

1 A bill to be entitled
2 An act relating to ethics reform; repealing s. 11.061,
3 F.S., relating to state, state university, and
4 community college employee lobbyists; amending s.
5 99.061, F.S.; revising qualification requirements for
6 certain candidates for office; amending s. 112.313,
7 F.S.; providing that contractual relationships held by
8 a business entity are deemed to be held by a public
9 officer or employee under certain circumstances;
10 providing that certain actions are not considered a
11 conflict unless prohibited or deemed a conflict by
12 another law; revising postemployment restrictions for
13 certain employees; revising applicability of certain
14 provisions relating to contractual relationships;
15 amending s. 112.3142, F.S.; requiring certain persons
16 to complete certain ethics training; removing the
17 authority for the Commission on Ethics to adopt rules;
18 providing requirements for course content for certain
19 portions of ethics training classes; providing
20 legislative intent; amending s. 112.3143, F.S.;
21 providing that certain officers and board members may
22 not vote in an official capacity if there is a
23 conflict of interest; amending s. 112.3144, F.S.;
24 requiring certain officers to certify that they have
25 completed annual ethics training; requiring such

26 officers and members to provide the name of the
27 training provider beginning on a specified date;
28 specifying that failure to provide the name of a
29 training provider is not an immaterial,
30 inconsequential, or de minimis error or omission;
31 amending s. 112.3145, F.S.; exempting specified
32 officers from certain financial disclosure
33 requirements; providing that certain local officers
34 must file their statements of financial interests with
35 a specified supervisor until a specified date;
36 revising the documents that must be filed
37 electronically; requiring certain officers to provide
38 the name of the training provider beginning on a
39 specified date; providing that certain delinquency
40 notices may not be sent by certified mail beginning on
41 a specified date; amending s. 112.31455, F.S.;

42 prohibiting an action to collect certain unpaid fines
43 from certain persons after a specified time period;
44 amending s. 112.3185, F.S.; removing certain
45 applicability; amending s. 112.3215, F.S.; revising
46 and providing definitions; requiring lobbyists to
47 electronically register with the commission; revising
48 lobbyist registration, compensation report, principal
49 designation cancellation, and investigation
50 requirements; authorizing the commission to dismiss

51 certain complaints and investigations; amending s.
 52 420.5061, F.S.; conforming a provision to changes made
 53 by the act; providing a statement of important state
 54 interest; providing effective dates.

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

58 Section 1. Section 11.061, Florida Statutes, is repealed.

59 Section 2. Effective April 1, 2022, subsection (5) and
 60 paragraph (a) of subsection (7) of section 99.061, Florida
 61 Statutes, are amended to read:

62 99.061 Method of qualifying for nomination or election to
 63 federal, state, county, or district office.—

64 (5) At the time of qualifying for office, each candidate
 65 for a constitutional office, and each candidate for any other
 66 elective office subject to an annual filing requirement under s.
 67 112.3144, shall file a full and public disclosure of financial
 68 interests pursuant to s. 8, Art. II of the State Constitution,
 69 which must be verified under oath or affirmation pursuant to s.
 70 92.525(1) (a), and a candidate for any other office, including
 71 local elective office, shall file a statement of financial
 72 interests pursuant to s. 112.3145. A candidate who is subject to
 73 an annual filing requirement under s. 112.3144 may submit a
 74 verification or receipt of electronic filing pursuant to s.
 75 112.3144(4). A candidate who is subject to an annual filing

76 requirement under s. 112.3145 may file a verification or receipt
77 of electronic filing pursuant to s. 112.3145(2)(c) unless the
78 candidate is required to file a full and public disclosure of
79 financial interests pursuant to s. 8, Art. II of the State
80 Constitution or this subsection.

81 (7)(a) In order for a candidate to be qualified, the
82 following items must be received by the filing officer by the
83 end of the qualifying period:

84 1. A properly executed check drawn upon the candidate's
85 campaign account payable to the person or entity as prescribed
86 by the filing officer in an amount not less than the fee
87 required by s. 99.092, unless the candidate obtained the
88 required number of signatures on petitions pursuant to s.
89 99.095. The filing fee for a special district candidate is not
90 required to be drawn upon the candidate's campaign account. If a
91 candidate's check is returned by the bank for any reason, the
92 filing officer shall immediately notify the candidate and the
93 candidate shall have until the end of qualifying to pay the fee
94 with a cashier's check purchased from funds of the campaign
95 account. Failure to pay the fee as provided in this subparagraph
96 shall disqualify the candidate.

97 2. The candidate's oath required by s. 99.021, which must
98 contain the name of the candidate as it is to appear on the
99 ballot; the office sought, including the district or group
100 number if applicable; and the signature of the candidate, which

101 must be verified under oath or affirmation pursuant to s.
 102 92.525(1) (a) .

103 3. If the office sought is partisan, the written statement
 104 of political party affiliation required by s. 99.021(1) (b); or
 105 if the candidate is running without party affiliation for a
 106 partisan office, the written statement required by s.
 107 99.021(1) (c) .

108 4. The completed form for the appointment of campaign
 109 treasurer and designation of campaign depository, as required by
 110 s. 106.021.

111 5. The full and public disclosure or statement of
 112 financial interests required by subsection (5). A public officer
 113 who has filed the full and public disclosure or statement of
 114 financial interests with the Commission on Ethics or the
 115 supervisor of elections before ~~prior to~~ qualifying for office
 116 may file a copy of that disclosure at the time of qualifying or
 117 a verification or receipt of electronic filing as authorized in
 118 subsection (5).

