

Introduced by Council Member Miller and Co-Sponsored by Council Members Freeman, Boylan and Howland and amended by the Neighborhoods, Community Services, Public Health and Safety Committee:

ORDINANCE 2025-257-E

AN ORDINANCE REGARDING THE REPORTING OF CERTAIN MATTERS TO THE INSPECTOR GENERAL; AMENDING SECTION 602.303 (DUTIES AND FUNCTIONS), PART 3 (INSPECTOR GENERAL), CHAPTER 602 (JACKSONVILLE ETHICS CODE), *ORDINANCE CODE*, TO EXPAND THE LIST OF THOSE REQUIRED TO NOTIFY THE INSPECTOR GENERAL OF POSSIBLE MISMANAGEMENT OF A CONTRACT, FRAUD, THEFT, BRIBERY, OR CERTAIN OTHER VIOLATIONS OF LAW, AND PROVIDING AN EXEMPTION FOR EMPLOYEES OF THE JACKSONVILLE SHERIFF'S OFFICE AND THE COUNCIL AUDITOR'S OFFICE; PROVIDING FOR SEVERABILITY; PROVIDING CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 602.303, *Ordinance Code*, sets forth the duties and functions of the Office of Inspector General; and

WHEREAS, Subsection 602.303(k), *Ordinance Code*, currently provides that the Mayor and any and all Officials of any office, agency, department, or part of the entire Consolidated Government shall promptly notify the Inspector General of possible mismanagement of a contract (misuse or loss exceeding \$5,000 in public funds), fraud, theft, bribery, or other violation of law which appears to fall within the jurisdiction of the Inspector General; and

WHEREAS, the reporting requirement found in Subsection

602.303(k), *Ordinance Code*, currently is limited to only Elected Officials and Public Officials as defined in Section 602.201, *Ordinance Code*; and

WHEREAS, the reporting requirement found in Subsection 602.303(k), *Ordinance Code*, should apply to all employees of any office, agency, department, or part of the entire Consolidated Government; and

WHEREAS, the Jacksonville Sheriff's Office already requires its employees to report fraud, theft, bribery, and other violations of law to the Jacksonville Sheriff's Office internally; and

WHEREAS, the Jacksonville Sheriff's Office conducts investigations of suspected fraud, theft, bribery, or other violations of law, and should not be required to disclose information related to such investigations, and as such employees of the Jacksonville Sheriff's Office should be excluded from the requirement to notify the Inspector General; and

WHEREAS, employees of the Council Auditor's Office are subject to the provisions of Section 119.0173, *Florida Statutes*, which state that audit workpapers and notes related to an audit are confidential and exempt from disclosure until the audit is final and therefore employees of the Council Auditor's Office should also be excluded from the requirement to notify the Inspector General of information obtained during an audit until the audit report has been issued to the City Council; now therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Amending Section 602.303 (Duties And Functions), Part 3 (Inspector General), Chapter 602 (Jacksonville Ethics Code), Ordinance Code. Section 602.303 (Duties And Functions), Part 3 (Inspector General), Chapter 602 (Jacksonville Ethics Code), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 602 - JACKSONVILLE ETHICS CODE

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PART 3. - INSPECTOR GENERAL

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Sec. 602.303 - Duties and Functions.

The duties and functions of the Office of Inspector General shall include the authority, power and responsibility to:

* * *

(k) The Mayor and any and all Officials and employees of any office, agency, department, or part of the entire Consolidated Government, except for employees of the Jacksonville Sheriff's Office, shall promptly notify the Inspector General of possible mismanagement of a contract (misuse or loss exceeding \$5,000 in public funds), fraud, theft, bribery, or other violation of law which appears to fall within the jurisdiction of the Inspector General, and may notify the Inspector General of any other conduct which may fall within the jurisdiction of the Inspector General; General. Employees of the Council Auditor's Office are exempt from disclosing any information obtained during an audit until the audit is complete and the audit report has been issued to the City Council;

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Section 2. Severability. If any section, clause, sentence, or provision of this Ordinance or the application of such section, clause, sentence, or provision to any person or bodies or under any circumstances shall be held to be inoperative, invalid, or unconstitutional, the invalidity of such section, clause, sentence, or provision shall not be deemed, held, or taken to affect the validity or constitutionality of any of the remaining parts of this Ordinance, or the application of any of the provisions of this Ordinance to persons, bodies, or in circumstances other than those

as to which it or any part thereof shall have been inoperative, invalid, or unconstitutional, and it is intended that this Ordinance shall be construed and applied as if any section, clause, sentence, or provision held inoperative, invalid, or unconstitutional had not been included in this Ordinance.

Section 3. Codification Instructions. The Codifier and the Office of General Counsel are authorized to make all chapter and division "tables of contents" consistent with the changes set forth herein. Such editorial changes and any others necessary to make the *Ordinance Code* consistent with the intent of this legislation are approved and directed herein, and changes to the *Ordinance Code* shall be made forthwith and when inconsistencies are discovered.

Section 4. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Sean Granat

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