

Tab 1 SB 60 by McClain; Similar to H 00595 Criminal Conflict and Civil Regional Counsel Membership in the Senior Management Service Class						
417848	A	S	RCS	GO, McClain	Delete L.26 - 27:	12/09 11:40 AM

Tab 2 SB 92 by Gaetz; Identical to H 00139 Employee Protections						
776688	D	S	RCS	GO, Gaetz	Delete everything after	12/09 11:40 AM

Tab 3 SB 194 by Martin (CO-INTRODUCERS) Gaetz; Identical to H 00125 Charlie Kirk Day of Remembrance						
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

GOVERNMENTAL OVERSIGHT AND ACCOUNTABILITY

Senator Mayfield, Chair
Senator DiCeglie, Vice Chair

MEETING DATE: Tuesday, December 9, 2025
TIME: 10:00 a.m.—12:00 noon
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Mayfield, Chair; Senator DiCeglie, Vice Chair; Senators Arrington, Bracy Davis, Brodeur, Grall, McClain, Polsky, and Rodriguez

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 60 McClain (Similar H 595)	Criminal Conflict and Civil Regional Counsel Membership in the Senior Management Service Class; Providing that participation in the Senior Management Service Class of the Florida Retirement System is compulsory for each district's assistant regional counsel supervisors, beginning on a specified date, etc. GO 12/09/2025 Fav/CS ACJ AP	Fav/CS Yeas 8 Nays 0
2	SB 92 Gaetz (Identical H 139)	Employee Protections; Prohibiting agencies and independent contractors from taking specified actions against employees or certain persons for disclosing certain information to the Commission on Ethics; requiring that information disclosed include specified violations or alleged violations; providing that specified provisions protect employees and persons who submit written complaints to the commission or provide information to an investigator during an investigation of a complaint or referral, etc. GO 12/09/2025 Fav/CS EE RC	Fav/CS Yeas 8 Nays 0
3	SB 194 Martin (Identical H 125)	Charlie Kirk Day of Remembrance; Designating October 14 of each year as "Charlie Kirk Day of Remembrance"; authorizing the Governor to issue an annual proclamation, etc. GO 12/09/2025 Favorable HE FP	Favorable Yeas 5 Nays 2

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: CS/SB 60

INTRODUCER: Governmental Oversight and Accountability Committee and Senator McClain

SUBJECT: Criminal Conflict and Civil Regional Counsel Membership in the Senior Management Service Class

DATE: December 9, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harmsen	McVaney	GO	Fav/CS
2.			ACJ	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 60 modifies the Florida Retirement System by reclassifying the district assistant regional counsel supervisor positions (class code 9903) employed by criminal conflict and civil regional counsel offices to the Senior Management Service Class (SMSC), from the Regular Class of the Florida Retirement System (FRS). For an affected employee filling this position who participates in the pension plan of the FRS, this re-classification means that the employee will earn 2.0 percent service credit for each year of service rather than 1.6 percent service credit. For an employee filling this position who participates in the investment plan of the FRS, the employee will receive contributions into the investment account equal to 12.67 percent of salary rather than 11.30 percent of salary.¹

Any employee who is shifted from the Regular Class to the SMSC is permitted to upgrade retirement credit for service in the same position. Although the bill permits this upgrade retroactive to February 1, 1987 (the date that the SMSC was created in the FRS), the positions upgraded have only existed since the creation of the regional offices in 2007. The upgraded service credit may not be purchased by the member's employer.

¹ Florida Retirement System, Uniform FRS Contribution Rates Effective July 1, 2025 to June 30, 2026, https://frs.fl.gov/forms/2025-26_contributions_components.pdf (last visited Nov. 3, 2025).

It is estimated that the bill will increase the personnel costs incurred by the five offices of the criminal conflict and civil regional counsel by roughly \$1,195,096 annually. This cost is based on Fiscal Year 2025-2026 employer contribution rates and salaries earned by incumbent employees and is subject to change.

The bill appropriates \$950,000 from the General Revenue Fund to the affected officers for Fiscal Year 2026-2027 to pay for these increased retirement benefits. Because the full cost of this change in retirement system classes will not be covered by this appropriation, the offices may need to allocate current resources to fund the excess costs related to this change.

The bill takes effect on July 1, 2026.

II. Present Situation:

The Florida Retirement System

The Florida Retirement System (FRS) was established in 1970 when the Legislature consolidated the Teachers' Retirement System, the State and County Officers and Employees' Retirement System, and the Highway Patrol Pension Fund. In 1972, the Judicial Retirement System was consolidated into the FRS, and in 2007, the Institute of Food and Agricultural Sciences Supplemental Retirement Program was consolidated under the Regular Class of the FRS as a closed group.² The FRS is a contributory system, with active members contributing three percent of their salaries.³

The membership of the FRS is divided into five membership classes:

- The Regular Class⁴ consists of 562,840 active members and 9,932 in renewed membership;
- The Special Risk Class⁵ includes 79,529 active members and 1,379 in renewed membership;
- The Special Risk Administrative Support Class⁶ has 97 active members and 3 in renewed membership;
- The Elected Officers' Class⁷ has 2,148 active members and 105 in renewed membership; and

² Florida Department of Management Services, *System Pension Plan and Other State Administered Retirement Systems Comprehensive Annual Financial Report Fiscal Year 2023-2024*, at 33 (Dec. 13, 2024), https://frs.fl.gov/forms/2023-24_ACFR.pdf (2023-2024 Report)(last visited November 3, 2025).

³ Prior to 1975, members of the FRS were required to make employee contributions of either 4 percent for Regular Class employees, or 6 percent for Special Risk Class members. Between 1975 and 2011, the FRS was a non-contributory system. Employees were again required to contribute to the system after July 1, 2011. Members in the Deferred Retirement Option Program do not contribute to the system. *See* s. 121.71, F.S.

⁴ The Regular Class is for all members who are not assigned to another class. Section 121.021(12), F.S.

⁵ The Special Risk Class is for members employed as law enforcement officers, firefighters, correctional officers, probation officers, paramedics and emergency technicians, among others. Section 121.0515, F.S.

⁶ The Special Risk Administrative Support Class is for a special risk member who moved or was reassigned to a nonspecial risk law enforcement, firefighting, correctional, or emergency medical care administrative support position with the same agency, or who is subsequently employed in such a position under the Florida Retirement System. Section 121.0515(8), F.S.

⁷ The Elected Officers' Class is for elected state and county officers, and for those elected municipal or special district officers whose governing body has chosen Elected Officers' Class participation for its elected officers. Section 121.052, F.S.

- The Senior Management Service Class (SMSC)⁸ has 7,871 active members and 253 in renewed membership.⁹

Members of the FRS have two primary plan options available for participation:

- The defined benefit plan, also known as the Pension Plan; and
- The defined contribution plan, also known as the Investment Plan.

