

By Senator Detert

28-01370-13

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1                                   A bill to be entitled  
2           An act relating to the Commission on Ethics; amending  
3           ss. 55.10 and 55.202, F.S.; authorizing the commission  
4           to acquire liens on real and personal property for  
5           certain fines imposed by final order of the  
6           commission; amending s. 55.209, F.S.; conforming a  
7           cross-reference; amending s. 112.3143, F.S.; providing  
8           a definition; providing circumstances under which a  
9           state public officer who holds an elective office must  
10          disclose certain interests when voting on a matter;  
11          prohibiting a state public officer who holds an  
12          appointive position from voting upon certain matters;  
13          requiring disclosure of certain interests of a state  
14          public officer holding an appointive position and a  
15          county, municipal, or other local public officer;  
16          prohibiting a state public officer holding an  
17          appointive position and a county, municipal, or other  
18          local public officer from participating in certain  
19          matters that would inure to his or her gain or that of  
20          others; providing exceptions; amending s. 112.324,  
21          F.S.; expanding the authority of the commission to  
22          initiate an investigation of an alleged violation or  
23          breach of the public trust upon the receipt of a  
24          written referral from certain individuals and which  
25          seven members of the commission deem sufficient;  
26          requiring the transmission of a referral to an alleged  
27          violation under certain circumstances; amending s.  
28          411.01, F.S.; conforming a cross-reference; providing  
29          an effective date.

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30  
31 Be It Enacted by the Legislature of the State of Florida:

32  
33 Section 1. Subsection (8) is added to section 55.10,  
34 Florida Statutes, to read:

35 55.10 Judgments, orders, and decrees; lien of all,  
36 generally; extension of liens; transfer of liens to other  
37 security.—

38 (8) For purposes of this section and s. 55.202, a final  
39 order issued by the Commission on Ethics for any fine  
40 automatically imposed pursuant to s. 112.3144(5)(e) or s.  
41 112.3145(6)(f) shall be treated in the same manner as a  
42 judgment, order, or decree issued by a court.

43 Section 2. Section 55.202, Florida Statutes, is amended to  
44 read:

45 55.202 Judgments, orders, and decrees; lien on personal  
46 property.—

47 (1) A judgment lien securing the unpaid amount of any money  
48 judgment may be acquired by the holder of a judgment that is:

49 (a) Enforceable in this state under its laws or the laws of  
50 the United States;

51 (b) Entered by an issuing tribunal with respect to a  
52 support order being enforced in this state pursuant to chapter  
53 88; or

54 (c) Enforceable by operation of law pursuant to s.  
55 61.14(6).

56 (2) A judgment lien securing the unpaid amount of any fine  
57 described in s. 55.10(8) which is due to the Commission on  
58 Ethics may be acquired by the commission.

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59        ~~(3)(2)~~ A judgment lien may be acquired on a judgment  
60 debtor's interest in all personal property in this state subject  
61 to execution under s. 56.061, other than fixtures, money,  
62 negotiable instruments, and mortgages.

63        (a) A judgment lien is acquired by filing a judgment lien  
64 certificate in accordance with s. 55.203 with the Department of  
65 State after the judgment has become final and if the time to  
66 move for rehearing has lapsed, no motion for rehearing is  
67 pending, and no stay of the judgment or its enforcement is then  
68 in effect. A court may authorize, for cause shown, the filing of  
69 a judgment lien certificate before a judgment has become final  
70 when the court has authorized the issuance of a writ of  
71 execution in the same matter. A judgment lien certificate not  
72 filed in compliance with this subsection is permanently void and  
73 of no effect.

74        (b) For any lien, warrant, assessment, or judgment  
75 collected by the Department of Revenue, a judgment lien may be  
76 acquired by filing the judgment lien certificate information or  
77 warrant with the Department of State in accordance with  
78 subsection (6) ~~(5)~~.

79        (c) For the unpaid amount of any fine described in s.  
80 55.10(8) which is due to the Commission on Ethics, a judgment  
81 lien may be acquired by filing a copy of the commission's final  
82 order with the Department of State.

