

1 A bill to be entitled
2 An act relating to government accountability; amending
3 s. 11.045, F.S.; providing definitions; requiring each
4 house of the Legislature to provide by rule reporting
5 requirements regarding a lobbying firm's lobbying
6 activities; specifying requirements regarding the
7 content of reports and filing deadlines; requiring
8 each house of the Legislature to establish procedures
9 applicable to untimely filing of reports by rule;
10 providing fines for late filing of reports; amending
11 s. 11.0455, F.S.; conforming a cross-reference;
12 amending s. 11.40, F.S.; specifying that the Governor,
13 the Commissioner of Education, or the designee of the
14 Governor or of the commissioner may notify the
15 Legislative Auditing Committee of an entity's failure
16 to comply with certain auditing and financial
17 reporting requirements; amending s. 11.45, F.S.;
18 defining the terms "abuse," "fraud," and "waste";
19 revising the definition of the term "local
20 governmental entity"; excluding water management
21 districts from certain audit requirements; removing a
22 cross-reference; authorizing the Auditor General to
23 conduct audits of tourist development councils and
24 county tourism promotion agencies; revising reporting
25 requirements applicable to the Auditor General;
26 creating s. 20.602, F.S.; specifying the applicability

27 of certain provisions of the Code of Ethics for Public
28 Officers and Employees to officers and board members
29 of corporate entities associated with the Department
30 of Economic Opportunity; prohibiting such officers and
31 board members from representing a person or an entity
32 for compensation before certain bodies for a specified
33 timeframe; providing for construction; amending s.
34 28.35, F.S.; revising reporting requirements
35 applicable to the Florida Clerks of Court Operations
36 Corporation; amending s. 43.16, F.S.; revising the
37 responsibilities of the Justice Administrative
38 Commission, each state attorney, each public defender,
39 a criminal conflict and civil regional counsel, a
40 capital collateral regional counsel, and the Guardian
41 Ad Litem Program, to include the establishment and
42 maintenance of certain internal controls; creating s.
43 112.3126, F.S.; defining the term "private entity";
44 prohibiting a member of the Legislature or a candidate
45 for legislative office from accepting employment with
46 a private entity that directly receives funding
47 through state revenues under certain circumstances;
48 authorizing employment with a private entity if
49 certain conditions are met; amending s. 112.313, F.S.;
50 specifying that prohibitions on conflicting employment
51 or contractual relationships for public officers or
52 employees of an agency apply to contractual

53 relationships held by certain business entities;
54 amending s. 112.3144, F.S.; requiring certain elected
55 municipal officers to file a full and public
56 disclosure of financial interests, rather than a
57 statement of financial interests; providing for
58 applicability; amending s. 112.31455, F.S.; revising
59 provisions governing collection methods for unpaid
60 automatic fines for failure to timely file disclosure
61 of financial interests to include school districts;
62 amending s. 112.3215, F.S.; requiring a lobbying firm
63 to file a report with the Commission on Ethics
64 disclosing whether the firm lobbied the Governor to
65 approve or veto a bill or an appropriation; requiring
66 the commission to establish procedures applicable to
67 untimely filing of reports by rule; providing fines
68 for late filing of reports; conforming provisions to
69 changes made by the act; amending s. 112.3261, F.S.;
70 revising terms to conform to changes made by the act;
71 expanding the types of governmental entities that are
72 subject to lobbyist registration requirements;
73 requiring a governmental entity to create a lobbyist
74 registration form; amending ss. 129.03, 129.06,
75 166.241, and 189.016, F.S.; requiring counties,
76 municipalities, and special districts to maintain
77 certain budget documents on the entities' websites for
78 a specified period; amending s. 162.30, F.S.;

79 | authorizing a county or municipality to provide for
80 | the recovery of attorney fees and costs by a
81 | prevailing party in certain civil actions under
82 | specified conditions; providing applicability of
83 | certain codes and ordinances; amending s. 215.425,
84 | F.S.; defining the term "public funds"; revising
85 | exceptions to the prohibition on extra compensation
86 | claims; revising minimum requirements for any policy,
87 | ordinance, rule, or resolution designed to implement a
88 | bonus scheme; requiring certain contracts into which a
89 | unit of government or state university enters to
90 | contain certain provisions regarding severance pay;
91 | requiring a unit of government to investigate and take
92 | reasonable action to recover prohibited compensation;
93 | specifying methods of recovery for unintentional and
94 | willful violations; specifying applicability of
95 | procedures regarding suspension and removal of an
96 | officer who commits a willful violation; specifying
97 | circumstances under which an employee has a cause of
98 | action under the Whistle-blower's Act; providing for
99 | applicability; amending s. 215.86, F.S.; revising the
100 | purposes for which management systems and internal
101 | controls must be established and maintained by each
102 | state agency and the judicial branch; amending s.
103 | 215.97, F.S.; revising the definition of the term
104 | "audit threshold"; amending s. 215.985, F.S.; revising

105 the requirements for a monthly financial statement
106 provided by a water management district; amending s.
107 218.32, F.S.; revising the requirements of the annual
108 financial audit report of a local governmental entity;
109 authorizing the Department of Financial Services to
110 request additional information from a local
111 governmental entity; requiring a local governmental
112 entity to respond to such requests within a specified
113 timeframe; requiring the department to notify the
114 Legislative Auditing Committee of noncompliance;
115 amending s. 218.33, F.S.; requiring local governmental
116 entities to establish and maintain internal controls
117 to achieve specified purposes; amending s. 218.39,
118 F.S.; requiring an audited entity to respond to audit
119 recommendations under specified circumstances;
120 amending s. 218.391, F.S.; revising the composition of
121 an audit committee; prohibiting an audit committee
122 member from being an employee, a chief executive
123 officer, or a chief financial officer of the
124 respective governmental entity; requiring the chair of
125 an audit committee to sign and execute an affidavit
126 affirming compliance with auditor selection
127 procedures; prescribing procedures in the event of
128 noncompliance with auditor selection procedures;
129 amending s. 286.0114, F.S.; prohibiting a board or
130 commission from requiring an advance copy of testimony

131 or comments from a member of the public as a
132 precondition to being given the opportunity to be
133 heard at a public meeting; amending s. 288.92, F.S.;
134 prohibiting specified officers and board members of
135 Enterprise Florida, Inc., from representing a person
136 or entity for compensation before Enterprise Florida,
137 Inc., and associated entities thereof, for a specified
138 timeframe; amending s. 288.9604, F.S.; prohibiting a
139 director of the Florida Development Finance
140 Corporation from representing a person or an entity
141 for compensation before the corporation for a
142 specified timeframe; amending s. 373.536, F.S.;
143 deleting obsolete language; requiring water management
144 districts to maintain certain budget documents on the
145 districts' websites for a specified period; amending
146 s. 838.014, F.S.; revising and providing definitions;
147 amending s. 838.015, F.S.; revising the definition of
148 the term "bribery"; revising requirements for
149 prosecution; amending s. 838.016, F.S.; revising the
150 prohibition against unlawful compensation or reward
151 for official behavior to conform to changes made by
152 the act; amending s. 838.022, F.S.; revising the
153 prohibition against official misconduct to conform to
154 changes made by the act; revising applicability of the
155 offense to include public contractors; amending s.
156 838.22, F.S.; revising the prohibition against bid

157 | tampering to conform to changes made by the act;
158 | revising applicability of the offense to include
159 | specified public contractors; amending s. 1001.42,
160 | F.S.; authorizing additional internal audits as
161 | directed by the district school board; specifying
162 | duties of the district school board regarding
163 | visitation of schools; amending s. 1002.33, F.S.;
164 | revising the responsibilities of the governing board
165 | of a charter school to include the establishment and
166 | maintenance of internal controls; amending s. 1002.37,
167 | F.S.; requiring completion of an annual financial
168 | audit of the Florida Virtual School; specifying audit
169 | requirements; requiring an audit report to be
170 | submitted to the board of trustees of the Florida
171 | Virtual School and the Auditor General; removing
172 | obsolete provisions; amending s. 1010.01, F.S.;
173 | requiring each school district, Florida College System
174 | institution, and state university to establish and
175 | maintain certain internal controls; amending s.
176 | 1010.30, F.S.; requiring a district school board,
177 | Florida College System institution board of trustees,
178 | or university board of trustees to respond to audit
179 | recommendations under certain circumstances; amending
180 | ss. 99.061, 218.503, and 1002.455, F.S.; conforming
181 | provisions and cross-references to changes made by the
182 | act; reenacting s. 112.534(2)(a), F.S., relating to

183 official misconduct, and s. 117.01(4)(d), F.S.,
 184 relating to appointment, application, suspension,
 185 revocation, application fee, bond, and oath of
 186 notaries public, to incorporate the amendment made by
 187 the act to s. 838.022, F.S., in references thereto;
 188 reenacting s. 817.568(11), F.S., relating to criminal
 189 use of personal identification information, to
 190 incorporate the amendment made by the act to s.
 191 838.014, F.S., in a reference thereto; reenacting s.
 192 921.0022(3)(d) and (g), F.S., relating to the Criminal
 193 Punishment Code offense severity ranking chart, to
 194 incorporate the amendments made by the act to ss.
 195 838.015, 838.016, 838.022, and 838.22, F.S., in
 196 references thereto; providing for applicability;
 197 declaring that the act fulfills an important state
 198 interest; providing an effective date.

199

200 Be It Enacted by the Legislature of the State of Florida:

201

202 Section 1. Subsections (5) through (9) of section 11.045,
 203 Florida Statutes, are renumbered as subsections (6) through
 204 (10), respectively, a new subsection (5) is added to that
 205 section, and present subsection (8) of that section is amended,
 206 to read:

207 11.045 Lobbying before the Legislature; registration and
 208 reporting; exemptions; penalties.—

209 (5) (a) For purposes of this subsection, the term:
 210 1. "Lobbying activities" means any action designed to
 211 support, oppose, or influence proposed legislation or proposed
 212 legislative action. The term includes, but is not limited to,
 213 any verbal, written, or electronic communication with any
 214 legislator or legislative employee undertaken for the purpose of
 215 directly or indirectly supporting, opposing, or influencing
 216 legislation or requesting proposed legislation to be filed.
 217 2. "Proposed legislation" includes, but is not limited to,
 218 policies, ideas, issues, concepts, or statutory language that is
 219 presently, or may at some future point be, reflected in or
 220 impacted by a bill, a memorial, a resolution, a compact, or an
 221 appropriation.
 222 3. "Proposed legislative action" means any action by a
 223 constituent entity of the Legislature, including, but not
 224 limited to, the houses of the Legislature, a joint office, and a
 225 joint committee.
 226 (b) Each house of the Legislature shall provide reporting
 227 requirements by rule requiring each lobbying firm to file a
 228 monthly report with the office. The report must include:
 229 1. The full name, business address, and telephone number
 230 of the lobbying firm.
 231 2. The name of each of the lobbying firm's lobbyists.
 232 3. A list detailing the lobbying firm's lobbying
 233 activities during the reporting period. The list must itemize:
 234 a. The proposed legislation or proposed legislative action

235 that the lobbying firm has attempted to support, oppose, or
236 influence;

237 b. The entity lobbied;

238 c. Each principal on behalf of whom the lobbying firm has
239 acted; and

240 d. If the proposed legislation included an appropriation
241 or was an appropriation, the intended recipient of the
242 appropriation.

243 (c) For purposes of the reporting requirement provided in
244 this subsection, the reports must identify proposed legislation
245 by referencing any legislatively assigned identifying numbers,
246 including, but not limited to, bill numbers, amendment barcode
247 numbers, or specific appropriation numbers. If the proposed
248 legislation does not have an identifying number assigned, the
249 report must include a description of the subject matter of the
250 proposed legislation, whether the lobbying firm is supporting or
251 opposing the proposed legislation, and, if seeking to modify the
252 proposed legislation, how the lobbying firm's modification would
253 alter the proposal.

254 (d) The reports shall be filed even if the reporting
255 lobbying firm did not engage in any lobbying activities
256 requiring disclosure, in which case the report shall be marked
257 "not applicable."

258 (e) The reports shall be filed with the office by
259 electronic means no later than 7 business days after the end of
260 the preceding month. The reports shall be rendered in the

261 identical form provided by the respective houses and shall be
262 open to public inspection.

263 (f) Each house of the Legislature shall provide by rule,
264 or both houses may provide by joint rule, a procedure by which a
265 lobbying firm that fails to timely file a report is notified and
266 assessed fines. The rule must provide the following:

267 1. Upon determining that the report is late, the person
268 designated to review the timeliness of reports shall immediately
269 notify the lobbying firm as to the failure to timely file the
270 report and that a fine is being assessed for each late day. The
271 fine shall be \$50 per day per report for each late day, not to
272 exceed \$5,000 per report.

273 2. Upon receipt of the report, the person designated to
274 review the timeliness of reports shall determine the amount of
275 the fine due based upon when a report is actually received by
276 the office.

277 3. Such fine must be paid within 30 days after the notice
278 of payment due is transmitted by the office, unless appeal is
279 made to the office. The moneys shall be deposited into the
280 Legislative Lobbyist Registration Trust Fund.

