

1                                   A bill to be entitled  
2           An act relating to local government ethics reform;  
3           amending s. 112.313, F.S.; providing that contractual  
4           relationships held by business entities are deemed  
5           held by public officers or employees in certain  
6           situations; amending s. 112.3142, F.S.; requiring  
7           certain ethics training for governing board members of  
8           special districts and water management districts;  
9           authorizing certain continuing education to satisfy  
10          the ethics training requirement; deleting a  
11          requirement that the Commission on Ethics adopt  
12          certain rules relating to ethics training class course  
13          content; providing course content requirements;  
14          encouraging training providers to seek accreditation;  
15          amending s. 112.3143, F.S.; prohibiting governing  
16          board members of special districts or school districts  
17          from voting in an official capacity on specified  
18          matters; prohibiting county, municipal, or other local  
19          public officers or governing board members of special  
20          districts or school districts from participating in  
21          specified matters; amending s. 112.3144, F.S.;  
22          requiring certain mayors and members of a municipality  
23          governing body to file a full and public disclosure of  
24          financial interests; providing disclosure  
25          requirements; amending s. 112.3145, F.S.; providing

26 disclosure requirements; providing applicability;  
27 amending s. 112.31455, F.S.; applying provisions  
28 relating to collecting unpaid fines for failing to  
29 file such disclosures to school districts; amending s.  
30 112.3148, F.S.; conforming provisions to specified  
31 local government lobbyist registration requirements  
32 effective October 1, 2019; providing for the future  
33 removal of local government authority to enact a rule  
34 or ordinance requiring lobbyists to register with the  
35 local government; providing for the future repeal of  
36 s. 112.3261, F.S., relating to registration and  
37 reporting for lobbying water management districts;  
38 creating s. 112.3262, F.S.; providing definitions;  
39 requiring the commission to create the Local  
40 Government Lobbyist Registration System; requiring  
41 lobbyists to register with the commission before  
42 lobbying governmental entities effective a specified  
43 date; providing registration requirements and fees;  
44 providing responsibilities of the lobbyist,  
45 governmental entity, commission, and Governor;  
46 providing civil penalties; authorizing the suspension  
47 of certain lobbyists; authorizing the commission to  
48 adopt rules; requiring the commission to provide  
49 advisory opinions for specified purposes; amending s.  
50 218.32, F.S.; requiring the Department of Financial

51 Services to file an annual report with the Legislature  
 52 and commission by a specified date; declaring that the  
 53 act fulfills an important state interest; providing  
 54 effective dates.

55  
 56 Be It Enacted by the Legislature of the State of Florida:

57  
 58 Section 1. Subsection (7) of section 112.313, Florida  
 59 Statutes, is amended to read:

60 112.313 Standards of conduct for public officers,  
 61 employees of agencies, and local government attorneys.—

62 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

63 (a) A ~~No~~ public officer or employee of an agency may not  
 64 ~~shall~~ have or hold any employment or contractual relationship  
 65 with any business entity or any agency that ~~which~~ is subject to  
 66 the regulation of, or is doing business with, an agency of which  
 67 he or she is an officer or employee, excluding those  
 68 organizations and their officers who, when acting in their  
 69 official capacity, enter into or negotiate a collective  
 70 bargaining contract with the state or any municipality, county,  
 71 or other political subdivision of the state; and ~~nor shall~~ an  
 72 officer or employee of an agency may not have or hold any  
 73 employment or contractual relationship that will create a  
 74 continuing or frequently recurring conflict between his or her  
 75 private interests and the performance of his or her public

76 | duties or that would impede the full and faithful discharge of  
 77 | his or her public duties. For purposes of this subsection, if a  
 78 | public officer or employee of an agency holds a material  
 79 | interest in a business entity other than a publicly traded  
 80 | entity, or is an officer, director, or member who manages such  
 81 | an entity, contractual relationships held by the business entity  
 82 | are deemed to be held by the public officer or employee.

83 |       1. When the agency referred to is a ~~that certain kind of~~  
 84 | special tax district created by general or special law and is  
 85 | limited specifically to constructing, maintaining, managing, and  
 86 | financing improvements in the land area over which the agency  
 87 | has jurisdiction, or when the agency has been organized pursuant  
 88 | to chapter 298, ~~then~~ employment with, or entering into a  
 89 | contractual relationship with, such a business entity by a  
 90 | public officer or employee of such an agency is ~~shall~~ not ~~be~~  
 91 | prohibited by this subsection or ~~be~~ deemed a conflict per se.  
 92 | However, conduct by such officer or employee that is prohibited  
 93 | by, or otherwise frustrates the intent of, this section must  
 94 | ~~shall~~ be deemed a conflict of interest in violation of the  
 95 | standards of conduct set forth by this section.

