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LEGISLATIVE ACTION

Senate

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House

Senator Latvala moved the following:

Senate Amendment

Delete lines 724 - 813

and insert:

Section 13. Paragraph (c) of subsection (1) of section 288.901, Florida Statutes, is amended, and paragraph (d) is added to that subsection, to read:

288.901 Enterprise Florida, Inc.—

(1) CREATION.—

(c) The Legislature determines that it is in the public interest that the president, senior managers, and for the



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12 members of the board of directors of Enterprise Florida, Inc.,
13 ~~board of directors~~ to be subject to the requirements of ss.
14 112.313, 112.3135, and 112.3143(2)., ~~and 112.313, excluding s.~~
15 ~~112.313(2),~~ Notwithstanding ~~the fact~~ that the board members are
16 not public officers or employees, ~~for~~ for purposes of the
17 application of ss. 112.313, 112.3135, and 112.3143(2) to the
18 activities of these sections, the president, senior managers,
19 and board members, those individuals shall be considered ~~to be~~
20 public officers or employees, and the corporation shall be
21 considered their agency. The exemption set forth in s.
22 112.313(12) for advisory boards applies to the members of the
23 Enterprise Florida, Inc., board of directors. Further, each
24 member of the board of directors who is not otherwise required
25 to file financial disclosures pursuant to s. 8, Art. II of the
26 State Constitution or s. 112.3144, shall file disclosure of
27 financial interests pursuant to s. 112.3145.

28 (d) The president, senior managers, and members of the
29 board of directors of Enterprise Florida, Inc., may not
30 represent another person or entity for compensation before the
31 corporation for a period of 2 years after ending their
32 employment with the corporation or service on the board of
33 directors.

34 Section 14. Present paragraph (b) of subsection (2) of
35 section 288.92, Florida Statutes, is redesignated as paragraph
36 (c), and a new paragraph (b) is added to that subsection, to
37 read:

38 288.92 Divisions of Enterprise Florida, Inc.—

39 (2)

40 (b)1. The Legislature determines that it is in the public



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41 interest that the following officers and board members be
42 subject to ss. 112.313, 112.3135, and 112.3143(2),
43 notwithstanding the fact that such officers and board members
44 are not public officers or employees:

45 a. Officers and members of the board of directors of the
46 divisions of Enterprise Florida, Inc.;

47 b. Officers and members of the board of directors of
48 subsidiaries of Enterprise Florida, Inc.;

49 c. Officers and members of the board of directors of
50 corporations created to carry out the missions of Enterprise
51 Florida, Inc.; and

52 d. Officers and members of the board of directors of
53 corporations with which a division is required by law to
54 contract with to carry out its missions.

55 2. The officers and members of the board of directors
56 specified in subparagraph 1. may not represent another person or
57 entity for compensation before Enterprise Florida, Inc., for a
58 period of 2 years after retirement from or termination of
59 service to the division.

60 3. For purposes of the application of ss. 112.313,
61 112.3135, and 112.3143(2) to the activities of the officers and
62 members of the board of directors specified in subparagraph 1.,
63 those individuals shall be considered public officers or
64 employees, and the corporation shall be considered their agency.

65 Section 15. Paragraph (a) of subsection (3) of section
66 288.9604, Florida Statutes, is amended to read:

67 288.9604 Creation of the authority.—

68 (3) (a) 1. A director may not ~~shall~~ receive ~~no~~ compensation
69 for his or her services, but is entitled to ~~the~~ necessary



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70 expenses, including travel expenses, incurred in the discharge
71 of his or her duties. Each director shall hold office until his
72 or her successor has been appointed.

73 2. The Legislature determines that it is in the public
74 interest that a director of the board of directors of the
75 Florida Development Finance Corporation be subject to ss.
76 112.313, 112.3135, and 112.3143(2). Notwithstanding that the
77 directors are not public officers or employees, for purposes of
78 the application of ss. 112.313, 112.3135, and 112.3143(2) to the
79 activities of the directors, the directors shall be considered
80 public officers or employees, and the corporation shall be
81 considered their agency.

82 3. A director of the board of directors of the corporation
83 may not represent another person or entity for compensation
84 before the corporation for a period of 2 years following his or
85 her service on the board of directors.

86 Section 16. Paragraph (d) of subsection (6) of section
87 627.351, Florida Statutes, is amended to read:

88 627.351 Insurance risk apportionment plans.—

89 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

90 (d)1. All prospective employees for senior management
91 positions, as defined by the plan of operation, are subject to
92 background checks as a prerequisite for employment. The office
93 shall conduct the background checks pursuant to ss. 624.34,
94 624.404(3), and 628.261.

95 2. On or before July 1 of each year, employees of the
96 corporation must sign and submit a statement attesting that they
97 do not have a conflict of interest, as defined in part III of
98 chapter 112. As a condition of employment, all prospective



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99 employees must sign and submit to the corporation a conflict-of-
100 interest statement.

101 3. The executive director, senior managers, and members of
102 the board of governors are subject to part III of chapter 112,
103 including, but not limited to, the code of ethics and public
104 disclosure and reporting of financial interests, pursuant to s.
105 112.3145. Notwithstanding that the executive director, senior
106 managers, and members of the board of governors are not public
107 officers or employees, for purposes of the application of part
108 III of chapter 112 to the activities of those individuals, the
109 executive director, senior managers, and members of the board of
110 governors shall be considered public officers and employees, and
111 the corporation shall be considered their agency.

112 Notwithstanding s. 112.3143(2), a board member may not