281 4. A fine may not be assessed against a lobbying firm the
282 first time any reports for which the lobbying firm is
283 responsible are not timely filed. However, to receive the one-
284 time fine waiver, all reports for which the lobbying firm is
285 responsible must be filed within 30 days after notice that any
286 reports have not been timely filed is transmitted by the

287 Lobbyist Registration Office. A fine shall be assessed for any
288 subsequent late-filed reports.

289 5. Any lobbying firm may appeal or dispute a fine, based
290 upon unusual circumstances surrounding the failure to file on
291 the designated due date, and may request and is entitled to a
292 hearing before the General Counsel of the Office of Legislative
293 Services, who shall recommend to the President of the Senate and
294 the Speaker of the House of Representatives, or their respective
295 designees, that the fine be waived in whole or in part for good
296 cause shown. The President of the Senate and the Speaker of the
297 House of Representatives, or their respective designees, may
298 concur in the recommendation and waive the fine in whole or in
299 part. Any such request must be made within 30 days after the
300 notice of payment due is transmitted by the office. In such
301 case, the lobbying firm shall, within the 30-day period, notify
302 the person designated to review the timeliness of reports in
303 writing of its intention to request a hearing.

304 6. A lobbying firm may request that the filing of a report
305 be waived upon good cause shown, based on unusual circumstances.
306 The request must be filed with the General Counsel of the Office
307 of Legislative Services, who shall make a recommendation
308 concerning the waiver request to the President of the Senate and
309 the Speaker of the House of Representatives. The President of
310 the Senate and the Speaker of the House of Representatives may
311 grant or deny the request.

312 7. All lobbyist registrations for lobbyists who are

313 partners, owners, officers, or employees of a lobbying firm that
 314 fails to timely pay a fine are automatically suspended until the
 315 fine is paid or waived, and the office shall promptly notify all
 316 affected principals of any suspension or reinstatement.

317 8. The person designated to review the timeliness of
 318 reports shall notify the coordinator of the office of the
 319 failure of a lobbying firm to file a report after notice or of
 320 the failure of a lobbying firm to pay the fine imposed.

321 (9)(8) Any person required to be registered or to provide
 322 information pursuant to this section or pursuant to rules
 323 established in conformity with this section who knowingly fails
 324 to disclose any material fact required by this section or by
 325 rules established in conformity with this section, or who
 326 knowingly provides false information on any report required by
 327 this section or by rules established in conformity with this
 328 section, commits a noncriminal infraction, punishable by a fine
 329 not to exceed \$5,000. Such penalty shall be in addition to any
 330 other penalty assessed by a house of the Legislature pursuant to
 331 subsection (8) ~~(7)~~.

332 Section 2. Subsection (4) of section 11.0455, Florida
 333 Statutes, is amended to read:

334 11.0455 Electronic filing of compensation reports and
 335 other information.—

336 (4) Each report filed pursuant to this section is deemed
 337 to meet the certification requirements of s. 11.045(3)(a)4., and
 338 as such subjects the person responsible for filing and the

339 lobbying firm to the provisions of s. 11.045(8) ~~11.045(7)~~ and
340 (9) ~~(8)~~. Persons given a secure sign-on to the electronic filing
341 system are responsible for protecting it from disclosure and are
342 responsible for all filings using such credentials, unless they
343 have notified the office that their credentials have been
344 compromised.

345 Section 3. Subsection (2) of section 11.40, Florida
346 Statutes, is amended to read:

347 11.40 Legislative Auditing Committee.—

348 (2) Following notification by the Auditor General, the
349 Department of Financial Services, ~~or~~ the Division of Bond
350 Finance of the State Board of Administration, the Governor or
351 his or her designee, or the Commissioner of Education or his or
352 her designee of the failure of a local governmental entity,
353 district school board, charter school, or charter technical
354 career center to comply with the applicable provisions within s.
355 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the
356 Legislative Auditing Committee may schedule a hearing to
357 determine if the entity should be subject to further state
358 action. If the committee determines that the entity should be
359 subject to further state action, the committee shall:

360 (a) In the case of a local governmental entity or district
361 school board, direct the Department of Revenue and the
362 Department of Financial Services to withhold any funds not
363 pledged for bond debt service satisfaction which are payable to
364 such entity until the entity complies with the law. The

365 committee shall specify the date that such action must ~~shall~~
366 begin, and the directive must be received by the Department of
367 Revenue and the Department of Financial Services 30 days before
368 the date of the distribution mandated by law. The Department of
369 Revenue and the Department of Financial Services may implement
370 ~~the provisions of~~ this paragraph.

371 (b) In the case of a special district created by:

372 1. A special act, notify the President of the Senate, the
373 Speaker of the House of Representatives, the standing committees
374 of the Senate and the House of Representatives charged with
375 special district oversight as determined by the presiding
376 officers of each respective chamber, the legislators who
377 represent a portion of the geographical jurisdiction of the
378 special district pursuant to s. 189.034(2), and the Department
379 of Economic Opportunity that the special district has failed to
380 comply with the law. Upon receipt of notification, the
381 Department of Economic Opportunity shall proceed pursuant to s.
382 189.062 or s. 189.067. If the special district remains in
383 noncompliance after the process set forth in s. 189.034(3), or
384 if a public hearing is not held, the Legislative Auditing
385 Committee may request the department to proceed pursuant to s.
386 189.067(3).

387 2. A local ordinance, notify the chair or equivalent of
388 the local general-purpose government pursuant to s. 189.035(2)
389 and the Department of Economic Opportunity that the special
390 district has failed to comply with the law. Upon receipt of

391 notification, the department shall proceed pursuant to s.
 392 189.062 or s. 189.067. If the special district remains in
 393 noncompliance after the process set forth in s. 189.034(3), or
 394 if a public hearing is not held, the Legislative Auditing
 395 Committee may request the department to proceed pursuant to s.
 396 189.067(3).

397 3. Any manner other than a special act or local ordinance,
 398 notify the Department of Economic Opportunity that the special
 399 district has failed to comply with the law. Upon receipt of
 400 notification, the department shall proceed pursuant to s.
 401 189.062 or s. 189.067(3).

402 (c) In the case of a charter school or charter technical
 403 career center, notify the appropriate sponsoring entity, which
 404 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

405 Section 4. Subsection (1), paragraph (j) of subsection
 406 (2), paragraph (u) of subsection (3), and paragraph (i) of
 407 subsection (7) of section 11.45, Florida Statutes, are amended,
 408 and paragraph (x) is added to subsection (3) of that section, to
 409 read:

410 11.45 Definitions; duties; authorities; reports; rules.—

411 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

412 (a) "Abuse" means behavior that is deficient or improper
 413 when compared with behavior that a prudent person would consider
 414 a reasonable and necessary operational practice given the facts
 415 and circumstances. The term includes the misuse of authority or
 416 position for personal gain.

417 (b)~~(a)~~ "Audit" means a financial audit, operational audit,
 418 or performance audit.

419 (c)~~(b)~~ "County agency" means a board of county
 420 commissioners or other legislative and governing body of a
 421 county, however styled, including that of a consolidated or
 422 metropolitan government, a clerk of the circuit court, a
 423 separate or ex officio clerk of the county court, a sheriff, a
 424 property appraiser, a tax collector, a supervisor of elections,
 425 or any other officer in whom any portion of the fiscal duties of
 426 a body or officer expressly stated in this paragraph are the
 427 ~~above are under law~~ separately placed by law.

428 (d)~~(e)~~ "Financial audit" means an examination of financial
 429 statements in order to express an opinion on the fairness with
 430 which they are presented in conformity with generally accepted
 431 accounting principles and an examination to determine whether
 432 operations are properly conducted in accordance with legal and
 433 regulatory requirements. Financial audits must be conducted in
 434 accordance with auditing standards generally accepted in the
 435 United States and government auditing standards as adopted by
 436 the Board of Accountancy. When applicable, the scope of
 437 financial audits must ~~shall~~ encompass the additional activities
 438 necessary to establish compliance with the Single Audit Act
 439 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other
 440 applicable federal law.

441 (e) "Fraud" means obtaining something of value through
 442 willful misrepresentation, including, but not limited to, the

443 intentional misstatements or omissions of amounts or disclosures
444 in financial statements to deceive users of financial
445 statements, theft of an entity's assets, bribery, or the use of
446 one's position for personal enrichment through the deliberate
447 misuse or misapplication of an organization's resources.

448 (f)~~(d)~~ "Governmental entity" means a state agency, a
449 county agency, or any other entity, however styled, that
450 independently exercises any type of state or local governmental
451 function.

452 (g)~~(e)~~ "Local governmental entity" means a county agency,
453 municipality, tourist development council, county tourism
454 promotion agency, or special district as defined in s. 189.012.
455 The term, ~~but~~ does not include any housing authority established
456 under chapter 421.

457 (h)~~(f)~~ "Management letter" means a statement of the
458 auditor's comments and recommendations.

459 (i)~~(g)~~ "Operational audit" means an audit whose purpose is
460 to evaluate management's performance in establishing and
461 maintaining internal controls, including controls designed to
462 prevent and detect fraud, waste, and abuse, and in administering
463 assigned responsibilities in accordance with applicable laws,
464 administrative rules, contracts, grant agreements, and other
465 guidelines. Operational audits must be conducted in accordance
466 with government auditing standards. Such audits examine internal
467 controls that are designed and placed in operation to promote
468 and encourage the achievement of management's control objectives

469 in the categories of compliance, economic and efficient
 470 operations, reliability of financial records and reports, and
 471 safeguarding of assets, and identify weaknesses in those
 472 internal controls.

473 (j)~~(h)~~ "Performance audit" means an examination of a
 474 program, activity, or function of a governmental entity,
 475 conducted in accordance with applicable government auditing
 476 standards or auditing and evaluation standards of other
 477 appropriate authoritative bodies. The term includes an
 478 examination of issues related to:

- 479 1. Economy, efficiency, or effectiveness of the program.
- 480 2. Structure or design of the program to accomplish its
 481 goals and objectives.
- 482 3. Adequacy of the program to meet the needs identified by
 483 the Legislature or governing body.
- 484 4. Alternative methods of providing program services or
 485 products.
- 486 5. Goals, objectives, and performance measures used by the
 487 agency to monitor and report program accomplishments.
- 488 6. The accuracy or adequacy of public documents, reports,
 489 or requests prepared under the program by state agencies.
- 490 7. Compliance of the program with appropriate policies,
 491 rules, or laws.
- 492 8. Any other issues related to governmental entities as
 493 directed by the Legislative Auditing Committee.

494 (k)~~(i)~~ "Political subdivision" means a separate agency or

495 unit of local government created or established by law and
 496 includes, but is not limited to, the following and the officers
 497 thereof: authority, board, branch, bureau, city, commission,
 498 consolidated government, county, department, district,
 499 institution, metropolitan government, municipality, office,
 500 officer, public corporation, town, or village.

501 (1)~~(j)~~ "State agency" means a separate agency or unit of
 502 state government created or established by law and includes, but
 503 is not limited to, the following and the officers thereof:
 504 authority, board, branch, bureau, commission, department,
 505 division, institution, office, officer, or public corporation,
 506 as the case may be, except any such agency or unit within the
 507 legislative branch of state government other than the Florida
 508 Public Service Commission.

509 (m) "Waste" means the act of using or expending resources
 510 unreasonably, carelessly, extravagantly, or for no useful
 511 purpose.

512 (2) DUTIES.—The Auditor General shall:

513 (j) Conduct audits of local governmental entities when
 514 determined to be necessary by the Auditor General, when directed
 515 by the Legislative Auditing Committee, or when otherwise
 516 required by law. No later than 18 months after the release of
 517 the audit report, the Auditor General shall perform such
 518 appropriate followup procedures as he or she deems necessary to
 519 determine the audited entity's progress in addressing the
 520 findings and recommendations contained within the Auditor

521 General's previous report. The Auditor General shall notify each
522 member of the audited entity's governing body and the
523 Legislative Auditing Committee of the results of his or her
524 determination. For purposes of this paragraph, local
525 governmental entities do not include water management districts.
526

527 The Auditor General shall perform his or her duties
528 independently but under the general policies established by the
529 Legislative Auditing Committee. This subsection does not limit
530 the Auditor General's discretionary authority to conduct other
531 audits or engagements of governmental entities as authorized in
532 subsection (3).

533 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
534 Auditor General may, pursuant to his or her own authority, or at
535 the direction of the Legislative Auditing Committee, conduct
536 audits or other engagements as determined appropriate by the
537 Auditor General of:

538 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

539 (x) Tourist development councils and county tourism
540 promotion agencies.

541 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

542 (i) The Auditor General shall annually transmit by July
543 15, to the President of the Senate, the Speaker of the House of
544 Representatives, and the Department of Financial Services, a
545 list of all school districts, charter schools, charter technical
546 career centers, Florida College System institutions, state

547 universities, and local governmental entities ~~water management~~
 548 ~~districts~~ that have failed to comply with the transparency
 549 requirements as identified in the audit reports reviewed
 550 pursuant to paragraph (b) and those conducted pursuant to
 551 subsection (2).

552 Section 5. Section 20.602, Florida Statutes, is created to
 553 read:

554 20.602 Standards of conduct; officers and board members of
 555 Department of Economic Opportunity corporate entities.-

556 (1) The following officers and board members are subject
 557 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
 558 112.3143(2):

559 (a) Officers and members of the board of directors of:

560 1. Any corporation created under chapter 288;

561 2. Space Florida;

562 3. CareerSource Florida, Inc., or the programs or entities
 563 created by CareerSource Florida, Inc., pursuant to s. 445.004;

564 4. The Florida Housing Finance Corporation; or

565 5. Any other corporation created by the Department of
 566 Economic Opportunity in accordance with its powers and duties
 567 under s. 20.60.

