

1 A bill to be entitled
2 An act relating to financial disclosures; amending s.
3 99.061, F.S.; revising qualification requirements for
4 certain candidates for office; amending s. 112.3144,
5 F.S.; requiring certain officers to certify that they
6 have completed ethics training; requiring specified
7 local officers to file a full and public disclosure of
8 financial interests; amending s. 112.3145, F.S.;
9 exempting specified local officers from certain
10 financial disclosure requirements; providing that
11 certain local officers must file their statements of
12 financial interests with a specified supervisor until
13 a specified date; revising the documents that must be
14 filed electronically; providing that certain
15 delinquency notices may not be sent by certified mail;
16 providing effective dates.

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

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20 Section 1. Effective April 1, 2022, subsection (5) and
21 paragraph (a) of subsection (7) of section 99.061, Florida
22 Statutes, are amended to read:

23 99.061 Method of qualifying for nomination or election to
24 federal, state, county, or district office.—

25 (5) At the time of qualifying for office, each candidate

26 | for a constitutional office and each candidate for other
27 | elective office subject to an annual filing requirement under s.
28 | 112.3144, shall file a full and public disclosure of financial
29 | interests pursuant to s. 8, Art. II of the State Constitution,
30 | which must be verified under oath or affirmation pursuant to s.
31 | 92.525(1) (a), and a candidate for any other office, including
32 | local elective office, shall file a statement of financial
33 | interests pursuant to s. 112.3145. A candidate who is subject to
34 | an annual filing requirement under s. 112.3144 may submit a
35 | verification or receipt of electronic filing pursuant to s.
36 | 112.3144(4). A candidate who is subject to an annual filing
37 | requirement under s. 112.3145 may file a verification or receipt
38 | of electronic filing pursuant to s. 112.3145(2) (c), unless the
39 | candidate is required to file a full and public disclosure of
40 | financial interests pursuant to s. 8, Art. II of the State
41 | Constitution or this subsection.

42 | (7)(a) In order for a candidate to be qualified, the
43 | following items must be received by the filing officer by the
44 | end of the qualifying period:

45 | 1. A properly executed check drawn upon the candidate's
46 | campaign account payable to the person or entity as prescribed
47 | by the filing officer in an amount not less than the fee
48 | required by s. 99.092, unless the candidate obtained the
49 | required number of signatures on petitions pursuant to s.
50 | 99.095. The filing fee for a special district candidate is not

51 required to be drawn upon the candidate's campaign account. If a
52 candidate's check is returned by the bank for any reason, the
53 filing officer must ~~shall~~ immediately notify the candidate and
54 the candidate has ~~shall have~~ until the end of qualifying to pay
55 the fee with a cashier's check purchased from funds of the
56 campaign account. Failure to pay the fee as provided in this
57 subparagraph disqualifies ~~shall disqualify~~ the candidate.

58 2. The candidate's oath required by s. 99.021, which must
59 contain the name of the candidate as it is to appear on the
60 ballot; the office sought, including the district or group
61 number if applicable; and the signature of the candidate, which
62 must be verified under oath or affirmation pursuant to s.
63 92.525(1) (a).

64 3. If the office sought is partisan, the written statement
65 of political party affiliation required by s. 99.021(1) (b); or
66 if the candidate is running without party affiliation for a
67 partisan office, the written statement required by s.
68 99.021(1) (c).

69 4. The completed form for the appointment of campaign
70 treasurer and designation of campaign depository, as required by
71 s. 106.021.

72 5. The full and public disclosure or statement of
73 financial interests required by subsection (5). A public officer
74 who has filed the full and public disclosure or statement of
75 financial interests with the Commission on Ethics or the

76 supervisor of elections before ~~prior to~~ qualifying for office
 77 may file a copy of that disclosure at the time of qualifying or
 78 a verification or receipt of electronic filing as provided in
 79 subsection (5).

80 Section 2. Effective January 1, 2023, paragraph (a) of
 81 subsection (1) of section 112.3144, Florida Statutes, is
 82 amended, and paragraph (d) is added to that subsection, to read:

83 112.3144 Full and public disclosure of financial
 84 interests.—

85 (1)(a) An officer who is required by s. 8, Art. II of the
 86 State Constitution to file a full and public disclosure of his
 87 or her financial interests for any calendar or fiscal year, or
 88 any other person required by law to file a disclosure under this
 89 section, shall file that disclosure with the Florida Commission
 90 on Ethics. Additionally, an officer who is required to file a
 91 full and public disclosure of his or her financial interests
 92 under this part and complete annual ethics training pursuant to
 93 s. 112.3142 must certify on his or her full and public
 94 disclosure of financial interests that he or she has completed
 95 the required training.

