

and a local public official, who could practice in many municipalities other than the one on which he sits on the governing board, an agricultural producer who is a member of a WMD board does not have the ability to move his or her real estate outside of the WMD, the boundaries of which encompass many counties.

For all these reasons together and for as long as all these circumstances are present and maintained, we find that Section 112.316 operates to negate any conflict of interest the two WMD board members would otherwise create under Section 112.313(7)(a) if their business or tenants applied for a cost-share reimbursement grant from their agency. If any of the circumstances upon which we rely change, we encourage you to seek a new opinion from us.

Your question is answered accordingly.<sup>3</sup>

**ORDERED** by the State of Florida Commission on Ethics meeting in public session on October 23, 2020, and **RENDERED** this 28<sup>th</sup> day of October, 2020.

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Daniel Brady, *Chair*

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<sup>3</sup> The members, however, are subject to the voting conflicts law codified in Section 112.3143, Florida Statutes, regarding any vote (measure/matter) that would inure to their special private gain or loss or to that of any person or entity standing in a relationship to the members as listed in the statute. The members are also subject to the prohibition against misusing one's public position found in Section 112.313(6), Florida Statutes.