



January 12, 2016

"Anti-corruption bill" moves forward in Florida Senate

Tallahassee, Florida/ A sweeping ethics reform bill supported by both liberal and conservative groups passed its first test in the Florida Senate today. SB 686, sponsored by Senator Don Gaetz, would make it easier for state attorneys to prosecute bribery, bid-rigging and fraud in government contracting, stop politicians from misusing their positions to get jobs they're not qualified for, and require local governments to manage public funds more carefully and transparently.

Although a bill containing some of the ethics provisions was voted down in another committee yesterday, the Niceville Republican gained a 7-3 victory for a far more expansive set of reforms in the Senate Ethics and Elections Committee today.

In a rare display of unity, the Tea Party Network and Common Cause, representing philosophies often at odds on legislation, both testified for the bill as did the Florida Commission on Ethics and the association of the state's twenty state attorneys.

"This bill won't remove all sin from politics, that's for sure," said Gaetz. "But it will significantly raise the standard of ethical performance for government at all levels and in all three branches and will give prosecutors and the public the tools to hold politicians accountable when they misuse the public trust."

Highlights of the bill include:

- State and local governments are restricted from paying excessive bonuses and severance payments and are required to recover prohibited compensation.
- Findings of independent audits of government agencies must be made public and those agencies must report at public meetings how and when they will take corrective action recommended by the Auditor General.
- Office holders can no longer skirt the conflict-of-interest laws by contracting through a third party in order to do business with the government board on which they serve.
- Water management districts, transportation authorities, special districts and local governments must register and disclose who is lobbying them.
- Persons who serve on Enterprise Florida, Visit Florida, Citizens Insurance and other public boards are prohibited from lobbying those boards for two years after they leave office or appointed administrative positions. Board members or employees dismissed for cause are barred from lobbying for ten years.
- Local governments and special districts will now have to place their budgets on line.
- Legislative lobbyists have to disclose every month who they represent and what bills, amendments or appropriations they are attempting to influence.
- Local government officials will be required to fully disclose their financial dealings.
- The Commission on Ethics can initiate investigations into suspected unethical conduct without a citizen complaint.

- No public board can require that citizens submit an advance copy of their testimony before speaking.
- The standard of proof for bribery, fraud and bid-rigging is lowered from having to prove “corrupt intent” to proving “knowingly and intentionally” engaging in illegal conduct.
- Public contractors and public officials are prohibited from offering or accepting financial or other inducements to influence contracts.
- District school boards can require internal auditors to conduct a management audit of district and school operations and make audit findings public.

Gaetz said the bill was inspired, in part, by mismanagement in Okaloosa county government where millions of dollars were stolen and wasted by the Tourist Development Council. The Auditor General and private auditors found that the county government had failed to apply standard financial controls or use good business practices.

“The bill has a steep climb ahead,” Gaetz explained. “Just as there is crony capitalism, there is also crony government. Those who gain advantages from lax controls or have special relationships with government officials have a great deal to lose if a bill like this passes. I’m very grateful for the support of my colleagues in both parties to eliminate what the Grand Jury calls a ‘multi-million dollar corruption tax.’”

###