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A bill to be entitled An act relating to government accountability; amending s. 112.313, F.S.; defining the term "foreign country of concern"; prohibiting specified individuals from soliciting or accepting anything of value from a foreign country of concern; creating s. 112.3262, F.S.; providing definitions; prohibiting a person from lobbying a county, municipality, or special district unless he or she is registered as a lobbyist with the Commission on Ethics; establishing registration requirements; requiring the commission to make lobbyist registrations available to the public on its website; establishing procedures for canceling of a lobbyist's registration; requiring a county, municipality, or special district to monitor compliance with lobbyist registration requirements; requiring the commission to investigate a lobbyist or principal upon receipt of a sworn complaint containing certain allegations; requiring the commission to provide the chief executive officer of the county or municipality or the governing body of the special district with a report on the findings and recommendations arising out of the investigation; authorizing the chief executive officer of the county or municipality or the governing body of the special

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district to enforce the findings and recommendations; providing construction; amending s. 125.73, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of a county administrator during a specified timeframe; providing an exception; creating s. 125.75, F.S.; prohibiting the governing body of a county from renewing or extending the employment contract of the county attorney during a specified timeframe; providing an exception; amending s. 166.021, F.S.; prohibiting the governing body of a municipality from renewing or extending the employment contract of a chief executive officer of the municipality or the city attorney during a specified timeframe; providing exceptions; amending s. 166.031, F.S.; requiring the governing body of a municipality to place certain proposed amendments to a vote of the electors at the next general election, municipal election, or special election, whichever is earliest; amending s. 1001.50, F.S.; prohibiting a district school board from renewing or extending the employment contract of a district school superintendent during a specified timeframe; providing an exception; creating s. 1012.336, F.S.; prohibiting a district school board from renewing or extending the employment contract of

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the general counsel of a district school board during a specified timeframe; providing an exception; amending s. 112.061, F.S.; conforming crossreferences; reenacting ss. 28.35(1)(b), 112.3136(1), 112.3251, 288.012(6)(d), 288.8014(4), 288.9604(3)(a), 295.21(4)(d), 406.06(5), 447.509(1)(d), 627.311(5)(m), 1002.33(26)(a), 1002.333(6)(f), and 1002.83(9), F.S., relating to members of the executive council of the Florida Clerks of Court Operations Corporation, standards of conduct for officers and employees of entities serving as chief administrative officers of political subdivisions, the ethics code and standards of conduct for citizen support and direct-support organizations, senior managers and members of the board of directors of the direct-support organization of State of Florida international offices, standards of conduct for members of the board of directors of Triumph Gulf Coast, Inc., directors of the Florida Development Finance Corporation, standards of conduct for the board of directors of Florida Is For Veterans, Inc., standards of conduct for district and associate medical examiners, prohibited actions of employee organizations, their members, agents, representatives, or persons acting on their behalf, standards of conduct for senior managers, officers and members of

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the board of governors of the Office of Insurance Regulation, standards of conduct and financial disclosure for members of a governing board of a charter school, those operating schools of hope, and standards of conduct for members of an early learning coalition, respectively, to incorporate the amendments made to s. 112.313, F.S., in references thereto; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

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- Section 1. Subsections (1) and (2) of section 112.313, Florida Statutes, are amended to read:
- 89 112.313 Standards of conduct for public officers, 90 employees of agencies, and local government attorneys.—
  - (1) <u>DEFINITIONS</u> <u>DEFINITION</u>.—As used in this section, unless the context otherwise requires, the term:
  - (a) "Foreign country of concern" has the same meaning as in s. 286.101.
  - (b) "Public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.
    - (2) SOLICITATION OR ACCEPTANCE OF GIFTS.-
  - $\underline{(a)}$  A No public officer,  $\underline{an}$  employee of an agency,  $\underline{a}$  local government attorney, or a candidate for nomination or election

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may not shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

- (b) A public officer, an employee of an agency, a local government attorney, or a candidate for nomination or election may not solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, from a foreign country of concern.
- Section 2. Section 112.3262, Florida Statutes, is created to read:
- 112.3262 Lobbying before special districts, counties, and municipalities; registration and reporting.—
  - (1) As used in this section, the term:
- (a) "Lobby" or "lobbies" means to seek, on behalf of another person or group, to influence a county, municipality, or special district with respect to a decision of that entity in an area of policy or procurement or in an attempt to obtain the goodwill of an official or employee of such entity. The term must be interpreted and applied consistently with the rules of the commission implementing s. 112.3215.
  - (b) "Lobbyist" has the same meaning as in s. 112.3215(1).
  - (c) "Principal" has the same meaning as in s. 112.3215(1).