568 (b) Officers and members of the board of directors of a
 569 corporate parent or subsidiary corporation of a corporation
 570 described in paragraph (a).

571 (c) Officers and members of the board of directors of a
 572 corporation created to carry out the missions of a corporation

573 described in paragraph (a).

574 (d) Officers and members of the board of directors of a
575 corporation with which a corporation described in paragraph (a)
576 is required by law to contract to carry out its missions.

577 (2) For purposes of applying ss. 112.313(1)-(8), (10),
578 (12), and (15); 112.3135; and 112.3143(2) to activities of the
579 officers and members of the board of directors specified in
580 subsection (1), those persons shall be considered public
581 officers or employees and the corporation shall be considered
582 their agency.

583 (3) For a period of 2 years after retirement from or
584 termination of service, or for a period of 10 years if removed
585 or terminated for cause or for misconduct, as defined in s.
586 443.036(29), an officer or a member of the board of directors
587 specified in subsection (1) may not represent another person or
588 entity for compensation before:

589 (a) His or her corporation;

590 (b) A division, a subsidiary, or the board of directors of
591 a corporation created to carry out the mission of his or her
592 corporation; or

593 (c) A corporation with which the corporation is required
594 by law to contract to carry out its missions.

595 (4) This section does not supersede any additional or more
596 stringent standards of conduct applicable to an officer or a
597 member of the board of directors of an entity specified in
598 subsection (1) prescribed by any other provision of law.

599 Section 6. Paragraph (d) of subsection (2) of section
600 28.35, Florida Statutes, is amended to read:

601 28.35 Florida Clerks of Court Operations Corporation.—

602 (2) The duties of the corporation shall include the
603 following:

604 (d) Developing and certifying a uniform system of workload
605 measures and applicable workload standards for court-related
606 functions as developed by the corporation and clerk workload
607 performance in meeting the workload performance standards. These
608 workload measures and workload performance standards shall be
609 designed to facilitate an objective determination of the
610 performance of each clerk in accordance with minimum standards
611 for fiscal management, operational efficiency, and effective
612 collection of fines, fees, service charges, and court costs. The
613 corporation shall develop the workload measures and workload
614 performance standards in consultation with the Legislature. When
615 the corporation finds a clerk has not met the workload
616 performance standards, the corporation shall identify the nature
617 of each deficiency and any corrective action recommended and
618 taken by the affected clerk of the court. For quarterly periods
619 ending on the last day of March, June, September, and December
620 of each year, the corporation shall notify the Legislature of
621 any clerk not meeting workload performance standards and provide
622 a copy of any corrective action plans. Such notifications shall
623 be submitted no later than 45 days after the end of the
624 preceding quarterly period. As used in this subsection, the

625 term:

626 1. "Workload measures" means the measurement of the
627 activities and frequency of the work required for the clerk to
628 adequately perform the court-related duties of the office as
629 defined by the membership of the Florida Clerks of Court
630 Operations Corporation.

631 2. "Workload performance standards" means the standards
632 developed to measure the timeliness and effectiveness of the
633 activities that are accomplished by the clerk in the performance
634 of the court-related duties of the office as defined by the
635 membership of the Florida Clerks of Court Operations
636 Corporation.

637 Section 7. Subsections (6) and (7) of section 43.16,
638 Florida Statutes, are renumbered as subsections (7) and (8),
639 respectively, and a new subsection (6) is added to that section
640 to read:

641 43.16 Justice Administrative Commission; membership,
642 powers and duties.—

643 (6) The commission, each state attorney, each public
644 defender, the criminal conflict and civil regional counsel, the
645 capital collateral regional counsel, and the Guardian Ad Litem
646 Program shall establish and maintain internal controls designed
647 to:

648 (a) Prevent and detect fraud, waste, and abuse.

649 (b) Promote and encourage compliance with applicable laws,
650 rules, contracts, grant agreements, and best practices.

- 651 (c) Support economical and efficient operations.
- 652 (d) Ensure reliability of financial records and reports.
- 653 (e) Safeguard assets.

654 Section 8. Section 112.3126, Florida Statutes, is created
 655 to read:

656 112.3126 Employment restrictions; legislators.-

657 (1) As used in this section, the term "private entity"
 658 means any nongovernmental entity, such as a corporation,
 659 partnership, company or nonprofit organization, any other legal
 660 entity, or any natural person.

661 (2) (a) A member of, or candidate for, the Legislature may
 662 not accept employment with a private entity that directly
 663 receives funding through state revenues appropriated by the
 664 General Appropriations Act if he or she knows, or with the
 665 exercise of reasonable care should know, that the position is
 666 being offered by the employer for the purpose of gaining
 667 influence or other advantage based on the legislator's office or
 668 candidacy. Any employment with a private entity that directly
 669 receives funding through state revenues appropriated by the
 670 General Appropriations Act accepted by a member or candidate
 671 must meet all of the following conditions:

- 672 1. The position was already in existence or was created by
 673 the employer without the knowledge or anticipation of the
 674 legislator's interest in such position;
- 675 2. The position was open to other applicants;
- 676 3. The legislator was subject to the same application and

677 hiring process as other candidates for the position; and

678 4. The legislator meets or exceeds the required
 679 qualifications for the position.

680 (b) A member of the Legislature who is employed by such
 681 private entity before his or her legislative service begins may
 682 continue his or her employment. However, he or she may not
 683 accept promotion, advancement, additional compensation, or
 684 anything of value that he or she knows, or with the exercise of
 685 reasonable care should know, is provided or given to influence
 686 or attempt to influence his or her legislative office, or that
 687 is otherwise inconsistent with the promotion, advancement,
 688 additional compensation, or anything of value provided or given
 689 an employee who is similarly situated.

690 Section 9. Subsection (7) of section 112.313, Florida
 691 Statutes, is amended to read:

692 112.313 Standards of conduct for public officers,
 693 employees of agencies, and local government attorneys.—

694 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

695 (a) A ~~No~~ public officer or employee of an agency may not
 696 ~~shall~~ have or hold any employment or contractual relationship
 697 with any business entity or any agency that ~~which~~ is subject to
 698 the regulation of, or is doing business with, an agency of which
 699 he or she is an officer or employee, excluding those
 700 organizations and their officers who, when acting in their
 701 official capacity, enter into or negotiate a collective
 702 bargaining contract with the state or any municipality, county,

703 or other political subdivision of the state; and ~~nor shall~~ an
704 officer or employee of an agency may not have or hold any
705 employment or contractual relationship that will create a
706 continuing or frequently recurring conflict between his or her
707 private interests and the performance of his or her public
708 duties or that would impede the full and faithful discharge of
709 his or her public duties. For purposes of this subsection, if a
710 public officer or employee of an agency holds a controlling
711 interest in a business entity or is an officer, a director, or a
712 member who manages such an entity, contractual relationships
713 held by the business entity are deemed to be held by the public
714 officer or employee.

715 1. When the agency referred to is a ~~that certain kind of~~
716 special tax district created by general or special law and is
717 limited specifically to constructing, maintaining, managing, and
718 financing improvements in the land area over which the agency
719 has jurisdiction, or when the agency has been organized pursuant
720 to chapter 298, ~~then~~ employment with, or entering into a
721 contractual relationship with, such a business entity by a
722 public officer or employee of such an agency is ~~shall~~ not be
723 prohibited by this subsection or ~~be~~ deemed a conflict per se.
724 However, conduct by such officer or employee that is prohibited
725 by, or otherwise frustrates the intent of, this section must
726 ~~shall~~ be deemed a conflict of interest in violation of the
727 standards of conduct set forth by this section.

728 2. When the agency referred to is a legislative body and

729 the regulatory power over the business entity resides in another
 730 agency, or when the regulatory power that ~~which~~ the legislative
 731 body exercises over the business entity or agency is strictly
 732 through the enactment of laws or ordinances, ~~then~~ employment or
 733 a contractual relationship with such a business entity by a
 734 public officer or employee of a legislative body is ~~shall~~ not ~~be~~
 735 prohibited by this subsection or ~~be~~ deemed a conflict.

736 (b) This subsection does ~~shall~~ not prohibit a public
 737 officer or employee from practicing in a particular profession
 738 or occupation when such practice by persons holding such public
 739 office or employment is required or permitted by law or
 740 ordinance.

741 Section 10. Subsections (1) and (2) of section 112.3144,
 742 Florida Statutes, are amended to read:

743 112.3144 Full and public disclosure of financial
 744 interests.—

745 (1) In addition to officers specified in s. 8, Art. II of
 746 the State Constitution or other state law, all elected municipal
 747 officers who receive compensation are required to file a full
 748 and public disclosure of their financial interests. An officer
 749 who is required by ~~s. 8, Art. II of the State Constitution~~ to
 750 file a full and public disclosure of ~~his or her~~ financial
 751 interests for any calendar or fiscal year shall file that
 752 disclosure with the ~~Florida~~ Commission on Ethics. ~~Additionally,~~
 753 ~~beginning January 1, 2015,~~ An officer who is required to
 754 complete annual ethics training pursuant to s. 112.3142 must

755 certify on his or her full and public disclosure of financial
756 interests that he or she has completed the required training.

757 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~
758 ~~the State Constitution,~~ to file a full and public disclosure of
759 financial interests and who has filed a full and public
760 disclosure of financial interests for any calendar or fiscal
761 year ~~is shall~~ not be required to file a statement of financial
762 interests pursuant to s. 112.3145(2) and (3) for the same year
763 or for any part thereof notwithstanding any requirement of this
764 part. If an incumbent in an elective office has filed the full
765 and public disclosure of financial interests to qualify for
766 election to the same office or if a candidate for office holds
767 another office subject to the annual filing requirement, the
768 qualifying officer shall forward an electronic copy of the full
769 and public disclosure of financial interests to the commission
770 no later than July 1. The electronic copy of the full and public
771 disclosure of financial interests satisfies the annual
772 disclosure requirement of this section. A candidate who does not
773 qualify until after the annual full and public disclosure of
774 financial interests has been filed pursuant to this section
775 shall file a copy of his or her disclosure with the officer
776 before whom he or she qualifies.

777 Section 11. The amendment made to s. 112.3144, Florida
778 Statutes, by this act applies to disclosures filed for the 2016
779 calendar year and all subsequent calendar years.

780 Section 12. Subsection (1) of section 112.31455, Florida

781 Statutes, is amended to read:

782 112.31455 Collection methods for unpaid automatic fines
783 for failure to timely file disclosure of financial interests.—

784 (1) Before referring any unpaid fine accrued pursuant to
785 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial
786 Services, the commission shall attempt to determine whether the
787 individual owing such a fine is a current public officer or
788 current public employee. If so, the commission may notify the
789 Chief Financial Officer or the governing body of the appropriate
790 county, municipality, school district, or special district of
791 the total amount of any fine owed to the commission by such
792 individual.

793 (a) After receipt and verification of the notice from the
794 commission, the Chief Financial Officer or the governing body of
795 the county, municipality, school district, or special district
796 shall begin withholding the lesser of 10 percent or the maximum
797 amount allowed under federal law from any salary-related
798 payment. The withheld payments shall be remitted to the
799 commission until the fine is satisfied.

800 (b) The Chief Financial Officer or the governing body of
801 the county, municipality, school district, or special district
802 may retain an amount of each withheld payment, as provided in s.
803 77.0305, to cover the administrative costs incurred under this
804 section.

805 Section 13. Subsections (7) through (15) of section
806 112.3215, Florida Statutes, are renumbered as subsections (8)

807 through (16), respectively, a new subsection (7) is added to
808 that section, and paragraph (a) of present subsection (8) and
809 present subsection (11) of that section are amended, to read:

810 112.3215 Lobbying before the executive branch or the
811 Constitution Revision Commission; registration and reporting;
812 investigation by commission.—

813 (7) If a lobbying firm lobbies the Governor to approve or
814 veto any bill passed by the Legislature or a specific
815 appropriation in the General Appropriations Act, the lobbying
816 firm must file a monthly report disclosing such activity with
817 the commission.

818 (a) The monthly report must contain the same information
819 required under s. 11.045(5). The reports must be filed with the
820 commission no later than 7 business days after the end of the
821 preceding month. A lobbying firm may satisfy the filing
822 requirements of this subsection by using the form used under s.
823 11.045(5).

824 (b) The reports shall be filed even if the reporting
825 lobbying firm did not engage in any lobbying activities
826 requiring disclosure, in which case the report shall be marked
827 "not applicable."

828 (c) The commission shall provide by rule the grounds for
829 waiving a fine, the procedures by which a lobbying firm that
830 fails to timely file a report shall be notified and assessed
831 fines, and the procedure for appealing the fines. The rule shall
832 provide for the following:

833 1. Upon determining that the report is late, the person
834 designated to review the timeliness of reports shall immediately
835 notify the lobbying firm as to the failure to timely file the
836 report and that a fine is being assessed for each late day. The
837 fine shall be \$50 per day per report for each late day, up to a
838 maximum of \$5,000 per late report.

839 2. Upon receipt of the report, the person designated to
840 review the timeliness of reports shall determine the amount of
841 the fine due based upon when a report is actually received by
842 the commission.

843 3. Such fine shall be paid within 30 days after the notice
844 of payment due is transmitted by the commission, unless appeal
845 is made to the commission. The moneys shall be deposited into
846 the Executive Branch Lobby Registration Trust Fund.