96 |       2. When the agency referred to is a legislative body and  
 97 | the regulatory power over the business entity resides in another  
 98 | agency, or when the regulatory power that ~~which~~ the legislative  
 99 | body exercises over the business entity or agency is strictly  
 100 | through the enactment of laws or ordinances, ~~then~~ employment or

101 a contractual relationship with such a business entity by a  
 102 public officer or employee of a legislative body is ~~shall~~ not ~~be~~  
 103 prohibited by this subsection or ~~be~~ deemed a conflict.

104 (b) This subsection does ~~shall~~ not prohibit a public  
 105 officer or employee from practicing in a particular profession  
 106 or occupation when such practice by persons holding such public  
 107 office or employment is required or permitted by law or  
 108 ordinance.

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

111 112.3142 Ethics training for specified constitutional  
 112 officers, and elected municipal officers, and members of a  
 113 governing board of a special district or water management  
 114 district.-

115 (2) (a) All constitutional officers must complete 4 hours  
 116 of ethics training each calendar year which addresses, at a  
 117 minimum, s. 8, Art. II of the State Constitution, the Code of  
 118 Ethics for Public Officers and Employees, and the public records  
 119 and public meetings laws of this state. ~~This requirement may be~~  
 120 ~~satisfied by completion of a continuing legal education class or~~  
 121 ~~other continuing professional education class, seminar, or~~  
 122 ~~presentation if the required subjects are covered.~~

123 (b) ~~Beginning January 1, 2015,~~ All elected municipal  
 124 officers must complete 4 hours of ethics training each calendar  
 125 year which addresses, at a minimum, s. 8, Art. II of the State

126 Constitution, the Code of Ethics for Public Officers and  
127 Employees, and the public records and public meetings laws of  
128 this state. ~~This requirement may be satisfied by completion of a~~  
129 ~~continuing legal education class or other continuing~~  
130 ~~professional education class, seminar, or presentation if the~~  
131 ~~required subjects are covered.~~

132 (c) Beginning January 1, 2019, all members of the  
133 governing board of a special district or water management  
134 district must complete 4 hours of ethics training each calendar  
135 year which addresses, at a minimum, s. 8, Art. II of the State  
136 Constitution, the Code of Ethics for Public Officers and  
137 Employees, and the public records and public meetings laws of  
138 this state.

139 (d) The requirements specified in paragraphs (a), (b), and  
140 (c) may be satisfied by completion of a continuing legal  
141 education class or other continuing professional education  
142 class, seminar, or presentation if the required subjects are  
143 covered.

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

- 149 1. Doing business with one's own agency;
- 150 2. Conflicting employment or contractual relationships;

151 3. Misuse of position;

152 4. Disclosure or use of certain information;

153 5. Gifts and honoraria, including solicitation and  
154 acceptance of gifts, and unauthorized compensation;

155 6. Post-officeholding restrictions;

156 7. Restrictions on the employment of relatives;

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

159 9. Financial disclosure requirements, including the  
160 automatic fine and appeal process;

161 10. Commission procedures on ethics complaints and  
162 referrals; and

163 11. The importance of and the process for obtaining  
164 advisory opinions rendered by the commission.

165 (f) Training providers are encouraged to seek  
166 accreditation from any applicable licensing body for courses  
167 offered pursuant to this subsection.

168 (g)-(d) The Legislature intends that a constitutional  
169 officer, ~~or~~ or elected municipal officer, or member of the  
170 governing board of a special district or water management  
171 district who is required to complete ethics training pursuant to  
172 this section receive the required training as close as possible  
173 to the date that he or she assumes office. A constitutional  
174 officer, ~~or~~ or elected municipal officer, or member of the  
175 governing board of a special district or water management

176 district assuming a new office or new term of office on or  
177 before March 31 must complete the annual training on or before  
178 December 31 of the year in which the term of office began. A  
179 constitutional officer, ~~or~~ or elected municipal officer, or member  
180 of the governing board of a special district or water management  
181 district assuming a new office or new term of office after March  
182 31 is not required to complete ethics training for the calendar  
183 year in which the term of office began.