Pension Plan

The Pension Plan is administered by the secretary of the Department of Management Services through the Division of Retirement.¹⁰ The State Board of Administration handles investment of the funds of the Pension Plan.¹¹

Any member initially enrolled in the Pension Plan before July 1, 2011, vests after completing six years of service with an FRS employer.¹² For members initially enrolled on or after July 1, 2011, the member vests after eight years of creditable service.¹³ Benefits payable under the Pension Plan are calculated based on the member's years of creditable service multiplied by the service accrual rate multiplied by the member's average final compensation.¹⁴ For most current members of the Pension Plan (including members in the Regular Class and the SMSC), normal retirement (when first eligible for unreduced benefits) occurs at the earliest attainment of 30 years of service or age 62.¹⁵ Members initially enrolled in the Pension Plan on or after July 1, 2011, have longer service requirements—such members in the Regular Class or the SMSC must complete 33 years of service or attain age 65.¹⁶

The Regular Class and the SMSC share the same normal retirement dates, average final compensation calculation, and disability/survivor benefits. However, the Regular Class service credit provides a 1.6 percent accrual value for each year of creditable service, while the SMSC earns a 2.0 percent accrual value each year.¹⁷

Section 121.055 (1)(j), F.S., authorizes a member of the SMSC to upgrade service credit in the same position from Regular Class accrual value to the SMSC accrual value. Generally, the service credit may be purchased by the employer on behalf of the member.

⁸ The Senior Management Service Class is for members who fill senior management level positions assigned by law to the Senior Management Service Class or authorized by law as eligible for Senior Management Service designation. Section 121.055, F.S.

⁹ Florida Department of Management Services, Division of Retirement, *FRS Membership Data as of June 30, 2025*, https://frs.fl.gov/forms/active_data.pdf (last visited Dec. 1, 2025).

¹⁰ Section 121.025, F.S.

¹¹ Section 215.44, F.S.

¹² Section 121.021(45)(a), F.S.

¹³ Section 121.021(45)(b), F.S.

¹⁴ Section 121.091, F.S.

¹⁵ Section 121.021(29)(a)1., F.S.

¹⁶ Sections 121.021(29)(a)2. and (b)2., F.S.

¹⁷ Section 121.091, F.S.

Investment Plan

In 2000, the Public Employee Optional Retirement Program (investment plan) was created as a defined contribution plan offered to eligible employees as an alternative to the FRS Pension Plan. The State Board of Administration (SBA) is primarily responsible for administering the investment plan.¹⁸ The Board of Trustees of the SBA is comprised of the Governor as chair, the Chief Financial Officer, and the Attorney General.¹⁹

Benefits under the investment plan accrue in individual member accounts funded by both employee and employer contributions and earnings.²⁰ Benefits are provided through employee-directed investments offered by approved investment providers.²¹

A member vests immediately in all employee contributions paid to the investment plan.²² With respect to the employer contributions, a member vests after completing one work year of employment with an FRS employer.²³ Vested benefits are payable upon termination or death as a lump-sum distribution, direct rollover distribution, or periodic distribution.²⁴ The investment plan also provides disability coverage for both in-line-of-duty and regular disability retirement benefits.²⁵ An FRS member who qualifies for disability while enrolled in the investment plan may apply for benefits as if the employee were a member of the pension plan. If approved for retirement disability benefits, the member is transferred to the pension plan.²⁶

The table below shows the allocation of contributions made into the FRS for members of the investment plan participating in the Regular Class and SMSC. The contributions, which include the employee's three percent contribution, are based on a percentage of the member's gross compensation for the month.²⁷

Allocation of Contributions	Regular Class	Senior Management Service Class
Investment Account	11.30%	12.67%
Disability	0.25%	0.26%

¹⁸ Section 121.4501(8), F.S.

¹⁹ FLA CONST. art. IV, s. 4.

²⁰ Section 121.4501, F.S.

²¹ Section 121.4501(8)(a), F.S.

²² Section 121.4501(6)(a), F.S.

²³ If a member terminates employment before vesting in the investment plan, the nonvested money is transferred from the member's account to the SBA for deposit and investment by the SBA in its suspense account for up to five years. If the member is not reemployed as an eligible employee within five years, then any nonvested accumulations transferred from a member's account to the SBA's suspense account are forfeited. Section 121.4501(6)(b)-(d), F.S.

²⁴ Section 121.591, F.S.

²⁵ See s. 121.4501(16), F.S.

²⁶ Pension plan disability retirement benefits, which apply for investment plan members who qualify for disability, compensate an in-line-of-duty disabled member up to 65 percent of the average monthly compensation as of the disability retirement date for special risk class members. Other members may receive up to 42 percent of the member's average monthly compensation for disability retirement benefits. If the disability occurs other than in the line of duty, the monthly benefit may not be less than 25 percent of the average monthly compensation as of the disability retirement date. Section 121.091(4)(f), F.S.

²⁷ Florida Department of Management Services, *2023-2024 Report*, 186-187 (Dec. 13, 2024), https://frs.fl.gov/forms/2023-24_ACFR.pdf (last visited November 3, 2025).

Allocation of Contributions	Regular Class	Senior Management Service Class
In line of duty death	0.05%	0.05%
Administrative Assessments	0.06%	0.06%
Total	11.66%	13.04%

Offices of the Public Defender

In an effort to meet its responsibility to provide counsel to indigent defendants, as guaranteed under the Sixth Amendment of the United States Constitution, and as applied to the states in *Gideon v. Wainwright*,²⁸ the Legislature first established the office of the Public Defender in 1963.²⁹ Subsequently, the Legislature approved a proposal to amend the Florida Constitution to elevate the Office of Public Defender to the level of a constitutional officer, which was approved by the electorate and adopted in 1972.³⁰ The public defender in each circuit is primarily responsible for representing indigent defendants who have been charged or arrested for an enumerated list of criminal offenses and in a limited number of civil proceedings.³¹ Since 2001, participation in the SMSC of the FRS is compulsory for assistant public defenders.³² Similarly, assistant state attorneys, assistant statewide prosecutors, assistant capital collateral regional counsel, and assistant attorneys general are compulsory members of the SMSC.³³

Criminal Conflict and Civil Regional Counsel

In 2007, the Legislature established five offices of criminal conflict and civil regional counsel.³⁴ When an Office of the Public Defender determines it has a conflict in representing an indigent defendant, the office of criminal conflict and civil regional counsel will be appointed to represent the defendant.³⁵ The office of criminal conflict and civil regional counsel has primary responsibility for representing persons entitled to court-appointed counsel under the Federal or State Constitution or as authorized by law in civil proceedings, such as proceedings to terminate parental rights.³⁶

Each regional counsel is recommended by the Supreme Court Judicial Nominating Commission (JNC) for appointment to a 4-year term of service.³⁷ The Governor may re-appoint the regional counsel after his or her initial term; choose a different nominee, if provided by the JNC; or request that the JNC provide a new list of three nominees and choose from this list.³⁸ The appointment is subject to Senate confirmation.³⁹ Regional counsels serve on a full-time basis and

²⁸ *Gideon v. Wainwright*, 372 U.S. 335 (1963).

²⁹ See ch. 63-409, enacting s. 27.50, F.S. (1963).

³⁰ See art. V, § 18, Fla. Const.

³¹ See s. 27.51(1), F.S.

³² Section 121.055(1)(h)2., F.S.

