

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Government Accountability
 2 Committee

3 Representative Metz offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (7) of section 112.313, Florida
 8 Statutes, is amended to read:

9 112.313 Standards of conduct for public officers,
 10 employees of agencies, and local government attorneys.—

11 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

12 (a) A ~~Ne~~ public officer or employee of an agency may not
 13 ~~shall~~ have or hold any employment or contractual relationship
 14 with any business entity or any agency that ~~which~~ is subject to
 15 the regulation of, or is doing business with, an agency of which
 16 he or she is an officer or employee, excluding those

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17 organizations and their officers who, when acting in their
18 official capacity, enter into or negotiate a collective
19 bargaining contract with the state or any municipality, county,
20 or other political subdivision of the state; and ~~nor shall~~ an
21 officer or employee of an agency may not have or hold any
22 employment or contractual relationship that will create a
23 continuing or frequently recurring conflict between his or her
24 private interests and the performance of his or her public
25 duties or that would impede the full and faithful discharge of
26 his or her public duties. For purposes of this subsection, if a
27 public officer or employee of an agency holds a material
28 interest in a business entity other than a publicly traded
29 entity, or is an officer, a director, or a member who manages
30 such an entity, contractual relationships held by the business
31 entity are deemed to be held by the public officer or employee.

32 1. When the agency referred to is a ~~that certain kind of~~
33 special tax district created by general or special law and is
34 limited specifically to constructing, maintaining, managing, and
35 financing improvements in the land area over which the agency
36 has jurisdiction, or when the agency has been organized pursuant
37 to chapter 298, ~~then~~ employment with, or entering into a
38 contractual relationship with, such a business entity by a
39 public officer or employee of such an agency is ~~shall~~ not ~~be~~
40 prohibited by this subsection or ~~be~~ deemed a conflict per se.
41 However, conduct by such officer or employee that is prohibited

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42 by, or otherwise frustrates the intent of, this section must
43 ~~shall~~ be deemed a conflict of interest in violation of the
44 standards of conduct set forth by this section.

45 2. When the agency referred to is a legislative body and
46 the regulatory power over the business entity resides in another
47 agency, or when the regulatory power that ~~which~~ the legislative
48 body exercises over the business entity or agency is strictly
49 through the enactment of laws or ordinances, ~~then~~ employment or
50 a contractual relationship with such a business entity by a
51 public officer or employee of a legislative body is ~~shall~~ not ~~be~~
52 prohibited by this subsection or ~~be~~ deemed a conflict.

53 (b) This subsection does ~~shall~~ not prohibit a public
54 officer or employee from practicing in a particular profession
55 or occupation when such practice by persons holding such public
56 office or employment is required or permitted by law or
57 ordinance.

58 Section 2. Subsection (2) of section 112.3142, Florida
59 Statutes, is amended to read:

60 112.3142 Ethics training for specified constitutional
61 officers, ~~and~~ elected municipal officers, and members of a
62 governing board of a special district or water management
63 district.—

64 (2) (a) All constitutional officers must complete 4 hours
65 of ethics training each calendar year which addresses, at a
66 minimum, s. 8, Art. II of the State Constitution, the Code of

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67 Ethics for Public Officers and Employees, and the public records
68 and public meetings laws of this state. ~~This requirement may be~~
69 ~~satisfied by completion of a continuing legal education class or~~
70 ~~other continuing professional education class, seminar, or~~
71 ~~presentation if the required subjects are covered.~~

72 (b) ~~Beginning January 1, 2015,~~ All elected municipal
73 officers must complete 4 hours of ethics training each calendar
74 year which addresses, at a minimum, s. 8, Art. II of the State
75 Constitution, the Code of Ethics for Public Officers and
76 Employees, and the public records and public meetings laws of
77 this state. ~~This requirement may be satisfied by completion of a~~
78 ~~continuing legal education class or other continuing~~
79 ~~professional education class, seminar, or presentation if the~~
80 ~~required subjects are covered.~~

81 (c) Beginning January 1, 2018, all members of the
82 governing board of a special district or water management
83 district must complete 4 hours of ethics training each calendar
84 year which addresses, at a minimum, s. 8, Art. II of the State
85 Constitution, the Code of Ethics for Public Officers and
86 Employees, and the public records and public meetings laws of
87 this state.