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

186 112.3143 Voting conflicts.—

187 (3) (a) A ~~No~~ county, municipal, or other local public  
188 officer or governing board member of a special district or  
189 school district may not ~~shall~~ vote in an official capacity upon  
190 any measure which would inure to his or her special private gain  
191 or loss; which he or she knows would inure to the special  
192 private gain or loss of any principal by whom he or she is  
193 retained or to the parent organization or subsidiary of a  
194 corporate principal by which he or she is retained, other than  
195 an agency as defined in s. 112.312(2); or which he or she knows  
196 would inure to the special private gain or loss of a relative or  
197 business associate of the public officer or board member. Such  
198 public officer or board member shall, prior to the vote being  
199 taken, publicly state to the assembly the nature of the  
200 officer's or member's interest in the matter from which he or



201 she is abstaining from voting and, within 15 days after the vote  
202 occurs, disclose the nature of his or her interest as a public  
203 record in a memorandum filed with the person responsible for  
204 recording the minutes of the meeting, who shall incorporate the  
205 memorandum in the minutes.

206 (b) However, a commissioner of a community redevelopment  
207 agency created or designated pursuant to s. 163.356 or s.  
208 163.357, or an officer of an independent special tax district  
209 elected on a one-acre, one-vote basis, is not prohibited from  
210 voting, when voting in said capacity.

211 (4) A county, municipal, or other local public officer;  
212 governing board member of a special district or school district;  
213 or ~~Ne~~ appointed public officer may not ~~shall~~ participate in any  
214 matter which would inure to the officer's or member's special  
215 private gain or loss; which the officer or member knows would  
216 inure to the special private gain or loss of any principal by  
217 whom he or she is retained or to the parent organization or  
218 subsidiary of a corporate principal by which he or she is  
219 retained; or which he or she knows would inure to the special  
220 private gain or loss of a relative or business associate of the  
221 public officer or board member, without first disclosing the  
222 nature of his or her interest in the matter.

223 (a) Such disclosure, indicating the nature of the  
224 conflict, shall be made in a written memorandum filed with the  
225 person responsible for recording the minutes of the meeting,

226 prior to the meeting in which consideration of the matter will  
227 take place, and shall be incorporated into the minutes. Any such  
228 memorandum shall become a public record upon filing, shall  
229 immediately be provided to the other members of the agency, and  
230 shall be read publicly at the next meeting held subsequent to  
231 the filing of this written memorandum.

232 (b) In the event that disclosure has not been made prior  
233 to the meeting or that any conflict is unknown prior to the  
234 meeting, the disclosure shall be made orally at the meeting when  
235 it becomes known that a conflict exists. A written memorandum  
236 disclosing the nature of the conflict shall then be filed within  
237 15 days after the oral disclosure with the person responsible  
238 for recording the minutes of the meeting and shall be  
239 incorporated into the minutes of the meeting at which the oral  
240 disclosure was made. Any such memorandum shall become a public  
241 record upon filing, shall immediately be provided to the other  
242 members of the agency, and shall be read publicly at the next  
243 meeting held subsequent to the filing of this written  
244 memorandum.

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

249 Section 4. Subsections (1) and (2) and paragraph (c) of  
250 subsection (8) of section 112.3144, Florida Statutes, are

251 amended to read:

252 112.3144 Full and public disclosure of financial  
253 interests.—

254 (1) (a) An officer or member who is required ~~by s. 8, Art.~~  
255 ~~II of the State Constitution~~ to file a full and public  
256 disclosure of ~~his or her~~ financial interests for any calendar or  
257 fiscal year shall file that disclosure with the Florida  
258 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~  
259 ~~an officer who is required to complete annual ethics training~~  
260 ~~pursuant to s. 112.3142 must certify on his or her full and~~  
261 ~~public disclosure of financial interests that he or she has~~  
262 ~~completed the required training.~~

263 (b) Each elected mayor and member of the governing body of  
264 a municipality that had \$10 million or more in total revenue for  
265 the 3 consecutive fiscal years ending prior to the year the  
266 disclosure covers shall file a full and public disclosure of  
267 financial interests with the Commission on Ethics. Each elected  
268 mayor and member of the governing body of such municipality  
269 shall continue to file a full and public disclosure until the  
270 municipality has less than \$10 million in total revenue for 3  
271 consecutive fiscal years. For purposes of this paragraph, the  
272 verified report that the Department of Financial Services files  
273 with the Commission on Ethics in accordance with s. 218.32(3)  
274 shall be the sole basis for determining whether a municipality  
275 has \$10 million or more in total revenue, except that a