³³ *Id.*

³⁴ Section 27.511(1), F.S.

³⁵ Section 27.511(5), F.S.

³⁶ Section 27.511(5) and (6), F.S. See also, Office of Criminal Conflict and Civil Regional Counsel, Fifth District, *About the Office of Criminal Conflict and Civil Regional Counsel*, <https://www.rc5state.com/about.php> (last visited Nov. 4, 2025).

³⁷ Section 27.511(3)(a), F.S.

³⁸ *Id.*

³⁹ *Id.*

may not engage in the private practice of law while holding office.⁴⁰ Each office of criminal conflict and regional counsel is housed, for administrative purposes, in the Justice Administrative Commission (Commission). The regional counsel and the offices are not subject to control, supervision, or direction of the Commission in the performance of their duties.⁴¹ However, the employees of the offices are governed by the classification plan and the salary and benefits plan for the Commission.⁴² As of July 1, 2020, participation in the SMSC was made compulsory for each appointed criminal conflict and civil regional counsel, each district's assistant regional counsel chiefs, its administrative directors, and its chief investigators.⁴³

As of June 30, 2025, the Justice Administrative Commission reported 64 assistant regional counsel supervisor positions (class code 9903) within the offices of criminal conflict and civil regional counsel. While 64 positions will be reclassified into the SMSC, only 61 of the incumbent employees will be eligible for membership in the SMSC, because three incumbent employees participate in DROP (which does not have a differentiated employer contribution rate for the different classifications).⁴⁴

III. Effect of Proposed Changes:

Section 1 amends s. 121.055, F.S., to reclassify the positions of assistant regional counsel supervisors (class code 9903) of the criminal conflict and civil regional counsel offices as compulsory members of the Senior Management Service Class (rather than the Regular Class) of the Florida Retirement System (FRS). For each employee who participates in the pension plan of the FRS, this shift means the employee earns 2.0 percent service credit for each year of service, rather than a 1.6 percent service credit. For an employee who participates in the investment plan of the FRS, the employee will receive contributions into the investment account equal to 12.67 percent of salary rather than 11.3 percent of salary. The eligible employees will also be permitted to purchase (at their own expense) upgraded services retroactive to October 1, 2007, for their service in their eligible position. There are currently 64 authorized assistant regional counsel supervisor positions among the five offices of criminal conflict and civil regional counsel that will be reclassified for membership in the SMSC.

Section 2 provides, beginning in the 2026-2027 fiscal year, a \$950,000 recurring appropriation from the General Revenue Fund to the offices of the criminal conflict and civil regional counsel for the purpose of paying retirement benefits for specified positions within those offices.

Section 3 provides that the bill takes effect on July 1, 2026.

⁴⁰ Section 27.511(4), F.S.

⁴¹ Section 27.511(2), F.S.

⁴² *Id.*

⁴³ Section 121.055(1)(m), F.S.

⁴⁴ Florida Department of Management Services, *Senate Bill 60 Agency Bill Analysis* at 3 (Oct. 13, 2024) (on file with the Senate Committee on Governmental Oversight and Accountability).

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require municipalities and counties to spend funds, reduce the authority of municipalities or counties to raise revenue, or reduce the percentage of state tax shared with municipalities and counties.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None identified.

B. Private Sector Impact:

The specified members of the Office of Criminal Conflict and Civil Regional Counsel will receive a greater retirement benefit as a result of their participation as compulsory members of the SMSC in the FRS.

C. Government Sector Impact:

The Department of Management Services estimates that the additional annual employer-paid contributions for the reclassification of district assistant regional counsel supervisors from membership in the Regular Class to membership in the SMSC would have been \$1,195,096 for Fiscal Year 2024-2025. These funds will be deposited into the FRS Trust Fund to be used to fund benefits upon each member's retirement. Of these funds, \$950,000 in recurring funds is appropriated from the General Revenue Fund in section 2 of the bill, but the Office of Criminal Conflict and Civil Regional Counsel will be required to also fund the balance of \$245,096 in FY 2026-2027.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Since 2001, s. 121.055(1)(h)2., F.S., has provided for compulsory participation in the Senior Management Class for assistant state attorneys, assistant statewide prosecutors, assistant public defenders, and assistant capital collateral regional counsel. Membership in the Senior Management Class was extended to assistant attorneys general in 2002. These positions do not require any supervisory role. The 284 attorneys who serve in the Offices of Criminal Conflict and Civil Regional Counsel serve in substantially similar roles as, if not as an actual replacement for (in the case of a conflict in cases initially referred to the office of the public defender) those attorneys who have been classified for membership in the SMSC in s. 121.055, F.S.

VIII. Statutes Affected:

This bill substantially amends s. 121.055 the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Governmental Oversight and Accountability on December 9, 2025:

- Adds the class code for the assistant regional counsel supervisors whose positions are affected by this bill.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/09/2025	.	
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	.	
	.	

The Committee on Governmental Oversight and Accountability
(McClain) recommended the following:

Senate Amendment (with title amendment)

Delete lines 26 - 27
and insert:
Management Service Class is compulsory for each region's
assistant regional counsel supervisors (class code 9903).

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 7



417848

11 and insert:
12 for each region's assistant regional counsel

By Senator McClain

9-00280-26

202660

A bill to be entitled

An act relating to criminal conflict and civil regional counsel membership in the Senior Management Service Class; amending s. 121.055, F.S.; providing that participation in the Senior Management Service Class of the Florida Retirement System is compulsory for each district's assistant regional counsel supervisors, beginning on a specified date; providing an appropriation; providing an effective date.

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

Section 1. Paragraph (m) of subsection (1) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(1)

(m)1. Effective July 1, 2020, participation in the Senior Management Service Class is compulsory for each appointed criminal conflict and civil regional counsel and each district's assistant regional counsel chiefs, administrative directors, and chief investigators.

2. Effective July 1, 2026, participation in the Senior Management Service Class is compulsory for each district's assistant regional counsel supervisors.

3. A Senior Management Service Class member under this paragraph may purchase additional retirement credit in the class

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for creditable service within the purview of the Senior Management Service Class retroactive to October 1, 2007, and may upgrade retirement credit for such service in accordance with paragraph (j). However, this service credit may not be purchased by the employer on behalf of the member.

Section 2. For the 2026-2027 fiscal year, the sum of \$950,000 in recurring funds is appropriated from the General Revenue Fund to the offices of the criminal conflict and civil regional counsel for the purpose of paying retirement benefits for specified positions within those offices.

Section 3. This act shall take effect July 1, 2026.

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2026 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY: Department of Management Services

BILL INFORMATION	
BILL NUMBER:	Senate Bill 60
BILL TITLE:	Criminal Conflict and Civil Regional Counsel Membership in the Senior Management Service Class
BILL SPONSOR:	Senator McClain
EFFECTIVE DATE:	July 1, 2026

COMMITTEES OF REFERENCE
1) Governmental Oversight and Accountability
2) Appropriations Committee on Criminal and Civil Justice
3) Appropriations
4) N/A
5) N/A

PREVIOUS LEGISLATION	
BILL NUMBER:	HB 629
SPONSOR:	Representative Brannan
YEAR:	2025
LAST ACTION:	Died in Government Operations Subcommittee

CURRENT COMMITTEE
Governmental Oversight and Accountability

SIMILAR BILLS	
BILL NUMBER:	
SPONSOR:	

IDENTICAL BILLS	
BILL NUMBER:	
SPONSOR:	

Is this bill part of an agency package?
No.