847 4. A fine may not be assessed against a lobbying firm the
848 first time any reports for which the lobbying firm is
849 responsible are not timely filed. However, to receive the one-
850 time fine waiver, all reports for which the lobbying firm is
851 responsible must be filed within 30 days after the notice that
852 any reports have not been timely filed is transmitted by the
853 commission. A fine shall be assessed for any subsequent late-
854 filed reports.

855 5. Any lobbying firm may appeal or dispute a fine, based
856 upon unusual circumstances surrounding the failure to file on
857 the designated due date, and may request and shall be entitled
858 to a hearing before the commission, which shall have the

859 authority to waive the fine in whole or in part for good cause
860 shown. Any such request shall be made within 30 days after the
861 notice of payment due is transmitted by the commission. In such
862 case, the lobbying firm shall, within the 30-day period, notify
863 the person designated to review the timeliness of reports in
864 writing of its intention to bring the matter before the
865 commission.

866 6. The person designated to review the timeliness of
867 reports shall notify the commission of the failure of a lobbying
868 firm to file a report after notice or of the failure of a
869 lobbying firm to pay the fine imposed. All lobbyist
870 registrations for lobbyists who are partners, owners, officers,
871 or employees of a lobbying firm that fails to timely pay a fine
872 are automatically suspended until the fine is paid or waived,
873 and the commission shall promptly notify all affected principals
874 of each suspension and each reinstatement.

875 7. Notwithstanding any provision of chapter 120, any fine
876 imposed under this subsection that is not waived by final order
877 of the commission and that remains unpaid more than 60 days
878 after the notice of payment due or more than 60 days after the
879 commission renders a final order on the lobbying firm's appeal
880 shall be collected by the Department of Financial Services as a
881 claim, debt, or other obligation owed to the state, and the
882 department may assign the collection of such fine to a
883 collection agent as provided in s. 17.20.

884 (9) (a) ~~(8) (a)~~ The commission shall investigate every sworn

885 | complaint that is filed with it alleging that a person covered
 886 | by this section has failed to register, has failed to submit a
 887 | compensation report, has made a prohibited expenditure, has
 888 | failed to file a report required by subsection (7), or has
 889 | knowingly submitted false information in any report or
 890 | registration required in this section.

891 | ~~(12)-(11)~~ Any person who is required to be registered or to
 892 | provide information under this section or under rules adopted
 893 | pursuant to this section and who knowingly fails to disclose any
 894 | material fact that is required by this section or by rules
 895 | adopted pursuant to this section, or who knowingly provides
 896 | false information on any report required by this section or by
 897 | rules adopted pursuant to this section, commits a noncriminal
 898 | infraction, punishable by a fine not to exceed \$5,000. Such
 899 | penalty is in addition to any other penalty assessed by the
 900 | Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

901 | Section 14. Section 112.3261, Florida Statutes, is amended
 902 | to read:

903 | 112.3261 Lobbying before governmental entities ~~water~~
 904 | ~~management districts~~; registration and reporting.—

905 | (1) As used in this section, the term:

906 | (a) "Governmental entity" or "entity" ~~"District"~~ means a
 907 | water management district created in s. 373.069 and operating
 908 | under the authority of chapter 373, a hospital district, a
 909 | children's services district, an expressway authority as the
 910 | term "authority" is defined in s. 348.0002, a port authority as

911 defined in s. 315.02, a county or municipality that has not
912 adopted lobbyist registration and reporting requirements, or an
913 independent special district with annual revenues of more than
914 \$5 million which exercises ad valorem taxing authority.

915 (b) "Lobbies" means seeking, on behalf of another person,
916 to influence a governmental entity ~~district~~ with respect to a
917 decision of the entity ~~district~~ in an area of policy or
918 procurement or an attempt to obtain the goodwill of an a
919 ~~district~~ official or employee of a governmental entity. The term
920 "~~lobbies~~" shall be interpreted and applied consistently with the
921 rules of the commission implementing s. 112.3215.

922 (c) "Lobbyist" has the same meaning as provided in s.
923 112.3215.

924 (d) "Principal" has the same meaning as provided in s.
925 112.3215.

926 (2) A person may not lobby a governmental entity ~~district~~
927 until such person has registered as a lobbyist with that entity
928 ~~district~~. Such registration shall be due upon initially being
929 retained to lobby and is renewable on a calendar-year basis
930 thereafter. Upon registration, the person shall provide a
931 statement signed by the principal or principal's representative
932 stating that the registrant is authorized to represent the
933 principal. The principal shall also identify and designate its
934 main business on the statement authorizing that lobbyist
935 pursuant to a classification system approved by the governmental
936 entity ~~district~~. Any changes to the information required by this

937 section must be disclosed within 15 days by filing a new
938 registration form. The registration form must ~~shall~~ require each
939 lobbyist to disclose, under oath, the following:

940 (a) The lobbyist's name and business address.

941 (b) The name and business address of each principal
942 represented.

943 (c) The existence of any direct or indirect business
944 association, partnership, or financial relationship with an
945 official ~~any officer~~ or employee of a governmental entity
946 ~~district~~ with which he or she lobbies or intends to lobby.

947 (d) A governmental entity shall create a lobbyist
948 registration form modeled after the ~~In lieu of creating its own~~
949 ~~lobbyist registration forms, a district may accept a completed~~
950 legislative branch or executive branch lobbyist registration
951 form, which must be returned to the governmental entity.

952 (3) A governmental entity ~~district~~ shall make lobbyist
953 registrations available to the public. If a governmental entity
954 ~~district~~ maintains a website, a database of currently registered
955 lobbyists and principals must be available on the entity's
956 ~~district's~~ website.

957 (4) A lobbyist shall promptly send a written statement to
958 the governmental entity ~~district~~ canceling the registration for
959 a principal upon termination of the lobbyist's representation of
960 that principal. A governmental entity ~~district~~ may remove the
961 name of a lobbyist from the list of registered lobbyists if the
962 principal notifies the entity ~~district~~ that a person is no

963 longer authorized to represent that principal.

964 (5) A governmental entity ~~district~~ may establish an annual
965 lobbyist registration fee, not to exceed \$40, for each principal
966 represented. The governmental entity ~~district~~ may use
967 registration fees only to administer this section.

968 (6) A governmental entity ~~district~~ shall be diligent to
969 ascertain whether persons required to register pursuant to this
970 section have complied. A governmental entity ~~district~~ may not
971 knowingly authorize a person who is not registered pursuant to
972 this section to lobby the entity ~~district~~.

973 (7) Upon receipt of a sworn complaint alleging that a
974 lobbyist or principal has failed to register with a governmental
975 entity ~~district~~ or has knowingly submitted false information in
976 a report or registration required under this section, the
977 commission shall investigate a lobbyist or principal pursuant to
978 the procedures established under s. 112.324. The commission
979 shall provide the Governor with a report of its findings and
980 recommendations in any investigation conducted pursuant to this
981 subsection. The Governor is authorized to enforce the
982 commission's findings and recommendations.

983 (8) A governmental entity ~~Water management districts~~ may
984 adopt rules to establish procedures to govern the registration
985 of lobbyists, including the adoption of forms and the
986 establishment of a lobbyist registration fee.

987 Section 15. Paragraph (c) of subsection (3) of section
988 129.03, Florida Statutes, is amended to read:

989 | 129.03 Preparation and adoption of budget.—

990 | (3) The county budget officer, after tentatively
991 | ascertaining the proposed fiscal policies of the board for the
992 | next fiscal year, shall prepare and present to the board a
993 | tentative budget for the next fiscal year for each of the funds
994 | provided in this chapter, including all estimated receipts,
995 | taxes to be levied, and balances expected to be brought forward
996 | and all estimated expenditures, reserves, and balances to be
997 | carried over at the end of the year.

998 | (c) The board shall hold public hearings to adopt
999 | tentative and final budgets pursuant to s. 200.065. The hearings
1000 | shall be primarily for the purpose of hearing requests and
1001 | complaints from the public regarding the budgets and the
1002 | proposed tax levies and for explaining the budget and any
1003 | proposed or adopted amendments. The tentative budget must be
1004 | posted on the county's official website at least 2 days before
1005 | the public hearing to consider such budget and must remain on
1006 | the website for at least 45 days. The final budget must be
1007 | posted on the website within 30 days after adoption and must
1008 | remain on the website for at least 2 years. The tentative
1009 | budgets, adopted tentative budgets, and final budgets shall be
1010 | filed in the office of the county auditor as a public record.
1011 | Sufficient reference in words and figures to identify the
1012 | particular transactions must ~~shall~~ be made in the minutes of the
1013 | board to record its actions with reference to the budgets.

1014 | Section 16. Paragraph (f) of subsection (2) of section

1015 129.06, Florida Statutes, is amended to read:

1016 129.06 Execution and amendment of budget.—

1017 (2) The board at any time within a fiscal year may amend a
 1018 budget for that year, and may within the first 60 days of a
 1019 fiscal year amend the budget for the prior fiscal year, as
 1020 follows:

1021 (f) Unless otherwise prohibited by law, if an amendment to
 1022 a budget is required for a purpose not specifically authorized
 1023 in paragraphs (a)-(e), the amendment may be authorized by
 1024 resolution or ordinance of the board of county commissioners
 1025 adopted following a public hearing.

1026 1. The public hearing must be advertised at least 2 days,
 1027 but not more than 5 days, before the date of the hearing. The
 1028 advertisement must appear in a newspaper of paid general
 1029 circulation and must identify the name of the taxing authority,
 1030 the date, place, and time of the hearing, and the purpose of the
 1031 hearing. The advertisement must also identify each budgetary
 1032 fund to be amended, the source of the funds, the use of the
 1033 funds, and the total amount of each fund's appropriations.

1034 2. If the board amends the budget pursuant to this
 1035 paragraph, the adopted amendment must be posted on the county's
 1036 official website within 5 days after adoption and must remain on
 1037 the website for at least 2 years.

1038 Section 17. Section 162.30, Florida Statutes, is amended
 1039 to read:

1040 162.30 Civil actions to enforce county and municipal

1041 ordinances; award of attorney fees and costs.—

1042 (1) In addition to other provisions of law authorizing the
 1043 enforcement of county and municipal codes and ordinances, a
 1044 county or municipality may enforce any violation of a county or
 1045 municipal code or ordinance by filing a civil action in the same
 1046 manner as instituting a civil action. The action shall be
 1047 brought in county or circuit court, whichever is appropriate
 1048 depending upon the relief sought. Counties and municipalities
 1049 are authorized and required to pay any counsel appointed by the
 1050 court to represent a private party in such action if the
 1051 provision of counsel at public expense is required by the
 1052 Constitution of the United States or the Constitution of the
 1053 State of Florida and if the party is indigent as established
 1054 pursuant to s. 27.52. The county or municipality shall bear all
 1055 court fees and costs of any such action, and may, if it
 1056 prevails, recover the court fees and costs and expense of the
 1057 court-appointed counsel as part of its judgment. The state shall
 1058 bear no expense of actions brought under this section except
 1059 those that it would bear in an ordinary civil action between
 1060 private parties in county court.

1061 (2) A county or municipality may provide by code or
 1062 ordinance for the recovery of attorney fees and costs by a
 1063 prevailing party in a civil action brought under this part. Any
 1064 existing code or ordinance that only provides for the recovery
 1065 of attorney fees and costs by the county or municipality shall
 1066 be construed to provide for the recovery of attorney fees and

1067 costs by a prevailing party other than the county or
 1068 municipality.

1069 Section 18. Subsections (3) and (5) of section 166.241,
 1070 Florida Statutes, are amended to read:

1071 166.241 Fiscal years, budgets, and budget amendments.—

1072 (3) The tentative budget must be posted on the
 1073 municipality's official website at least 2 days before the
 1074 budget hearing, held pursuant to s. 200.065 or other law, to
 1075 consider such budget and must remain on the website for at least
 1076 45 days. The final adopted budget must be posted on the
 1077 municipality's official website within 30 days after adoption
 1078 and must remain on the website for at least 2 years. If the
 1079 municipality does not operate an official website, the
 1080 municipality must, within a reasonable period of time as
 1081 established by the county or counties in which the municipality
 1082 is located, transmit the tentative budget and final budget to
 1083 the manager or administrator of such county or counties who
 1084 shall post the budgets on the county's website.

1085 (5) If the governing body of a municipality amends the
 1086 budget pursuant to paragraph (4)(c), the adopted amendment must
 1087 be posted on the official website of the municipality within 5
 1088 days after adoption and must remain on the website for at least
 1089 2 years. If the municipality does not operate an official
 1090 website, the municipality must, within a reasonable period of
 1091 time as established by the county or counties in which the
 1092 municipality is located, transmit the adopted amendment to the

1093 manager or administrator of such county or counties who shall
 1094 post the adopted amendment on the county's website.

1095 Section 19. Subsections (4) and (7) of section 189.016,
 1096 Florida Statutes, are amended to read:

1097 189.016 Reports; budgets; audits.—

1098 (4) The tentative budget must be posted on the special
 1099 district's official website at least 2 days before the budget
 1100 hearing, held pursuant to s. 200.065 or other law, to consider
 1101 such budget and must remain on the website for at least 45 days.

1102 The final adopted budget must be posted on the special
 1103 district's official website within 30 days after adoption and
 1104 must remain on the website for at least 2 years. If the special
 1105 district does not operate an official website, the special
 1106 district must, within a reasonable period of time as established
 1107 by the local general-purpose government or governments in which
 1108 the special district is located or the local governing authority
 1109 to which the district is dependent, transmit the tentative
 1110 budget or final budget to the manager or administrator of the
 1111 local general-purpose government or the local governing
 1112 authority. The manager or administrator shall post the tentative
 1113 budget or final budget on the website of the local general-
 1114 purpose government or governing authority. This subsection and
 1115 subsection (3) do not apply to water management districts as
 1116 defined in s. 373.019.