88 (d) The requirements specified in paragraphs (a), (b), and
89 (c) may be satisfied by completion of a continuing legal
90 education class or other continuing professional education

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91 class, seminar, or presentation if the required subjects are
92 covered.

93 (e) ~~The commission shall adopt rules establishing minimum~~
94 Course content for the portion of an ethics training class which
95 addresses s. 8, Art. II of the State Constitution and the Code
96 of Ethics for Public Officers and Employees must include one or
97 more of the following:

98 1. Doing business with one's own agency;

99 2. Conflicting employment or contractual relationships;

100 3. Misuse of position;

101 4. Disclosure or use of certain information;

102 5. Gifts and honoraria, including solicitation and
103 acceptance of gifts, and unauthorized compensation;

104 6. Post-officeholding restrictions;

105 7. Restrictions on the employment of relatives;

106 8. Voting conflicts if the officer is a member of a
107 collegial body and votes in his or her official capacity;

108 9. Financial disclosure requirements, including the
109 automatic fine and appeal process;

110 10. Commission procedures on ethics complaints and
111 referrals; and

112 11. The importance of and process for obtaining advisory
113 opinions rendered by the commission.

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114 (f) Training providers are encouraged to seek
115 accreditation from any applicable licensing body for courses
116 offered pursuant to this subsection.

117 (g) ~~(d)~~ The Legislature intends that a constitutional
118 officer, ~~or~~ elected municipal officer, or member of the
119 governing board of a special district or water management
120 district who is required to complete ethics training pursuant to
121 this section receive the required training as close as possible
122 to the date that he or she assumes office. A constitutional
123 officer, ~~or~~ elected municipal officer, or member of the
124 governing board of a special district or water management
125 district assuming a new office or new term of office on or
126 before March 31 must complete the annual training on or before
127 December 31 of the year in which the term of office began. A
128 constitutional officer, ~~or~~ elected municipal officer, or member
129 of the governing board of a special district or water management
130 district assuming a new office or new term of office after March
131 31 is not required to complete ethics training for the calendar
132 year in which the term of office began.

133 Section 3. Subsections (3) and (4) of section 112.3143,
134 Florida Statutes, are amended to read:

135 112.3143 Voting conflicts.—

136 (3) (a) A ~~No~~ county, municipal, or other local public
137 officer or governing board member of a special district or
138 school district may not shall vote in an official capacity upon

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139 any measure which would inure to his or her special private gain
140 or loss; which he or she knows would inure to the special
141 private gain or loss of any principal by whom he or she is
142 retained or to the parent organization or subsidiary of a
143 corporate principal by which he or she is retained, other than
144 an agency as defined in s. 112.312(2); or which he or she knows
145 would inure to the special private gain or loss of a relative or
146 business associate of the public officer or board member. Such
147 public officer or board member shall, prior to the vote being
148 taken, publicly state to the assembly the nature of the
149 officer's or member's interest in the matter from which he or
150 she is abstaining from voting and, within 15 days after the vote
151 occurs, disclose the nature of his or her interest as a public
152 record in a memorandum filed with the person responsible for
153 recording the minutes of the meeting, who shall incorporate the
154 memorandum in the minutes.

155 (b) However, a commissioner of a community redevelopment
156 agency created or designated pursuant to s. 163.356 or s.
157 163.357, or an officer of an independent special tax district
158 elected on a one-acre, one-vote basis, is not prohibited from
159 voting, when voting in said capacity.

160 (4) A county, municipal, other local public officer,
161 governing board member of a special district or school district,
162 or ~~Ne~~ appointed public officer, may not shall participate in any
163 matter which would inure to the officer's or member's special

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164 private gain or loss; which the officer or member knows would
165 inure to the special private gain or loss of any principal by
166 whom he or she is retained or to the parent organization or
167 subsidiary of a corporate principal by which he or she is
168 retained; or which he or she knows would inure to the special
169 private gain or loss of a relative or business associate of the
170 public officer or board member, without first disclosing the
171 nature of his or her interest in the matter.

172 (a) Such disclosure, indicating the nature of the
173 conflict, shall be made in a written memorandum filed with the
174 person responsible for recording the minutes of the meeting,
175 prior to the meeting in which consideration of the matter will
176 take place, and shall be incorporated into the minutes. Any such
177 memorandum shall become a public record upon filing, shall
178 immediately be provided to the other members of the agency, and
179 shall be read publicly at the next meeting held subsequent to
180 the filing of this written memorandum.