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(2) A person may not lobby a county, municipality, or
special district unless he or she is registered as a lobbyist
with the commission to lobby a county, municipality, or special
district. The commission must note in a public database that
such person is registered to lobby a county, municipality, or
special district. Such registration is due upon the person's
initial retention as a lobbyist and is renewable on a calendar-
year basis thereafter. Such person shall, at the time of
registration, provide a statement signed by the principal or
principal's representative stating that the registrant is
authorized to represent the principal. The statement must also
identify and designate the principal's main business and
authorize the registrant pursuant to a classification system
approved by the commission. A lobbyist must disclose any changes
in the information provided pursuant to this subsection within
15 days after the change occurs by filing a new registration
form. The lobbyist must disclose, under oath, on a lobbyist
registration form used by the commission, all of the following
<pre>information:</pre>
(a) The lobbyist's name and business address.
(b) The name and business address of each principal
represented.

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(c) The existence of any direct or indirect business

association, partnership, or financial relationship the lobbyist

has with any officer or employee of the county, municipality, or

151	special district that he or she lobbies or intends to lobby.
152	(3) The commission shall make the registrations of
153	lobbyists who register to lobby a county, municipality, or
154	special district available to the public on its website.
155	(4) A lobbyist shall promptly send a written statement to
156	the commission canceling the registration for a principal upon
157	termination of the lobbyist's representation of that principal.
158	The commission may remove the name of a lobbyist from the list
159	of registered lobbyists for counties, municipalities, and
160	special districts if the principal notifies the commission that
161	a person is no longer authorized to represent that principal
162	before such entity.
163	(5) A county, municipality, or special district must be
164	diligent in determining whether persons required to register
165	with the commission pursuant to this section have complied. A
166	county, municipality, or special district may not knowingly
167	authorize a person who is not registered pursuant to this
168	section to lobby the county, municipality, or special district.
169	(6) Upon receipt of a sworn complaint alleging that a
170	lobbyist or principal has failed to register with the commission
171	to lobby a county, municipality, or special district, or has
172	knowingly submitted false information in a report or
173	registration required under this section, the commission shall
174	investigate the lobbyist or principal pursuant to the procedures
175	established under s. 112.324. The commission shall provide the

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176	chief executive officer of the county or municipality or the
177	governing body of the special district with a report of its
178	findings and recommendations arising out of any investigation
179	conducted under this subsection. The chief executive officer of
180	the county or municipality or the governing body of the special
181	district may enforce the commission's findings and
182	recommendations.
183	(7) This section does not preempt or supersede any
184	ordinance or charter provision establishing a lobbyist
185	registration program adopted before January 1, 2025.
186	Section 3. Subsection (5) is added to section 125.73,
187	Florida Statutes, to read:
188	125.73 County administrator; appointment, qualifications,
189	compensation.—
190	(5) The governing body of a county may not renew or extend
191	the employment contract of a county administrator during the 8
192	months immediately preceding a general election for county
193	mayor, if applicable, or for members of the governing body of
194	the county unless the governing body approves such renewal or
195	extension by a unanimous vote.
196	Section 4. Section 125.75, Florida Statutes, is created to
197	read:
198	125.75 Contract for the county attorney.—The governing
199	body of a county may not renew or extend the contract of the

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county attorney during the 8 months immediately preceding a

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general election for county mayor, if applicable, or for members of the governing body of the county unless the governing body approves such renewal or extension by a unanimous vote.

Section 5. Subsection (9) of section 166.021, Florida Statutes, is renumbered as subsection (10), and a new subsection (9) is added to that section, to read:

166.021 Powers.—

- (9) (a) The governing body of a municipality may not renew or extend the employment contract of a chief executive officer of the municipality during the 8 months immediately preceding a general election for the municipal mayor or for members of the governing body of the municipality unless the governing body approves such renewal or extension by a unanimous vote.
- (b) The governing body of a municipality may not renew or extend the employment contract of the city attorney during the 8 months immediately preceding a general election for the municipal mayor or for members of the governing body of the municipality unless the governing body approves such renewal or extension by a unanimous vote.