1117 (7) If the governing body of a special district amends the
 1118 budget pursuant to paragraph (6)(c), the adopted amendment must

1119 be posted on the official website of the special district within
1120 5 days after adoption and must remain on the website for at
1121 least 2 years. If the special district does not operate an
1122 official website, the special district must, within a reasonable
1123 period of time as established by the local general-purpose
1124 government or governments in which the special district is
1125 located or the local governing authority to which the district
1126 is dependent, transmit the adopted amendment to the manager or
1127 administrator of the local general-purpose government or
1128 governing authority. The manager or administrator shall post the
1129 adopted amendment on the website of the local general-purpose
1130 government or governing authority.

1131 Section 20. Section 215.425, Florida Statutes, is amended
1132 to read:

1133 215.425 Extra compensation claims prohibited; bonuses;
1134 severance pay.—

1135 (1) As used in this section, the term "public funds" means
1136 any taxes, tuition, state grants, fines, fees, or other charges
1137 or any other type of revenue collected by the state or any
1138 county, municipality, special district, school district, Florida
1139 College System institution, state university, or other separate
1140 unit of government created pursuant to law, including any
1141 office, department, agency, division, subdivision, political
1142 subdivision, board, bureau, or commission of such entities.
1143 However, if the payment and receipt do not otherwise violate
1144 part III of chapter 112, the following are not considered public

1145 funds:

1146 (a) Revenues received by the Board of Governors or state
 1147 universities through or from faculty practice plans; health
 1148 services support organizations; hospitals with which state
 1149 universities are affiliated; direct-support organizations; or
 1150 federal, auxiliary, or private sources, except for tuition.

1151 (b) Revenues received by Florida College System
 1152 institutions through or from faculty practice plans; health
 1153 services support organizations; direct-support organizations; or
 1154 federal, auxiliary, or private sources, except for tuition.

1155 (c) Revenues that are received by a hospital licensed
 1156 under chapter 395 which has entered into a Medicaid provider
 1157 contract and that:

1158 1. Are not derived from the levy of an ad valorem tax;

1159 2. Are not derived from patient services paid through the
 1160 Medicaid or Medicare program;

1161 3. Are derived from patient services pursuant to contracts
 1162 with private insurers or private managed care entities or paid
 1163 by the patient or private entities; or

1164 4. Are not appropriated by the Legislature or by any
 1165 county, municipality, special district, school district, Florida
 1166 College System institution, state university, or other separate
 1167 unit of government created pursuant to law, including any
 1168 office, department, agency, division, subdivision, political
 1169 subdivision, board, bureau, commission, authority, or
 1170 institution of such entities, except for revenues otherwise

1171 authorized to be used pursuant to subparagraphs 2. and 3.

1172 (d) A clothing and maintenance allowance given to
 1173 plainclothes deputies pursuant to s. 30.49.

1174 (e) Revenues or fees received by a seaport or airport from
 1175 sources other than through the levy of a tax, or funds
 1176 appropriated by any county or municipality or the Legislature.

1177 (2)-(1) Except as provided in subsections (3) and (4), no
 1178 extra compensation shall be made from public funds to any
 1179 officer, agent, employee, or contractor after the service has
 1180 been rendered or the contract made; nor shall any public funds
 1181 money be appropriated or paid on any claim the subject matter of
 1182 which has not been provided for by preexisting laws, unless such
 1183 compensation or claim is allowed by a law enacted by two-thirds
 1184 of the members elected to each house of the Legislature.
 1185 However, when adopting salary schedules for a fiscal year, a
 1186 district school board or community college district board of
 1187 trustees may apply the schedule for payment of all services
 1188 rendered subsequent to July 1 of that fiscal year.

1189 ~~(2) This section does not apply to:~~

1190 ~~(a) A bonus or severance pay that is paid wholly from~~
 1191 ~~nontax revenues and nonstate appropriated funds, the payment and~~
 1192 ~~receipt of which does not otherwise violate part III of chapter~~
 1193 ~~112, and which is paid to an officer, agent, employee, or~~
 1194 ~~contractor of a public hospital that is operated by a county or~~
 1195 ~~a special district; or~~

1196 ~~(b) A clothing and maintenance allowance given to~~

1197 ~~plainclothes deputies pursuant to s. 30.49.~~

1198 (3) Any policy, ordinance, rule, or resolution designed to

1199 implement a bonus scheme must:

1200 (a) Base the award of a bonus on work performance;

1201 (b) Describe the performance standards and evaluation

1202 process by which a bonus will be awarded;

1203 (c) Notify all employees who meet the prescribed criteria

1204 for a particular bonus scheme of the policy, ordinance, rule, or

1205 resolution before the beginning of the evaluation period on

1206 which a bonus will be based; and

1207 (d) Consider all employees who meet the prescribed

1208 criteria for a particular bonus scheme for the bonus.

1209 (4) (a) ~~On or after July 1, 2011,~~ A unit of government, on

1210 or after July 1, 2011, or a state university, on or after July

1211 1, 2012, which ~~that~~ enters into a contract or employment

1212 agreement, or a renewal or renegotiation of an existing contract

1213 or employment agreement, which ~~that~~ contains a provision for

1214 severance pay with an officer, agent, employee, or contractor

1215 must include the following provisions in the contract:

1216 1. A requirement that severance pay paid from public funds

1217 ~~provided~~ may not exceed an amount greater than 20 weeks of

1218 compensation.

1219 2. A prohibition of provision of severance pay paid from

1220 public funds when the officer, agent, employee, or contractor

1221 has been fired for misconduct, as defined in s. 443.036(29), by

1222 the unit of government. However, the existence of a contract

1223 that includes a provision providing for severance pay does not
 1224 limit the application of paragraph (b) to the settlement of a
 1225 dispute.

1226 (b) On or after July 1, 2011, an officer, agent, employee,
 1227 or contractor may receive severance pay that is not provided for
 1228 in a contract or employment agreement if the severance pay
 1229 represents the settlement of an employment dispute. In
 1230 determining the amount of severance pay that may be paid in
 1231 accordance with this section, the unit of government or the
 1232 state university shall consider the nature of the claim, the
 1233 circumstances giving rise to the dispute, and the potential cost
 1234 of resolving the dispute ~~Such severance pay may not exceed an~~
 1235 ~~amount greater than 6 weeks of compensation.~~ The settlement may
 1236 not include provisions that limit the ability of any party to
 1237 the settlement to discuss the dispute or settlement.

1238 (5) Any agreement or contract, ~~7~~ executed on or after July
 1239 1, 2011, which involves extra compensation between a unit of
 1240 government and an officer, agent, employee, or contractor may
 1241 not include provisions that limit the ability of any party to
 1242 the agreement or contract to discuss the agreement or contract.

1243 (6) Upon discovery or notification that a unit of
 1244 government has provided prohibited compensation to any officer,
 1245 agent, employee, or contractor in violation of this section,
 1246 such unit of government shall investigate and take all
 1247 reasonable action to recover the prohibited compensation.

1248 (a) If the violation was unintentional, the unit of

1249 government shall take all reasonable action to recover the
1250 prohibited compensation from the individual receiving the
1251 prohibited compensation through normal recovery methods for
1252 overpayments.

1253 (b) If the violation was willful, the unit of government
1254 shall take all reasonable action to recover the prohibited
1255 compensation from the individual receiving the prohibited
1256 compensation or the employee or employees of the unit of
1257 government who willfully violated this section. Each individual
1258 determined to have willfully violated this section is jointly
1259 and severally liable for repayment of the prohibited
1260 compensation.

1261 (7) An officer who exercises the powers and duties of a
1262 state or county officer and willfully violates this section is
1263 subject to the Governor's power under s. 7(a), Art. IV of the
1264 State Constitution. An officer who exercises powers and duties
1265 other than those of a state or county officer and willfully
1266 violates this section is subject to the suspension and removal
1267 procedures under s. 112.51.

1268 (8) An employee who is discharged, demoted, suspended,
1269 threatened, harassed, or in any manner discriminated against in
1270 the terms and conditions of employment by his or her employer
1271 because of lawful acts done by the employee on behalf of the
1272 employee or others in furtherance of an action under this
1273 section, including investigation for initiation of, testimony
1274 for, or assistance in an action filed or to be filed under this

1275 section, has a cause of action under s. 112.3187.

1276 (9) Subsections (6), (7), and (8) apply prospectively to
 1277 contracts and employment agreements, and the renewal or
 1278 renegotiation of an existing contract or employment agreement,
 1279 effective on or after October 1, 2016.

1280 Section 21. Section 215.86, Florida Statutes, is amended
 1281 to read:

1282 215.86 Management systems and controls.—Each state agency
 1283 and the judicial branch as defined in s. 216.011 shall establish
 1284 and maintain management systems and internal controls designed
 1285 to:

1286 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

1287 (2) Promote and encourage compliance with applicable laws,
 1288 rules, contracts, and grant agreements.†

1289 (3) Support economical and ~~economic,~~ efficient, ~~and~~
 1290 effective operations.†

1291 (4) Ensure reliability of financial records and reports.†

1292 (5) Safeguard ~~and safeguarding of~~ assets. ~~Accounting~~
 1293 ~~systems and procedures shall be designed to fulfill the~~
 1294 ~~requirements of generally accepted accounting principles.~~

1295 Section 22. Paragraph (a) of subsection (2) of section
 1296 215.97, Florida Statutes, is amended to read:

1297 215.97 Florida Single Audit Act.—

1298 (2) Definitions; as used in this section, the term:

1299 (a) "Audit threshold" means the threshold amount used to
 1300 determine when a state single audit or project-specific audit of

1301 a nonstate entity shall be conducted in accordance with this
 1302 section. Each nonstate entity that expends a total amount of
 1303 state financial assistance equal to or in excess of \$750,000
 1304 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be
 1305 required to have a state single audit~~,~~ or a project-specific
 1306 audit~~,~~ for such fiscal year in accordance with the requirements
 1307 of this section. ~~Every 2 years the Auditor General,~~ After
 1308 consulting with the Executive Office of the Governor, the
 1309 Department of Financial Services, and all state awarding
 1310 agencies, the Auditor General shall periodically review the
 1311 threshold amount for requiring audits under this section and may
 1312 recommend any appropriate statutory change to revise the
 1313 threshold amount in the annual report submitted pursuant to s.
 1314 11.45(7)(h) to the Legislature ~~adjust such threshold amount~~
 1315 ~~consistent with the purposes of this section.~~

1316 Section 23. Subsection (11) of section 215.985, Florida
 1317 Statutes, is amended to read:

1318 215.985 Transparency in government spending.—

1319 (11) Each water management district shall provide a
 1320 monthly financial statement in the form and manner prescribed by
 1321 the Department of Financial Services to the district's ~~its~~
 1322 governing board and make such monthly financial statement
 1323 available for public access on its website.

1324 Section 24. Paragraph (d) of subsection (1) and subsection
 1325 (2) of section 218.32, Florida Statutes, are amended to read:

1326 218.32 Annual financial reports; local governmental

1327 entities.—

1328 (1)

1329 (d) Each local governmental entity that is required to
 1330 provide for an audit under s. 218.39(1) must submit a copy of
 1331 the audit report and annual financial report to the department
 1332 within 45 days after the completion of the audit report but no
 1333 later than 9 months after the end of the fiscal year. In
 1334 conducting an audit of a local governmental entity pursuant to
 1335 s. 218.39, an independent certified public accountant shall
 1336 determine whether the entity's annual financial report is in
 1337 agreement with the audited financial statements. The
 1338 accountant's audit report must be supported by the same level of
 1339 detail as required for the annual financial report. If the
 1340 accountant's audit report is not in agreement with the annual
 1341 financial report, the accountant shall specify and explain the
 1342 significant differences that exist between the annual financial
 1343 report and the audit report.

1344 (2) The department shall annually by December 1 file a
 1345 verified report with the Governor, the Legislature, the Auditor
 1346 General, and the Special District Accountability Program of the
 1347 Department of Economic Opportunity showing the revenues, both
 1348 locally derived and derived from intergovernmental transfers,
 1349 and the expenditures of each local governmental entity, regional
 1350 planning council, local government finance commission, and
 1351 municipal power corporation that is required to submit an annual
 1352 financial report. In preparing the verified report, the

1353 department may request additional information from the local
1354 governmental entity. The information requested must be provided
1355 to the department within 45 days after the request. If the local
1356 governmental entity does not comply with the request, the
1357 department shall notify the Legislative Auditing Committee,
1358 which may take action pursuant to s. 11.40(2). The report must
1359 include, but is not limited to:

1360 (a) The total revenues and expenditures of each local
1361 governmental entity that is a component unit included in the
1362 annual financial report of the reporting entity.

1363 (b) The amount of outstanding long-term debt by each local
1364 governmental entity. For purposes of this paragraph, the term
1365 "long-term debt" means any agreement or series of agreements to
1366 pay money, which, at inception, contemplate terms of payment
1367 exceeding 1 year in duration.

1368 Section 25. Subsection (3) of section 218.33, Florida
1369 Statutes, is renumbered as subsection (4), and a new subsection
1370 (3) is added to that section to read:

1371 218.33 Local governmental entities; establishment of
1372 uniform fiscal years and accounting practices and procedures.—

1373 (3) Each local governmental entity shall establish and
1374 maintain internal controls designed to:

1375 (a) Prevent and detect fraud, waste, and abuse.

