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LEGISLATIVE ACTION

Senate	.	House
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



883636

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



883636

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~~



883636

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.