HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 645   Consolidated Government/Jacksonville: Ethics Training
SPONSOR(S): Mahon
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Local Government & Veterans' Affairs	18 Y, 0 N	Nelson	Highsmith-Smith
2) Ethics & Elections			
3) Procedures			
4)			
5)			

SUMMARY ANALYSIS

This bill provides that elected officials within the Consolidated Government of the City of Jacksonville complete ethics training within 90 days after taking office.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

1. Reduce government?   Yes[] No[] N/A[X]
2. Lower taxes?   Yes[] No[] N/A[X]
3. Expand individual freedom?   Yes[] No[] N/A[X]
4. Increase personal responsibility? Yes[] No[] N/A[X]
5. Empower families?   Yes[] No[] N/A[X]

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 Clerk 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 all such elected officials comply with 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 Ethics 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.

    S.125.64 (2), F. S., 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.

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

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED?   Yes [X]   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 [X]

    IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED?   Yes, attached [X]   No []

D. ECONOMIC IMPACT STATEMENT FILED?   Yes, attached [X]   No []

III. COMMENTS

A. CONSTITUTIONAL ISSUES: Not applicable.

B. RULE-MAKING AUTHORITY: Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

    <u>Other Comments</u>

    The Sponsor has stated that questions have been raised as to whether the ordinance can require constitutional officers to comply with the ethics requirements, and that the bill strengthens these requirements and clarifies that constitutional officers must comply.

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

None.