1376 (b) Promote and encourage compliance with applicable laws,
1377 rules, contracts, grant agreements, and best practices.

1378 (c) Support economical and efficient operations.

1379 (d) Ensure reliability of financial records and reports.

1380 (e) Safeguard assets.

1381 Section 26. Subsections (8) through (12) of section
 1382 218.39, Florida Statutes, are renumbered as subsections (9)
 1383 through (13), respectively, and a new subsection (8) is added to
 1384 that section to read:

1385 218.39 Annual financial audit reports.—

1386 (8) If the audit report includes a recommendation that was
 1387 included in the preceding financial audit report but remains
 1388 unaddressed, the governing body of the audited entity, within 60
 1389 days after the delivery of the audit report to the governing
 1390 body, shall indicate during a regularly scheduled public meeting
 1391 whether it intends to take corrective action, the intended
 1392 corrective action, and the timeframe for the corrective action.
 1393 If the governing body indicates that it does not intend to take
 1394 corrective action, it shall explain its decision at the public
 1395 meeting.

1396 Section 27. Subsection (2) of section 218.391, Florida
 1397 Statutes, is amended, and subsection (9) is added to that
 1398 section, to read:

1399 218.391 Auditor selection procedures.—

1400 (2) The governing body of a ~~charter~~ county, municipality,
 1401 special district, district school board, charter school, or
 1402 charter technical career center shall establish an audit
 1403 committee.

1404 (a) The audit committee for a county ~~Each noncharter~~

1405 ~~county shall establish an audit committee that, at a minimum,~~
 1406 ~~shall consist of each of the county officers elected pursuant to~~
 1407 ~~the county charter or s. 1(d), Art. VIII of the State~~
 1408 ~~Constitution, or their respective designees a ~~designee,~~ and one~~
 1409 ~~member of the board of county commissioners or its designee.~~

1410 (b) The audit committee for a municipality, special
 1411 district, district school board, charter school, or charter
 1412 technical career center shall consist of at least three members.
 1413 One member of the audit committee must be a member of the
 1414 governing body of an entity specified in this paragraph, who
 1415 shall also serve as the chair of the committee.

1416 (c) An employee, chief executive officer, or chief
 1417 financial officer of the county, municipality, special district,
 1418 district school board, charter school, or charter technical
 1419 career center may not serve as a member of an audit committee
 1420 established under this subsection.

1421 (d) The primary purpose of the audit committee is to
 1422 assist the governing body in selecting an auditor to conduct the
 1423 annual financial audit required in s. 218.39; however, the audit
 1424 committee may serve other audit oversight purposes as determined
 1425 by the entity's governing body. The public may ~~shall~~ not be
 1426 excluded from the proceedings under this section.

1427 (9) An audit report submitted pursuant to s. 218.39 must
 1428 include an affidavit executed by the chair of the audit
 1429 committee affirming that the committee complied with the
 1430 requirements of subsections (3)-(6) in selecting an auditor. If

1431 the Auditor General determines that an entity failed to comply
1432 with the requirements of subsections (3)-(6) in selecting an
1433 auditor, the entity shall select a replacement auditor in
1434 accordance with this section to conduct audits for subsequent
1435 fiscal years if the original audit was performed under a
1436 multiyear contract. If the replacement of an auditor would
1437 preclude the entity from timely completing the annual financial
1438 audit required by s. 218.39, the entity shall replace an auditor
1439 in accordance with this section for the subsequent annual
1440 financial audit. A multiyear contract between an entity and an
1441 auditor may not prohibit or restrict an entity from complying
1442 with this subsection.

1443 Section 28. Subsection (2) of section 286.0114, Florida
1444 Statutes, is amended to read:

1445 286.0114 Public meetings; reasonable opportunity to be
1446 heard; attorney fees.—

1447 (2) Members of the public shall be given a reasonable
1448 opportunity to be heard on a proposition before a board or
1449 commission. The opportunity to be heard need not occur at the
1450 same meeting at which the board or commission takes official
1451 action on the proposition if the opportunity occurs at a meeting
1452 that is during the decisionmaking process and is within
1453 reasonable proximity in time before the meeting at which the
1454 board or commission takes the official action. A board or
1455 commission may not require a member of the public to provide an
1456 advance written copy of his or her testimony or comments as a

1457 condition of being given the opportunity to be heard at a
1458 meeting. This section does not prohibit a board or commission
1459 from maintaining orderly conduct or proper decorum in a public
1460 meeting. The opportunity to be heard is subject to rules or
1461 policies adopted by the board or commission, as provided in
1462 subsection (4).

1463 Section 29. Paragraph (b) of subsection (2) of section
1464 288.92, Florida Statutes, is amended to read:

1465 288.92 Divisions of Enterprise Florida, Inc.—

1466 (2)

1467 (b)1. The following officers and board members are subject
1468 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1469 112.3143(2):

1470 a. Officers and members of the board of directors of the
1471 divisions of Enterprise Florida, Inc.

1472 b. Officers and members of the board of directors of
1473 subsidiaries of Enterprise Florida, Inc.

1474 c. Officers and members of the board of directors of
1475 corporations created to carry out the missions of Enterprise
1476 Florida, Inc.

1477 d. Officers and members of the board of directors of
1478 corporations with which a division is required by law to
1479 contract to carry out its missions.

1480 2. For a period of 2 years after retirement from or
1481 termination of service to a division, or for a period of 10
1482 years if removed or terminated for cause or for misconduct, as

1483 defined in s. 443.036(29), the officers and board members
 1484 specified in subparagraph 1. may not represent another person or
 1485 entity for compensation before:

1486 a. Enterprise Florida, Inc.;

1487 b. A division, a subsidiary, or the board of directors of
 1488 corporations created to carry out the missions of Enterprise
 1489 Florida, Inc.; or

1490 c. A division with which Enterprise Florida, Inc., is
 1491 required by law to contract to carry out its missions.

1492 ~~3.2-~~ For purposes of applying ss. 112.313(1)-(8), (10),
 1493 (12), and (15); 112.3135; and 112.3143(2) to activities of the
 1494 officers and members of the board of directors specified in
 1495 subparagraph 1., those persons shall be considered public
 1496 officers or employees and the corporation shall be considered
 1497 their agency.

1498 ~~4.3-~~ It is not a violation of s. 112.3143(2) or (4) for
 1499 the officers or members of the board of directors of the Florida
 1500 Tourism Industry Marketing Corporation to:

1501 a. Vote on the 4-year marketing plan required under s.
 1502 288.923 or vote on any individual component of or amendment to
 1503 the plan.

1504 b. Participate in the establishment or calculation of
 1505 payments related to the private match requirements of s.
 1506 288.904(3). The officer or member must file an annual disclosure
 1507 describing the nature of his or her interests or the interests
 1508 of his or her principals, including corporate parents and

1509 subsidiaries of his or her principal, in the private match
1510 requirements. This annual disclosure requirement satisfies the
1511 disclosure requirement of s. 112.3143(4). This disclosure must
1512 be placed ~~either~~ on the Florida Tourism Industry Marketing
1513 Corporation's website or included in the minutes of each meeting
1514 of the Florida Tourism Industry Marketing Corporation's board of
1515 directors at which the private match requirements are discussed
1516 or voted upon.

1517 Section 30. Paragraph (a) of subsection (3) of section
1518 288.9604, Florida Statutes, is amended to read:

1519 288.9604 Creation of the authority.—

1520 (3) (a) 1. A director may not receive compensation for his
1521 or her services, but is entitled to necessary expenses,
1522 including travel expenses, incurred in the discharge of his or
1523 her duties. Each director shall hold office until his or her
1524 successor has been appointed.

1525 2. Directors are subject to ss. 112.313(1)-(8), (10),
1526 (12), and (15); 112.3135; and 112.3143(2). For purposes of
1527 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1528 112.3143(2) to activities of directors, directors shall be
1529 considered public officers and the corporation shall be
1530 considered their agency.

1531 3. A director of the corporation may not represent another
1532 person or entity for compensation before the corporation for a
1533 period of 2 years following his or her service on the board of
1534 directors.

1535 Section 31. Paragraph (e) of subsection (4), paragraph (d)
 1536 of subsection (5), and paragraph (d) of subsection (6) of
 1537 section 373.536, Florida Statutes, are amended to read:

1538 373.536 District budget and hearing thereon.—

1539 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1540 (e) ~~By September 1, 2012,~~ Each district shall provide a
 1541 monthly financial statement in the form and manner prescribed by
 1542 the Department of Financial Services to the district's governing
 1543 board and make such monthly financial statement available for
 1544 public access on its website.

1545 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
 1546 APPROVAL.—

1547 (d) Each district shall, by August 1 of each year, submit
 1548 for review a tentative budget and a description of any
 1549 significant changes from the preliminary budget submitted to the
 1550 Legislature pursuant to s. 373.535 to the Governor, the
 1551 President of the Senate, the Speaker of the House of
 1552 Representatives, the chairs of all legislative committees and
 1553 subcommittees having substantive or fiscal jurisdiction over
 1554 water management districts, as determined by the President of
 1555 the Senate or the Speaker of the House of Representatives, as
 1556 applicable, the secretary of the department, and the governing
 1557 body of each county in which the district has jurisdiction or
 1558 derives any funds for the operations of the district. The
 1559 tentative budget must be posted on the district's official
 1560 website at least 2 days before budget hearings held pursuant to

1561 s. 200.065 or other law and must remain on the website for at
 1562 least 45 days.

1563 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
 1564 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1565 (d) The final adopted budget must be posted on the water
 1566 management district's official website within 30 days after
 1567 adoption and must remain on the website for at least 2 years.

1568 Section 32. Subsection (7) of section 838.014, Florida
 1569 Statutes, is renumbered as subsection (8), present subsections
 1570 (4) and (6) are amended, and a new subsection (6) is added to
 1571 that section, to read:

1572 838.014 Definitions.—As used in this chapter, the term:

1573 (4) "Governmental entity" means an agency or entity of the
 1574 state, a county, municipality, or special district, or any other
 1575 public entity created or authorized by law ~~"Corruptly" or "with~~
 1576 ~~corrupt intent" means acting knowingly and dishonestly for a~~
 1577 ~~wrongful purpose.~~

1578 (6) "Public contractor" means, for purposes of ss. 838.022
 1579 and 838.22 only:

1580 (a) Any person, as defined in s. 1.01(3), who has entered
 1581 into a contract with a governmental entity; or

1582 (b) Any officer or employee of a person, as defined in s.
 1583 1.01(3), who has entered into a contract with a governmental
 1584 entity.

1585 ~~(7)~~ (6) "Public servant" means:

1586 (a) Any officer or employee of a governmental ~~state,~~

1587 ~~county, municipal, or special district agency or entity,~~
 1588 including;

1589 ~~(b)~~ any executive, legislative, or judicial branch officer
 1590 or employee;

1591 (b)~~(e)~~ Any person, except a witness, who acts as a general
 1592 or special magistrate, receiver, auditor, arbitrator, umpire,
 1593 referee, consultant, or hearing officer while performing a
 1594 governmental function; or

1595 (c)~~(d)~~ A candidate for election or appointment to any of
 1596 the officer positions listed in this subsection, or an
 1597 individual who has been elected to, but has yet to officially
 1598 assume the responsibilities of, public office.

1599 Section 33. Subsection (1) of section 838.015, Florida
 1600 Statutes, is amended to read:

1601 838.015 Bribery.—

1602 (1) "Bribery" means ~~corruptly~~ to knowingly and
 1603 intentionally give, offer, or promise to any public servant, or,
 1604 if a public servant, ~~corruptly~~ to knowingly and intentionally
 1605 request, solicit, accept, or agree to accept for himself or
 1606 herself or another, any pecuniary or other benefit not
 1607 authorized by law with an intent or purpose to influence the
 1608 performance of any act or omission which the person believes to
 1609 be, or the public servant represents as being, within the
 1610 official discretion of a public servant, in violation of a
 1611 public duty, or in performance of a public duty.

1612 Section 34. Subsections (1) and (2) of section 838.016,

1613 Florida Statutes, are amended to read:

1614 838.016 Unlawful compensation or reward for official
1615 behavior.—

1616 (1) It is unlawful for any person ~~corruptly~~ to knowingly
1617 and intentionally give, offer, or promise to any public servant,
1618 or, if a public servant, ~~corruptly~~ to knowingly and
1619 intentionally request, solicit, accept, or agree to accept, any
1620 pecuniary or other benefit not authorized by law, for the past,
1621 present, or future performance, nonperformance, or violation of
1622 any act or omission which the person believes to have been, or
1623 the public servant represents as having been, either within the
1624 official discretion of the public servant, in violation of a
1625 public duty, or in performance of a public duty. This section
1626 does not ~~Nothing herein shall be construed to~~ preclude a public
1627 servant from accepting rewards for services performed in
1628 apprehending any criminal.

1629 (2) It is unlawful for any person ~~corruptly~~ to knowingly
1630 and intentionally give, offer, or promise to any public servant,
1631 or, if a public servant, ~~corruptly~~ to knowingly and
1632 intentionally request, solicit, accept, or agree to accept, any
1633 pecuniary or other benefit not authorized by law for the past,
1634 present, or future exertion of any influence upon or with any
1635 other public servant regarding any act or omission which the
1636 person believes to have been, or which is represented to him or
1637 her as having been, either within the official discretion of the
1638 other public servant, in violation of a public duty, or in

1639 performance of a public duty.

