



Miami, FL – United States District Court Judge Melissa Damian has entered a preliminary injunction enjoining the members of the Florida Commission on Ethics from enforcing a new requirement that local Mayors and members of municipal elected bodies file a highly intrusive financial disclosure form. For the past 50 years, municipal elected officials have been required to file a Form 1 financial disclosure, which advises the public of the officials’ employers, primary sources of income and major assets.

Last year, Florida enacted a new law that requires municipal elected officials instead to file a Form 6, which requires that elected municipal officials also disclose the amount of their net worth, the amount of their income (including from their primary jobs), the value of each of their assets and the amounts of each liability. These additional disclosures have nothing to do with the officials’ duties and are not relevant in any way to possible breaches of the public trust. Judge Damian found that “it is not apparent from the record that a change from the Form 1 requirement to the Form 6 requirement was necessary nor that SB 774 is substantially related to the State’s identified interests.”

In a lawsuit filed by Weiss Serota Helfman Cole + Bierman, over 170 elected municipal officials from throughout Florida challenged the law as a violation of the First Amendment. Judge Damian ruled that the elected municipal elected officials “have demonstrated a reasonable likelihood that they will succeed on the merits of their claim” and prevented the members of the Commission on Ethics from enforcing the new requirement statewide during the pendency of the lawsuit.

“This is the most intrusive form of financial disclosure that I am aware of in the entire nation, requiring more disclosure of quintessentially personal financial information than is required of the President of the United States, members of Congress and elected officials in every other state,” said Firm Partner and Fort Lauderdale Office Managing Director [Jamie A. Cole](#), the lead attorney representing the plaintiffs. “Most municipal elected officials receive little to no compensation for their public service, yet they are being asked to disclose their precise net worth, income and assets. This legislative overreach has already resulted in the mass resignation of

about 125 municipal elected officials and, if allowed, would discourage many others from serving their communities.”

Cole added that the preliminary injunction is a significant step in the plaintiffs’ efforts to ultimately obtain a ruling that the Form 6 disclosure requirements are unconstitutional.

WSHC+B Partners [Edward G. Guedes](#) and [Anne R. Flanigan](#), and associate [Jeremy Rosner](#), are co-counsel with Cole in representing the plaintiffs.

Click the links below to see media coverage.

- <https://www.law.com/dailybusinessreview/2024/06/11/law-firm-arguments-got-miami-judge-to-block-new-financial-disclosure-rule/>
- <https://www.floridatoday.com/story/news/local/2024/06/11/judge-blocks-enforcement-of-financial-disclosure-rules-for-city-officials/74054888007/>
- <https://www.wuft.org/politics/2024-06-11/judge-blocks-floridas-municipal-financial-disclosure-law>
- <https://www.orlandosentinel.com/2024/06/11/federal-judge-blocks-states-financial-disclosure-law-for-elected-municipal-officials/>
- <https://www.sun-sentinel.com/2024/06/11/judge-blocks-financial-disclosure-law-opposed-by-many-elected-officials/>
- <https://www.palmbeachpost.com/story/news/state/2024/06/12/form-6-federal-judge-blocks-florida-financial-disclosure-law/74059446007/>
- <https://www.palmbeachdailynews.com/story/news/2024/06/11/federal-judge-temporarily-bars-controversial-florida-financial-disclosure-law/74043843007/>
- <https://www.aol.com/federal-judge-grants-temporary-injunction-205529721.html>
- <https://www.orlandoweekly.com/news/federal-judge-blocks-florida-financial-disclosure-law-for-elected-officials-37082702>
- <https://www.yahoo.com/news/federal-judge-blocks-law-requiring-190037679.html>
- <https://www.orangeobserver.com/news/2024/jun/11/florida-financial-disclosure-law-blocked-by-federal-judge/>
- <https://www.tampabay.com/news/florida-politics/elections/2024/06/11/judge-halts-florida-law-requiring-city-officials-disclose-more/>
- <https://www.miamiherald.com/news/politics-government/state-politics/article289175454.html>
- <https://www.tampafp.com/2023-florida-financial-disclosure-law-blocked/>