BILL ANALYSIS INFORMATION	
DATE OF ANALYSIS:	October 13, 2025
LEAD AGENCY ANALYST:	Chad Corcoran, Director of Legislative Affairs
ADDITIONAL ANALYST(S):	Kathy Gould, Division of Retirement Director
LEGAL ANALYST:	Lee Damessous, Managing Attorney, Office of General Counsel
FISCAL ANALYST:	Lance Dyal, Director of Finance and Administration

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

Senate Bill (SB) 60 would expand compulsory membership in the Senior Management Service Class (SMSC) for each district's assistant regional counsel supervisors, effective July 1, 2026. Individuals filling in these designated SMSC positions would be eligible to purchase upgraded service within the purview of the SMSC, retroactive to October 1, 2007. Currently these members participate in the Regular Class of the Florida Retirement System.

Additionally, SB 60 allocates \$950,000 in recurring funds to the Offices of the Criminal Conflict and Civil Regional Counsel to cover retirement benefits for specified positions within those offices.

2. SUBSTANTIVE BILL ANALYSIS

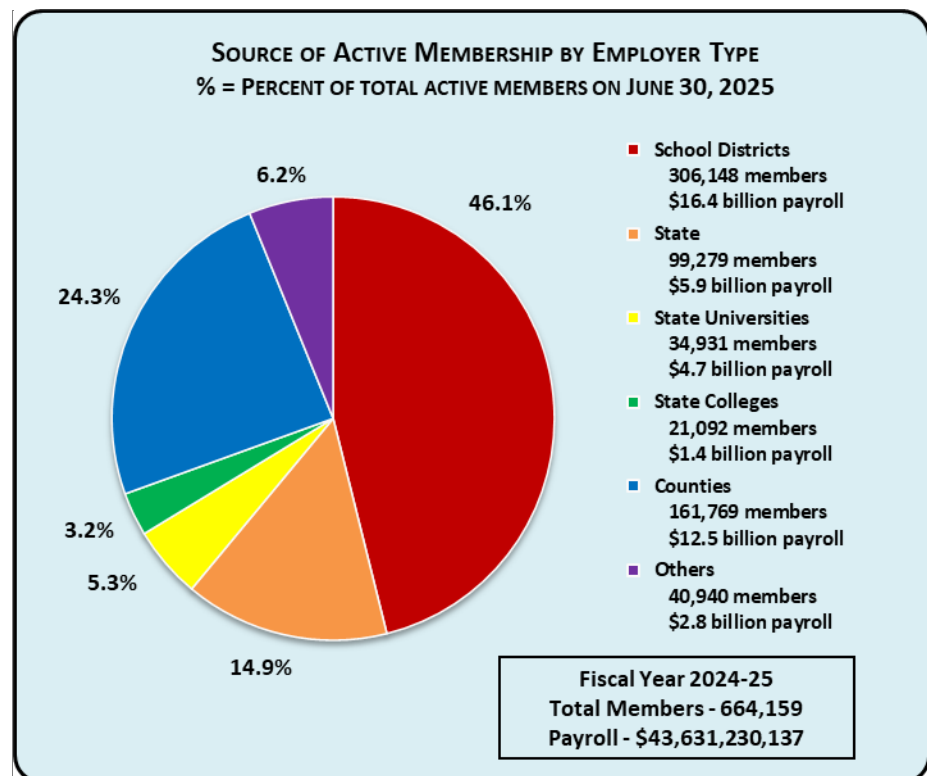
1. PRESENT SITUATION:

Florida Retirement System (FRS) profile¹ — The FRS was created in December 1970 to consolidate then-existing state-administered retirement systems for state and county officers and employees, teachers, judges, and Highway Patrol officers. Today, it is one of the largest public retirement systems in the United States covering:

- **664,159 ACTIVE EMPLOYEES**
- **462,506 RETIREES AND ANNUITANTS (PENSION PLAN RETIREES AND THEIR SURVIVING BENEFICIARIES)**
- **30,800 PENSION PLAN MEMBERS PARTICIPATING IN THE DROP.**

The FRS pension plan has more than \$198.7 billion in assets and pays out more than \$12 billion a year in benefit payments. The Department of Management Services, Division of Retirement (division) collects more than \$5.6 billion annually in retirement contributions from more than 1,000 participating employers.

All state and county employees in regularly established positions are compulsory members of the FRS² and cities and special districts can choose to participate.



¹ Member counts are based on a "snapshot" of the FRS taken on June 30, 2025. These counts include members of the Teachers Retirement System.

² Certain university employees are initially enrolled in the State University System Optional Retirement Program (SUSORP) unless they elect FRS membership or fail to complete the necessary SUSORP enrollment documents during the first 90 days of employment.

The active membership of the FRS as of June 30, 2025, is divided into five membership classes: the Regular Class (572,774 members), Special Risk Class (80,908 members), Special Risk Administrative Support Class (100 members), Elected Officers' Class (2,253 members), and SMSC (8,124 members).

Positions included or authorized to be included in the SMSC — Initially, membership in the SMSC was restricted to individuals who held positions within the Senior Management Service of the state personnel system³ (executive branch employees only). However, since the creation of the class, the Legislature has expanded membership to include positions within the legislative and judicial branch, as well as local government agencies to this retirement class. The Legislature also designates compulsory SMSC positions⁴.

Members of the Elected Officer Class (EOC) have the option to elect to participate in the SMSC in lieu of the EOC. Members holding non-state SMSC positions may elect to opt out of the system altogether.

- Section 121.055(2)(b), Florida Statutes, provides a six-month window every five years for local agencies to reassess and remove currently designated SMSC positions from the class. The next window is July 1, 2025, through December 31, 2025.

2. EFFECT OF THE BILL:

SB 60 would include the position of assistant regional counsel supervisor among the current compulsory positions covered by the SMSC. Members holding this position when the law takes effect would be eligible to participate in the SMSC. Members who are not participating in the DROP and are not participating in the FRS Investment Plan may elect to purchase upgraded service credit at their own expense for prior service within the purview of the class, retroactive to either their initial employment in the position or October 1, 2007, whichever is earlier.

The chart below reflects position and salary provided by the Justice Administrative Commission (JAC) as of April 2025. Based on the employer contribution rates effective for the 2025-26 Fiscal Year, the estimated increase in employer contribution rate is 19.21% of payroll. This represents a conservative estimate of the annual fiscal impact on the Offices of Criminal Conflict and Civil Regional Counsel. The bill allocates \$950,000 to fund retirement benefits for newly covered positions. Based on the JAC provided data, there remains an estimated shortfall of \$245,096.

