rules under which they are to be filed  
73 shall be prescribed by the independent commission established in  
74 subsection (f), and such rules shall include disclosure of  
75 secondary sources of income.

76 (2) Persons holding statewide elective offices shall also  
77 file disclosure of their financial interests pursuant to  
78 subsection (i)(1).

79 (3) The independent commission provided for in subsection  
80 (f) shall mean the Florida Commission on Ethics.

81

82 A new section is added to Article XII of the State  
83 Constitution to read:

84 ARTICLE XII

85 SCHEDULE

86 State officers post-service personal representation  
87 prohibitions.—The amendment to Section 8 of Article II  
88 prohibiting legislators and statewide elected officers from  
89 providing personal representation for compensation before any  
90 state government body or state agency for six years following

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91 vacation of office is applicable only to those individuals who  
92 were members of the legislature or who were statewide elected  
93 officers at any time after November 6, 2018.