276 municipality that has not had its annual financial report  
277 certified in accordance with s. 218.32 on or before November 30  
278 of the year in which it is due shall be considered to have \$10  
279 million or more in total revenue for such year. If an  
280 uncertified report is subsequently certified by the Department  
281 of Financial Services, the certified report shall be used in any  
282 disclosure period beginning after the report is certified.

283 (c) An officer or member who is required to complete  
284 annual ethics training pursuant to s. 112.3142 must certify on  
285 his or her full and public disclosure of financial interests  
286 that he or she has completed the required training.

287 Additionally, beginning January 1, 2019, an officer or member  
288 who is required to complete annual ethics training pursuant to  
289 s. 112.3142 must provide the name of the training provider on  
290 his or her full and public disclosure of financial interests.

291 (2) An officer or member ~~a person~~ who is required,  
292 ~~pursuant to s. 8, Art. II of the State Constitution,~~ to file a  
293 full and public disclosure of financial interests and who has  
294 filed a full and public disclosure of financial interests for  
295 any calendar or fiscal year ~~is shall not be~~ required to file a  
296 statement of financial interests pursuant to s. 112.3145(2) and  
297 (3) for the same year or for any part thereof notwithstanding  
298 any requirement of this part. If an incumbent in an elective  
299 office has filed the full and public disclosure of financial  
300 interests to qualify for election to the same office or if a

301 candidate for office holds another office subject to the annual  
302 filing requirement, the qualifying officer shall forward an  
303 electronic copy of the full and public disclosure of financial  
304 interests to the commission no later than July 1. The electronic  
305 copy of the full and public disclosure of financial interests  
306 satisfies the annual disclosure requirement of this section. A  
307 candidate who does not qualify until after the annual full and  
308 public disclosure of financial interests has been filed pursuant  
309 to this section shall file a copy of his or her disclosure with  
310 the officer before whom he or she qualifies.

311 (8)

312 (c) For purposes of this section, an error or omission is  
313 immaterial, inconsequential, or de minimis if the original  
314 filing provided sufficient information for the public to  
315 identify potential conflicts of interest. However, failure to  
316 certify completion of annual ethics training required under s.  
317 112.3142 or provide the name of the training provider does not  
318 constitute an immaterial, inconsequential, or de minimis error  
319 or omission.

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

322 112.3145 Disclosure of financial interests and clients  
323 represented before agencies.—

324 (4) ~~Beginning January 1, 2015,~~ An officer who is required  
325 to complete annual ethics training pursuant to s. 112.3142 must

326 certify on his or her statement of financial interests that he  
327 or she has completed the required training. Beginning January 1,  
328 2019, an officer or member who is required to complete annual  
329 ethics training pursuant to s. 112.3142 must provide the name of  
330 the training provider on his or her statement of financial  
331 interests.

332 (10)

333 (c) For purposes of this section, an error or omission is  
334 immaterial, inconsequential, or de minimis if the original  
335 filing provided sufficient information for the public to  
336 identify potential conflicts of interest. However, failure to  
337 certify completion of annual ethics training required under s.  
338 112.3142 or provide the name of the training provider does not  
339 constitute an immaterial, inconsequential, or de minimis error  
340 or omission.

341 Section 6. The amendments made by this act to ss. 112.3144  
342 and 112.3145, Florida Statutes, apply to disclosures filed for  
343 the 2018 calendar year and all subsequent calendar years.

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

346 112.31455 Collection methods for unpaid automatic fines  
347 for failure to timely file disclosure of financial interests.—

348 (1) Before referring any unpaid fine accrued pursuant to  
349 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial  
350 Services, the commission shall attempt to determine whether the

351 individual owing such a fine is a current public officer or  
352 current public employee. If so, the commission may notify the  
353 Chief Financial Officer or the governing body of the appropriate  
354 county, municipality, school district, or special district of  
355 the total amount of any fine owed to the commission by such  
356 individual.