181 (b) In the event that disclosure has not been made prior
182 to the meeting or that any conflict is unknown prior to the
183 meeting, the disclosure shall be made orally at the meeting when
184 it becomes known that a conflict exists. A written memorandum
185 disclosing the nature of the conflict shall then be filed within
186 15 days after the oral disclosure with the person responsible
187 for recording the minutes of the meeting and shall be
188 incorporated into the minutes of the meeting at which the oral

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189 disclosure was made. Any such memorandum shall become a public
190 record upon filing, shall immediately be provided to the other
191 members of the agency, and shall be read publicly at the next
192 meeting held subsequent to the filing of this written
193 memorandum.

194 (c) For purposes of this subsection, the term
195 "participate" means any attempt to influence the decision by
196 oral or written communication, whether made by the officer or
197 member or at the officer's or member's direction.

198 Section 4. Subsections (1) and (2) and paragraph (c) of
199 subsection (8) of section 112.3144, Florida Statutes, are
200 amended to read:

201 112.3144 Full and public disclosure of financial
202 interests.-

203 (1) (a) An officer or a member who is required by ~~s. 8,~~
204 ~~Art. II of the State Constitution~~ to file a full and public
205 disclosure of ~~his or her~~ financial interests for any calendar or
206 fiscal year shall file that disclosure with the ~~Florida~~
207 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~
208 ~~an officer who is required to complete annual ethics training~~
209 ~~pursuant to s. 112.3142 must certify on his or her full and~~
210 ~~public disclosure of financial interests that he or she has~~
211 ~~completed the required training.~~

212 (b) Each member of the governing body of a municipality
213 that had \$10 million or more in total revenue for the three

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214 consecutive fiscal years ending prior to the year the disclosure
215 covers shall file a full and public disclosure of financial
216 interests with the Commission on Ethics. Each member of the
217 governing body of such municipality shall continue to file a
218 full and public disclosure until the municipality has less than
219 \$10 million in total revenue for three consecutive fiscal years.
220 For purposes of this paragraph, the verified report the
221 Department of Financial Services files with the Commission on
222 Ethics in accordance with s. 218.32(3) shall be the sole basis
223 to determine whether a municipality has \$10 million or more in
224 total revenue, except that a municipality that has not had its
225 annual financial report certified in accordance with s. 218.32
226 on or before November 30 of the year in which it is due shall be
227 considered to have \$10 million or more in total revenue for such
228 year. If a report not certified by the Department of Financial
229 Services is subsequently certified, the certified report shall
230 be used in any disclosure period beginning after the report is
231 certified.

232 (c) An officer or a member who is required to complete
233 annual ethics training pursuant to s. 112.3142 must certify on
234 his or her full and public disclosure of financial interests
235 that he or she has completed the required training.
236 Additionally, beginning January 1, 2018, an officer or a member
237 who is required to complete annual ethics training pursuant to

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238 s. 112.3142 must provide the name of the training provider on
239 his or her full and public disclosure of financial interests.

240 (2) An officer or a member ~~person~~ who is required,
241 ~~pursuant to s. 8, Art. II of the State Constitution,~~ to file a
242 full and public disclosure of financial interests and who has
243 filed a full and public disclosure of financial interests for
244 any calendar or fiscal year is ~~shall~~ not ~~be~~ required to file a
245 statement of financial interests pursuant to s. 112.3145(2) and
246 (3) for the same year or for any part thereof notwithstanding
247 any requirement of this part. If an incumbent in an elective
248 office has filed the full and public disclosure of financial
249 interests to qualify for election to the same office or if a
250 candidate for office holds another office subject to the annual
251 filing requirement, the qualifying officer shall forward an
252 electronic copy of the full and public disclosure of financial
253 interests to the commission no later than July 1. The electronic
254 copy of the full and public disclosure of financial interests
255 satisfies the annual disclosure requirement of this section. A
256 candidate who does not qualify until after the annual full and
257 public disclosure of financial interests has been filed pursuant
258 to this section shall file a copy of his or her disclosure with
259 the officer before whom he or she qualifies.

260 (8)

261 (c) For purposes of this section, an error or omission is
262 immaterial, inconsequential, or de minimis if the original

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263 filing provided sufficient information for the public to
264 identify potential conflicts of interest. However, failure to
265 certify completion of annual ethics training required under s.
266 112.3142 or provide the name of the training provider does not
267 constitute an immaterial, inconsequential, or de minimis error
268 or omission.

