

1 Introduced by Council Member Crescimbeni:
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4 **ORDINANCE 2019-393**

5 AN ORDINANCE CREATING A NEW SECTION 602.408
6 (LOBBYING BY APPOINTED OFFICIALS REQUIRED TO
7 FILE FORM 1 FINANCIAL DISCLOSERS; PROHIBITION),
8 PART 4 (CONFLICTS OF INTERESTS), CHAPTER 602
9 (JACKSONVILLE ETHICS CODE), *ORDINANCE CODE*, TO
10 PROHIBIT LOBBYING FOR COMPENSATION BY FORMER
11 APPOINTED OFFICIALS REQUIRED TO FILE FORM 1
12 FINANCIAL DISCLOSERS TO THE BOARD, COMMISSION,
13 COMMITTEE, COUNCIL OR AUTHORITY OF WHICH THE
14 PERSON WAS AN APPOINTED OFFICIAL REQUIRED TO
15 FILE FORM 1 FINANCIAL DISCLOSERS FOR A PERIOD OF
16 2 YEARS AFTER VACATING THAT POSITION; PROVIDING
17 FOR A CURRENT LIST OF FORM 1 FINANCIAL
18 DISCLOSURE AGENCIES; PROVIDING FOR AN EFFECTIVE
19 DATE.
20

21 **WHEREAS**, Florida Statute §112.313, prohibits elected officials
22 from lobbying their governing body for a period of 2 years after she
23 or he leaves office; and

24 **WHEREAS**, the statute only applies to one who has been elected
25 to office, not merely appointed to an elective office or body
26 (Commission on Ethics Opinion 09-16); and

27 **WHEREAS**, at the option of the local governing body through
28 ordinance or resolution, appointed county or municipal appointed
29 officials of the Boards, Commissions, Councils, or Authorities may be
30 subjected to a similar two-year prohibition, except for collective
31 bargaining matters, under F.S. §112.313(13); and

1 **WHEREAS**, if a local prohibition were enacted for appointed
2 officials, such an ordinance or resolution is not within the
3 jurisdiction of the Commission on Ethics and a violation of it would
4 not constitute a violation of the State Code of Ethics (Commission on
5 Ethics Opinion 07-19); now therefore

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

7 **Section 1. Creating a new Section 602.408 (Lobbying by**
8 **former appointed officials required to file Form 1 Financial**
9 **Disclosures; Prohibition), Part 4 (Conflicts of Interests), Chapter**
10 **602 (Jacksonville Ethics Code), Ordinance Code.** A new Section 602.408
11 (Lobbying by former appointed officials required to file Form 1
12 Financial Disclosures; Prohibition), Part 4 (Conflicts of Interest),
13 Chapter 602 (Jacksonville Ethics Code), *Ordinance Code*, is hereby
14 created to read as follows:

15 **CHAPTER 602. JACKSONVILLE ETHICS CODE**

16 * * *

17 **PART 4. CONFLICTS OF INTERESTS**

18 **Sec. 602.408. - Lobbying by former appointed officials required**
19 **to file Form 1 Financial Disclosures; Prohibition.**

20 A person who has been appointed to any county, municipal, or
21 state, Board, Commission, Committee, Council or authority may not
22 personally represent another person or entity for compensation before
23 the Board, Commission, Committee, Council or Authority of which the
24 person was an appointed official required to file Form 1 Financial
25 Disclosures for a period of 2 years after vacating that office. For
26 purposes of this section an "Appointed Official" is defined in
27 Section 602.201, *Ordinance Code*.

28 **Section 2. Appointed Official Form 1 Finance Disclosure**
29 **Agencies.** As of the filing of this legislation, the Form 1 Financial
30 Disclosure Agencies are as noted on **Exhibit 1** attached hereto.

31 **Section 3. Effective Date.** This ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective
2 without the Mayor's signature.

3 Form Approved:

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5 /s/ *Margaret M. Sidman*

6 Office of General Counsel

7 Legislation prepared by: Margaret M. Sidman

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