119 Section 3. Subsection (7), paragraph (a) of subsection
 120 (9), and subsection (15) of section 112.313, Florida Statutes,
 121 are amended to read:

122 112.313 Standards of conduct for public officers,
 123 employees of agencies, and local government attorneys.—

124 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

125 (a) A ~~No~~ public officer or employee of an agency may not

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126 ~~shall~~ have or hold any employment or contractual relationship
127 with any business entity or any agency that ~~which~~ is subject to
128 the regulation of, or is doing business with, an agency of which
129 he or she is an officer or employee, excluding those
130 organizations and their officers who, when acting in their
131 official capacity, enter into or negotiate a collective
132 bargaining contract with the state or any municipality, county,
133 or other political subdivision of the state. Such; ~~nor shall an~~
134 officer or employee also may not ~~of an agency~~ have or hold any
135 employment or contractual relationship that will create a
136 continuing or frequently recurring conflict between his or her
137 private interests and the performance of his or her public
138 duties or that would impede the full and faithful discharge of
139 his or her public duties. For purposes of this subsection, if a
140 public officer or employee of an agency holds a material
141 interest in a business entity other than a publicly traded
142 entity, or is an officer, director, or member who manages such
143 an entity, contractual relationships held by the business entity
144 are deemed to be held by the public officer or employee.

145 1. When the agency referred to is a ~~that certain kind of~~
146 special tax district created by general or special law and is
147 limited specifically to constructing, maintaining, managing, and
148 financing improvements in the land area over which the agency
149 has jurisdiction, or when the agency has been organized under
150 ~~pursuant to~~ chapter 298, ~~then~~ employment with, or entering into

151 a contractual relationship with, such a business entity by a
 152 public officer or employee of such an agency is ~~shall~~ not ~~be~~
 153 prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.
 154 However, conduct by such officer or employee that is prohibited
 155 by, or otherwise frustrates the intent of, this section is ~~shall~~
 156 ~~be~~ deemed a conflict of interest in violation of the standards
 157 of conduct set forth by this section.

158 2. When the agency referred to is a legislative body and
 159 the regulatory power over the business entity resides in another
 160 agency, or when the regulatory power that ~~which~~ the legislative
 161 body exercises over the business entity or agency is strictly
 162 through the enactment of laws or ordinances, ~~then~~ employment
 163 with, or entering into a contractual relationship with, a
 164 business entity by a public officer or employee of such a
 165 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection
 166 or ~~be~~ deemed a conflict based on the regulatory power of the
 167 legislative body, unless prohibited or deemed a conflict by
 168 another law.

169 (b) This subsection does ~~shall~~ not prohibit a public
 170 officer or employee from practicing in a particular profession
 171 or occupation when such practice by persons holding such public
 172 office or employment is required or permitted by law or
 173 ordinance.

174 (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR
 175 LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

176 (a)1. It is the intent of the Legislature to implement by
 177 statute the provisions of s. 8(e), Art. II of the State
 178 Constitution relating to legislators, statewide elected
 179 officers, appointed state officers, and designated public
 180 employees.

181 2. As used in this paragraph:

182 a. "Employee" means:

183 (I) Any person employed in the executive or legislative
 184 branch of government holding a position in the Senior Management
 185 Service as defined in s. 110.402 or any person holding a
 186 position in the Selected Exempt Service as defined in s. 110.602
 187 or any person having authority over policy or procurement
 188 employed by the Department of the Lottery.

189 (II) The Auditor General, the director of the Office of
 190 Program Policy Analysis and Government Accountability, the
 191 Sergeant at Arms and Secretary of the Senate, and the Sergeant
 192 at Arms and Clerk of the House of Representatives.

193 (III) The executive director and deputy executive director
 194 of the Commission on Ethics.

195 (IV) An executive director, staff director, or deputy
 196 staff director of each joint committee, standing committee, or
 197 select committee of the Legislature; an executive director,
 198 staff director, executive assistant, analyst, or attorney of the
 199 Office of the President of the Senate, the Office of the Speaker
 200 of the House of Representatives, the Senate Majority Party

201 Office, Senate Minority Party Office, House Majority Party
 202 Office, or House Minority Party Office; or any person, hired on
 203 a contractual basis, having the power normally conferred upon
 204 such persons, by whatever title.

205 (V) The Chancellor and Vice Chancellors of the State
 206 University System; the general counsel to the Board of Governors
 207 of the State University System; and the president, provost, vice
 208 presidents, and deans of each state university.

209 (VI) Any person, including an other-personal-services
 210 employee, having the power normally conferred upon the positions
 211 referenced in this sub-subparagraph.

212 b. "Appointed state officer" means any member of an
 213 appointive board, commission, committee, council, or authority
 214 of the executive or legislative branch of state government whose
 215 powers, jurisdiction, and authority are not solely advisory and
 216 include the final determination or adjudication of any personal
 217 or property rights, duties, or obligations, other than those
 218 relative to its internal operations.

219 c. "State agency" means an entity of the legislative,
 220 executive, or judicial branch of state government over which the
 221 Legislature exercises plenary budgetary and statutory control.

222 3.a. A ~~No~~ member of the Legislature, appointed state
 223 officer, or statewide elected officer may not ~~shall~~ personally
 224 represent another person or entity for compensation before the
 225 government body or agency of which the individual was an officer

226 or member for a period of 2 years after leaving ~~following~~
 227 ~~vacation of office.~~ A ~~No~~ member of the Legislature may not ~~shall~~
 228 personally represent another person or entity for compensation
 229 during his or her term of office before any state agency other
 230 than judicial tribunals or in settlement negotiations after the
 231 filing of a lawsuit.