83        ~~(d)(e)~~ Except as provided in s. 55.208, the effective date  
84 of a judgment lien is the date, including the time of day, of  
85 filing the judgment lien certificate or copy of the final order  
86 of the Commission on Ethics. Although no lien attaches to  
87 property, and a creditor does not become a lien creditor as to

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88 liens under chapter 679, until the debtor acquires an interest  
89 in the property, priority among competing judgment liens is  
90 determined in order of filing date and time.

91 (e)~~(d)~~ Except as provided in s. 55.204(3), a judgment  
92 creditor may file only one effective judgment lien certificate  
93 based upon a particular judgment.

94 (4)~~(3)~~ Except as otherwise provided in s. 55.208, the  
95 priority of a judgment lien acquired in accordance with this  
96 section or s. 55.204(3) is established at the date and time that  
97 the judgment lien certificate or final order of the Commission  
98 on Ethics is filed.

99 (5)~~(4)~~ As used in ss. 55.201-55.209, the terms "holder of a  
100 judgment" and "judgment creditor" include the Department of  
101 Revenue with respect to a judgment being enforced by the  
102 Department of Revenue as the state IV-D agency.

103 (6)~~(5)~~ Liens, assessments, warrants, or judgments filed  
104 pursuant to paragraph (3) (b) ~~(2) (b)~~ may be filed directly into  
105 the central database by the Department of Revenue, or its  
106 designee as determined by its executive director, through  
107 electronic or information data exchange programs approved by the  
108 Department of State. Such filings must contain the information  
109 set forth in s. 55.203(1).

110 Section 3. Subsection (1) of section 55.209, Florida  
111 Statutes, is amended to read:

112 55.209 Department of State; processing fees,  
113 responsibilities.-

114 (1) Except for liens, assessments, warrants, or judgments  
115 filed electronically as provided in s. 55.202(3) (b)  
116 ~~55.202(2) (b)~~, the Department of State shall collect the

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117 following nonrefundable processing fees for all documents filed  
118 in accordance with ss. 55.201-55.209:

119 (a) For any judgment lien certificate or other documents  
120 permitted to be filed, \$20.

121 (b) For the certification of any filed document, \$10.

122 (c) For copies of judgment lien documents which are  
123 produced by the Department of State, \$1 per page or part  
124 thereof. However, no charge may be collected for copies provided  
125 in an online electronic format via the Internet.

126 (d) For indexing a judgment lien by multiple judgment  
127 debtor names, \$5 per additional name.

128 (e) For each additional facing page attached to a judgment  
129 lien certificate or document permitted to be filed, \$5.

130 Section 4. Section 112.3143, Florida Statutes, is amended  
131 to read:

132 112.3143 Voting conflicts.—

133 (1) As used in this section, the term:

134 (a) "Principal by whom retained" means an individual or  
135 entity, other than an agency as defined in s. 112.312(2), that  
136 for compensation, salary, pay, consideration, or similar thing  
137 of value, has permitted or directed another to act for the  
138 individual or entity. The term includes, but is not limited to,  
139 one's client, employer, or master, or the parent, subsidiary, or  
140 sibling organization of one's client, employer, or master.

141 (b)-(a) "Public officer" includes any person elected or  
142 appointed to hold office in any agency, including any person  
143 serving on an advisory body.

144 (c)-(b) "Relative" means any father, mother, son, daughter,  
145 husband, wife, brother, sister, father-in-law, mother-in-law,

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146 son-in-law, or daughter-in-law.