1640 Section 35. Subsection (1) of section 838.022, Florida
 1641 Statutes, is amended, and subsection (2) of that section is
 1642 republished, to read:

1643 838.022 Official misconduct.—

1644 (1) It is unlawful for a public servant or public
 1645 contractor, ~~with corrupt intent~~ to knowingly and intentionally
 1646 obtain a benefit for any person or to cause unlawful harm to
 1647 another by, ~~to~~:

1648 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to
 1649 falsify, any official record or official document;

1650 (b) Concealing, covering up, destroying, mutilating, or
 1651 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
 1652 official record or official document, except as authorized by
 1653 law or contract, or causing ~~cause~~ another person to perform such
 1654 an act; or

1655 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~
 1656 ~~or prevent~~ the communication of information relating to the
 1657 commission of a felony that directly involves or affects the
 1658 governmental ~~public agency or public~~ entity served by the public
 1659 servant or public contractor.

1660 (2) For the purposes of this section:

1661 (a) The term "public servant" does not include a candidate
 1662 who does not otherwise qualify as a public servant.

1663 (b) An official record or official document includes only
 1664 public records.

1665 Section 36. Section 838.22, Florida Statutes, is amended
 1666 to read:

1667 838.22 Bid tampering.—

1668 (1) It is unlawful for a public servant or a public
 1669 contractor who has contracted with a governmental entity to
 1670 assist in a competitive procurement, ~~with corrupt intent to~~
 1671 knowingly and intentionally influence or attempt to influence
 1672 the competitive solicitation ~~bidding process~~ undertaken by any
 1673 governmental state, county, municipal, or special district
 1674 agency, or any other public entity, for the procurement of
 1675 commodities or services by, ~~to:~~

1676 (a) Disclosing, except as authorized by law, ~~Disclose~~
 1677 material information concerning a vendor's response, any
 1678 evaluation results, ~~bid~~ or other aspects of the competitive
 1679 solicitation ~~bidding process~~ when such information is not
 1680 publicly disclosed.

1681 (b) Altering or amending ~~Alter or amend~~ a submitted
 1682 response ~~bid,~~ documents or other materials supporting a
 1683 submitted response ~~bid,~~ or any evaluation ~~bid~~ results relating
 1684 to the competitive solicitation for the purpose of intentionally
 1685 providing a competitive advantage to any person who submits a
 1686 response ~~bid.~~

1687 (2) It is unlawful for a public servant or a public
 1688 contractor who has contracted with a governmental entity to
 1689 assist in a competitive procurement, ~~with corrupt intent to~~
 1690 knowingly and intentionally obtain a benefit for any person or

1691 to cause unlawful harm to another by circumventing, ~~to~~
 1692 ~~circumvent~~ a competitive solicitation ~~bidding~~ process required
 1693 by law or rule through the use of ~~by using~~ a sole-source
 1694 contract for commodities or services.

1695 (3) It is unlawful for any person to knowingly agree,
 1696 conspire, combine, or confederate, directly or indirectly, with
 1697 a public servant or a public contractor who has contracted with
 1698 a governmental entity to assist in a competitive procurement to
 1699 violate subsection (1) or subsection (2).

1700 (4) It is unlawful for any person to knowingly enter into
 1701 a contract for commodities or services which was secured by a
 1702 public servant or a public contractor who has contracted with a
 1703 governmental entity to assist in a competitive procurement
 1704 acting in violation of subsection (1) or subsection (2).

1705 (5) Any person who violates this section commits a felony
 1706 of the second degree, punishable as provided in s. 775.082, s.
 1707 775.083, or s. 775.084.

1708 Section 37. Subsection (27) of section 1001.42, Florida
 1709 Statutes, is renumbered as subsection (28), a new subsection
 1710 (27) is added to that section, and paragraph (1) of subsection
 1711 (12) of that section is amended, to read:

1712 1001.42 Powers and duties of district school board.—The
 1713 district school board, acting as a board, shall exercise all
 1714 powers and perform all duties listed below:

1715 (12) FINANCE.—Take steps to assure students adequate
 1716 educational facilities through the financial procedure

1717 authorized in chapters 1010 and 1011 and as prescribed below:

1718 (1) *Internal auditor.*—May employ an internal auditor to
1719 perform ongoing financial verification of the financial records
1720 of the school district and such other audits and reviews as the
1721 district school board directs for the purpose of determining:

1722 1. The adequacy of internal controls designed to prevent
1723 and detect fraud, waste, and abuse.

1724 2. Compliance with applicable laws, rules, contracts,
1725 grant agreements, district school board-approved policies, and
1726 best practices.

1727 3. The efficiency of operations.

1728 4. The reliability of financial records and reports.

1729 5. The safeguarding of assets.

1730

1731 The internal auditor shall report directly to the district
1732 school board or its designee.

1733 (27) VISITATION OF SCHOOLS.—Visit each school, observe the
1734 management and instruction, give suggestions for improvement,
1735 and advise citizens with the view of promoting interest in
1736 education and improving the school.

1737 Section 38. Paragraph (j) of subsection (9) of section
1738 1002.33, Florida Statutes, is amended to read:

1739 1002.33 Charter schools.—

1740 (9) CHARTER SCHOOL REQUIREMENTS.—

1741 (j) The governing body of the charter school shall be
1742 responsible for:

1743 1. Establishing and maintaining internal controls designed
 1744 to:
 1745 a. Prevent and detect fraud, waste, and abuse.
 1746 b. Promote and encourage compliance with applicable laws,
 1747 rules, contracts, grant agreements, and best practices.
 1748 c. Support economical and efficient operations.
 1749 d. Ensure reliability of financial records and reports.
 1750 e. Safeguard assets.
 1751 ~~2.1.~~ Ensuring that the charter school has retained the
 1752 services of a certified public accountant or auditor for the
 1753 annual financial audit, pursuant to s. 1002.345(2), who shall
 1754 submit the report to the governing body.
 1755 ~~3.2.~~ Reviewing and approving the audit report, including
 1756 audit findings and recommendations for the financial recovery
 1757 plan.
 1758 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including
 1759 monitoring a corrective action plan.
 1760 b. Monitoring a financial recovery plan in order to ensure
 1761 compliance.
 1762 ~~5.4.~~ Participating in governance training approved by the
 1763 department which must include government in the sunshine,
 1764 conflicts of interest, ethics, and financial responsibility.
 1765 Section 39. Subsections (6) through (10) of section
 1766 1002.37, Florida Statutes, are renumbered as subsections (7)
 1767 through (11), respectively, a new subsection (6) is added to
 1768 that section, and present subsections (6) and (11) of that

1769 section are amended, to read:

1770 1002.37 The Florida Virtual School.—

1771 (6) The Florida Virtual School shall have an annual
 1772 financial audit of its accounts and records conducted by an
 1773 independent auditor who is a certified public accountant
 1774 licensed under chapter 473. The independent auditor shall
 1775 conduct the audit in accordance with rules adopted by the
 1776 Auditor General pursuant to s. 11.45 and, upon completion of the
 1777 audit, shall prepare an audit report in accordance with such
 1778 rules. The audit report must include a written statement by the
 1779 board of trustees describing corrective action to be taken in
 1780 response to each of the recommendations of the independent
 1781 auditor included in the audit report. The independent auditor
 1782 shall submit the audit report to the board of trustees and the
 1783 Auditor General no later than 9 months after the end of the
 1784 preceding fiscal year.

1785 (7)-(6) The board of trustees shall annually submit to the
 1786 Governor, the Legislature, the Commissioner of Education, and
 1787 the State Board of Education the audit report prepared pursuant
 1788 to subsection (6) and a complete and detailed report setting
 1789 forth:

1790 (a) The operations and accomplishments of the Florida
 1791 Virtual School within the state and those occurring outside the
 1792 state as Florida Virtual School Global.

1793 (b) The marketing and operational plan for the Florida
 1794 Virtual School and Florida Virtual School Global, including

1795 recommendations regarding methods for improving the delivery of
 1796 education through the Internet and other distance learning
 1797 technology.

1798 (c) The assets and liabilities of the Florida Virtual
 1799 School and Florida Virtual School Global at the end of the
 1800 fiscal year.

1801 ~~(d) A copy of an annual financial audit of the accounts~~
 1802 ~~and records of the Florida Virtual School and Florida Virtual~~
 1803 ~~School Global, conducted by an independent certified public~~
 1804 ~~accountant and performed in accordance with rules adopted by the~~
 1805 ~~Auditor General.~~

1806 (d)~~(e)~~ Recommendations regarding the unit cost of
 1807 providing services to students through the Florida Virtual
 1808 School and Florida Virtual School Global. In order to most
 1809 effectively develop public policy regarding any future funding
 1810 of the Florida Virtual School, it is imperative that the cost of
 1811 the program is accurately identified. The identified cost of the
 1812 program must be based on reliable data.

1813 (e)~~(f)~~ Recommendations regarding an accountability
 1814 mechanism to assess the effectiveness of the services provided
 1815 by the Florida Virtual School and Florida Virtual School Global.

1816 ~~(11) The Auditor General shall conduct an operational~~
 1817 ~~audit of the Florida Virtual School, including Florida Virtual~~
 1818 ~~School Global. The scope of the audit shall include, but not be~~
 1819 ~~limited to, the administration of responsibilities relating to~~
 1820 ~~personnel; procurement and contracting; revenue production;~~

1821 ~~school funds, including internal funds; student enrollment~~
 1822 ~~records; franchise agreements; information technology~~
 1823 ~~utilization, assets, and security; performance measures and~~
 1824 ~~standards; and accountability. The final report on the audit~~
 1825 ~~shall be submitted to the President of the Senate and the~~
 1826 ~~Speaker of the House of Representatives no later than January~~
 1827 ~~31, 2014.~~

1828 Section 40. Subsection (5) is added to section 1010.01,
 1829 Florida Statutes, to read:

1830 1010.01 Uniform records and accounts.—

1831 (5) Each school district, Florida College System
 1832 institution, and state university shall establish and maintain
 1833 internal controls designed to:

- 1834 (a) Prevent and detect fraud, waste, and abuse.
- 1835 (b) Promote and encourage compliance with applicable laws,
 1836 rules, contracts, grant agreements, and best practices.
- 1837 (c) Support economical and efficient operations.
- 1838 (d) Ensure reliability of financial records and reports.
- 1839 (e) Safeguard assets.

1840 Section 41. Subsection (2) of section 1010.30, Florida
 1841 Statutes, is amended to read:

1842 1010.30 Audits required.—

1843 (2) If a school district, Florida College System
 1844 institution, or university audit report includes a
 1845 recommendation that was included in the preceding financial
 1846 audit report but remains unaddressed ~~an audit contains a~~

1847 ~~significant finding~~, the district school board, the Florida
 1848 College System institution board of trustees, or the university
 1849 board of trustees, within 60 days after the delivery of the
 1850 audit report to the school district, Florida College System
 1851 institution, or university, shall indicate ~~conduct an audit~~
 1852 ~~overview~~ during a regularly scheduled public meeting whether it
 1853 intends to take corrective action, the intended corrective
 1854 action, and the timeframe for the corrective action. If the
 1855 district school board, Florida College System institution board
 1856 of trustees, or university board of trustees indicates that it
 1857 does not intend to take corrective action, it shall explain its
 1858 decision at the public meeting.

1859 Section 42. Subsection (5) of section 99.061, Florida
 1860 Statutes, is amended to read:

1861 99.061 Method of qualifying for nomination or election to
 1862 federal, state, county, or district office.—

1863 (5) At the time of qualifying for office, each candidate
 1864 for an elected municipal office for which compensation is
 1865 provided or a constitutional office shall file a full and public
 1866 disclosure of financial interests pursuant to s. 8, Art. II of
 1867 the State Constitution, which must be verified under oath or
 1868 affirmation pursuant to s. 92.525(1)(a), and a candidate for any
 1869 other office, ~~including local elective office,~~ shall file a
 1870 statement of financial interests pursuant to s. 112.3145.

1871 Section 43. Subsection (3) of section 218.503, Florida
 1872 Statutes, is amended to read:

1873 218.503 Determination of financial emergency.—
 1874 (3) Upon notification that one or more of the conditions
 1875 in subsection (1) have occurred or will occur if action is not
 1876 taken to assist the local governmental entity or district school
 1877 board, the Governor or his or her designee shall contact the
 1878 local governmental entity or the Commissioner of Education or
 1879 his or her designee shall contact the district school board, as
 1880 appropriate, to determine what actions have been taken by the
 1881 local governmental entity or the district school board to
 1882 resolve or prevent the condition. The information requested must
 1883 be provided within 45 days after the date of the request. If the
 1884 local governmental entity or the district school board does not
 1885 comply with the request, the Governor or his or her designee or
 1886 the Commissioner of Education or his or her designee shall
 1887 notify ~~the members of~~ the Legislative Auditing Committee, which
 1888 ~~who~~ may take action pursuant to s. 11.40(2) ~~11.40~~. The Governor
 1889 or the Commissioner of Education, as appropriate, shall
 1890 determine whether the local governmental entity or the district
 1891 school board needs state assistance to resolve or prevent the
 1892 condition. If state assistance is needed, the local governmental
 1893 entity or district school board is considered to be in a state
 1894 of financial emergency. The Governor or the Commissioner of
 1895 Education, as appropriate, has the authority to implement
 1896 measures as set forth in ss. 218.50-218.504 to assist the local
 1897 governmental entity or district school board in resolving the
 1898 financial emergency. Such measures may include, but are not

1899 | limited to:

1900 | (a) Requiring approval of the local governmental entity's

1901 | budget by the Governor or approval of the district school

1902 | board's budget by the Commissioner of Education.