357 (a) After receipt and verification of the notice from the  
358 commission, the Chief Financial Officer or the governing body of  
359 the county, municipality, school district, or special district  
360 shall begin withholding the lesser of 10 percent or the maximum  
361 amount allowed under federal law from any salary-related  
362 payment. The withheld payments shall be remitted to the  
363 commission until the fine is satisfied.

364 (b) The Chief Financial Officer or the governing body of  
365 the county, municipality, school district, or special district  
366 may retain an amount of each withheld payment, as provided in s.  
367 77.0305, to cover the administrative costs incurred under this  
368 section.

369 Section 8. Effective October 1, 2019, paragraph (b) of  
370 subsection (2) of section 112.3148, Florida Statutes, is amended  
371 to read:

372 112.3148 Reporting and prohibited receipt of gifts by  
373 individuals filing full or limited public disclosure of  
374 financial interests and by procurement employees.—

375 (2) As used in this section:

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376 (b)1. "Lobbyist" means any natural person who, for  
377 compensation, seeks, or sought during the preceding 12 months,  
378 to influence the governmental decisionmaking of a reporting  
379 individual or procurement employee or his or her agency or  
380 seeks, or sought during the preceding 12 months, to encourage  
381 the passage, defeat, or modification of any proposal or  
382 recommendation by the reporting individual or procurement  
383 employee or his or her agency.

384 2. With respect to an agency that is a governmental entity  
385 as defined in s. 112.3262 ~~has established by rule, ordinance, or~~  
386 ~~law a registration process for persons seeking to influence~~  
387 ~~decisionmaking or to encourage the passage, defeat, or~~  
388 ~~modification of any proposal or recommendation by such agency or~~  
389 ~~an employee or official of the agency,~~ the term "lobbyist"  
390 includes only a person who is required to be registered as a  
391 lobbyist in accordance with s. 112.3262 ~~such rule, ordinance, or~~  
392 ~~law~~ or who was during the preceding 12 months required to be  
393 registered as a lobbyist in accordance with s. 112.3262 ~~such~~  
394 ~~rule, ordinance, or law. At a minimum, such a registration~~  
395 ~~system must require the registration of, or must designate,~~  
396 ~~persons as "lobbyists" who engage in the same activities as~~  
397 ~~require registration to lobby the Legislature pursuant to s.~~  
398 ~~11.045.~~

399 Section 9. Effective October 1, 2019, section 112.3261,  
400 Florida Statutes, is repealed.



401 Section 10. Section 112.3262, Florida Statutes, is created  
402 to read:

403 112.3262 Lobbying before governmental entities.-

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

405 (a) "Governmental entity" or "entity" means a water  
406 management district created in s. 373.069 and operating under  
407 the authority of chapter 373, hospital district, children's  
408 services district, expressway authority as the term "authority"  
409 is defined in s. 348.0002, port authority as defined in s.  
410 315.02, county, municipality, school district, or special  
411 district.

412 (b) "Lobbying" means seeking, on behalf of another person,  
413 to influence a governmental entity with respect to a decision of  
414 the entity in an area of policy or procurement or an attempt to  
415 obtain the goodwill of an official or employee of a governmental  
416 entity. The term does not include representing a client in any  
417 stage of applying for or seeking approval of an application for  
418 a license, permit, or waiver of a regulation or other  
419 administrative action, or opposition to such action, provided  
420 such action does not require legislative discretion and is  
421 subject to judicial review by petitioning for writ of  
422 certiorari.

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

426 governmental affairs by another person or governmental entity to  
427 lobby on behalf of such person or governmental entity. The term  
428 does not include a person who:

429 1. Represents a client in a judicial proceeding or in a  
430 formal administrative proceeding before a governmental entity.

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

433 3. Consults under contract with the governmental entity  
434 and communicates with the entity's governing body or governing  
435 body employee regarding issues related to the scope of services  
436 in his or her contract.

437 4. Is an employee, officer, or board member of a  
438 homeowners' association, condominium association, or  
439 neighborhood association when addressing, in his or her capacity  
440 as an employee, officer, or board member of such association, an  
441 issue impacting the association or its members.

442 5. Is a confidential informant who is providing, or wishes  
443 to provide, confidential information to be used for law  
444 enforcement purposes.

445 6. Is an expert witness who is retained or employed by an  
446 employer, principal, or client to provide only scientific,  
447 technical, or other specialized information provided in agenda  
448 materials or testimony only in public hearings, provided the  
449 expert identifies such employer, principal, or client at such  
450 hearing.

