

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.  
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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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Name of Board	Reason for Filing Form 1 Financial Disclosure
1. Planning Commission	Board Having Power to Recommend, Create or Modify Land Planning/Zoning
2. Building Code Adjustment Board	Board Having Power to Recommend, Create or Modify Land Planning/Zoning
3. City of Jacksonville Retirement System Board of Trustees	Pension/Retirement Board Having Power to Invest & Determine Benefits
4. Police & Fire Pension Fund Board of Trustees	Pension/Retirement Board Having Power to Invest & Determine Benefits
5. DIA/Southside CRA/Northbank CRA	Board Required to File Financial Disclosures By Enabling Legislation
6. Jacksonville Health Facilities Authority	Board Required to File Financial Disclosures By Enabling Legislation
7. JEA Board	Board Required to File Financial Disclosures By Enabling Legislation
8. JAA Board	Board Required to File Financial Disclosures By Enabling Legislation
9. JHA Board	
10. JPA Board	
11. JTA Board	
12. Jacksonville Ethics Commission	Board Having Power to Enforce Local Code Provisions