147 (2) A ~~Ne~~ state public officer holding an elective office is  
148 not prohibited from voting in that an official capacity on any  
149 matter. However, when any state public officer voting in an  
150 official capacity upon any measure that which would inure to the  
151 officer's special private gain or loss; that which he or she  
152 knows would inure to the special private gain or loss of any  
153 principal by whom the officer is retained ~~or to the parent~~  
154 ~~organization or subsidiary of a corporate principal by which the~~  
155 ~~officer is retained;~~ or that which the officer knows would inure  
156 to the special private gain or loss of a relative or business  
157 associate of the public officer, the officer shall, within 15  
158 days after the vote occurs, disclose the nature of all of his or  
159 her interests in the matter, and disclose the nature of all of  
160 the interests of his or her principals, relatives, or business  
161 associates which are known to him or her, his or her interest as  
162 a public record in a memorandum filed with the person  
163 responsible for recording the minutes of the meeting, who shall  
164 incorporate the memorandum in the minutes.

165 (3) ~~(a)~~ A state public officer holding an appointive  
166 position, and a ~~Ne~~ county, municipal, or other local public  
167 officer may not shall vote in an official capacity upon any  
168 measure that which would inure to his or her special private  
169 gain or loss; that which he or she knows would inure to the  
170 special private gain or loss of any principal by whom he or she  
171 is retained ~~or to the parent organization or subsidiary of a~~  
172 ~~corporate principal by which he or she is retained, other than~~  
173 ~~an agency as defined in s. 112.312(2);~~ or that which he or she  
174 knows would inure to the special private gain or loss of a

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175 relative or business associate of the public officer. Such  
176 public officer shall, before ~~prior to~~ the vote is being taken,  
177 publicly state to the assembly the nature of all of the  
178 officer's interests, and all of the interests of his or her  
179 principals, relatives, or business associates which are known to  
180 him or her, ~~interest~~ in the matter from which he or she is  
181 abstaining from voting and, within 15 days after the vote  
182 occurs, disclose the nature of all of his or her interests in  
183 the matter, and disclose the nature of all of the interests of  
184 his or her principals, relatives, or business associates which  
185 are known to him or her, ~~his or her interest~~ as a public record  
186 in a memorandum filed with the person responsible for recording  
187 the minutes of the meeting, who shall incorporate the memorandum  
188 in the minutes.

189 ~~(b) However, a commissioner of a community redevelopment~~  
190 ~~agency created or designated pursuant to s. 163.356 or s.~~  
191 ~~163.357, or an officer of an independent special tax district~~  
192 ~~elected on a one-acre, one-vote basis, is not prohibited from~~  
193 ~~voting, when voting in said capacity.~~

194 (4) A state public officer holding an appointive position,  
195 and a county, municipal, or other local public officer may not  
196 ~~No appointed public officer shall~~ participate in any matter that  
197 ~~which~~ would inure to the officer's special private gain or loss;  
198 that ~~which~~ the officer knows would inure to the special private  
199 gain or loss of any principal by whom he or she is retained ~~or~~  
200 ~~to the parent organization or subsidiary of a corporate~~  
201 ~~principal by which he or she is retained;~~ or that ~~which~~ he or  
202 she knows would inure to the special private gain or loss of a  
203 relative or business associate of the public officer, ~~without~~

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204 ~~first disclosing the nature of his or her interest in the~~  
205 ~~matter.~~

206 (5) However, a commissioner of a community redevelopment  
207 agency created or designated pursuant to s. 163.356 or s.  
208 163.357, or an officer of an independent special tax district  
209 elected on a one-acre, one-vote basis, is not prohibited from  
210 voting in that capacity, but must make the disclosures provided  
211 for in section (3). In addition, the officer may not participate  
212 in such a measure without first disclosing the nature of his or  
213 her interests and the interests of his or her principal,  
214 relative, or business associate in the matter.

215 (a) Such disclosure, indicating the nature of the conflict,  
216 shall be made in a written memorandum filed with the person  
217 responsible for recording the minutes of the meeting, prior to  
218 the meeting in which consideration of the matter will take  
219 place, and shall be incorporated into the minutes. Any such  
220 memorandum shall become a public record upon filing, shall  
221 immediately be provided to the other members of the agency, and  
222 shall be read publicly at the next meeting held subsequent to  
223 the filing of this written memorandum.

