

State Ethics Laws for Public Officials and Candidates for Office

IMPORTANT: ETHICS LAWS GOVERNING PUBLIC OFFICIALS APPLY THE MOMENT A PERSON QUALIFIES FOR ELECTED OFFICE. Once a person qualifies for elected office by filing a statement of financial interest, qualification papers and the candidate's oath, the person is considered a "candidate" under state ethics laws. Here is a summary of the state ethics laws that apply to "candidates."



GIFT RELATED LAWS

- Cannot ask for or accept anything of value (gift, favor, service, reward, loan, future employment, etc.) if the thing of value is given to influence your future vote, official action, or judgment. [Fla. Statutes sec. 112.313(2).]
- Cannot solicit any gift of any value from a vendor or lobbyist of the agency to which you seek election (including their partner, employer, principal, or business). [Fla. Statutes sec. 112.3148(3).]
- Cannot accept any gift over \$100 from a vendor or lobbyist of the agency to which you seek election (including their partner, employer, principal, or business). [Fla. Statutes sec. 112.3148(4).]
- Cannot solicit or accept any gift from a political committee except as authorized by Chapter 106. [Fla. Statutes sec. 112.31485.]
- Must disclose all acceptable gifts over \$100 each quarter on gift disclosure form (See Form g on page 2). [Fla. Statutes sec. 112.3148(8).]



HONORARIA RELATED LAWS

- Cannot solicit or accept anything of value (including monetary payment, for a speech, address, oral presentation or writing (other than book)) from a political committee, vendor or lobbyist of the agency to which you seek election (including their partner, employer, principal, or business). [Fla. Statutes sec. 112.3149.]
- Can solicit or accept payment of actual and reasonable expenses, such as transportation, registration fee, lodging, food and beverage expenses, related to the speech, address, oral presentation or writing; however, must disclose payment of all honorarium related expenses on an annual statement filed with the annual financial disclosure statements by July 1 of each calendar year. [Fla. Statutes sec. 112.3149.]



DUAL PUBLIC EMPLOYMENT: Cannot accept government employment unless the position already existed, was publicly advertised and all applicants for the position have to meet the same qualifications and adhere to the same hiring process. This applies to employment with the State of Florida and any other government in Florida. [Fla. Statutes sec. 112.3125.]



FINANCIAL DISCLOSURES: All candidates are required to file financial disclosure FORM 1 or FORM 6. The disclosure process serves to remind candidates of their obligation to put the public interest above personal considerations and helps residents monitor those who spend tax dollars.

FORM 1 – Duval Soil and Water Conservation District, Community Development District Boards, Special District Boards, Mayor and Commission/City or Town Council of Baldwin, Atlantic Beach, Jacksonville Beach, and Neptune Beach. [Fla. Statutes sec. 112.3145.]

FORM 6 – Duval County and Fourth Judicial Circuit Judges, Duval County School Board, Clerk of Court, Jacksonville City Council, Jacksonville Mayor, Duval County Supervisor of Elections, Property Appraiser, Sheriff and Tax Collector. [Fla. Statutes sec. 112.3144.]



GIFT DISCLOSURES: Each person required to file FORM 1 or FORM 6 must also file a **FORM 9** quarterly gift disclosure for all gifts valued over \$100, other than those from relatives, prohibited gifts (see gifts section on page 1), and gifts primarily associated with your business or employment. FORM 9 NEED NOT BE FILED if no such gifts were received during the prior calendar quarter. [Fla. Statutes sec. 112.3148.]

PENALTIES: Candidates for public office who are found in violation of the state ethics laws may be subject to disqualification from being on the ballot, public censure, reprimand, or a civil penalty not to exceed \$10,000, and triple the value of a gift received from a political committee.

SUNSHINE LAW does not apply to candidates for office, unless the candidate is an incumbent seeking reelection. [AGO 92-05].

State Ethics Laws are complicated.

Please call the City's Ethics Office if you have any questions, 255-5510.