Regional Counsel Circuit	Position Title	Position Count at Time of Reporting ⁵	Total Salaries for Reported Positions (Includes 1 Vacant Position at Base Salary)	Additional Contributions Owed Based on 19.21% Difference Between Regular Class and SMSC Rate for 2025-26 Fiscal Year
1	Assistant Regional Counsel Supervisor	20	\$1,871,399	\$359,496
2	Assistant Regional Counsel Supervisor	14	\$1,521,044	\$292,193
3	Assistant Regional Counsel Supervisor	4	\$441,790	\$84,868
4	Assistant Regional Counsel Supervisor	15	\$1,581,411	\$303,789
5	Assistant Regional Counsel Supervisor	8	\$805,569	\$154,750
Totals	Assistant Regional Counsel Supervisor	61	\$6,221,213	\$1,195,096

There were 64 total positions⁵ identified by the Justice Administrative Commission, the remaining three assistant regional counsel supervisor positions participate in the DROP. The employer contribution rate for DROP participants is the same regardless of which membership class covers the position.

³ Effective February 1, 1987, positions assigned to SMSC with a state agency; established a separate class of membership within the FRS.

⁴ See s. 121.055(1), F.S., for a list of compulsory SMSC positions and their corresponding effective dates.

⁵ These counts and salary totals do not include three positions which are currently filled by employees enrolled in DROP (one position each in Circuit 1, Circuit 2, and Circuit 4). There is one employer contribution rate paid for employees enrolled in DROP, therefore, there is no cost difference between an employee in the Regular Class or the SMSC once they have entered DROP. However, if these positions were replaced by employees who are not enrolled in DROP, there would be an additional cost of \$68,212 based on their current total salary of \$355,087 and the 19.21% difference between the Regular Class and SMSC contribution rate effective for the 2025-26 Fiscal Year.

3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?Y ☐ N ☒

If yes, explain:	
What is the expected impact to the agency's core mission?	
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	Unknown
Provide a summary of the proponents' and opponents' positions:	Unknown

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS LEGISLATION? Y ☐ N ☒

If yes, provide a description:	
Date Due:	
Bill Section Number(s):	

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS LEGISLATION? Y ☐ N ☒

Board:	
Board Purpose:	
Who Appoints:	
Appointee Team:	
Changes:	
Bill Section Number(s):	

FISCAL ANALYSIS**1. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT?** Y ☐ N ☒

Revenues:	
Expenditures:	
Does the legislation increase local taxes or fees?	
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

2. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO STATE GOVERNMENT?Y ☒ N ☐

Revenues:	N/A
Expenditures:	<p>The 2025-26 employer contribution rate for the SMSC is 19.21% higher than the rate paid on the salaries of Regular Class members. Based on the data provided from the JAC, the employer contributions for the Criminal Conflict and Civil Regional counsels would increase by \$1,195,096 based on 2025-2026 employer contribution rates for the 61 out of the 64 positions transitioning from the Regular Class to the SMSC. The increased employer contributions are \$245,096 higher than the appropriation in the bill (\$1,195,096 – \$950,000).</p> <p>(NOTE - The 2026-27 statutory contribution rates for the two membership classes in question will be established by the 2026 session of the Florida Legislature.)</p>
Does the legislation contain a State Government appropriation?	Yes, SB 60 provides the sum of \$950,000 in recurring funds to the offices of the Criminal Conflict and Civil Regional Counsel.
If yes, was this appropriated last year?	No.


3. DOES THE LEGISLATION HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?Y ☐ N ☒

Revenues:		
Expenditures:		
Other:		

4. DOES THE LEGISLATION INCREASE OR DECREASE TAXES, FEES, OR FINES?Y ☐ N ☒

Does the bill increase taxes, fees or fines?	
Does the bill decrease taxes, fees or fines?	
What is the impact of the increase or decrease?	
Bill Section Number:	

5. ACTUARIAL STATEMENT OF FISCAL SOUNDNESS (RETIREMENT ONLY) FRS ☒ OR LOCAL ☐

Does the bill comply with the requirements of Article X, Section 14 of the Constitution?		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Does the bill satisfy the actuarial cost impact provisions of Chapter 112, Part VII, Florida Statutes pending completion of actuarial impact statements?		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Explanation:	SB 60 specifies a group of positions to become compulsory SMSC members effective July 1, 2026. Currently, members in those positions participate in the Regular Class. The bill also provides for eligible persons filling these new SMSC positions to be able to upgrade service credit within the purview of the membership class retroactive to the earlier of their initial employment in the position or October 1, 2007, at the member's expense.	
Fiscal Note:	<p>If this bill had been enacted during the 2025 legislative session, based on statutory 2025-26 contribution rates, the percent of pay in retirement contributions that would have been paid by the employer when moving employees from Regular Class membership to SMSC membership would have been an increase of 19.21% of payroll for 2025-26.</p> <p>Under this bill as presently drafted, retirement contributions that must be paid by the employer would increase from the Regular Class membership rate to the SMSC membership rate for payroll beginning July 2026 and after. The 2026-27 statutory contribution rates for the two membership classes in question will be established by the 2026 session of the Florida Legislature.</p> <p>The cost to upgrade service credit from the Regular Class to the SMSC at the time of calculation must be paid by the employee before retirement, and, under the requirements of current law, may not be purchased by the employer on behalf of the member. The cost-of-service credit upgrade is the difference between the employer contribution rate paid at the time the work was performed and the SMSC employer contribution rate plus 6.5% interest compounded annually until the date of payment. The difference between the contributions paid and related investment return and other assumptions will be determined in future valuations and included in the contribution rates as the actuarial gains or losses are identified.</p>	
Signature: Company or Organization: Date:	 Matt Larrabee, Enrolled Actuary Milliman Inc. Date: 9-25-2025	

TECHNOLOGY IMPACT**1. DOES THE LEGISLATION IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)? Y ☒ N ☐**

If yes, describe the anticipated impact to the agency including any fiscal impact.	In the bill's current form, the system changes required for tracking the additional SMSC positions would be covered within the division's budget.
--	---

FEDERAL IMPACT

1. DOES THE LEGISLATION HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)? Y ☐ N ☒

If yes, describe the anticipated impact including any fiscal impact.	
--	--

ADDITIONAL COMMENTS

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Does the proposed legislation conflict with existing federal law, or regulations? If so, what laws and/or regulations?	
--	--

Does the proposed legislation raise significant constitutional concerns under the U.S. or Florida Constitutions (e.g. separation of powers, access to the courts, equal protection, free speech, establishment clause, impairment of contracts)?	
--	--

Is the proposed legislation likely to generate litigation and, if so, from what interest groups or parties?	
---	--

The proposed legislation does not appear to conflict with existing federal law or regulations.
--

The proposed legislation does not raise significant constitutional concerns under the U.S. or Florida Constitutions.
--

The proposed legislation is not likely to generate litigation.
--



The Florida Senate

Committee Agenda Request

To: Senator Debbie Mayfield, Chair
Committee on Governmental Oversight and Accountability

Subject: Committee Agenda Request

Date: November 3, 2025

I respectfully request that **Senate Bill #60**, relating to Criminal Conflict and Civil regional Counsel Membership in the Senior Management Service Class , be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in black ink, appearing to read "Stan McClain".