224 (b) In the event that disclosure has not been made prior to  
225 the meeting or that any conflict is unknown prior to the  
226 meeting, the disclosure shall be made orally at the meeting when  
227 it becomes known that a conflict exists. A written memorandum  
228 disclosing the nature of the conflict shall then be filed within  
229 15 days after the oral disclosure with the person responsible  
230 for recording the minutes of the meeting and shall be  
231 incorporated into the minutes of the meeting at which the oral  
232 disclosure was made. Any such memorandum shall become a public



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233 record upon filing, shall immediately be provided to the other  
234 members of the agency, and shall be read publicly at the next  
235 meeting held subsequent to the filing of this written  
236 memorandum.

237 (6)~~(e)~~ For purposes of this section ~~subsection~~, the term  
238 "participate" means any attempt to influence the decision by  
239 oral or written communication to any officer, employee, or  
240 member of the agency, whether made by the officer or at the  
241 officer's direction.

242 (7)~~(5)~~ Whenever a public officer or former public officer  
243 is being considered for appointment or reappointment to public  
244 office, the appointing body shall consider the number and nature  
245 of the memoranda of conflict previously filed under this section  
246 by the ~~said~~ officer.

247 Section 5. Subsections (1), (3), (4), (5), (8), and (11) of  
248 section 112.324, Florida Statutes, are amended to read:

249 112.324 Procedures on complaints or referrals of  
250 violations; public records and meeting exemptions.—

251 ~~(1) Upon a written complaint executed on a form prescribed~~  
252 ~~by the commission and signed under oath or affirmation by any~~  
253 ~~person,~~ The commission shall investigate any alleged violation  
254 of this part or any other alleged breach of the public trust  
255 within the jurisdiction of the commission as provided in s.  
256 8(f), Art. II of the State Constitution, in accordance with  
257 procedures set forth herein:

258 (a) Upon receipt of a written complaint executed on a form  
259 prescribed by the commission and signed under oath or  
260 affirmation by any person; or

261 (b) Upon receipt of a written referral of a possible

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262 violation of this part or other possible breach of the public  
263 trust from the Governor, the Chief Financial Officer, a state  
264 attorney, or the executive director of the Department of Law  
265 Enforcement, which seven members of the commission deem  
266 sufficient to indicate a breach of the public trust.

267  
268 Within 5 days after receipt of a complaint by the commission or  
269 within 5 days after determination by the commission that a  
270 referral received is deemed sufficient, a copy shall be  
271 transmitted to the alleged violator.

272 (3) A preliminary investigation shall be undertaken by the  
273 commission of each legally sufficient complaint or referral over  
274 which the commission has jurisdiction to determine whether there  
275 is probable cause to believe that a violation has occurred. If,  
276 upon completion of the preliminary investigation, the commission  
277 finds no probable cause to believe that this part has been  
278 violated or that any other breach of the public trust has been  
279 committed, the commission shall dismiss the complaint or  
280 proceeding with the issuance of a public report to the  
281 complainant and the alleged violator, stating with particularity  
282 its reasons for dismissal ~~of the complaint~~. At that time, the  
283 complaint, the proceeding, and all materials relating to the  
284 complaint and proceeding shall become a matter of public record.  
285 If the commission finds from the preliminary investigation  
286 probable cause to believe that this part has been violated or  
287 that any other breach of the public trust has been committed, it  
288 shall so notify the complainant and the alleged violator in  
289 writing. Such notification and all documents made or received in  
290 the disposition of the complaint or proceeding shall then become

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291 public records. Upon request submitted to the commission in  
292 writing, any person who the commission finds probable cause to  
293 believe has violated any provision of this part or has committed  
294 any other breach of the public trust shall be entitled to a  
295 public hearing. Such person shall be deemed to have waived the  
296 right to a public hearing if the request is not received within  
297 14 days after ~~following~~ the mailing of the probable cause  
298 notification required by this subsection. However, the  
299 commission may on its own motion, require a public hearing, may  
300 conduct such further investigation as it deems necessary, and  
301 may enter into such stipulations and settlements as it finds to  
302 be just and in the best interest of the State. The commission is  
303 without jurisdiction to, and no respondent may voluntarily or  
304 involuntarily, enter into a stipulation or settlement which  
305 imposes any penalty, including, but not limited to, a sanction  
306 or admonition or any other penalty contained in s. 112.317.  
307 Penalties shall be imposed only by the appropriate disciplinary  
308 authority as designated in this section.