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

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

454 (e) "Principally employed for governmental affairs" means  
455 that one of the employee's principal or most significant  
456 responsibilities to the employer is overseeing the employer's  
457 various governmental relationships or representing the employer  
458 in its contacts made with an officer or employee of a  
459 governmental entity.

460 (2) The Commission on Ethics shall create the Local  
461 Government Lobbyist Registration System to register lobbyists  
462 who wish to lobby governmental entities in accordance with this  
463 section. Beginning October 1, 2019, any governmental entity rule  
464 or ordinance that requires lobbyist registration is preempted  
465 and replaced by the registration system established by this  
466 subsection. However, in accordance with s. 112.326, a  
467 governmental entity may adopt a rule or ordinance to regulate  
468 lobbyist conduct and may require compensation reporting,  
469 disclosure of contacts made with an officer or employee of a  
470 governmental entity, or any other activity related to lobbyist  
471 conduct, other than registration. A governmental entity may not  
472 charge a fee for registration of lobbyists and principals, and a  
473 fee may not be charged in the enforcement of lobbyist regulation  
474 except as may be reasonable and necessary to cover the cost of  
475 such enforcement.

476       (3) Beginning October 1, 2019, a person may not lobby a  
477 governmental entity until such person has electronically  
478 registered as a lobbyist with the commission. Such initial  
479 registration shall be due upon being retained to lobby and is  
480 renewable annually on the anniversary of the lobbyist's  
481 registration or in the month of the lobbyist's birth as selected  
482 by the lobbyist at the time of registration. The commission  
483 shall request authorization from the principal using the  
484 principal's name, business address, e-mail address, and  
485 telephone number to confirm that the registrant is authorized to  
486 represent the principal. The principal or principal's  
487 representative shall identify and designate its main business  
488 pursuant to the North American Industry Classification System  
489 (NAICS) six digit numerical code that most accurately describes  
490 its main business. Registration is incomplete until the  
491 commission receives the principal's authorization and the  
492 lobbyist's registration fee. Any changes to the information  
493 required by this subsection must be disclosed within 15 days by  
494 the lobbyist updating his or her registration. The commission  
495 may require separate registration submissions for each county  
496 and multi-county governmental entity, but each submission may  
497 include, without an additional fee, any governmental entity in  
498 the county for which the submission is made. A person required  
499 to register as a lobbyist under this subsection must register  
500 through the electronic system and must attest to the following:

501 (a) Full legal name, birth month, e-mail address,  
502 telephone number, and business address.

503 (b) Name, e-mail address, telephone number, and business  
504 address of each principal.

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

507 (d) Any direct or indirect business association,  
508 partnership, or financial relationship with an official or  
509 employee of a governmental entity lobbied or intended to be  
510 lobbied on behalf of the principal.

511 (4) The annual lobbyist registration fee shall be  
512 established by commission rule but shall not exceed \$20 for each  
513 principal represented for one county and governmental entities  
514 therein or one multi-county governmental entity and shall not  
515 exceed \$5 for each additional county and governmental entities  
516 therein or additional multi-county governmental entities.

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

519 (6) A lobbyist shall promptly provide a written statement  
520 to the commission canceling the designation of a principal in  
521 his or her registration upon termination of such representation.  
522 The commission may cancel a lobbyist's designation of a  
523 principal upon the principal's notification that the lobbyist is  
524 no longer authorized to represent such principal.

525 (7) A governmental entity must use reasonable efforts to

526 ascertain whether a lobbyist has registered pursuant to this  
527 section. A governmental entity may not knowingly authorize an  
528 unregistered lobbyist to lobby the entity.

529 (8) (a) Except as provided in subsection (9), the  
530 commission shall investigate every sworn complaint that is filed  
531 with it alleging that a person covered by this section has  
532 failed to register or has knowingly submitted false information  
533 in any registration required in this section.

534 (b) If the commission finds no probable cause to believe  
535 that a violation of this section occurred, it shall dismiss the  
536 complaint and send a copy of the complaint, findings, and  
537 summary to the complainant and the alleged violator. If the  
538 commission finds probable cause to believe that a violation of  
539 this section occurred, it shall report the results of its  
540 investigation to the Governor and send, by certified mail, a  
541 copy of the report to the alleged violator. Upon request  
542 submitted to the Governor in writing, a person whom the  
543 commission finds probable cause to believe has violated this  
544 section shall be entitled to a public hearing. Such person shall  
545 be deemed to have waived the right to a public hearing if the  
546 request is not received within 14 days after a copy of the  
547 report is mailed. However, the Governor may require a public  
548 hearing and may conduct such further investigation as he or she  
549 deems necessary.

