

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Public Integrity &  
 2 Elections Committee

3 Representative Joseph offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 51-60 and insert:

7 initiate an investigation of a potential violation of a duly  
 8 enacted code or ordinance by way of an anonymous complaint  
 9 unless the complainant states that he or she has a substantial  
 10 fear of retaliation or of status-based legal jeopardy. Unless  
 11 the complainant expresses such fear of retaliation, a  
 12 complainant who reports a potential violation of a code or an  
 13 ordinance must provide his or her name and address to the board  
 14 of county commissioners before an investigation occurs. This  
 15 paragraph does not apply if the code inspector has reason to  
 16 believe that the violation presents an imminent threat to public

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17 health, safety, or welfare or threat of imminent destruction of  
18 habitat or sensitive resources.

19 (c) A person who falsely claims a fear of retaliation or  
20 status-based legal jeopardy to make a false complaint alleging a  
21 violation of a duly enacted code or ordinance is liable for all  
22 costs incurred by the county in investigating the claim of  
23 violation, including costs of personnel, equipment, testing, and  
24 reasonable costs and attorney fees if the county brings an  
25 action to prosecute the false report or to collect amounts made  
26 payable under this paragraph provided such person is given  
27 notice of such potential liability at the time the complaint is  
28 made.

29 Remove lines 160-169 and insert:

30 (b) A code inspector may not initiate enforcement  
31 proceedings of a potential violation of a duly enacted code or  
32 ordinance by way of an anonymous complaint unless the  
33 complainant states that he or she has a substantial fear of  
34 retaliation or of status-based legal jeopardy. Unless the  
35 complainant expresses such fear of retaliation, a complainant  
36 who reports a potential violation of a code or an ordinance must  
37 provide his or her name and address to the respective local  
38 government before an enforcement proceeding may occur. This  
39 paragraph does not apply if the code inspector has reason to  
40 believe that the violation presents an imminent threat to public

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41 health, safety, or welfare or threat of imminent destruction of  
42 habitat or sensitive resources.

43 (c) A person who falsely claims a fear of retaliation or  
44 status-based legal jeopardy to make a false complaint alleging a  
45 violation of a duly enacted code or ordinance is liable for all  
46 costs incurred by the county in investigating the claim of  
47 violation, including costs of personnel, equipment, testing, and  
48 reasonable costs and attorney fees if the county brings an  
49 action to prosecute the false report or to collect amounts made  
50 payable under this paragraph provided such person is given  
51 notice of such potential liability at the time the complaint is  
52 made.

53  
54 -----  
55 **T I T L E A M E N D M E N T**

56 Remove lines 7-18 and insert:  
57 anonymous complaints; prohibiting code inspectors from  
58 initiating enforcement proceedings for potential  
59 violations of codes and ordinances by way of anonymous  
60 complaints; providing an exception; requiring  
61 complainants to provide specified information to  
62 report potential code or ordinance violations;  
63 providing an exception; providing construction;  
64 specifying actions a county may take if a person  
65 falsely claims a fear of retaliation or status-based

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66 | legal jeopardy to make a false complaint; amending s.  
67 | 162.06, F.S.; prohibiting code inspectors from  
68 | initiating enforcement proceedings for potential  
69 | violations of codes and ordinances by way of anonymous  
70 | complaints unless the complainant provides specified  
71 | information; requiring complainants to provide  
72 | specified information to report potential code or  
73 | ordinance violations; providing an exception;  
74 | specifying actions a county may take if a person  
75 | falsely claims a fear of retaliation or status-based  
76 | legal jeopardy to make a false complaint; amending