

By Commissioner Rundle

1 A proposal to revise
2 ARTICLE II, s. 8, Fla. Const.; strengthening
3 the powers of the Florida Commission on Ethics.

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5 It is proposed by the Florida Constitution Revision Commission
6 that:

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8 Section 1. Section 8 of Article II of the Florida
9 Constitution is revised by amending that section to read:

10 SECTION 8. Ethics in government.--A public office is a
11 public trust. The people shall have the right to secure and
12 sustain that trust against abuse. To assure this right:

13 (a) All elected constitutional officers and candidates
14 for such offices and, as may be determined by law, other
15 public officers, candidates, and employees shall file full and
16 public disclosure of their financial interests.

17 (b) All elected public officers and candidates for
18 such offices shall file full and public disclosure of their
19 campaign finances.

20 (c) Any public officer or employee who breaches the
21 public trust for private gain and any person or entity
22 inducing such breach shall be liable to the state for all
23 financial benefits obtained by such actions. The manner of
24 recovery and additional damages may be provided by law.

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

30 (e) No member of the legislature or statewide elected
31 officer shall personally represent another person or entity

1 for compensation before the government body or agency of which
2 the individual was an officer or member for a period of two
3 years following vacation of office. No member of the
4 legislature shall personally represent another person or
5 entity for compensation during term of office before any state
6 agency other than judicial tribunals. Similar restrictions on
7 other public officers and employees may be established by law.

8 (f) There shall be an independent commission to
9 initiate and conduct investigations and make public reports on
10 all complaints concerning breach of public trust by public
11 officers or employees not within the jurisdiction of the
12 judicial qualifications commission.

13 (g) This section shall not be construed to limit
14 disclosures and prohibitions which may be established by law
15 to preserve the public trust and avoid conflicts between
16 public duties and private interests.

17 (h) Schedule--On the effective date of this amendment
18 and until changed by law:

19 (1) Full and public disclosure of financial interests
20 shall mean filing with the secretary of state by July 1 of
21 each year a sworn statement showing net worth and identifying
22 each asset and liability in excess of \$1,000 and its value
23 together with one of the following:

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

26 b. A sworn statement which identifies each separate
27 source and amount of income which exceeds \$1,000. The forms
28 for such source disclosure and the rules under which they are
29 to be filed shall be prescribed by the independent commission
30 established in subsection (f), and such rules shall include
31 disclosure of secondary sources of income.

1 (2) Persons holding statewide elective offices shall
2 also file disclosure of their financial interests pursuant to
3 subsection (h)(1).

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

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