269 Section 5. Subsection (4) and paragraph (c) of subsection
270 (10) of section 112.3145, Florida Statutes, are amended to read:

271 112.3145 Disclosure of financial interests and clients
272 represented before agencies.—

273 (4) Beginning January 1, 2015, an officer who is required
274 to complete annual ethics training pursuant to s. 112.3142 must
275 certify on his or her statement of financial interests that he
276 or she has completed the required training. Beginning January 1,
277 2018, an officer or a member who is required to complete annual
278 ethics training pursuant to s. 112.3142 must provide the name of
279 the training provider on his or her statement of financial
280 interests.

281 (10)

282 (c) For purposes of this section, an error or omission is
283 immaterial, inconsequential, or de minimis if the original
284 filing provided sufficient information for the public to
285 identify potential conflicts of interest. However, failure to
286 certify completion of annual ethics training required under s.
287 112.3142 or provide the name of the training provider does not

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288 constitute an immaterial, inconsequential, or de minimis error
289 or omission.

290 Section 6. The amendments made to ss. 112.3144 and
291 112.3145, Florida Statutes, by this act apply to disclosures
292 filed for the 2017 calendar year and all subsequent calendar
293 years.

294 Section 7. Subsection (1) of section 112.31455, Florida
295 Statutes, is amended to read:

296 112.31455 Collection methods for unpaid automatic fines
297 for failure to timely file disclosure of financial interests.—

298 (1) Before referring any unpaid fine accrued pursuant to
299 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial
300 Services, the commission shall attempt to determine whether the
301 individual owing such a fine is a current public officer or
302 current public employee. If so, the commission may notify the
303 Chief Financial Officer or the governing body of the appropriate
304 county, municipality, school district, or special district of
305 the total amount of any fine owed to the commission by such
306 individual.

307 (a) After receipt and verification of the notice from the
308 commission, the Chief Financial Officer or the governing body of
309 the county, municipality, school district, or special district
310 shall begin withholding the lesser of 10 percent or the maximum
311 amount allowed under federal law from any salary-related

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312 payment. The withheld payments shall be remitted to the
313 commission until the fine is satisfied.

314 (b) The Chief Financial Officer or the governing body of
315 the county, municipality, school district, or special district
316 may retain an amount of each withheld payment, as provided in s.
317 77.0305, to cover the administrative costs incurred under this
318 section.

319 Section 8. Effective October 1, 2018, paragraph (b) of
320 subsection (2) of section 112.3148, Florida Statutes, is amended
321 to read:

322 112.3148 Reporting and prohibited receipt of gifts by
323 individuals filing full or limited public disclosure of
324 financial interests and by procurement employees.-

325 (2) As used in this section:

326 (b)1. "Lobbyist" means any natural person who, for
327 compensation, seeks, or sought during the preceding 12 months,
328 to influence the governmental decisionmaking of a reporting
329 individual or procurement employee or his or her agency or
330 seeks, or sought during the preceding 12 months, to encourage
331 the passage, defeat, or modification of any proposal or
332 recommendation by the reporting individual or procurement
333 employee or his or her agency.

334 2. With respect to an agency that is a governmental entity
335 as defined in s. 112.3262 ~~has established by rule, ordinance, or~~
336 ~~law a registration process for persons seeking to influence~~

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337 ~~decisionmaking or to encourage the passage, defeat, or~~
338 ~~modification of any proposal or recommendation by such agency or~~
339 ~~an employee or official of the agency, the term "lobbyist"~~
340 includes only a person who is required to be registered as a
341 lobbyist in accordance with s. 112.3262 ~~such rule, ordinance, or~~
342 ~~law~~ or who was during the preceding 12 months required to be
343 registered as a lobbyist in accordance with such ~~rule,~~
344 ~~ordinance, or law. At a minimum, such a registration system must~~
345 ~~require the registration of, or must designate, persons as~~
346 ~~"lobbyists" who engage in the same activities as require~~
347 ~~registration to lobby the Legislature pursuant to s. 11.045.~~

348 Section 9. Effective October 1, 2018, section 112.3261,
349 Florida Statutes, is repealed.

350 Section 10. Subsection (3) of section 218.32, Florida
351 Statutes, is renumbered as subsection (4), respectively, and
352 subsection (3) is added to that section, to read:

353 218.32 Annual financial reports; local governmental
354 entities.—

355 (3) The department shall annually by December 1 file a
356 verified report with the Legislature and Commission on Ethics
357 showing the total revenues for each municipality in each of the
358 three prior fiscal years and whether the municipality filed
359 timely its annual financial report in accordance with s. 218.32.
360 The report shall also indicate each municipality having no
361 certified annual financial report in each such year.

