

State Ethics Laws that apply Upon Winning an Election

IMPORTANT: ETHICS LAWS GOVERNING PUBLIC OFFICIALS APPLY THE MOMENT A PERSON WINS AN ELECTED OFFICE. Here is a summary of the state ethics laws found in Florida Statutes (FS) that apply the moment you win an election, even before you are sworn into office.



SUNSHINE LAW: You cannot discuss city related business with a Council Member you will be serving with on the same Council without noticing the meeting. You can speak to any outgoing Council Members. FS Chapter 286



SOLICITATION OR ACCEPTANCE OF GIFTS: You cannot ask for or accept anything of value (gift, favor, service, reward, loan, future employment, etc.) if the thing of value is given to influence your vote, official action, or judgment. FS 112.313(2)

PROHIBITED GIFTS: You cannot solicit any gift of any value from a lobbyist or vendor of the City, or a partner, employer, principal or business of a lobbyist. You also cannot accept any gift over \$100 from a lobbyist or vendor of the City, or a partner, employer, principal or business of a lobbyist. You must disclose all acceptable gifts from anyone over \$100 each quarter on gift disclosure form (Form 9). FS 112.3148

PROHIBITED GIFTS FROM POLITICAL COMMITTEES: You and your immediate family (parents, children, spouses, or siblings) cannot solicit or accept anything of value (gift, payment, loan, disbursement of money, etc.) from a political committee that is not related to political activities authorized under Chapter 106 of the Florida elections laws. FS 112.31485



UNAUTHORIZED COMPENSATION: You, your spouse and your child/children cannot accept any monetary payment or thing of value that is given to influence your vote or other official action. FS 112.313(4)

HONORARIUM: You cannot solicit or accept anything of value, including monetary payment, for a speech, address, or oral presentation or writing (other than book) related to your Council position from a vendor of the City, lobbyist of the City, political committee or partner, employer, principal or business of the lobbyist. You can solicit or accept payment of actual and reasonable honorarium expenses, such as transportation, registration fee, lodging, and food and beverage expenses, related to the speech, address, oral presentation or writing; however, must disclose these payments of honorarium related expenses on an annual statement by July 1 of each calendar year. FS 112.3149



CONFLICTS OF INTEREST: You cannot purchase/rent/lease anything for the City from a business in which (1) you, your spouse or child are an officer, partner, director, or proprietor, or (2) you, your spouse or child own more than 5% of the total assets or stock. Also cannot rent/lease/sell anything to City or any City agency from business in which you are an officer or director, or you own more than a 5% interest. FS 112.313(7). You cannot have a contractual (i.e.. consultant, subcontractor, etc.) or employment relationship (1) with a business that is doing business with the City, or (2) that creates a continuing or recurring conflict between your private interests and performance of your public duties. FS 112.313(7)

DUAL PUBLIC EMPLOYMENT: The only government employment you can accept is your City Council position. You cannot work with the State of Florida or any other government in Florida. FS 112.3125

EMPLOYEES HOLDING OFFICE: You cannot hold your City Council office and an employment position with the City of Jacksonville at the same time. FS 112.313(10)

LOBBYING FORMER OFFICE: You cannot represent others as a paid lobbyist before (1) City Council, Council members and City boards and commissions on which City Council members serve, (2) the City's Chief Administrative Officer, and (3) the support staff, for period of two years following end of a City Council term. FS 112.313(14)



VOTING CONFLICTS: You cannot vote on any matter that would provide you, your relative or employer/business associate/clients any special economic gain or loss. Must (1) abstain from the vote, (2) publicly disclose voting conflict at a meeting prior to vote occurring, and (3) file voting conflict disclosure form within 15 days of the vote. FS 112.3143



MISUSE OF PUBLIC POSITION: You cannot use or attempt to use City Council position or City property and resources to obtain a special privilege or benefit for you, your family or anyone else. You cannot receive anything of value that others in the public do not receive—a "disproportionate benefit". FS 112.313(6)

DISCLOSURE OR USE OF CONFIDENTIAL INFORMATION: You cannot disclose or use information obtained from your official position that is not available to the general public for the gain or benefit for you, your family, or anyone else. FS 112.313(8)



NEPOTISM: You cannot appoint, employ, advance, promote or encourage the appointment, advancement, employment or promotion of a relative in City Council and any other City agency over which Council exercises control. FS 112.3135



ANNUAL ETHICS TRAINING: You are required to complete 4 hours of ethics training each calendar year on state ethics, Sunshine, and Public Records laws. This training is usually held in June of each year. If you are elected after March in a year, you don't have to do the 4 hours that year, but it is advisable that you do! FS 112.3142



FINANCIAL DISCLOSURE: You must file annual financial disclosure statement (Form 6) with State Ethics Commission by July 1 each year; you have complied with this requirement in the year you filed your qualifying financial disclosure form. Your next Form 6 will be due July 1 of the following year. FS 112.3144

State Ethics Laws are complicated.

Please call the City's Ethics Office if you have any questions, 255-5510.