Section 6. Subsection (1) of section 166.031, Florida Statutes, is amended to read:

166.031 Charter amendments.-

(1) The governing body of a municipality may, by ordinance, or the electors of a municipality may, by petition signed by 10 percent of the registered electors as of the last

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preceding municipal general election, submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality. The governing body of the municipality <u>must shall</u> place the proposed amendment contained in the ordinance or petition to a vote of the electors at the next general election held <u>in the county, the next municipal election</u>, <u>within the municipality</u> or at a special election called for such purpose, <u>whichever is earliest</u>. Section 7. Subsection (2) of section 1001.50, Florida

Statutes, is amended to read:

1001.50 Superintendents employed under Art. IX of the State Constitution.—

employment contract with the district school superintendent and shall adopt rules relating to his or her appointment; however, if the employment contract contains a provision for severance pay, it must include the provisions required by s. 215.425. The district school board may not renew or extend the employment contract of a superintendent during the 8 months immediately preceding a general election for district school board members unless the district school board approves such renewal or extension by a unanimous vote.

Section 8. Section 1012.336, Florida Statutes, is created to read:

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2.51

- 1012.336 Contracts with general counsels of district school boards.—A district school board may not renew or extend the employment contract of the general counsel of a district school board during the 8 months immediately preceding a general election for district school board members unless the district school board approves such renewal or extension by a unanimous vote.
- Section 9. Paragraphs (a) and (c) of subsection (14) of section 112.061, Florida Statutes, are amended to read:
- 112.061 Per diem and travel expenses of public officers, employees, and authorized persons; statewide travel management system.—
- (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT SCHOOL BOARDS, SPECIAL DISTRICTS, AND METROPOLITAN PLANNING ORGANIZATIONS.—
- (a) The following entities may establish rates that vary from the per diem rate provided in paragraph (6)(a), the subsistence rates provided in paragraph (6)(b), or the mileage rate provided in paragraph (7)(d) if those rates are not less than the statutorily established rates that are in effect for the 2005-2006 fiscal year:
- 1. The governing body of a county by the enactment of an ordinance or resolution;
- 2. A county constitutional officer, pursuant to s. 1(d), Art. VIII of the State Constitution, by the establishment of

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276 written policy;

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- 3. The governing body of a district school board by the adoption of rules;
- 4. The governing body of a special district, as defined in s. 189.012, except those special districts that are subject to  $\frac{166.021(10)}{100} = \frac{166.021(9)}{1000}$ , by the enactment of a resolution; or
- 5. Any metropolitan planning organization created pursuant to s. 339.175 or any other separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member, by the enactment of a resolution.
- (c) Except as otherwise provided in this subsection, counties, county constitutional officers and entities governed by those officers, district school boards, special districts, and metropolitan planning organizations, other than those subject to  $\underline{s.\ 166.021(10)}\ \underline{s.\ 166.021(9)}$ , remain subject to the requirements of this section.

Section 10. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, paragraph (b) of subsection (1) of section 28.35, Florida Statutes, is reenacted to read:

28.35 Florida Clerks of Court Operations Corporation.-

299 (1)

(b)1. The executive council shall be composed of eight

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clerks of the court elected by the clerks of the courts for a term of 2 years, with two clerks from counties with a population of fewer than 100,000, two clerks from counties with a population of at least 100,000 but fewer than 500,000, two clerks from counties with a population of at least 500,000 but fewer than 1 million, and two clerks from counties with a population of 1 million or more. The executive council shall also include, as ex officio members, a designee of the President of the Senate and a designee of the Speaker of the House of Representatives. The Chief Justice of the Supreme Court shall designate one additional member to represent the state courts system.

2. Members of the executive council of the corporation are subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2) to activities of executive council members, members shall be considered public officers and the corporation shall be considered the members' agency.

Section 11. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, subsection (1) of section 112.3136, Florida Statutes, is reenacted to read:

112.3136 Standards of conduct for officers and employees of entities serving as chief administrative officer of political

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subdivisions.—The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision, for the purposes of the following sections, are public officers and employees who are subject to the following standards of conduct of this part:

(1) Section 112.313, and their "agency" is the political subdivision that they serve; however, the contract under which the business entity serves as chief executive or administrative officer of the political subdivision is not deemed to violate s. 112.313(3) or (7).

