



Marion County Board of County Commissioners

Visitors and Convention Bureau

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CONFLICT OF INTEREST STATEMENT

All members of the Tourist Development Council (TDC), including general members and the Board of Directors, shall comply with applicable Florida law in their dealings with the TDC. In addition, all members shall declare any and all conflicts of interest and refrain from voting on any issue involving such conflicts.

Under Section. 112.3143, Fla. Stat. (2012) Voting conflicts. –

(1) As used in this section:

(a) “Public officer” includes any person elected or appointed to hold office in any agency, including any person serving on an advisory board.

. . .

(3)(a) No county, . . . or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, . . . or which he or she knows would inure to the special private gain or loss or a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer’s interest in the matter from which he or she is abstaining from voting, and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

Under subsection (4), an appointed public officer shall not participate in any matter which would inure to the officer’s special private gain or loss (and those other persons and entities listed above), without first disclosing the nature of his or her interest in the matter. Under (4)(a), this disclosure is a written memorandum filed with the person keeping the minutes before the meeting in which the matter will be discussed or voted on. “Participate” does not mean “vote” – it means “any attempt to influence the decision by written or oral communication, whether made by the officer or at the officer’s direction.” See (4)(c). That is, you cannot “participate” in the discussion of the matter unless you comply with the requirements of the statute. But, even if you comply with these requirements to “participate,” you still cannot vote if you have a conflict.

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