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362 Section 11. Section 112.3262, Florida Statutes, is created
363 to read:

364 112.3262 Lobbying before governmental entities.-

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

366 (a) "Governmental entity" or "entity" means a water
367 management district created in s. 373.069 and operating under
368 the authority of chapter 373, a hospital district, a children's
369 services district, an expressway authority as the term
370 "authority" is defined in s. 348.0002, a port authority as
371 defined in s. 315.02, a county, a municipality, a school
372 district, or a special district.

373 (b) "Lobbying" means seeking, on behalf of another person,
374 to influence a governmental entity with respect to a decision of
375 the entity in an area of policy or procurement or an attempt to
376 obtain the goodwill of an official or employee of a governmental
377 entity. The term does not include representing a client in any
378 stage of applying for or seeking approval of an application for
379 a license, permit, or waiver of a regulation or other
380 administrative action, or opposition to such action, provided
381 such action does not require legislative discretion and is
382 subject to judicial review by petitioning for writ of
383 certiorari.

384 (c) "Lobbyist" means a person who is employed and receives
385 payment, or who contracts for economic consideration, for the
386 purpose of lobbying, or a person who is principally employed for

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387 governmental affairs by another person or governmental entity to
388 lobby on behalf of such person or governmental entity. The term
389 does not include a person who:

390 1. Represents a client in a judicial proceeding or in a
391 formal administrative proceeding before a governmental entity.

392 2. Is an officer or employee of an agency acting in the
393 normal course of his or her duties.

394 3. Consults under contract with the governmental entity
395 and who communicates with the entity's governing body or
396 governing body employee regarding issues related to the scope of
397 services in their contract.

398 4. Is an employee, officer, or board member of a
399 homeowner's association, condominium association, or
400 neighborhood association when addressing, in his or her capacity
401 as an employee, officer, or board member of such association, an
402 issue impacting the association or its members.

403 5. Is a confidential informant who is providing, or wishes
404 to provide, confidential information to be used for law
405 enforcement purposes.

406 6. Is an expert witness who is retained or employed by an
407 employer, principal, or client to provide only scientific,
408 technical, or other specialized information provided in agenda
409 materials or testimony only in public hearings, so long as the
410 expert identifies the employer, principal, or client at the
411 hearing.

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412 7. Seeks to procure a contract which is less than \$20,000
413 or a contract pursuant s. 287.056.

414 (d) "Principal" has the same meaning as in s. 112.3215.

415 (e) "Principally employed for governmental affairs" means
416 that one of the principal or most significant responsibilities
417 of the employee to the employer is overseeing the employer's
418 various relationships with government or representing the
419 employer in its contacts with government.

420 (2) The Commission on Ethics shall create a Local
421 Government Lobbyist Registration System to register lobbyists
422 who wish to lobby governmental entities in accordance with this
423 section. Beginning October 1, 2018, any governmental entity rule
424 or ordinance that requires lobbyist registration is hereby
425 preempted and replaced by the registration system established by
426 this section. However, in accordance with s. 112.326, a
427 governmental entity may adopt a rule or ordinance to regulate
428 lobbyist conduct and may require compensation reporting,
429 disclosure of contacts made with an officer or employee of a
430 governmental entity, or any other activity related to lobbyist
431 conduct, other than registration. No governmental entity may
432 charge any fee for registration of lobbyists and principals and
433 no other fee may be charged in the enforcement of lobbyist
434 regulation except as may be reasonable and necessary to cover
435 the cost of such enforcement.