Section 12. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, section 112.3251, Florida Statutes, is reenacted to read:

112.3251 Citizen support and direct-support organizations; standards of conduct.—A citizen support or direct-support organization created or authorized pursuant to law must adopt its own ethics code. The ethics code must contain the standards of conduct and disclosures required under ss. 112.313 and 112.3143(2), respectively. However, an ethics code adopted pursuant to this section is not required to contain the

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standards of conduct specified in s. 112.313(3) or (7). The citizen support or direct-support organization may adopt additional or more stringent standards of conduct and disclosure requirements if those standards of conduct and disclosure requirements do not otherwise conflict with this part. The ethics code must be conspicuously posted on the citizen support or direct-support organization's website.

Section 13. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, paragraph (d) of subsection (6) of section 288.012, Florida Statutes, is reenacted to read:

288.012 State of Florida international offices; directsupport organization.—The Legislature finds that the expansion
of international trade and tourism is vital to the overall
health and growth of the economy of this state. This expansion
is hampered by the lack of technical and business assistance,
financial assistance, and information services for businesses in
this state. The Legislature finds that these businesses could be
assisted by providing these services at State of Florida
international offices. The Legislature further finds that the
accessibility and provision of services at these offices can be
enhanced through cooperative agreements or strategic alliances
between private businesses and state, local, and international
governmental entities.

(6)

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(d) The senior managers and members of the board of directors of the organization are subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2) to activities of the president and staff, those persons shall be considered public officers or employees and the corporation shall be considered their agency. The exemption set forth in s. 112.313(12) for advisory boards applies to the members of board of directors. Further, each member of the board of directors who is not otherwise required to file financial disclosures pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, shall file disclosure of financial interests pursuant to s. 112.3145.

Section 14. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, subsection (4) of section 288.8014, Florida Statutes, is reenacted to read:

288.8014 Triumph Gulf Coast, Inc.; organization; board of directors.—

(4) The Legislature determines that it is in the public interest for the members of the board of directors to be subject to the requirements of ss. 112.313, 112.3135, and 112.3143, notwithstanding the fact that the board members are not public officers or employees. For purposes of those sections, the board members shall be considered to be public officers or employees.

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In addition to the postemployment restrictions of s. 112.313(9), a person appointed to the board of directors must agree to refrain from having any direct interest in any contract, franchise, privilege, project, program, or other benefit arising from an award by Triumph Gulf Coast, Inc., during the term of his or her appointment and for 6 years after the termination of such appointment. It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for a person to accept appointment to the board of directors in violation of this subsection or to accept a direct interest in any contract, franchise, privilege, project, program, or other benefit granted by Triumph Gulf Coast, Inc., to an awardee within 6 years after the termination of his or her service on the board. Further, each member of the board of directors who is not otherwise required to file financial disclosure under s. 8, Art. II of the State Constitution or s. 112.3144 shall file disclosure of financial interests under s. 112.3145. Section 15. For the purpose of incorporating the

Section 15. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in a reference thereto, paragraph (a) of subsection (3) of section 288.9604, Florida Statutes, is reenacted to read: 288.9604 Creation of the corporation.—

(3)(a)1. A director may not receive compensation for his or her services, but is entitled to necessary expenses, including travel expenses, incurred in the discharge of his or

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her duties. Each appointed director shall hold office until his or her successor has been appointed.

2. Directors are subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2) to activities of directors, directors are considered public officers and the corporation is considered their agency.

Section 16. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, paragraph (d) of subsection (4) of section 295.21, Florida Statutes, is reenacted to read:

295.21 Florida Is For Veterans, Inc.-

- (4) GOVERNANCE.
- interest for the members of the board of directors to be subject to the requirements of ss. 112.313, 112.3135, and 112.3143.

  Notwithstanding the fact that they are not public officers or employees, for purposes of ss. 112.313, 112.3135, and 112.3143, the board members shall be considered to be public officers or employees. In addition to the postemployment restrictions of s. 112.313(9), a person appointed to the board of directors may not have direct interest in a contract, franchise, privilege, project, program, or other benefit arising from an award by the corporation during the appointment term and for 2 years after the termination of such appointment. A person who accepts

