



2018

Legislative
Issue
Briefs



Municipal Official & Employee Travel Restrictions

The Florida League of Cities OPPOSES legislation that imposes unnecessary and punitive travel restrictions, prohibitions and reporting requirements on municipal and county public officers and employees.

CS/HB 815 (Avila) and **SB 1180** (Steube) amend state law by imposing additional travel limitations and restrictions only upon county and municipal public officers and employees. The bills require out-of-state travel requests by municipal or county public officers to be approved by the governing body at a public meeting. The travel request must be included on the public meeting agenda with an itemized list of anticipated travel expenses and costs. Opportunity for public testimony must be provided prior to a vote. For public officers *and* employees, travel expenses would be limited to those incurred 24 hours prior and 24 hours after the event necessitating the travel. The bills cap lodging reimbursement for in-state or out-of-state travel by officers *or* employees at \$120 per day. The bills prohibit reimbursement of any expenses for foreign travel by officers *or* employees. Finally, the bills would require all public officers to file travel expense reports, including an explanation of the necessity for the travel, with the municipal or county ethics commission, or with the state Commission on Ethics if a county or municipal ethics commission is not established.

The bills would also require all elected municipal officers to file full public disclosure of financial interests (Form 6) with the Commission on Ethics. Currently, municipal officers are required to file limited public disclosure of financial interests (Form 1). The bills would also require a current elected county or municipal officer who is a candidate for elective office to provide any reports filed pursuant to the Florida Elections Code to the officer's municipality or county for posting on the municipal or county website.

Background:

Travel by state and local government public officials and employees is regulated by state law (Section 112.061, F.S.) and local ordinance or travel policies. For local public officials and employees, all travel must be approved by the governing body or by the governing body's designated representative. Reimbursement is limited by standards expressed in state law based on the type of travel, as well as local ordinance or policy. Reimbursement is limited to official business expenses associated with the travel (transportation, meals, lodging, etc.) and appropriate documentation must accompany requests for reimbursement. Local governments may adopt per diem, subsistence and alternative rates that vary from state law by ordinance or resolution.

The Florida Constitution requires all elected constitutional officers and statewide elected officers to file annually a full and public disclosure of their financial interests (Form 6) with the Florida Commission on Ethics. Current state law also requires the following public officers to file Form 6: county commissioners, state attorneys, public defenders, school superintendents and board members, Florida Housing Finance Corporation Board members, Florida Prepaid College Board members, expressway authority board members, and members of transportation authorities, bridge

Contact: Rebecca O'Hara, Deputy General Counsel – 850-701-3692 – rohara@flcities.com

authorities, and toll authorities. Current state law requires elected municipal public officers to file annually a limited public disclosure of their financial interests (Form 1) with the Florida Commission on Ethics.

State law requires candidates, political committees, and electioneering communications organizations to file periodic reports of contributions received and expenditures made. The reports must be filed with the officer before whom the candidate is required by law to qualify.

Status:

CS/HB 815 passed the House Local, Federal & Veterans Affairs Subcommittee but was amended to remove the \$120 limit on lodging reimbursement and to exempt elected county constitutional officers from the bill. **CS/HB 815** is now in the Public Integrity & Ethics Committee. **SB 1180** has been referred to the Senate Committees on Ethics and Elections; Community Affairs; and Rules.

Revised: 01/25/2018