Senator Stan McClain
Florida Senate, District 9

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

12/9/25
Meeting Date

Gov't Oversight & Account.
Committee

SIB 60

Bill Number or Topic

Amendment Barcode (if applicable)

Name Candice Brower, Regional Counsel Phone _____

Address 227 N. Bronough St. Email _____
Street

Tallahassee FL
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: CS/SB 92

INTRODUCER: Governmental Oversight and Accountability Committee and Senator Gaetz

SUBJECT: Employee Protections

DATE: December 11, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	White	McVaney	GO	Fav/CS
2.			EE	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 92 addresses retaliatory actions taken against an employee for disclosing to the Commission on Ethics (Commission) violations of:

- The Code of Ethics for Public Officers and Employees (part III, ch. 112, F.S.);
- Article II, section 8 of the State Constitution;
- Certain standards of conduct for the Public Service Commission and the Public Service Commission Nominating Council;
- Certain standards of conduct for the Florida Gaming Control Commission;
- Restrictions on use of public funds to retain lobbyists; and
- Requirements for the use of, and procurement for, state means of transportation.

Under the bill, a public officer, public employee, or local government attorney breaches public trust if he or she initiates, or uses his or her influence and position to cause another to initiate, an adverse personnel action against an agency employee or independent contractor in retaliation for a disclosure of an ethical violation.

If an employee is discharged, disciplined, or subjected to other adverse personnel action as a result of his or her disclosure, the employee may file a complaint for such retaliatory actions with the Commission. Upon receiving a notice that the Commission terminated its investigation into the alleged retaliatory action, a complainant may pursue an administrative remedy or file a civil action. The bill lists available relief.

The bill provides that, upon a written request, the Commission shall provide a copy of the complaint for ethical violations, and any timely amendments thereto, to Public Employee Relations Commission, the person who filed the ethics complaint, or a current or former employee of the alleged violator who is identified in the text of the complaint or amendment thereto. The Commission, prior to releasing the complaint, must redact any designations regarding an ongoing ethics investigation, the records of which are protected from public records disclosures.

The bill takes effect January 1, 2027.

II. Present Situation:

Ethical Standards & the Public Trust

The people of the state of Florida “have the right to secure and sustain [public trust] against abuse.”¹ As the Florida Supreme Court has stated, the right to a secure public trust requires the State to protect the public’s right to know an official’s interest, deter corruption and conflicting interest, create public confidence in Florida’s public officials, and assist in detecting and prosecuting officials who violate the law and ethical standards.² The State Constitution further requires the Legislature to adopt a code of ethics for state employees to prohibit conflicts between public duty and private interest.³

A breach of public trust is a breach of the ethical standards placed on public employees and officers, and encompasses violations of:

- The “Sunshine Amendment” and other constitutional provisions governing public officials’ conduct;
- The Code of Ethics for Public Officers and Employees (Code of Ethics), part III, ch. 112, F.S.;
- Restrictions on agencies’ use of public funds to retain lobbyists;
- Standards of conduct for the Public Service Commission and its nominating council;
- Standards for the procurement relating to and use of state motor vehicles and aircraft;
- Standards of conduct for the Florida Gaming Control Commission; and
- Gift and honoraria laws.⁴

The State Constitution Sunshine Amendment

The Sunshine Amendment addresses potential conflicts between the public duties of state employees and officers and their private interests, especially private monetary interests. Under the Sunshine Amendment, elected constitutional officers, candidates for such offices, and other designated persons must file full and public disclosure of their financial interests and campaign finances. Public officers during, and for a certain period following their tenure, are prohibited from personally representing another individual before government bodies or being paid to lobby

¹ FLA. CONST. art. II, s. 8.

² *Plante v. Smathers*, 372 So. 2d 933, 937 (Fla. 1979) (discussing FLA. CONST. art. II, s. 8).

³ FLA. CONST. art. III, s. 18

⁴ Rule 34.50015, F.A.C.; Florida Commission on Ethics, *Ethics Laws*, <https://ethics.state.fl.us/Research/EthicsLaws.aspx> (last visited Oct. 28, 2025).

on another's behalf. Public officers and employees are additionally prohibited from using their office or position for disproportional personal benefit.

The Code of Ethics (Part III, Chapter 112, F.S.)

The Code of Ethics establishes statutory ethical standards for public officials and employees and applies to officers and employees of the state or a political subdivision.⁵ The Code of Ethics serves as both a guide for the official conduct of public servants as well as a basis for discipline of those who violate its provisions.⁶ Various activities by public officers and employees are limited or prohibited by the Code of Ethics, including:

- Soliciting or accepting gifts;
- Doing business with any entity in which the officer or employee or his or her spouse or child has a position or interest;
- Accepting any unauthorized compensation, payment, or thing of value;
- Corruptly using his or her official position to secure a special privilege, benefit, or exemption for him- or herself or others;
- Having or holding any employment or contractual relationship that conflicts with his or her public position;
- Using information gained by reason of his or her official position for personal gain;
- Representing another person or entity before the government body or agency of which the individual served for a specified period following vacation of office;
- Holding dual-offices simultaneously;
- Serving on a professional and occupational licensing board while serving as a member of a state examining or licensing board for the profession or occupation; and
- Lobbying by certain officers before a specified time.⁷

The Code of Ethics also requires lobbyists who regularly engage in lobbying to disclose their identity, expenditures, and activities, even if their lobbying is done by solicitation of others to engage in such efforts.⁸

Restrictions on Agencies' Use of Public Funds to Retain Lobbyist

Section 11.062, F.S., prohibits executive, judicial, and quasi-judicial departments and agencies from using state funds to pay for lobbying. While a department of the executive branch, a state university, a community college, or a water management district may not use public funds to retain a lobbyist to represent it before the legislative or executive branch, their full-time employees may register and serve as a lobbyist for their employer.

The Commission on Ethics investigates potential violations of s. 11.062, F.S.⁹

⁵ *Id.*

⁶ Section 112.311(5), F.S.

⁷ Sections 112.311(2) and (3), and 112.313, F.S.; *see also* 9 FLA. JUR. 2D CIVIL SERVANTS s. 168 *Standards of conduct for public officers and employees* (2024).

⁸ Section 112.311(3), F.S.

⁹ Florida Commission on Ethics Rule 34.50015.

Standards of Conduct for the Public Service Commission and the Public Service Commission Nominating Council

Florida Statutes provide for standards of conduct for commissioners and employees of the Public Service Commission as well as those serving on its Nominating Council.¹⁰ These standards prohibit members of the council and commission, as well as their spouses, from engaging in any potential direct or indirect financial benefit from entities regulated by the commission. In addition, commissioners and employees of the Public Service Commission may not represent regulated entities in actions before the commission for a set amount of time after leaving the commission. Commissioners are additionally prohibited from entertaining certain ex parte communications concerning the merits, threat, or offer of reward in any currently pending proceeding.

The Commission on Ethics has the authority to accept and investigate alleged violations of these standards of conduct by the members or employees of the Public Service Commission or its Nominating Council.