309 (4) If, in cases pertaining to members of the Legislature,  
310 upon completion of a full and final investigation by the  
311 commission, the commission finds that there has been a violation  
312 of this part or of any provision of s. 8, Art. II of the State  
313 Constitution, the commission shall forward a copy of the  
314 complaint or referral and its findings by certified mail to the  
315 President of the Senate or the Speaker of the House of  
316 Representatives, whichever is applicable, who shall refer the  
317 matter ~~complaint~~ to the appropriate committee for investigation  
318 and action which shall be governed by the rules of its  
319 respective house. It shall be the duty of the committee to

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320 report its final action upon the matter ~~complaint~~ to the  
321 commission within 90 days after ~~of~~ the date of transmittal to  
322 the respective house. Upon request of the committee, the  
323 commission shall submit a recommendation as to what penalty, if  
324 any, should be imposed. In the case of a member of the  
325 Legislature, the house in which the member serves shall have the  
326 power to invoke the penalty provisions of this part.

327 (5) If, in cases ~~pertaining to complaints~~ against  
328 impeachable officers, upon completion of a full and final  
329 investigation by the commission, the commission finds that there  
330 has been a violation of this part or of any provision of s. 8,  
331 Art. II of the State Constitution, and the commission finds that  
332 the violation may constitute grounds for impeachment, the  
333 commission shall forward a copy of the complaint or referral and  
334 its findings by certified mail to the Speaker of the House of  
335 Representatives, who shall refer the matter ~~complaint~~ to the  
336 appropriate committee for investigation and action which shall  
337 be governed by the rules of the House of Representatives. It  
338 shall be the duty of the committee to report its final action  
339 upon the matter ~~complaint~~ to the commission within 90 days after  
340 ~~of~~ the date of transmittal.

341 (8) If, in cases ~~pertaining to complaints~~ other than  
342 ~~complaints~~ against impeachable officers or members of the  
343 Legislature, upon completion of a full and final investigation  
344 by the commission, the commission finds that there has been a  
345 violation of this part or of s. 8, Art. II of the State  
346 Constitution, it shall be the duty of the commission to report  
347 its findings and recommend appropriate action to the proper  
348 disciplinary official or body as follows, and such official or

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349 body shall have the power to invoke the penalty provisions of  
350 this part, including the power to order the appropriate  
351 elections official to remove a candidate from the ballot for a  
352 violation of s. 112.3145 or s. 8(a) and (i), Art. II of the  
353 State Constitution:

354 (a) The President of the Senate and the Speaker of the  
355 House of Representatives, jointly, in any case concerning the  
356 Public Counsel, members of the Public Service Commission,  
357 members of the Public Service Commission Nominating Council, the  
358 Auditor General, or the director of the Office of Program Policy  
359 Analysis and Government Accountability.

360 (b) The Supreme Court, in any case concerning an employee  
361 of the judicial branch.

362 (c) The President of the Senate, in any case concerning an  
363 employee of the Senate; the Speaker of the House of  
364 Representatives, in any case concerning an employee of the House  
365 of Representatives; or the President and the Speaker, jointly,  
366 in any case concerning an employee of a committee of the  
367 Legislature whose members are appointed solely by the President  
368 and the Speaker or in any case concerning an employee of the  
369 Public Counsel, Public Service Commission, Auditor General, or  
370 Office of Program Policy Analysis and Government Accountability.

371 (d) Except as otherwise provided by this part, the  
372 Governor, in the case of any other public officer, public  
373 employee, former public officer or public employee, candidate or  
374 former candidate, or person who is not a public officer or  
375 employee, other than lobbyists and lobbying firms under s.  
376 112.3215 for violations of s. 112.3215.