232 b. For a period of 2 years after leaving ~~following~~
 233 ~~vacation of office,~~ a former member of the Legislature may not
 234 act as a lobbyist for compensation before an executive branch
 235 agency, agency official, or employee. The terms used in this
 236 sub-subparagraph have the same meanings as provided in s.
 237 112.3215.

238 4. An agency employee, including an agency employee who
 239 was employed on July 1, 2001, in a Career Service System
 240 position that was transferred to the Selected Exempt Service
 241 System under chapter 2001-43, Laws of Florida, may not
 242 personally represent another person or entity for compensation
 243 before the agency with which he or she was employed for a period
 244 of 2 years after leaving his or her ~~following vacation of~~
 245 position, unless employed by and representing another state
 246 agency ~~of state government.~~

247 5. Any person violating this paragraph is ~~shall be~~ subject
 248 to the penalties provided in s. 112.317 and a civil penalty of
 249 an amount equal to the compensation which the person receives
 250 for the prohibited conduct.

251 ~~6. This paragraph is not applicable to:~~

252 ~~a. A person employed by the Legislature or other agency~~

253 ~~prior to July 1, 1989;~~

254 ~~b. A person who was employed by the Legislature or other~~

255 ~~agency on July 1, 1989, whether or not the person was a defined~~

256 ~~employee on July 1, 1989;~~

257 ~~c. A person who was a defined employee of the State~~

258 ~~University System or the Public Service Commission who held such~~

259 ~~employment on December 31, 1994;~~

260 ~~d. A person who has reached normal retirement age as~~

261 ~~defined in s. 121.021(29), and who has retired under the~~

262 ~~provisions of chapter 121 by July 1, 1991; or~~

263 ~~e. Any appointed state officer whose term of office began~~

264 ~~before January 1, 1995, unless reappointed to that office on or~~

265 ~~after January 1, 1995.~~

266 (15) (a) ADDITIONAL EXEMPTION. ~~An~~ ~~Ne~~ elected public officer

267 may not shall be held in violation of subsection (7) if the

268 officer maintains an employment relationship with an entity that

269 ~~which~~ is currently a tax-exempt organization under s. 501(c) of

270 the Internal Revenue Code and which contracts with or otherwise

271 enters into a business relationship with the officer's agency

272 and:

273 1.(a) The officer's employment is not directly or

274 indirectly compensated as a result of such contract or business

275 relationship. ~~†~~

276 ~~2.(b)~~ The officer has in no way participated in the
 277 agency's decision to contract or to enter into the business
 278 relationship with his or her employer, whether by participating
 279 in discussion at the meeting, by communicating with officers or
 280 employees of the agency, or otherwise. ~~;~~ ~~and~~

281 ~~3.(e)~~ The officer abstains from voting on any matter that
 282 ~~which~~ may come before the agency involving the officer's
 283 employer, publicly states to the assembly the nature of the
 284 officer's interest in the matter from which he or she is
 285 abstaining, and files a written memorandum as provided in s.
 286 112.3143.

287 (b) This subsection does not apply to an elected public
 288 officer who begins his or her term of office on or after October
 289 1, 2022.

290 Section 4. Subsection (2) of section 112.3142, Florida
 291 Statutes, is amended to read:

292 112.3142 Ethics training for specified constitutional
 293 officers, elected municipal officers, ~~and~~ commissioners, and
 294 members of a governing board of a special district or water
 295 management district.-

296 (2) (a) All constitutional officers, all elected municipal
 297 officers, each commissioner of a community redevelopment agency
 298 created under part III of chapter 163 and, beginning January 1,
 299 2023, all members of the governing board of a special district
 300 or water management district must complete 4 hours of ethics

301 training each calendar year which addresses, at a minimum, s. 8,
 302 Art. II of the State Constitution, the Code of Ethics for Public
 303 Officers and Employees, and the public records and public
 304 meetings laws of this state. This requirement may be satisfied
 305 by completion of a continuing legal education class or other
 306 continuing professional education class, seminar, or
 307 presentation if the required subjects are covered.

308 ~~(b) All elected municipal officers must complete 4 hours~~
 309 ~~of ethics training each calendar year which addresses, at a~~
 310 ~~minimum, s. 8, Art. II of the State Constitution, the Code of~~
 311 ~~Ethics for Public Officers and Employees, and the public records~~
 312 ~~and public meetings laws of this state. This requirement may be~~
 313 ~~satisfied by completion of a continuing legal education class or~~
 314 ~~other continuing professional education class, seminar, or~~
 315 ~~presentation if the required subjects are covered.~~

316 ~~(c) Beginning January 1, 2020, Each commissioner of a~~
 317 ~~community redevelopment agency created under part III of chapter~~
 318 ~~163 must complete 4 hours of ethics training each calendar year~~
 319 ~~which addresses, at a minimum, s. 8, Art. II of the State~~
 320 ~~Constitution, the Code of Ethics for Public Officers and~~
 321 ~~Employees, and the public records and public meetings laws of~~
 322 ~~this state. This requirement may be satisfied by completion of a~~
 323 ~~continuing legal education class or other continuing~~
 324 ~~professional education class, seminar, or presentation, if the~~
 325 ~~required subject material is covered by the class.~~