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436 (3) Beginning October 1, 2018, a person may not lobby a
437 governmental entity until such person has electronically
438 registered as a lobbyist with the commission. Such initial
439 registration shall be due upon being retained to lobby and is
440 renewable annually on the anniversary of the registration or in
441 the month of the lobbyist's birth as selected at the time of
442 registration. The commission shall request authorization from
443 the principal using the principal's name, business address,
444 email address, and telephone number to confirm that the
445 registrant is authorized to represent the principal. The
446 principal or principal's representative shall identify and
447 designate its main business pursuant to the North American
448 Industry Classification System (NAICS) six digit numerical code
449 that most accurately describes the principal's main business.
450 Registration is not complete until the commission receives the
451 principal's authorization and the registration fee. Any changes
452 to the information required by this subsection must be disclosed
453 within 15 days by the lobbyist updating his or her registration.
454 The commission may require separate registration submissions for
455 each county and multi-county governmental entity provided each
456 submission may include, without additional fee, any governmental
457 entity in the county for which the submission is made. A person
458 required to register as a lobbyist under this subsection must
459 register through the electronic system and must attest to the
460 following:

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461 (a) Full legal name, birth month, email address, telephone
462 number and business address.

463 (b) Name, email address, telephone number and business
464 address of each principal.

465 (c) Name of each governmental entity lobbied or intended
466 to be lobbied on behalf of the principal.

467 (d) Any direct or indirect business association,
468 partnership, or financial relationship with an official or
469 employee of a governmental entity lobbied or intended to be
470 lobbied on behalf of the principal.

471 (4) The annual lobbyist registration fee shall be
472 established by the commission by rule, not to exceed \$20 for
473 each principal represented for one county and governmental
474 entities therein or one multi-county governmental entity and not
475 more than \$5 for each additional county or multi-county
476 governmental entity.

477 (5) The commission shall publish a lobbyist directory of
478 all lobbyist registrations on the Internet.

479 (6) A lobbyist shall promptly provide a written statement
480 to the commission canceling the designation of a principal in
481 his or her registration upon termination of such representation.
482 The commission may cancel a lobbyist's designation of a
483 principal upon the principal's notification that the lobbyist is
484 no longer authorized to represent the principal.

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485 (7) A governmental entity must use reasonable efforts to
486 ascertain whether a lobbyist has registered pursuant to this
487 section. A governmental entity may not knowingly authorize an
488 unregistered lobbyist to lobby the entity.

489 (8) (a) Except as provided in subsection (9), the
490 commission shall investigate every sworn complaint that is filed
491 with it alleging that a person covered by this section has
492 failed to register or who has knowingly submitted false
493 information in any registration required in this section.

494 (b) If the commission finds no probable cause to believe
495 that a violation of this section occurred, it shall dismiss the
496 complaint and send a copy of the complaint, findings, and
497 summary to the complainant and the alleged violator. If the
498 commission finds probable cause to believe that a violation
499 occurred, it shall report the results of its investigation to
500 the Governor and send a copy of the report to the alleged
501 violator by certified mail. Upon request submitted to the
502 Governor in writing, any person whom the commission finds
503 probable cause to believe has violated any provision of this
504 section shall be entitled to a public hearing. Such person shall
505 be deemed to have waived the right to a public hearing if the
506 request is not received within 14 days following the mailing of
507 the probable cause notification. However, the Governor may
508 require a public hearing and may conduct such further
509 investigation as it deems necessary.

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510 (c) If the Governor finds that a violation occurred, the
511 Governor may reprimand the violator, censure the violator, or
512 asses a civil penalty in accordance with this section.

513 (d) Upon discovery of violations of this section, a
514 governmental entity or any person may file a sworn complaint
515 with the commission.

516 (9) (a) Upon a first complaint to the commission alleging a
517 violation of subsection (3) against a lobbyist, or upon any
518 complaint against a lobbyist received before January 1, 2020,
519 the commission shall, within 30 days after receipt of the
520 complaint, issue a warning letter to the lobbyist directing him
521 or her to consult the obligations of lobbyists under this
522 section and then dismiss the complaint.

523 (b) On or after January 1, 2020, notwithstanding the civil
524 penalties in s. 112.317, a lobbyist found by the commission to
525 have violated subsection (3) is subject to:

526 1. For a first violation, a civil penalty not to exceed
527 \$500.

528 2. For a second or subsequent violation committed within
529 12 months after the Governor determines that a first violation
530 has been committed, a civil penalty of at least \$200 but not
531 more than \$1000 or a 1-year suspension from lobbying any
532 governmental entity associated with the violation. A
533 governmental entity may impose additional civil penalties not to
534 exceed \$500 per violation, and, notwithstanding paragraph (c),

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535 may suspend the lobbyist from lobbying the governmental entity
536 and its agencies on behalf of any principal for up to 2 years.

