

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

This bill requires that all elected officials within the Consolidated Government of the City of Jacksonville complete ethics training as required by section 602.1001, Jacksonville Ordinance Code, within 90 days after taking office.

The bill provides that this requirement applies to all elected officials within the consolidated government, including the Mayor, all City Council Members, all Duval County School Board members, the Sheriff, the Supervisor of Elections, the Property Appraiser, the Tax Collector, and the Clerks of the Circuit and County Court.

The bill further provides that all such elected officials be included in the definition of the term "officer" in section 602.201(x), Jacksonville Ordinance Code, and that such elected officials comply with all laws applicable to "officers" in chapter 602, Jacksonville Ordinance Code.

Current Law

The Jacksonville Ethics Code was enacted by the Jacksonville City Council on May 25, 1999. Section 602.1001, Jacksonville Ordinance Code, requires that every elected official attend an Ethics in Government Program within 90 days of taking office.

Pursuant to House Rule 5.5(a), any local bill which may be enacted into law by ordinance of a local governing body may not be reported by the committee, unless the governing body would be required to call a referendum to enact the substance of the local bill into law.

Section 125.64 (2), Florida Statutes, provides that once a charter is adopted by the electors, it may be amended only by the electors. The charter is required to provide a method for submitting future charter revisions and amendments to the electors. Section 18.05 of the City of Jacksonville Charter provides that when an amendment to the charter has been properly proposed, a public referendum must be held. Thus, this bill is not subject to House Rule 5.5 (a).

C. SECTION DIRECTORY:

Section 1: Amends chapter 92-341, Laws of Florida, to require that every elected official within the consolidated government complete ethics training as required by section 602.1001, Jacksonville Ordinance Code, and comply with all laws applicable to officers in chapter 602, Jacksonville Ordinance Code.

Section 2: Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

December 4, 2002

WHERE?

Financial News and Daily Record, a newspaper of general circulation in Duval County.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES: Not applicable.

B. RULE-MAKING AUTHORITY: Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Other Comments

The Sponsor has stated that questions have been raised as to whether the *ordinance* can require constitutional officers to comply with the ethics requirements HB 645 strengthens the ethics requirements and should resolve any concerns about their expanded application to constitutional officers.

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

None.