326 ~~(b)-(d) The commission shall adopt rules establishing~~
327 ~~minimum~~ Course content for the portion of an ethics training
328 class which addresses s. 8, Art. II of the State Constitution
329 and the Code of Ethics for Public Officers and Employees must
330 include one or more of the following:

- 331 1. Doing business with one's own agency;
- 332 2. Conflicting employment or contractual relationships;
- 333 3. Misuse of position;
- 334 4. Disclosure or use of certain information;
- 335 5. Gifts and honoraria, including solicitation and
336 acceptance of gifts and honoraria, and unauthorized
337 compensation;
- 338 6. Restrictions on employment after leaving office;
- 339 7. Restrictions on the employment of relatives;
- 340 8. Voting conflicts if the officer, commissioner, or
341 member of a governing body is a member of a collegial body and
342 votes in his or her official capacity;
- 343 9. Financial disclosure requirements, including the
344 automatic fine that may be imposed for failing to file a
345 financial disclosure and the appeal process;
- 346 10. Commission procedures on ethics complaints and
347 referrals; or
- 348 11. The importance of and the process for obtaining
349 advisory opinions rendered by the commission.

350 (c) Training providers are encouraged to seek

351 accreditation from an applicable licensing body for courses
352 offered under this subsection.

353 (d)-(e) The Legislature intends that a constitutional
354 officer, an ~~or~~ elected municipal officer, a commissioner of a
355 community redevelopment agency created under part III of chapter
356 163, or a member of the governing board of a special district or
357 water management district who is required to complete ethics
358 training under ~~pursuant to~~ this section receive the required
359 training as close as possible to the date that he or she assumes
360 office. A constitutional officer, an ~~or~~ elected municipal
361 officer, a commissioner of a community redevelopment agency
362 created under part III of chapter 163, or a member of the
363 governing board of a special district or water management
364 district assuming a new office or new term of office on or
365 before March 31 must complete the annual training on or before
366 December 31 of the year in which the term of office began. A
367 constitutional officer, an ~~or~~ elected municipal officer, a
368 commissioner of a community redevelopment agency created under
369 part III of chapter 163, or a member of the governing board of a
370 special district or water management district assuming a new
371 office or new term of office after March 31 is not required to
372 complete ethics training for the calendar year in which the term
373 of office began.

374 Section 5. Subsections (3) and (4) of section 112.3143,
375 Florida Statutes, are amended to read:

376 112.3143 Voting conflicts.—
 377 (3)(a) A ~~No~~ county, municipal, or other local public
 378 officer or governing board member of a special district or
 379 school district may not ~~shall~~ vote in an official capacity upon
 380 any measure which would inure to his or her special private gain
 381 or loss; which he or she knows would inure to the special
 382 private gain or loss of any principal by whom he or she is
 383 retained or to the parent organization or subsidiary of a
 384 corporate principal by which he or she is retained, other than
 385 an agency as defined in s. 112.312(2); or which he or she knows
 386 would inure to the special private gain or loss of a relative or
 387 business associate of the public officer or board member. Such
 388 public officer or board member must ~~shall~~, before ~~prior to~~ the
 389 vote is being taken, publicly state to the assembly the nature
 390 of the officer's or board member's interest in the matter from
 391 which he or she is abstaining from voting and, within 15 days
 392 after the vote is taken ~~occurs~~, disclose the nature of his or
 393 her interest as a public record in a memorandum filed with the
 394 person responsible for recording the minutes of the meeting, who
 395 must ~~shall~~ incorporate the memorandum into ~~in~~ the minutes.
 396 (b) However, a commissioner of a community redevelopment
 397 agency created or designated under ~~pursuant to~~ s. 163.356 or s.
 398 163.357, or an officer of an independent special tax district
 399 elected on a one-acre, one-vote basis, is not prohibited from
 400 voting, when voting in said capacity.

401 (4) A county, municipal, or other local public officer;
 402 governing board member of a special district or school district;
 403 or ~~No~~ appointed public officer may not ~~shall~~ participate in any
 404 matter which would inure to the officer's or board member's
 405 special private gain or loss; which the officer or board member
 406 knows would inure to the special private gain or loss of any
 407 principal by whom he or she is retained or to the parent
 408 organization or subsidiary of a corporate principal by which he
 409 or she is retained; or which he or she knows would inure to the
 410 special private gain or loss of a relative or business associate
 411 of the public officer or board member, without first disclosing
 412 the nature of his or her interest in the matter.

413 (a) Such disclosure, indicating the nature of the
 414 conflict, must ~~shall~~ be made in a written memorandum filed with
 415 the person responsible for recording the minutes of the meeting,
 416 before ~~prior to~~ the meeting in which consideration of the matter
 417 will take place, and ~~shall~~ be incorporated into the minutes. Any
 418 such memorandum becomes ~~shall become~~ a public record upon filing
 419 and must, ~~shall~~ immediately be provided to the other members of
 420 the agency, and ~~shall be~~ read publicly at the next meeting held
 421 subsequent to the filing of this written memorandum.

422 (b) ~~If in the event that~~ disclosure is not ~~has not been~~
 423 made before ~~prior to~~ the meeting or a ~~that any~~ conflict is
 424 unknown before ~~prior to~~ the meeting, the disclosure must ~~shall~~
 425 be made orally at the meeting when it becomes known that a

426 conflict exists. A written memorandum disclosing the nature of
 427 the conflict must ~~shall~~ then be filed within 15 days after the
 428 oral disclosure with the person responsible for recording the
 429 minutes of the meeting and ~~shall~~ be incorporated into the
 430 minutes of the meeting at which the oral disclosure was made.
 431 Any such memorandum becomes ~~shall become~~ a public record upon
 432 filing and must, ~~shall~~ immediately be provided to the other
 433 members of the agency, ~~and shall~~ be read publicly at the next
 434 meeting held subsequent to the filing of this written
 435 memorandum.