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451 appointment to the board of directors in violation of this 452 subsection, or accepts a direct interest in a contract, 453 franchise, privilege, project, program, or other benefit granted 454 by the corporation to an awardee within 2 years after the 455 termination of his or her service on the board, commits a 456 misdemeanor of the first degree, punishable as provided in s. 457 775.082 or s. 775.083. Further, each member of the board of 458 directors who is not otherwise required to file financial 459 disclosure under s. 8, Art. II of the State Constitution or s. 460 112.3144 shall file a statement of financial interests under s. 461 112.3145. 462 Section 17. For the purpose of incorporating the 463 amendments made by this act to section 112.313, Florida 464 Statutes, in a reference thereto, subsection (5) of section 465 406.06, Florida Statutes, is reenacted to read: 466 406.06 District medical examiners; associates; suspension 467 of medical examiners.-(5) District medical examiners and associate medical 468 469 examiners are public officers for purposes of s. 112.313 and the 470 standards of conduct prescribed thereunder. 471 Section 18. For the purpose of incorporating the 472 amendments made by this act to section 112.313, Florida 473 Statutes, in references thereto, paragraph (d) of subsection (1) of section 447.509, Florida Statutes, is reenacted to read: 474

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447.509 Other unlawful acts.-

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- (1) Employee organizations, their members, agents, or representatives, or any persons acting on their behalf are hereby prohibited from:
- (d) Offering anything of value to a public officer as defined in s. 112.313(1) which the public officer is prohibited from accepting under s. 112.313(2).

Section 19. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in references thereto, paragraph (m) of subsection (5) of section 627.311, Florida Statutes, is reenacted to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(5)

(m) Senior managers and officers, as defined in the plan of operation, and members of the board of governors are subject to the provisions of ss. 112.313, 112.3135, 112.3143, 112.3145, 112.316, and 112.317. Senior managers, officers, and board members are also required to file such disclosures with the Commission on Ethics and the Office of Insurance Regulation. The executive director of the plan or his or her designee shall notify each newly appointed and existing appointed member of the board of governors, senior manager, and officer of his or her duty to comply with the reporting requirements of s. 112.3145. At least quarterly, the executive director of the plan or his or her designee shall submit to the Commission on Ethics a list of

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names of the senior managers, officers, and members of the board of governors who are subject to the public disclosure requirements under s. 112.3145. Notwithstanding s. 112.313, an employee, officer, owner, or director of an insurance agency, insurance company, or other insurance entity may be a member of the board of governors unless such employee, officer, owner, or director of an insurance agency, insurance company, other insurance entity, or an affiliate provides policy issuance, policy administration, underwriting, claims handling, or payroll audit services. Notwithstanding s. 112.3143, such board member may not participate in or vote on a matter if the insurance agency, insurance company, or other insurance entity would obtain a special or unique benefit that would not apply to other similarly situated insurance entities.

Section 20. For the purpose of incorporating the amendments made by this act to section 112.313, Florida Statutes, in a reference thereto, paragraph (a) of subsection (26) of section 1002.33, Florida Statutes, is reenacted to read: 1002.33 Charter schools.—

- (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE. -
- (a) A member of a governing board of a charter school, including a charter school operated by a private entity, is subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).
- Section 21. For the purpose of incorporating the amendments made by this act to section 112.313, Florida

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526 Statutes, in a reference thereto, paragraph (f) of subsection (6) of section 1002.333, Florida Statutes, is reenacted to read: 1002.333 Persistently low-performing schools.

- STATUTORY AUTHORITY.-(6)
- Schools of hope operated by a hope operator shall be (f) exempt from chapters 1000-1013 and all school board policies. However, a hope operator shall be in compliance with the laws in chapters 1000-1013 relating to:
- 1. The student assessment program and school grading system.
  - 2. Student progression and graduation.
- The provision of services to students with disabilities.
- 4. Civil rights, including s. 1000.05, relating to discrimination.
  - Student health, safety, and welfare.
- Public meetings and records, public inspection, and criminal and civil penalties pursuant to s. 286.011. The governing board of a school of hope must hold at least two public meetings per school year in the school district in which the school of hope is located. Any other meetings of the governing board may be held in accordance with s. 120.54(5)(b)2.
  - 7. Public records pursuant to chapter 119.
- The code of ethics for public officers and employees pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

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551	Section 22. For the purpose of incorporating the
552	amendments made by this act to section 112.313, Florida
553	Statutes, in a reference thereto, subsection (9) of section
554	1002.83, Florida Statutes, is reenacted to read:
555	1002.83 Early learning coalitions.—
556	(9) Each member of an early learning coalition is subject
557	to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
558	112.3143(3)(a), each voting member is a local public officer who
559	must abstain from voting when a voting conflict exists.
560	Section 23. This act shall take effect January 1, 2025.

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