550 (c) If the Governor finds that a violation occurred, he or

551 she may reprimand the violator, censure the violator, or asses a  
552 civil penalty against the violator in accordance with this  
553 section.

554 (d) Upon discovery of a violation of this section, a  
555 person or governmental entity may file a sworn complaint with  
556 the commission.

557 (9) (a) Upon a first complaint to the commission alleging a  
558 violation of subsection (3) against a lobbyist, or upon any  
559 complaint against a lobbyist received before January 1, 2020,  
560 the commission shall, within 30 days after receipt of the  
561 complaint, issue a warning letter to the lobbyist directing him  
562 or her to consult the obligations of lobbyists under this  
563 section and dismiss the complaint.

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

567 1. For a first violation, a civil penalty not to exceed  
568 \$500.

569 2. For a second or subsequent violation committed within  
570 12 months after the Governor determines that a first violation  
571 has been committed, a civil penalty of at least \$200 but not  
572 more than \$1000 or a 1-year suspension from lobbying any  
573 governmental entity associated with the violation. A  
574 governmental entity may impose additional civil penalties not to  
575 exceed \$500 per violation, and, notwithstanding paragraph (c),

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

578 (c) The civil penalties and suspensions provided in this  
579 subsection shall be applied on a per principal basis with  
580 suspensions affecting only those principals for whom  
581 unregistered lobbying occurred.

582 (10) By January 1, 2019, a governmental entity's governing  
583 body, or the entity's designee, shall notify the commission of  
584 any ordinance or rule that imposes additional or more stringent  
585 obligations with respect to lobbyist compensation reporting, or  
586 other conduct involving lobbying activities, and shall forward  
587 to the commission a copy of any associated form that has been  
588 established to facilitate compliance with such ordinance or  
589 rule. Beginning October 1, 2019, each governmental entity is  
590 encouraged to conform its lobbyist regulation system, if any, to  
591 accommodate regular digital distribution of lobbyist  
592 registration data from the commission so that initial  
593 registration of a lobbyist pursuant to subsection (3) is  
594 accomplished without having to supply the lobbyist and principal  
595 information to more than one lobbyist regulation system. The  
596 commission shall cooperate to the extent reasonably practicable  
597 to ensure such coordination of information.

598 (11) The commission may adopt rules to establish  
599 procedures to administer the Local Government Lobbyist  
600 Registration System, including the staggering of registration



601 renewal dates based on the anniversary of the lobbyist's  
602 registration or the month of the lobbyist's birth as selected by  
603 the lobbyist at the time of registration, the adoption of forms,  
604 the method of registering specific entities lobbied, the  
605 exchange of information with local governmental entities, and  
606 the establishment of fees authorized in this section.

607 (12) A person, when in doubt about the applicability and  
608 interpretation of this section, may submit in writing to the  
609 commission the facts of the situation with a request for an  
610 advisory opinion to establish a standard of duty. An advisory  
611 opinion shall be rendered by the commission and, until amended  
612 or revoked, is binding on the conduct of the person who sought  
613 the opinion, unless material facts were omitted or misstated in  
614 the request.

615 Section 11. Subsection (3) of section 218.32, Florida  
616 Statutes, is renumbered as subsection (4), and a new subsection  
617 (3) is added to that section to read:

618 218.32 Annual financial reports; local governmental  
619 entities.—

620 (3) The department shall annually by December 1 file a  
621 verified report with the Legislature and the Commission on  
622 Ethics showing the total revenues for each municipality in each  
623 of the 3 prior fiscal years and whether the municipality timely  
624 filed its annual financial report in accordance with this  
625 section. The report shall also indicate each municipality that

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626 | does not have a certified annual financial report in each such  
627 | year.

628 |       Section 12. The Legislature finds that a proper and  
629 | legitimate state purpose is served when mechanisms are  
630 | established to secure and sustain the public's trust in public  
631 | officers and employees. Therefore, the Legislature determines  
632 | and declares that this act fulfills an important state interest.

633 |       Section 13. Except as otherwise expressly provided in this  
634 | act, his act shall take effect July 1, 2018.