436 (c) For purposes of this subsection, the term
 437 "participate" means any attempt to influence the decision by
 438 oral or written communication, whether made by the officer or
 439 board member or at the officer's or board member's direction.

440 Section 6. Subsections (1) and (3) and paragraph (c) of
 441 subsection (11) of section 112.3144, Florida Statutes, are
 442 amended to read:

443 112.3144 Full and public disclosure of financial
 444 interests.—

445 (1)(a) An officer who is required by s. 8, Art. II of the
 446 State Constitution to file a full and public disclosure of his
 447 or her financial interests for any calendar or fiscal year, or
 448 any other person required by law to file a disclosure under this
 449 section, shall file that disclosure with the Florida Commission
 450 on Ethics. Additionally, an officer who is required to file a

451 full and public disclosure of his or her financial interests
452 under this part and complete annual ethics training under
453 ~~pursuant to~~ s. 112.3142 must certify on his or her full and
454 public disclosure of financial interests that he or she has
455 completed the required training.

456 (b) A member of an expressway authority, transportation
457 authority, bridge authority, toll authority, or expressway
458 agency created under ~~pursuant to~~ chapter 343, chapter 348, or
459 any other general law shall comply with the applicable financial
460 disclosure requirements of s. 8, Art. II of the State
461 Constitution.

462 (c) Each member of the governing body of a large-hub
463 commercial service airport, except for members required to
464 comply with the financial disclosure requirements of s. 8, Art.
465 II of the State Constitution, shall comply with the financial
466 disclosure requirements of s. 112.3145(3). For purposes of this
467 paragraph, the term "large-hub commercial service airport" means
468 a publicly owned airport that has at least 1 percent of the
469 annual passenger boardings in the United States as reported by
470 the Federal Aviation Administration.

471 (d) An officer or member who is required to complete
472 annual ethics training under s. 112.3142 must certify on his or
473 her full and public disclosure of financial interests that he or
474 she has completed the required training. Beginning January 1,
475 2023, an officer or member who is required to complete annual

476 ethics training under s. 112.3142 must also provide the name of
477 the training provider on his or her full and public disclosure
478 of financial interests.

479 (3) A person who is required, pursuant to s. 8, Art. II of
480 the State Constitution or this part, to file a full and public
481 disclosure of financial interests and who has filed a full and
482 public disclosure of financial interests for any calendar or
483 fiscal year is not required to file a statement of financial
484 interests under ~~pursuant to~~ s. 112.3145(2) and (3) for the same
485 year or for any part thereof notwithstanding any requirement of
486 this part. Until the electronic filing system required by
487 subsection (2) is implemented, if an incumbent in an elective
488 office has filed the full and public disclosure of financial
489 interests to qualify for election to the same office or if a
490 candidate for office holds another office subject to the annual
491 filing requirement, the qualifying officer shall forward an
492 electronic copy of the full and public disclosure of financial
493 interests to the commission no later than July 1. The electronic
494 copy of the full and public disclosure of financial interests
495 satisfies the annual disclosure requirement of this section. A
496 candidate who does not qualify until after the annual full and
497 public disclosure of financial interests has been filed pursuant
498 to this section shall file a copy of his or her disclosure with
499 the officer before whom he or she qualifies.

500 (11)

501 (c) For purposes of this subsection ~~section~~, an error or
 502 omission is immaterial, inconsequential, or de minimis if the
 503 original filing provided sufficient information for the public
 504 to identify potential conflicts of interest. However, failure to
 505 certify completion of annual ethics training required under s.
 506 112.3142, or, beginning January 1, 2023, failure to disclose the
 507 name of the training provider, does not constitute an
 508 immaterial, inconsequential, or de minimis error or omission.

509 Section 7. Paragraphs (b), (d), and (e) of subsection (2),
 510 subsections (5) and (6), paragraph (c) of subsection (8), and
 511 paragraph (c) of subsection (11) of section 112.3145, Florida
 512 Statutes, are amended to read:

513 112.3145 Disclosure of financial interests and clients
 514 represented before agencies.—

515 (2)

516 (b) Each state or local officer, except officers specified
 517 in s. 112.3144(1), and each specified state employee must ~~shall~~
 518 file a statement of financial interests no later than July 1 of
 519 each year. Each state officer, local officer, and specified
 520 state employee must ~~shall~~ file a final statement of financial
 521 interests within 60 days after leaving his or her public
 522 position for the period between January 1 of the year in which
 523 the person leaves and the last day of office or employment,
 524 unless within the 60-day period the person takes another public
 525 position requiring financial disclosure under this section or s.

526 8, Art. II of the State Constitution or otherwise is required to
527 file full and public disclosure or a statement of financial
528 interests for the final disclosure period. Each state or local
529 officer who is appointed and each specified state employee who
530 is employed must ~~shall~~ file a statement of financial interests
531 within 30 days after ~~from~~ the date of appointment or, in the
532 case of a specified state employee, after ~~from~~ the date on which
533 the employment begins, except that any person whose appointment
534 is subject to confirmation by the Senate must ~~shall~~ file before
535 ~~prior to~~ confirmation hearings or within 30 days after ~~from~~ the
536 date of appointment, whichever comes first.

