



Legislation Details (With Text)

File #: ID 2024-018 **Version:** 1 **Name:**
Type: Resolution **Status:** Filed
File created: 1/11/2024 **In control:** Regular City Commission Meeting
On agenda: 1/24/2024 **Final action:** 1/24/2024
Title: RESOLUTION - AUTHORIZING PARTICIPATION IN A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS OF SECTION 112.144(1)(d), FLORIDA STATUTES, THAT REQUIRE MUNICIPAL ELECTED OFFICIALS TO FILE FORM 6 FINANCIAL DISCLOSURE FORMS IS UNCONSTITUTIONAL AND INVALID, AND PROVIDING FOR AN EFFECTIVE DATE

Sponsors:

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Code sections:

Attachments: 1. RESOLUTION

Date	Ver.	Action By	Action	Result
1/24/2024	1	Regular City Commission Meeting		

TO: Mayor and City Commission

FROM: Cale Curtis, City Manager

DATE: January 24, 2024

RESOLUTION - AUTHORIZING PARTICIPATION IN A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS OF SECTION 112.144(1)(d), FLORIDA STATUTES, THAT REQUIRE MUNICIPAL ELECTED OFFICIALS TO FILE FORM 6 FINANCIAL DISCLOSURE FORMS IS UNCONSTITUTIONAL AND INVALID, AND PROVIDING FOR AN EFFECTIVE DATE

BACKGROUND: Form 1 requires, among other things, the disclosure of information related to sources of income, real property, intangible personal property liabilities and interests in specified businesses, but does not include the specific amounts of an official's net worth, income and asset values. During the 2023 legislative session, Senate Bill 774 was passed and codified at Law of Florida 2023-09, amending Fla. Stat. § 112.3144, to change the financial disclosure requirements and now require that all elected municipal mayors and elected members of the governing board file a Form 6 financial disclosure, which is substantially more burdensome and personally intrusive than the Form 1.

This agenda item provides for Weiss Serota Helfman Cole & Bierman, PL to represent the City in a lawsuit seeking declaratory, injunctive and other appropriate relief challenging the provisions of Section 112.3144(1)(d), Florida Statutes, that require municipal elected officials to file Form 6 financial disclosure forms.

RECOMMENDATION: For approval.

FISCAL IMPACT: \$10,000 including attorneys' fees and costs.

CONTACT PERSON: David N. Tolces, City Attorney