377 (e) The President of the Senate or the Speaker of the House

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378 of Representatives, whichever is applicable, in any case  
379 concerning a former member of the Legislature who has violated a  
380 provision applicable to former members or whose violation  
381 occurred while a member of the Legislature.

382 (11) Notwithstanding the provisions of subsections (1)-(8),  
383 the commission may, at its discretion, dismiss any complaint or  
384 referral at any stage of disposition should it determine that  
385 the public interest would not be served by proceeding further,  
386 in which case the commission shall issue a public report stating  
387 with particularity its reasons for the dismissal.

388 Section 6. Paragraph (a) of subsection (5) of section  
389 411.01, Florida Statutes, is amended to read:

390 411.01 School readiness programs; early learning  
391 coalitions.-

392 (5) CREATION OF EARLY LEARNING COALITIONS.-

393 (a) *Early learning coalitions.-*

394 1. Each early learning coalition shall maintain direct  
395 enhancement services at the local level and ensure access to  
396 such services in all 67 counties.

397 2. The Office of Early Learning shall establish the minimum  
398 number of children to be served by each early learning coalition  
399 through the coalition's school readiness program. The office ~~of~~  
400 ~~Early Learning~~ may only approve school readiness plans in  
401 accordance with this minimum number. The minimum number must be  
402 uniform for every early learning coalition and must:

403 a. Permit 31 or fewer coalitions to be established; and

404 b. Require each coalition to serve at least 2,000 children  
405 based upon the average number of all children served per month  
406 through the coalition's school readiness program during the

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407 previous 12 months.

408 3. If an early learning coalition would serve fewer  
409 children than the minimum number established under subparagraph  
410 2., the coalition must merge with another county to form a  
411 multicounty coalition. The office ~~of Early Learning~~ shall adopt  
412 procedures for merging early learning coalitions, including  
413 procedures for the consolidation of merging coalitions, and for  
414 the early termination of the terms of coalition members which  
415 are necessary to accomplish the mergers. However, the office ~~of~~  
416 ~~Early Learning~~ shall grant a waiver to an early learning  
417 coalition to serve fewer children than the minimum number  
418 established under subparagraph 2., if:

419 a. The office ~~of Early Learning~~ has determined during the  
420 most recent review of the coalition's school readiness plan, or  
421 through monitoring and performance evaluations conducted under  
422 paragraph (4)(1), that the coalition has substantially  
423 implemented its plan;

424 b. The coalition demonstrates to the office ~~of Early~~  
425 ~~Learning~~ the coalition's ability to effectively and efficiently  
426 implement the Voluntary Prekindergarten Education Program; and

427 c. The coalition demonstrates to the office ~~of Early~~  
428 ~~Learning~~ that the coalition can perform its duties in accordance  
429 with law.

430  
431 If an early learning coalition fails or refuses to merge as  
432 required by this subparagraph, the office ~~of Early Learning~~ may  
433 dissolve the coalition and temporarily contract with a qualified  
434 entity to continue school readiness and prekindergarten services  
435 in the coalition's county or multicounty region until the office

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436 reestablishes the coalition and a new school readiness plan is  
437 approved by the office.

438 4. Each early learning coalition shall be composed of at  
439 least 15 members but not more than 30 members. The office ~~of~~  
440 ~~Early Learning~~ shall adopt standards establishing within this  
441 range the minimum and maximum number of members that may be  
442 appointed to an early learning coalition and procedures for  
443 identifying which members have voting privileges under  
444 subparagraph 6. These standards must include variations for a  
445 coalition serving a multicounty region. Each early learning  
446 coalition must comply with these standards.

447 5. The Governor shall appoint the chair and two other  
448 members of each early learning coalition, who must each meet the  
449 same qualifications as private sector business members appointed  
450 by the coalition under subparagraph 7.