537 (d) State officers and specified state employees must
538 ~~shall~~ file their statements of financial interests with the
539 commission. Through December 31, 2022, local officers must ~~shall~~
540 file their statements of financial interests with the supervisor
541 of elections of the county in which they permanently reside.
542 Through December 31, 2022, local officers who do not permanently
543 reside in any county in the state must ~~shall~~ file their
544 statements of financial interests with the supervisor of
545 elections of the county in which their agency maintains its
546 headquarters. Persons seeking to qualify as candidates for local
547 public office must ~~shall~~ file their statements of financial
548 interests with the officer before whom they qualify.

549 (e) Beginning January 1, 2023, a statement of financial
550 interests and a final statement of financial interests, and any

551 amendments thereto, or any other form required by this section,
552 except any statement of a candidate not subject to an annual
553 filing requirement, all statements filed with the commission
554 must be filed electronically through an electronic filing system
555 that is created and maintained by the commission as provided in
556 s. 112.31446.

557 (5) An officer who is required to complete annual ethics
558 training under ~~pursuant to~~ s. 112.3142 must certify on his or
559 her statement of financial interests that he or she has
560 completed the required training. Beginning January 1, 2023, an
561 officer who is required to complete annual ethics training under
562 s. 112.3142 must also provide the name of the training provider
563 on his or her statement of financial interests.

564 (6) Each elected constitutional officer, state officer,
565 excluding a member of a judicial nominating commission who holds
566 no other state office, local officer, and specified state
567 employee shall file a quarterly report of the names of clients
568 represented for a fee or commission, except for appearances in
569 ministerial matters, before agencies at his or her level of
570 government. For the purposes of this part, agencies of
571 government shall be classified as state-level agencies or
572 agencies below state level. Each local officer shall file such
573 report with the supervisor of elections of the county in which
574 the officer is principally employed or is a resident. Each state
575 officer, excluding a member of a judicial nominating commission

576 who holds no other state office, elected constitutional officer,
577 and specified state employee shall file such report with the
578 commission. The report shall be filed only when a reportable
579 representation is made during the calendar quarter and shall be
580 filed no later than the last day of each calendar quarter, for
581 the previous calendar quarter. Representation before any agency
582 shall be deemed to include representation by such officer or
583 specified state employee or by any partner or associate of the
584 professional firm of which he or she is a member and of which he
585 or she has actual knowledge. For the purposes of this
586 subsection, the term "representation before any agency" does not
587 include appearances before any court or the Deputy Chief Judge
588 of Compensation Claims or judges of compensation claims or
589 representations on behalf of one's agency in one's official
590 capacity. Such term does not include the preparation and filing
591 of forms and applications merely for the purpose of obtaining or
592 transferring a license based on a quota or a franchise of such
593 agency or a license or operation permit to engage in a
594 profession, business, or occupation, so long as the issuance or
595 granting of such license, permit, or transfer does not require
596 substantial discretion, a variance, a special consideration, or
597 a certificate of public convenience and necessity.

598 (8) Forms for compliance with the disclosure requirements
599 of this section and a current list of persons subject to
600 disclosure shall be created by the commission and provided to

601 each supervisor of elections. The commission and each supervisor
602 of elections shall give notice of disclosure deadlines and
603 delinquencies and distribute forms in the following manner:

604 (c) Not later than August 1 of each year, the commission
605 and each supervisor of elections shall determine which persons
606 required to file a statement of financial interests in their
607 respective offices have failed to do so and shall send
608 delinquency notices to these persons. Through December 31, 2022,
609 delinquency notices must be sent by certified mail, return
610 receipt requested. Each notice must state that a grace period is
611 in effect until September 1 of the current year; that no
612 investigative or disciplinary action based upon the delinquency
613 will be taken by the agency head or commission if the statement
614 is filed by September 1 of the current year; that, if the
615 statement is not filed by September 1 of the current year, a
616 fine of \$25 for each day late will be imposed, up to a maximum
617 penalty of \$1,500; for notices distributed by a supervisor of
618 elections, that he or she is required by law to notify the
619 commission of the delinquency; and that, if upon the filing of a
620 sworn complaint the commission finds that the person has failed
621 to timely file the statement within 60 days after September 1 of
622 the current year, such person will also be subject to the
623 penalties provided in s. 112.317. Beginning January 1, 2023,
624 notice required under this paragraph:

625 1. May not be sent by certified mail.

626 2. Must be delivered by e-mail and must be redelivered on
 627 a weekly basis by e-mail as long as the person remains
 628 delinquent.

629 (11)

630 (c) For purposes of this section, an error or omission is
 631 immaterial, inconsequential, or de minimis if the original
 632 filing provided sufficient information for the public to
 633 identify potential conflicts of interest. However, failure to
 634 certify completion of annual ethics training required under s.
 635 112.3142, or, beginning January 1, 2023, failure to disclose the
 636 name of the training provider, does not constitute an
 637 immaterial, inconsequential, or de minimis error or omission.

638 Section 8. Subsection (4) of section 112.31455, Florida
 639 Statutes, is amended to read:

640 112.31455 Collection methods for unpaid automatic fines
 641 for failure to timely file disclosure of financial interests.—

642 (4)(a) Except as provided under paragraph (b), action may
 643 be taken to collect any unpaid fine imposed by ss. 112.3144 and
 644 112.3145 within 20 years after the date the final order is
 645 rendered.