537 (c) The civil penalties and suspensions provided in this
538 subsection shall be applied on a per principal basis with
539 suspensions affecting only those principals for whom
540 unregistered lobbying occurred.

541 (10) By January 1, 2018, a governmental entity's governing
542 body, or the entity's designee, shall notify the commission of
543 any ordinance or rule that imposes additional or more stringent
544 obligations with respect to lobbyist compensation reporting, or
545 other conduct, and shall forward to the commission a copy of any
546 associated form that has been established to facilitate
547 compliance with such ordinance or rule. Beginning January 1,
548 2019, each governmental entity is encouraged to conform its
549 registration system, if any, to accommodate regular digital
550 distribution of registration data from the commission so that
551 initial registration of a lobbyist pursuant to subsection (3) is
552 accomplished without having to supply the lobbyist and principal
553 information to more than one registration system. The commission
554 shall cooperate to the extent reasonably practicable to assure
555 such coordination of information.

556 (11) The commission may adopt rules to establish
557 procedures to administer the local government lobbyist
558 registration system, including the staggering of registration
559 renewal dates based on the lobbyist's birth month or anniversary

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560 date of a registration at the option of the lobbyist, the
561 adoption of forms, method of registering specific entities
562 lobbied, exchange of information with local governmental
563 entities, and the establishment of fees authorized in this
564 section.

565 (12) A person, when in doubt about the applicability and
566 interpretation of this section, may submit in writing to the
567 commission the facts of the situation with a request for an
568 advisory opinion to establish a standard of duty. An advisory
569 opinion shall be rendered by the commission and, until amended
570 or revoked, is binding on the conduct of the person who sought
571 the opinion, unless material facts were omitted or misstated in
572 the request.

573 Section 12. The Legislature finds that a proper and
574 legitimate state purpose is served when mechanisms are
575 established to secure and sustain the public's trust in public
576 officers and employees. Therefore, the Legislature determines
577 and declares that this act fulfills an important state interest.

578 Section 13. Except as otherwise expressly provided in this
579 act, this act shall take effect July 1, 2017.

580

581 -----

582 **T I T L E A M E N D M E N T**

583 Remove lines 3-45 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7021 (2017)

Amendment No.

584 amending s. 112.313, F.S.; providing that contractual
585 relationships held by business entities are deemed held by
586 public officers or employees in certain situations; amending s.
587 112.3142, F.S.; requiring certain ethics training for governing
588 board members of special districts and water management
589 districts; authorizing certain continuing education to satisfy
590 the ethics training requirement; deleting a requirement that the
591 Commission on Ethics adopt certain rules relating to ethics
592 training class course content; providing course content
593 requirements; encouraging training providers to seek
594 accreditation; amending s. 112.3143, F.S.; prohibiting governing
595 board members of special districts or school districts from
596 voting in an official capacity on specified matters; prohibiting
597 county, municipal, or other local public officers or governing
598 board members of special districts or school districts from
599 participating in specified matters; amending s. 112.3144, F.S.;
600 requiring certain governing board members of municipalities to
601 file a full and public disclosure of financial interests;
602 providing disclosure requirements; amending s. 112.3145, F.S.;
603 providing disclosure requirements; providing applicability;
604 amending s. 112.31455, F.S.; applying provisions relating to
605 collecting unpaid fines for failing to file such disclosures to
606 school districts; amending s. 112.3148, F.S., to conform to
607 requirements of the local government lobbyist registration
608 requirement, effective October 1, 2018; providing for the future

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7021 (2017)

Amendment No.

609 removal of local government authority to enact a rule or
610 ordinance requiring lobbyists to register with the local
611 government; providing for the future repeal of s. 112.3261,
612 F.S., relating to registration and reporting for lobbying water
613 management districts; creating s. 112.3262, F.S.; providing
614 definitions; requiring lobbyists to register with the commission
615 before lobbying governmental entities; providing registration
616 requirements; providing responsibilities of the commission;
617 providing responsibilities of the Governor; providing civil
618 penalties; authorizing the suspension of certain lobbyists;
619 providing responsibilities of the governmental entity;
620 authorizing the commission to adopt rules; declaring that the
621 act fulfills an important state interest;
622