Standards of Conduct for the Florida Gaming Control Commission

Section 16.715, F.S., sets forth standards of conduct for commissioners and employees of the Florida Gaming Control Commission (FGC). Commissioners and employees must behave professionally, avoid impropriety, and act in a manner that promotes public confidence in the impartiality and integrity of the commission.

Commissioners and employees may not accept anything from any business or entity affiliated with or that is before the commission or regulated by the commission. Nor may FGC commissioners or employees accept special financial benefits or free food at conferences that are not available to all conference participants. A commissioner may not serve as a representative, officer, or employee of a political party or any executive committee or governing body of a political party. Nor may a commissioner receive remuneration for activities on behalf of a candidate or otherwise participate in the solicitation of votes for a candidate. Commissioners are additionally prohibited from entertaining certain ex parte communications concerning the merits, threat, or offer of reward in any currently pending proceeding. A former commissioner or employee cannot represent an entity or person regulated by the commission for two years after their service with the FGC ends.

The Commission on Ethics has the authority to accept and investigate alleged violations of s. 16.715, F.S.

Use of State Motor Vehicles and Aircraft

Part III, ch. 287, F.S., governs the use and procurement of means of transportation for officers and employees of the executive and judicial branches of state government. Such state officers and employees may only purchase or continue to pay for the lease of state motor vehicles with funds appropriated by the Legislature for that purpose. Additional requirements provide for oversight by the Department of Management Services, limitations on the types and use of the vehicles, and repairs and service of the vehicles. Any violation of the standards for acquiring,

¹⁰ See ss. 350.031, 350.04, 350.041, 350.042, and 350.0605, F.S.

funding, and using vehicles constitutes a misuse of public position and breach of public trust. The Chief Financial Officer reports suspected violations to the Commission on Ethics who has the authority to investigate possible violations of public trust.¹¹

Gift and Honoraria Laws

Various statutes address public officers or employees accepting expenditure, gifts, or other honoraria and require the public disclosure of any financial benefit or gifts received. The Commission on Ethics investigates any violations of these laws.

The Commission on Ethics & Investigation Into Breaches of Ethics Standards and the Public Trust

The Commission on Ethics (Commission) has the constitutional duty to investigate “all complaints concerning breach of public trust by public officers or employees not within the jurisdiction of the judicial qualifications commission.”¹² To this end, the Commission reviews and investigates possible violations of the State’s ethics laws by state and local elected or appointed public officers and public employees and others designated by Florida law. The Commission’s jurisdiction is limited to individual public officers and employees and does not extend to open meetings or public records laws, residency requirements, elections laws, or to judges, federal officials, or most employees or officers of private companies or attorneys in private practice.¹³ The Commission must complete an investigation, including the probable cause determination, within one year of receiving a complaint.¹⁴

Initiating an Investigation

The Commission on Ethics investigates written, sworn complaints of alleged breaches of public trust upon receipt of a written complaint executed on a form prescribed by the Commission and signed under oath or affirmation, or upon receipt of a written referral of a possible violation from the Governor, the Department of Law Enforcement, a State Attorney, or a United States Attorney.¹⁵ Within 30 days of receiving a complaint or referral, the Commission must conduct a preliminary investigation into the legal sufficiency of the complaint or referral and determine whether there is probable cause that a violation has occurred.

Any individual can submit a complaint, but the complaint must be based upon personal knowledge or information other than hearsay,¹⁶ and made within five years of the alleged breach of public trust.¹⁷ Complainants have 60 days from when the Commission receives the original complaint to amend the complaint.¹⁸ Within five days of receiving the complaint, the Commission must forward a copy of the complaint to the alleged violator.¹⁹

¹¹ Section 287.175, F.S.

¹² FLA. CONST. art. II, s. 8(g); *see* s. 112.320, F.S. (other ethical standards).

¹³ *Id.*; Florida Commission on Ethics, *Complaints* (Updated Oct. 9, 2024), <https://ethics.state.fl.us/Complaints/Complaints.aspx> (last visited Dec. 9, 2025).

¹⁴ Sections 112.311-112.3261, F.S.

¹⁵ Section 112.324(1), F.S.

¹⁶ Section 112.324(1)(a), F.S.

¹⁷ Section 112.3231(1), F.S.

¹⁸ Section 112.324(3)(a), F.S.

¹⁹ Section 112.324(1), F.S.

Staff of the Commission conduct a technical and clerical review upon receipt of the complaint by staff of the Commission. If the complaint is incomplete or alleges a matter or names a person not within the jurisdiction of the Commission, the complaint is returned to the complainant identifying the defect.²⁰ Only complaints that pass the technical and clerical review are forwarded.²¹

After the technical and clerical review, the complaint is reviewed to determine whether the complaint is legally sufficient to allege a breach of public trust. Complaints are sufficient if the allegations by the complainant, if true, may constitute a breach of public trust, and each element of the statute to be investigated, except elements pertaining to mental state, intent, or knowledge of an individual, is supported by information in the complaint that is based on personal knowledge of the complainant or information other than hearsay.²²

If the complaint is legally sufficient, the Executive Director of the Commission orders an investigation.²³

Preliminary Investigation

Within 30 days of receiving a technically and legally sufficient complaint, the Commission must conduct a preliminary investigation to determine whether there is probable cause that a violation has occurred.²⁴ Investigations are conducted by Commission staff, by personnel of the Department of Legal Affairs, or by any other person or agency designated by the Commission.²⁵

During the investigation, the Commission may subpoena witnesses and compel their attendance and testimony, administer oaths and affirmations, take evidence, and require by subpoena the production of any books, papers, records, or other relevant items.²⁶ The Commission may also call upon appropriate agencies of state government for such professional assistance as may be needed in the discharge of its duties.²⁷ If any person called to give evidence in a proceeding before the Commission refuses to give evidence because of a claim of possible self-incrimination, the Commission, with the written authorization of the appropriate state attorney, may apply to the chief judge of the appropriate judicial circuit for a judicial grant of immunity ordering the testimony or other evidence of such person notwithstanding his or her objection, but in such case no testimony or other information compelled under the order, or any information directly or indirectly derived from such testimony or other information, may be used against the witness in any criminal proceeding.²⁸

²⁰ Rule 34-5.002(2), F.A.C.

²¹ Rule 34-5.001(4), F.A.C.

²² Rule 34-5.002(1) and (2), F.A.C.; see s. 112.324(1)(a), F.S.

²³ Rule 34-5.002(3) and (4), F.A.C.

²⁴ Section 112.324(3)(a), F.S.

²⁵ Rule 34-5.004, F.A.C.

²⁶ Section 112.322(4), F.S.

²⁷ Section 112.322(6), F.S.

²⁸ Section 112.3232, F.S.