646 (b) Action may not be taken to collect any unpaid fine
 647 imposed by ss. 112.3144 and 112.3145 more than 5 years after:

648 1. The date the final order is rendered if the person who
 649 owes the fine is not a public employee or officer on the date
 650 the final order is rendered; or

651 2. The person who owes the fine separates from public
 652 employment or office.

653 Section 9. Effective January 1, 2023, subsection (8) of
 654 section 112.3185, Florida Statutes, is amended to read:

655 112.3185 Additional standards for state agency employees.—

656 ~~(8) This section is not applicable to any employee of the~~
 657 ~~Public Service Commission who was so employed on or before~~
 658 ~~December 31, 1994.~~

659 Section 10. Paragraphs (a), (f), and (h) of subsection
 660 (1), subsection (3), paragraph (a) of subsection (5), and
 661 subsections (7) and (8) of section 112.3215, Florida Statutes,
 662 are amended, and subsection (15) of that section is reenacted,
 663 to read:

664 112.3215 Lobbying before the executive branch or the
 665 Constitution Revision Commission; registration and reporting;
 666 investigation by commission.—

667 (1) For the purposes of this section:

668 (a) "Agency" means the Governor; the Governor and
 669 Cabinet; ~~or~~ any department, division, bureau, board,
 670 commission, or authority of the executive branch; the State
 671 Board of Education; the Board of Governors of the State
 672 University System; or. ~~In addition, "agency" shall mean the~~
 673 ~~Constitution Revision Commission as provided by s. 2, Art. XI of~~
 674 ~~the State Constitution.~~

675 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of

676 another person, to influence an agency with respect to a
 677 decision of the agency in the area of policy or procurement or
 678 an attempt to obtain the goodwill of an agency official or
 679 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or
 680 attempting to influence, on behalf of another, the Constitution
 681 Revision Commission's action or nonaction through oral or
 682 written communication or an attempt to obtain the goodwill of a
 683 member or employee of the Constitution Revision Commission.

684 (h) "Lobbyist" means a person who is employed and receives
 685 payment, or who contracts for economic consideration, for the
 686 purpose of lobbying, or a person who is principally employed for
 687 governmental affairs by another person or governmental entity to
 688 lobby on behalf of that other person or governmental entity. The
 689 phrase "principally employed for governmental affairs" means
 690 that one of the principal or most significant responsibilities
 691 of the employee to the employer is overseeing the employer's
 692 various relationships with government or representing the
 693 employer in its contacts with government. "Lobbyist" does not
 694 include a person who is:

695 1. An attorney, or any person, who represents a client in
 696 a judicial proceeding or in a formal administrative proceeding
 697 conducted under ~~pursuant to~~ chapter 120 or any other formal
 698 hearing before an agency, board, commission, or authority of
 699 this state.

700 2. An officer or employee of an agency, ~~or of~~ a

701 legislative or judicial branch entity, or a political
702 subdivision of the state acting in the normal course of his or
703 her office or duties.

704 3. A confidential informant who is providing, or wishes to
705 provide, confidential information to be used for law enforcement
706 purposes.

707 4. A person who seeks ~~lobbies~~ to procure a contract under
708 ~~pursuant to~~ chapter 287 which contract is less than the
709 threshold for CATEGORY ONE as provided in s. 287.017.

710 (3) A person may not lobby an agency until such person has
711 electronically registered as a lobbyist with the commission.
712 Such registration shall be due upon initially being retained to
713 lobby and is renewable on a calendar year basis thereafter. The
714 commission shall request authorization from the principal with
715 the principal's name, business address, e-mail address, and
716 telephone number to confirm ~~Upon registration the person shall~~
717 ~~provide a statement signed by the principal or principal's~~
718 ~~representative~~ that the registrant is authorized to represent
719 the principal. The principal or principal's representative shall
720 also identify and designate its main business pursuant to the
721 North American Industry Classification System six-digit
722 numerical code that most accurately describes the principal's
723 main business. Registration is not complete until the commission
724 receives the principal's authorization and the registration fee
725 ~~on the statement authorizing that lobbyist pursuant to a~~

726 ~~classification system approved by the commission.~~ The
 727 registration must ~~shall~~ require each lobbyist to attest to
 728 ~~disclose, under oath,~~ the following information:

729 (a) His or her full legal name, e-mail address, telephone
 730 number, Name and business address;

731 (b) The name, business address, and telephone number of
 732 the lobbying firm on behalf of which the registrant is
 733 representing the principal, if any;

734 (c) ~~(b)~~ The full name, e-mail address, telephone number,
 735 and business address of each principal represented;

736 ~~(c) His or her area of interest;~~

737 (d) The agencies before which he or she will appear; and

738 (e) The existence of any direct or indirect business
 739 association, partnership, or financial relationship with any
 740 employee of an agency with which he or she lobbies, or intends
 741 to lobby, as disclosed in the registration.

742 (5)(a)1. Each lobbying firm shall file a compensation
 743 report with the commission for each calendar quarter during any
 744 portion of which one or more of the firm's lobbyists were
 745 registered to represent a principal. The report shall include
 746 the:

747 a. Full name, e-mail address, business address, and
 748 telephone number of the lobbying firm;

749 b. Name of each of the firm's lobbyists; and

750 c. Total compensation provided or owed to the lobbying

751 firm from all principals for the reporting period, reported in
752 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
753 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
754 \$999,999; \$1 million or more.