451 6. Each early learning coalition must include the following  
452 member positions; however, in a multicounty coalition, each ex  
453 officio member position may be filled by multiple nonvoting  
454 members but no more than one voting member shall be seated per  
455 member position. If an early learning coalition has more than  
456 one member representing the same entity, only one of such  
457 members may serve as a voting member:

458 a. A Department of Children and Family Services circuit  
459 administrator or his or her designee who is authorized to make  
460 decisions on behalf of the department.

461 b. A district superintendent of schools or his or her  
462 designee who is authorized to make decisions on behalf of the  
463 district.

464 c. A regional workforce board executive director or his or



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465 her designee.

466 d. A county health department director or his or her  
467 designee.

468 e. A children's services council or juvenile welfare board  
469 chair or executive director, if applicable.

470 f. An agency head of a local licensing agency as defined in  
471 s. 402.302, where applicable.

472 g. A president of a community college or his or her  
473 designee.

474 h. One member appointed by a board of county commissioners  
475 or the governing board of a municipality.

476 i. A central agency administrator, where applicable.

477 j. A Head Start director.

478 k. A representative of private for-profit child care  
479 providers, including private for-profit family day care homes.

480 l. A representative of faith-based child care providers.

481 m. A representative of programs for children with  
482 disabilities under the federal Individuals with Disabilities  
483 Education Act.

484 7. Including the members appointed by the Governor under  
485 subparagraph 5., more than one-third of the members of each  
486 early learning coalition must be private sector business members  
487 who do not have, and none of whose relatives as defined in s.  
488 112.3143 has, a substantial financial interest in the design or  
489 delivery of the Voluntary Prekindergarten Education Program  
490 created under part V of chapter 1002 or the coalition's school  
491 readiness program. To meet this requirement an early learning  
492 coalition must appoint additional members. The office of ~~Early~~  
493 ~~Learning~~ shall establish criteria for appointing private sector

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494 business members. These criteria must include standards for  
495 determining whether a member or relative has a substantial  
496 financial interest in the design or delivery of the Voluntary  
497 Prekindergarten Education Program or the coalition's school  
498 readiness program.

499 8. A majority of the voting membership of an early learning  
500 coalition constitutes a quorum required to conduct the business  
501 of the coalition. An early learning coalition board may use any  
502 method of telecommunications to conduct meetings, including  
503 establishing a quorum through telecommunications if, provided  
504 ~~that~~ the public is given proper notice of a telecommunications  
505 meeting and reasonable access to observe and, when appropriate,  
506 participate.

507 9. A voting member of an early learning coalition may not  
508 appoint a designee to act in his or her place, except as  
509 otherwise provided in this paragraph. A voting member may send a  
510 representative to coalition meetings, but that representative  
511 does not have voting privileges. If ~~When~~ a district  
512 administrator for the Department of Children and Family Services  
513 appoints a designee to an early learning coalition, the designee  
514 is the voting member of the coalition, and any individual  
515 attending in the designee's place, including the district  
516 administrator, does not have voting privileges.

517 10. Each member of an early learning coalition is subject  
518 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.  
519 112.3143(3) ~~s. 112.3143(3)(a)~~, each voting member is a local  
520 public officer who must abstain from voting when a voting  
521 conflict exists.

522 11. For purposes of tort liability, each member or employee

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523 of an early learning coalition is ~~shall be~~ governed by s.  
524 768.28.

525 12. An early learning coalition serving a multicounty  
526 region must include representation from each county.

527 13. Each early learning coalition shall establish terms for  
528 all appointed members of the coalition. The terms must be  
529 staggered and must be a uniform length that does not exceed 4  
530 years per term. Coalition chairs shall be appointed for 4 years  
531 in conjunction with their membership on the Early Learning  
532 Advisory Council under s. 20.052. Appointed members may serve a  
533 maximum of two consecutive terms. If ~~When~~ a vacancy occurs in an  
534 appointed position, the coalition must advertise the vacancy.

535 Section 7. This act shall take effect July 1, 2013.