

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

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

1 bargaining matters, under F.S. §112.313(13); and

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

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

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

16 **CHAPTER 602. JACKSONVILLE ETHICS CODE**

17 * * *

18 **PART 4. CONFLICTS OF INTEREST**

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

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

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

1 **Section 3. Effective Date.** This ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

4 Form Approved:

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6 /s/ Paige Hobbs Johnston

7 Office of General Counsel

8 Legislation prepared by: Margaret M. Sidman

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