ORDINANCE NO. 2026-___

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, ESTABLISHING ADDITIONAL ETHICS AND CONFLICT OF INTEREST STANDARDS APPLICABLE TO MEMBERS OF THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESTRICTIONS ON CERTAIN DEVELOPMENT-RELATED FINANCIAL INTERESTS; PROVIDING FOR RESTRICTIONS ON THE ACQUISITION OF TAX CERTIFICATES, TAX DEEDS, AND TAX LIENS; PROVIDING FOR DISCLOSURE REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the citizens of Hernando County have entrusted the Board of County Commissioners with protecting the health, safety, welfare, and quality of life of all residents; and

WHEREAS, Hernando County has experienced unprecedented residential and commercial growth in recent years; and

WHEREAS, the citizens of Hernando County value the County's identity as Florida's Nature Coast and desire to preserve its natural resources, rural character, and unique quality of life; and

WHEREAS, continued large-scale residential and commercial development has altered portions of the County and may further impact its historic character, infrastructure, natural resources, and open spaces; and

WHEREAS, a significant portion of Hernando County's population growth has resulted from the construction of new residential communities and subdivisions; and

WHEREAS, members of the Board of County Commissioners are charged with making decisions regarding land use, zoning, transportation, infrastructure, budgeting, taxation, and growth management affecting every resident of Hernando County; and

WHEREAS, the citizens of Hernando County are entitled to impartial government free from actual or perceived conflicts of interest; and

WHEREAS, public confidence in government is strengthened when elected officials avoid financial interests that could reasonably call into question their independence or impartiality; and

WHEREAS, no public official should profit, directly or indirectly, from the financial hardship of the citizens he or she serves; and

WHEREAS, members of the Board of County Commissioners participate in establishing County budgets, adopting annual millage rates, and overseeing policies affecting the collection of property taxes; and

WHEREAS, permitting a County Commissioner to acquire tax certificates, tax deeds, tax liens, or interests arising from delinquent property taxes may create an actual or perceived conflict of interest by allowing a public official to financially benefit from the tax delinquency of County residents; and

WHEREAS, the Board of County Commissioners finds that preserving public confidence requires additional ethics standards governing financial interests of County Commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to establish enhanced ethics and conflict-of-interest standards for members of the Hernando County Board of County Commissioners in order to preserve public confidence in County government and promote impartial decision-making.

SECTION 2. DEFINITIONS.

For purposes of this Ordinance:

Developer means any individual who directly or indirectly owns, controls, manages, develops, finances, or possesses a controlling ownership interest in a business engaged in residential or commercial real estate development within Hernando County.

Development Activity means any subdivision, rezoning, comprehensive plan amendment, planned development, site plan, land development permit, or other approval regulated by Hernando County.

Financial Interest means any ownership interest, employment relationship, compensation arrangement, partnership, membership interest, investment, or expectation of financial gain.

SECTION 3. DEVELOPMENT-RELATED RESTRICTIONS.

No member of the Hernando County Board of County Commissioners, or a member of their immediate family shall, during his or her term of office:

(a) Directly or indirectly engage in Development Activity within Hernando County;

(b) Serve as an officer, director, manager, employee, consultant, or controlling owner of any entity engaged in Development Activity within Hernando County;

(c) Hold a Financial Interest in any development project requiring approval by Hernando County;

(d) Directly or indirectly sell or lease real property for the purpose of Development Activity within Hernando County while serving as a County Commissioner.

SECTION 3.5 DIVESTITURE OF PROHIBITED FINANCIAL INTERESTS.

(a) Any person elected or appointed to the Hernando County Board of County Commissioners who possesses a Financial Interest prohibited by this Ordinance shall, within fifteen (15) calendar days after assuming office, divest himself or herself of such prohibited Financial Interest.

(b) Such divestiture shall include the sale, transfer, or complete relinquishment of any ownership, controlling interest, partnership interest, membership interest, beneficial interest, or other financial interest prohibited by this Ordinance.

(c) Within twenty (20) calendar days after assuming office, the Commissioner shall file with the County Attorney a sworn affidavit certifying compliance with this Section and identifying the manner in which the prohibited Financial Interest was divested.

(d) A Commissioner who fails to divest a prohibited Financial Interest within the time prescribed by this Section shall be deemed ineligible to continue serving and the office shall be declared vacant in the manner provided by applicable law.

(e) Nothing contained herein shall prohibit a former Commissioner from reacquiring such interests upon leaving office, provided no other provision of law prohibits such acquisition.

SECTION 4. TAX CERTIFICATES, TAX DEEDS, AND TAX LIENS.

No member of the Hernando County Board of County Commissioners shall, during his or her term of office, directly or indirectly:

(a) Purchase, acquire, bid upon, or hold any tax certificate issued upon property located within Hernando County;

(b) Purchase, acquire, or hold any tax deed, tax lien, or other interest arising from delinquent property taxes on property located within Hernando County;

(c) Acquire any such interest through a corporation, partnership, limited liability company, trust, family member, nominee, or other entity under the Commissioner's control;

(d) Receive compensation or financial benefit from any person or entity engaged primarily in the acquisition of tax certificates or tax deeds within Hernando County.

SECTION 5. DISCLOSURE.

Each County Commissioner shall annually file a sworn disclosure identifying all financial interests that could reasonably create a conflict with the duties of office.

SECTION 6. VIOLATIONS.

A Commissioner who fails to divest a prohibited Financial Interest within the time prescribed by this Section shall be deemed ineligible to continue serving and the office shall be declared vacant in the manner provided by applicable law.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective upon passage.