96 (d) The following local officers must comply with the
 97 financial disclosure requirements of s. 8, Art. II of the State
 98 Constitution and this section:

- 99 1. Mayors.
 100 2. City commissioners.

101 3. Elected members of a city council; town council;
 102 village council; or other governing body of a city, town, or
 103 village.

104 4. City, county, town, or village managers.

105 Section 3. Paragraphs (b), (d), and (e) of subsection (2)
 106 and paragraph (c) of subsection (8) of section 112.3145, Florida
 107 Statutes, are amended to read:

108 112.3145 Disclosure of financial interests and clients
 109 represented before agencies.—

110 (2)

111 (b) Each state or local officer, except local officers
 112 specified in s. 112.3144(1) (d), and each specified state
 113 employee shall file a statement of financial interests no later
 114 than July 1 of each year. Each state officer, local officer, and
 115 specified state employee shall file a final statement of
 116 financial interests within 60 days after leaving his or her
 117 public position for the period between January 1 of the year in
 118 which the person leaves and the last day of office or
 119 employment, unless within the 60-day period the person takes
 120 another public position requiring financial disclosure under
 121 this section or s. 8, Art. II of the State Constitution or
 122 otherwise is required to file full and public disclosure or a
 123 statement of financial interests for the final disclosure
 124 period. Each state or local officer who is appointed and each
 125 specified state employee who is employed shall file a statement

126 of financial interests within 30 days after ~~from~~ the date of
 127 appointment or, in the case of a specified state employee, after
 128 ~~from~~ the date on which the employment begins, except that any
 129 person whose appointment is subject to confirmation by the
 130 Senate shall file before ~~prior to~~ confirmation hearings or
 131 within 30 days after ~~from~~ the date of appointment, whichever
 132 comes first.

133 (d) State officers and specified state employees shall
 134 file their statements of financial interests with the
 135 commission. Through December 31, 2022, local officers shall file
 136 their statements of financial interests with the supervisor of
 137 elections of the county in which they permanently reside.
 138 Through December 31, 2022, local officers who do not permanently
 139 reside in any county in this ~~the~~ state shall file their
 140 statements of financial interests with the supervisor of
 141 elections of the county in which their agency maintains its
 142 headquarters. Persons seeking to qualify as candidates for local
 143 public office shall file their statements of financial interests
 144 with the officer before whom they qualify.

145 (e) Beginning January 1, 2023, a statement of financial
 146 interests and a final statement of financial interests, and any
 147 amendments thereto, or any other form required by this section,
 148 except any statement of a candidate who is not subject to an
 149 annual filing requirement, all statements filed with the
 150 ~~commission~~ must be filed electronically through an electronic

151 filing system ~~that is~~ created and maintained by the commission
152 as provided in s. 112.31446.

153 (8) Forms for compliance with the disclosure requirements
154 of this section and a current list of persons subject to
155 disclosure shall be created by the commission and provided to
156 each supervisor of elections. The commission and each supervisor
157 of elections shall give notice of disclosure deadlines and
158 delinquencies and distribute forms in the following manner:

159 (c) Not later than August 1 of each year, the commission
160 and each supervisor of elections shall determine which persons
161 required to file a statement of financial interests in their
162 respective offices have failed to do so and shall send
163 delinquency notices to these persons. Through December 31, 2022,
164 delinquency notices must be sent by certified mail, return
165 receipt requested. Each notice must state that a grace period is
166 in effect until September 1 of the current year; that no
167 investigative or disciplinary action based upon the delinquency
168 will be taken by the agency head or commission if the statement
169 is filed by September 1 of the current year; that, if the
170 statement is not filed by September 1 of the current year, a
171 fine of \$25 for each day late will be imposed, up to a maximum
172 penalty of \$1,500; for notices distributed by a supervisor of
173 elections, that he or she is required by law to notify the
174 commission of the delinquency; and that, if upon the filing of a
175 sworn complaint the commission finds that the person has failed

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176 to timely file the statement within 60 days after September 1 of
177 the current year, such person will also be subject to the
178 penalties provided in s. 112.317. Beginning January 1, 2023,
179 notice required under this paragraph:

180 1. May not be sent by certified mail.

181 2. Must be delivered by e-mail and must be redelivered on
182 a weekly basis by e-mail as long as the person remains
183 delinquent.

184 Section 4. Except as otherwise expressly provided in this
185 act, this act shall take effect upon becoming a law.