755 2. For each principal represented by one or more of the
756 firm's lobbyists, the lobbying firm's compensation report shall
757 also include the:

758 a. Full name, e-mail address, business address, and
759 telephone number of the principal; and

760 b. Total compensation provided or owed to the lobbying
761 firm for the reporting period, reported in one of the following
762 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to
763 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or
764 more. If the category "\$50,000 or more" is selected, the
765 specific dollar amount of compensation must be reported, rounded
766 up or down to the nearest \$1,000.

767 3. If the lobbying firm subcontracts work from another
768 lobbying firm and not from the original principal:

769 a. The lobbying firm providing the work to be
770 subcontracted shall be treated as the reporting lobbying firm's
771 principal for reporting purposes under this paragraph; and

772 b. The reporting lobbying firm shall, for each lobbying
773 firm identified under subparagraph 2., identify the name and
774 address of the principal originating the lobbying work.

775 4. The senior partner, officer, or owner of the lobbying

776 firm shall certify to the veracity and completeness of the
 777 information submitted under ~~pursuant to~~ this paragraph.

778 (7) A lobbyist shall promptly send a written statement to
 779 the commission canceling the designation of registration ~~for~~ a
 780 principal in his or her registration upon termination of such
 781 ~~the lobbyist's representation of that principal. The commission~~
 782 may cancel a lobbyist's designation of a principal upon the
 783 principal's notification that the lobbyist is no longer
 784 authorized to represent the principal ~~Notwithstanding this~~
 785 ~~requirement, the commission may remove the name of a lobbyist~~
 786 ~~from the list of registered lobbyists if the principal notifies~~
 787 ~~the office that a person is no longer authorized to represent~~
 788 ~~that principal.~~

789 (8) (a) The commission shall investigate every sworn
 790 complaint that is filed with it alleging that a person covered
 791 by this section has failed to register, has failed to submit a
 792 compensation report, has made a prohibited expenditure, or has
 793 knowingly submitted false information in any report or
 794 registration required in this section.

795 (b) All proceedings, the complaint, and other records
 796 relating to the investigation are confidential and exempt from
 797 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 798 Constitution, and any meetings held pursuant to an investigation
 799 are exempt from the provisions of s. 286.011(1) and s. 24(b),
 800 Art. I of the State Constitution either until the alleged

801 violator requests in writing that such investigation and
 802 associated records and meetings be made public or until the
 803 commission determines, based on the investigation, whether
 804 probable cause exists to believe that a violation has occurred.

805 (c) The commission shall investigate any lobbying firm,
 806 lobbyist, principal, agency, officer, or employee upon receipt
 807 of information from a sworn complaint or from a random audit of
 808 lobbying reports indicating that the individual or entity has
 809 intentionally failed to disclose any material fact or has
 810 knowingly submitted false information in any report required by
 811 this section or by rules adopted pursuant to this section a
 812 possible violation other than a late-filed report.

813 (d) Notwithstanding paragraphs (a)-(c), the commission may
 814 dismiss any complaint or investigation resulting from a random
 815 audit of lobbying reports, at any stage of disposition, if it
 816 determines that the public interest is not served by proceeding
 817 further, in which case the commission shall issue a public
 818 report stating with particularity its reasons for the dismissal.

819 (e) 1.-(d)1. Records relating to an audit conducted under
 820 pursuant to this section or an investigation conducted under
 821 pursuant to this section or s. 112.32155 are confidential and
 822 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 823 Constitution.

824 2. Any portion of a meeting wherein such investigation or
 825 audit is discussed is exempt from s. 286.011 and s. 24(b), Art.

826 I of the State Constitution.

827 3. The exemptions no longer apply if the lobbying firm
828 requests in writing that such investigation and associated
829 records and meetings be made public or the commission determines
830 there is probable cause that the audit reflects a violation of
831 the reporting laws.

832 (15) The commission shall adopt rules to administer this
833 section, which shall prescribe forms for registration and
834 compensation reports, procedures for registration, and
835 procedures that will prevent disclosure of information that is
836 confidential as provided in this section.

837 Section 11. Section 420.5061, Florida Statutes, is amended
838 to read:

839 420.5061 Transfer of agency assets and liabilities.—The
840 corporation is the legal successor in all respects to the
841 agency, is obligated to the same extent as the agency under any
842 agreements existing on December 31, 1997, and is entitled to any
843 rights and remedies previously afforded the agency by law or
844 contract, including specifically the rights of the agency under
845 chapter 201 and part VI of chapter 159. Effective January 1,
846 1998, all references under Florida law to the agency are deemed
847 to mean the corporation. The corporation shall transfer to the
848 General Revenue Fund an amount which otherwise would have been
849 deducted as a service charge pursuant to s. 215.20(1) if the
850 Florida Housing Finance Corporation Fund established by s.

851 420.508(5), the State Apartment Incentive Loan Fund established
852 by s. 420.5087(7), the Florida Homeownership Assistance Fund
853 established by s. 420.5088(4), the HOME Investment Partnership
854 Fund established by s. 420.5089(1), and the Housing
855 Predevelopment Loan Fund established by s. 420.525(1) were each
856 trust funds. For purposes of s. 112.313, the corporation is
857 deemed to be a continuation of the agency, and the provisions
858 thereof are deemed to apply as if the same entity remained in
859 place. ~~Any employees of the agency and agency board members~~
860 ~~covered by s. 112.313(9)(a)6. shall continue to be entitled to~~
861 ~~the exemption in that subparagraph, notwithstanding being hired~~
862 ~~by the corporation or appointed as board members of the~~
863 ~~corporation.~~

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

869 Section 13. Except as otherwise expressly provided in this
870 act, this act shall take effect July 1, 2022.