1903 | (b) Authorizing a state loan to a local governmental

1904 | entity and providing for repayment of same.

1905 | (c) Prohibiting a local governmental entity or district

1906 | school board from issuing bonds, notes, certificates of

1907 | indebtedness, or any other form of debt until such time as it is

1908 | no longer subject to this section.

1909 | (d) Making such inspections and reviews of records,

1910 | information, reports, and assets of the local governmental

1911 | entity or district school board as are needed. The appropriate

1912 | local officials shall cooperate in such inspections and reviews.

1913 | (e) Consulting with officials and auditors of the local

1914 | governmental entity or the district school board and the

1915 | appropriate state officials regarding any steps necessary to

1916 | bring the books of account, accounting systems, financial

1917 | procedures, and reports into compliance with state requirements.

1918 | (f) Providing technical assistance to the local

1919 | governmental entity or the district school board.

1920 | (g)1. Establishing a financial emergency board to oversee

1921 | the activities of the local governmental entity or the district

1922 | school board. If a financial emergency board is established for

1923 | a local governmental entity, the Governor shall appoint board

1924 | members and select a chair. If a financial emergency board is

1925 established for a district school board, the State Board of
 1926 Education shall appoint board members and select a chair. The
 1927 financial emergency board shall adopt such rules as are
 1928 necessary for conducting board business. The board may:

1929 a. Make such reviews of records, reports, and assets of
 1930 the local governmental entity or the district school board as
 1931 are needed.

1932 b. Consult with officials and auditors of the local
 1933 governmental entity or the district school board and the
 1934 appropriate state officials regarding any steps necessary to
 1935 bring the books of account, accounting systems, financial
 1936 procedures, and reports of the local governmental entity or the
 1937 district school board into compliance with state requirements.

1938 c. Review the operations, management, efficiency,
 1939 productivity, and financing of functions and operations of the
 1940 local governmental entity or the district school board.

1941 d. Consult with other governmental entities for the
 1942 consolidation of all administrative direction and support
 1943 services, including, but not limited to, services for asset
 1944 sales, economic and community development, building inspections,
 1945 parks and recreation, facilities management, engineering and
 1946 construction, insurance coverage, risk management, planning and
 1947 zoning, information systems, fleet management, and purchasing.

1948 2. The recommendations and reports made by the financial
 1949 emergency board must be submitted to the Governor for local
 1950 governmental entities or to the Commissioner of Education and

1951 the State Board of Education for district school boards for
 1952 appropriate action.

1953 (h) Requiring and approving a plan, to be prepared by
 1954 officials of the local governmental entity or the district
 1955 school board in consultation with the appropriate state
 1956 officials, prescribing actions that will cause the local
 1957 governmental entity or district school board to no longer be
 1958 subject to this section. The plan must include, but need not be
 1959 limited to:

1960 1. Provision for payment in full of obligations outlined
 1961 in subsection (1), designated as priority items, which are
 1962 currently due or will come due.

1963 2. Establishment of priority budgeting or zero-based
 1964 budgeting in order to eliminate items that are not affordable.

1965 3. The prohibition of a level of operations which can be
 1966 sustained only with nonrecurring revenues.

1967 4. Provisions implementing the consolidation, sourcing, or
 1968 discontinuance of all administrative direction and support
 1969 services, including, but not limited to, services for asset
 1970 sales, economic and community development, building inspections,
 1971 parks and recreation, facilities management, engineering and
 1972 construction, insurance coverage, risk management, planning and
 1973 zoning, information systems, fleet management, and purchasing.

1974 Section 44. Subsection (2) of section 1002.455, Florida
 1975 Statutes, is amended to read:

1976 1002.455 Student eligibility for K-12 virtual

1977 instruction.—

1978 (2) A student is eligible to participate in virtual

1979 instruction if:

1980 (a) The student spent the prior school year in attendance

1981 at a public school in the state and was enrolled and reported by

1982 the school district for funding during October and February for

1983 purposes of the Florida Education Finance Program surveys;

1984 (b) The student is a dependent child of a member of the

1985 United States Armed Forces who was transferred within the last

1986 12 months to this state from another state or from a foreign

1987 country pursuant to a permanent change of station order;

1988 (c) The student was enrolled during the prior school year

1989 in a virtual instruction program under s. 1002.45 or a full-time

1990 Florida Virtual School program under s. 1002.37(9)(a)

1991 ~~1002.37(8)(a)~~;

1992 (d) The student has a sibling who is currently enrolled in

1993 a virtual instruction program and the sibling was enrolled in

1994 that program at the end of the prior school year;

1995 (e) The student is eligible to enter kindergarten or first

1996 grade; or

1997 (f) The student is eligible to enter grades 2 through 5

1998 and is enrolled full-time in a school district virtual

1999 instruction program, virtual charter school, or the Florida

2000 Virtual School.

2001 Section 45. For the purpose of incorporating the amendment

2002 made by this act to section 838.022, Florida Statutes, in a

2003 reference thereto, paragraph (a) of subsection (2) of section
 2004 112.534, Florida Statutes, is reenacted to read:

2005 112.534 Failure to comply; official misconduct.—

2006 (2) (a) All the provisions of s. 838.022 shall apply to
 2007 this part.

2008 Section 46. For the purpose of incorporating the amendment
 2009 made by this act to section 838.022, Florida Statutes, in a
 2010 reference thereto, paragraph (d) of subsection (4) of section
 2011 117.01, Florida Statutes, is reenacted to read:

2012 117.01 Appointment, application, suspension, revocation,
 2013 application fee, bond, and oath.—

2014 (4) The Governor may suspend a notary public for any of
 2015 the grounds provided in s. 7, Art. IV of the State Constitution.
 2016 Grounds constituting malfeasance, misfeasance, or neglect of
 2017 duty include, but are not limited to, the following:

2018 (d) Official misconduct as defined in s. 838.022.

2019 Section 47. For the purpose of incorporating the amendment
 2020 made by this act to section 838.014, Florida Statutes, in a
 2021 reference thereto, subsection (11) of section 817.568, Florida
 2022 Statutes, is reenacted to read:

2023 817.568 Criminal use of personal identification
 2024 information.—

2025 (11) A person who willfully and without authorization
 2026 fraudulently uses personal identification information concerning
 2027 an individual who is 60 years of age or older; a disabled adult
 2028 as defined in s. 825.101; a public servant as defined in s.

2029 838.014; a veteran as defined in s. 1.01; a first responder as
 2030 defined in s. 125.01045; an individual who is employed by the
 2031 State of Florida; or an individual who is employed by the
 2032 Federal Government without first obtaining the consent of that
 2033 individual commits a felony of the second degree, punishable as
 2034 provided in s. 775.082, s. 775.083, or s. 775.084.

2035 Section 48. For the purpose of incorporating the
 2036 amendments made by this act to sections 838.015, 838.016, and
 2037 838.22, Florida Statutes, in references thereto, paragraph (g)
 2038 of subsection (3) of section 921.0022, Florida Statutes, is
 2039 reenacted to read:

2040 921.0022 Criminal Punishment Code; offense severity
 2041 ranking chart.—

2042 (3) OFFENSE SEVERITY RANKING CHART

2043 (g) LEVEL 7

2044

Florida Statute	Felony Degree	Description
316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
316.1935 (3) (b)	1st	Causing serious bodily injury

2045

2046

2047

			or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2048	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
2049	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2050	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2051	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2052	456.065 (2)	3rd	Practicing a health care profession without a license.

CS/CS/HB 593

2016

2053	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
2054	458.327 (1)	3rd	Practicing medicine without a license.
2055	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2056	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2057	461.012 (1)	3rd	Practicing podiatric medicine without a license.
2058	462.17	3rd	Practicing naturopathy without a license.
2059	463.015 (1)	3rd	Practicing optometry without a license.
2060	464.016 (1)	3rd	Practicing nursing without a license.

2061	465.015 (2)	3rd	Practicing pharmacy without a license.
2062	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
2063	467.201	3rd	Practicing midwifery without a license.
2064	468.366	3rd	Delivering respiratory care services without a license.
2065	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2066	483.901 (9)	3rd	Practicing medical physics without a license.
2067	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
2068	484.053	3rd	Dispensing hearing aids without a license.
2069			

CS/CS/HB 593

2016

2070	494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2071	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2072	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2073	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or

			identification card; other registration violations.
2074	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
2075	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2076	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2077	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2078	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular

2079			homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2080			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2081			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2082			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2083			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
2084			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2085			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2086			

CS/CS/HB 593

2016

2087	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2088	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2089	784.081 (1)	1st	Aggravated battery on specified official or employee.
2090	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2091	784.083 (1)	1st	Aggravated battery on code inspector.
2092	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

CS/CS/HB 593

2016

2093	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
2094	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2095	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2096	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2097	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2098	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

2099	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2100	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
2101	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2102	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2103	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2104	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older

			but younger than 16 years of age; offender 18 years of age or older.
2105	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
2106	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
2107	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2108	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2109	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2110	810.02 (3) (e)	2nd	Burglary of authorized

2111			emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
2112			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
2113			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
2114			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
2115			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
2116			
	812.019 (2)	1st	Stolen property; initiates,

			organizes, plans, etc., the theft of property and traffics in stolen property.
2117	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2118	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2119	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2120	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2121	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2122	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
2123	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property

			values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
2124	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
2125	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
2126	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
2127	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2128	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2129			

CS/CS/HB 593

2016

2130	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2131	838.015	2nd	Bribery.
2132	838.016	2nd	Unlawful compensation or reward for official behavior.
2133	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2134	838.22	2nd	Bid tampering.
2135	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2136	843.0855 (3)	3rd	Unlawful simulation of legal process.
2137	843.0855 (4)	3rd	Intimidation of a public officer or employee.
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.

2138	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2139	872.06	2nd	Abuse of a dead human body.
2140	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2141	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
2142	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or

2143	893.13(1)(e)1.	1st	community center. Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
2144	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
2145	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2146	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2147	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14

2148			grams.
	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2149			
	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2150			
	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2151			
	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2152			
	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2153			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2154			

CS/CS/HB 593

2016

2155	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
2156	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2157	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2158	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2159	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
2160	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
	896.101 (5) (a)	3rd	Money laundering, financial

2161	896.104(4)(a)1.	3rd	transactions exceeding \$300 but less than \$20,000.
2162	943.0435(4)(c)	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2163	943.0435(8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2164	943.0435(9)(a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2165	943.0435(13)	3rd	Sexual offender; failure to comply with reporting requirements.
			Failure to report or providing false information about a sexual offender; harbor or

2166	943.0435(14)	3rd	conceal a sexual offender. Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2167	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
2168	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2169	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2170	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

2171

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

2172

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

2173

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

2174

2175 Section 49. For the purpose of incorporating the amendment
 2176 made by this act to section 838.022, Florida Statutes, in a
 2177 reference thereto, paragraph (d) of subsection (3) of section
 2178 921.0022, Florida Statutes, is reenacted to read:

2179 921.0022 Criminal Punishment Code; offense severity
 2180 ranking chart.—

2181 (3) OFFENSE SEVERITY RANKING CHART

2182 (d) LEVEL 4

2183

Florida	Felony	Description
---------	--------	-------------

	Statute	Degree	
2184	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2185	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
2186	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
2187	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
2188	517.07 (1)	3rd	Failure to register securities.
2189	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
2190	784.07 (2) (b)	3rd	Battery of law enforcement

			officer, firefighter, etc.
2191	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
2192	784.075	3rd	Battery on detention or commitment facility staff.
2193	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
2194	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2195	784.081 (3)	3rd	Battery on specified official or employee.
2196	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2197	784.083 (3)	3rd	Battery on code inspector.
2198	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or

			materials.
2199	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2200	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
2201	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
2202	787.07	3rd	Human smuggling.
2203	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
2204	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.

2205	790.115 (2) (c)	3rd	Possessing firearm on school property.
2206	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
2207	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2208	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2209	810.06	3rd	Burglary; possession of tools.
2210	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2211	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2212			

CS/CS/HB 593

2016

2213	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2214	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2215	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
2216	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
2217	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
2218	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
	837.02(1)	3rd	Perjury in official proceedings.

2219	837.021 (1)	3rd	Make contradictory statements in official proceedings.
2220	838.022	3rd	Official misconduct.
2221	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
2222	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
2223	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
2224	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
2225	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

CS/CS/HB 593

2016

2226	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
2227	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
2228	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
2229	914.14 (2)	3rd	Witnesses accepting bribes.
2230	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
2231	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2232	918.12	3rd	Tampering with jurors.
2233	934.215	3rd	Use of two-way communications

device to facilitate commission
of a crime.

2234
2235
2236
2237
2238
2239
2240
2241
2242
2243
2244
2245
2246
2247

Section 50. As provided in s. 112.322(3), Florida Statutes, the Commission on Ethics shall render advisory opinions to any public officer, candidate for public office, or public employee regarding the application of part III of chapter 112, Florida Statutes, including the amendments made by this act.

Section 51. The Legislature finds that a proper and legitimate state purpose is served when internal controls are established to prevent and detect fraud, waste, and abuse and to safeguard and account for government funds and property. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 52. This act shall take effect October 1, 2016.