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LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 03/05/2014 | . | |
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The Committee on Community Affairs (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 690 - 767

and insert:

Section 13. Paragraph (d) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(d)1. All prospective employees for senior management positions, as defined by the plan of operation, are subject to



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11 background checks as a prerequisite for employment. The office
12 shall conduct the background checks pursuant to ss. 624.34,
13 624.404(3), and 628.261.

14 2. On or before July 1 of each year, employees of the
15 corporation must sign and submit a statement attesting that they
16 do not have a conflict of interest, as defined in part III of
17 chapter 112. As a condition of employment, all prospective
18 employees must sign and submit to the corporation a conflict-of-
19 interest statement.

20 3. The executive director, senior managers, and members of
21 the board of governors are subject to part III of chapter 112,
22 including, but not limited to, the code of ethics and public
23 disclosure and reporting of financial interests, pursuant to s.
24 112.3145. Notwithstanding s. 112.3143(2), a board member may not
25 vote on any measure that would inure to his or her special
26 private gain or loss; that he or she knows would inure to the
27 special private gain or loss of any principal by whom he or she
28 is retained or to the parent organization or subsidiary of a
29 corporate principal by which he or she is retained, other than
30 an agency as defined in s. 112.312; or that he or she knows
31 would inure to the special private gain or loss of a relative or
32 business associate of the public officer. Before the vote is
33 taken, such member shall publicly state to the assembly the
34 nature of his or her interest in the matter from which he or she
35 is abstaining from voting and, within 15 days after the vote
36 occurs, disclose the nature of his or her interest as a public
37 record in a memorandum filed with the person responsible for
38 recording the minutes of the meeting, who shall incorporate the
39 memorandum in the minutes. Senior managers and board members are



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40 also required to file such disclosures with the Commission on
41 Ethics and the Office of Insurance Regulation. The executive
42 director of the corporation or his or her designee shall notify
43 each existing and newly appointed member of the board of
44 governors and senior managers of their duty to comply with the
45 reporting requirements of part III of chapter 112. At least
46 quarterly, the executive director or his or her designee shall
47 submit to the Commission on Ethics a list of names of the senior
48 managers and members of the board of governors who are subject
49 to the public disclosure requirements under s. 112.3145.

50 4. Notwithstanding s. 112.3148, ~~or~~ s. 112.3149, or any
51 other provision of law, an employee or board member may not
52 knowingly accept, directly or indirectly, any gift or
53 expenditure from a person or entity, or an employee or
54 representative of such person or entity, which has a contractual
55 relationship with the corporation or who is under consideration
56 for a contract. An employee or board member who fails to comply
57 with subparagraph 3. or this subparagraph is subject to
58 penalties provided under ss. 112.317 and 112.3173.

59 5. The executive director, a member of the board of
60 governors, and a ~~any~~ senior manager of the corporation are ~~who~~
61 ~~is employed on or after January 1, 2007, regardless of the date~~
62 ~~of hire, who subsequently retires or terminates employment is~~
63 prohibited from representing another person or entity before the
64 corporation for 2 years after retirement from or termination of
65 service to employment from the corporation.

66 6. The executive director, a member of the board of
67 governors, and a ~~Any~~ senior manager of the corporation are ~~who~~
68 ~~is employed on or after January 1, 2007, regardless of the date~~



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69 ~~of hire, who subsequently retires or terminates employment is~~
70 prohibited from having any employment or contractual
71 relationship for 2 years after retirement from or termination of
72 service to the corporation with an insurer that has entered into
73 a take-out bonus agreement with the corporation.

74
75 ===== T I T L E A M E N D M E N T =====

76 And the title is amended as follows:

77 Delete lines 92 - 97

78 and insert:

79 Officers and Employees to the executive director of
80 Citizens Property Insurance Corporation; prohibiting a
81 former executive director, senior manager, or member
82 of the board of governors of the corporation from
83 representing another person or entity before the
84 corporation for a specified timeframe; prohibiting a
85 former executive director, senior manager, or member
86 of the board of governors from entering employment or
87 a contractual relationship for a specified timeframe
88 with certain insurers; providing an effective date.