Investigatory Report

Within 150 days of the order to conduct the investigation, the investigator provides an investigatory report to the Commission.²⁹ The report contains a narrative account of all pertinent information obtained through interviews of witnesses, documentary evidence, or other sources and must include a discussion of any conflicts in the evidence. The report cannot contain any determination or speculation with respect to whether the evidence indicates a breach of public trust, nor may the report make any recommendations.³⁰ The investigator keeps an investigatory file maintained in the office of the Commission. The investigatory file must include:

- Copies of all documents obtained during the course of the investigation;
- Tape recordings of interviews with witnesses and, if no recording is made, a summary of the interview;
- A list of the names and addresses of all persons actually interviewed;
- Any other relevant documents; and
- The investigator's report(s) to the Commission.³¹

The investigatory report is sent to the alleged violator and to counsel representing the Commission within five days. Counsel representing the Commission then has 15 days to recommend to the Commission the disposition of the complaint. The counsel's report is forwarded to the alleged violator within five days and the violator has 14 days to respond.³² The Commission, once it receives counsel's recommendations, schedules a probable cause hearing.³³

Informal Disposition

Informal disposition of the complaint may be made via stipulation, agreed settlement, or consent order between counsel for the Commission and the alleged violator, so long as the Commission approves in a public meeting and finds that the settlement is in the best interest of the state.³⁴ The Commission can only deviate or reject stipulations and settlements recommended by counsel via a two-thirds vote. The Commission cannot impose a penalty via settlement.³⁵

Probable Cause Determination

No matter the outcome, the probable cause determination ends the preliminary investigation. If the Commission does not find probable cause, it dismisses the matter and provides the complainant and alleged violator a public report stating with particularity its reasons for dismissal. At that time, the complaint or referral and all materials relating to the complaint or referral become a matter of public record.³⁶

If the Commission finds probable cause to believe a violation has occurred, it must send the alleged violator and complainant an order finding probable cause in writing within five days.³⁷

²⁹ Section 112.324(3)(b), F.S.

³⁰ Rule 34-5.004(7), F.A.C.

³¹ Rule 34-5.004(8), F.A.C.

³² Section 112.324(3)(b), F.S.

³³ Section 112.324(3)(c), F.S.

³⁴ Section 112.324(3)(h), F.S.; Rule 34-5.020, F.A.C.

³⁵ Section 112.324(3)(h), F.S.

³⁶ Section 112.324(3)(d), F.S.

³⁷ Section 112.324(3)(e), F.S.

Prior to a probable cause determination, the complaint and records relating to the preliminary investigation are confidential and exempt from public records disclosure requirements unless the complaint is dismissed as legally insufficient or the alleged violator requests in writing that the records be made public. During the same time, related proceedings are exempt from open meetings requirements.³⁸

Rights of Respondents

An alleged violator may request in writing to have a public hearing within 14 days of the mailing date of the probable cause notification. The alleged violator may elect to have a formal hearing before the Division of Administrative Hearings or an informal investigation before the Commission.³⁹ Informal hearings before the Commission must happen within 75 days of the probable cause determination.⁴⁰ During a probable cause hearing, the alleged violator may make brief oral statements, similar to oral argument, to the Commission.⁴¹ An alleged violator has the right to request a hearing before the Commission to present oral or written testimony in response to the allegations.⁴² The alleged violator may appear on their own behalf or representation of counsel, and, within a reasonable timeframe, move for dismissal if the Commission lacks proper jurisdiction.⁴³

Investigations Into Facts Discovered During the Preliminary Investigation

An investigator may uncover during his or her investigation facts materially and not materially related or relevant to the underlying complaint. The Commission must investigate all facts materially relevant to the complaint,⁴⁴ including facts that tend to show additional incidents of ethical violations that (1) are separate instances of the same or similar conduct; or (2) arise out of or in connection with the allegations in the complaint.⁴⁵ Materially relevant facts are included in the investigatory report.

If, during an investigation, an investigator uncovers evidence of a wrongful act not materially related to the complaint at issue, he or she shall report such evidence to the Commission in a separate report. The Commission may forward the information to the appropriate disciplinary or law enforcement authority, but the wrongful act is not further investigated by the investigator in the absence of a complaint with respect thereto.⁴⁶ If the disciplinary authority chooses to file a complaint with the Commission upon receiving the information, such complaint is treated as a separate complaint.⁴⁷

³⁸ *Id.*; see Florida Office of the Attorney General, *Government-In-The-Sunshine Manual: 2025 Edition*, pp. 26, 99.

³⁹ Section 112.324(3)(e), F.S.

⁴⁰ Section 112.324(3)(f), F.S.

⁴¹ Rule 34-5.006(5), F.A.C.

⁴² Section 112.322(2)(a), F.S.

⁴³ Rule 34-5.0054(1), F.A.C.; Rule 34-5.005, F.A.C.

⁴⁴ Rule 34-5.0043, F.A.C.

⁴⁵ Rule 34-5.0043(1), F.A.C.

⁴⁶ Rule 34-5.004(4), F.A.C.

⁴⁷ *See id.*

Penalties

In addition to any civil or criminal penalty for the underlying conduct, violations of the ethical standards investigated by the Commission may be punishable by one or more of the following:

- For public officers: impeachment, removal or suspension from office, public censure and reprimand, forfeiture of up to one-third of his or her salary for up to one year, a civil penalty of no more than \$20,000, and restitution of any pecuniary benefits received because of the violation committed.
- For public employees: dismissal, suspension of up to 90 days without pay, demotion, reduction in salary, public censure and reprimand, forfeiture of up to one-third of his or her salary for up to one year, a civil penalty of no more than \$20,000, and restitution of any pecuniary benefits received because of the violation committed.
- For candidates: disqualification from being on the ballot, public censure, reprimand, and a civil penalty of no more than \$20,000.
- For former public officers and employees: public censure and reprimand, a civil penalty of no more than \$20,000, and restitution of any pecuniary benefits received because of the violation committed.⁴⁸

In certain violations, public employees and officers may also forfeit all rights and benefits under any public retirement system of which he or she is a member, except for the return of his or her accumulated contributions as of the date of termination.⁴⁹

Complainants who file complaints with a malicious intent to injure the reputation of the officer, employee, or candidate who is the subject of the complaint may be liable for costs and reasonable attorney's fees.⁵⁰

The Florida Commission on Human Relations (CHR)

The Florida Commission on Human Relations (CHR) is housed within the Department of Management Services but is not subject to any control or supervision by or direction from the department.⁵¹ The CHR is comprised of 12 individuals who are appointed by the Governor and confirmed by the Senate. The members must broadly represent various racial, religious, ethnic, social, economic, political, and professional groups in Florida.⁵²

The Legislature created the CHR to administer the predecessor to the Florida Civil Rights Act of 1992 and the Florida Fair Housing Act.⁵³ The CHR's jurisdiction was later expanded to take over the responsibilities for administering the public WBA. In accordance with and for the sole purpose of the, WBA, the CHR may:

- Protect employees and applicants for employment from personnel actions prohibited under the WBA;

⁴⁸ Section 112.317(1), F.S.

⁴⁹ Section 112.3173, F.S.

⁵⁰ Section 112.317(7), F.S.

⁵¹ Section 760.04, F.S.

⁵² Section 760.03, F.S.

⁵³ Chapter 760, F.S., Part II. *Cf.* ch. 83-221, ss. 1 and 9, Laws of Fla. (creating the Fair Housing Act and assigning the duty of administration to the commission) *and* ch. 69-287 s. 1 (creating the original civil rights laws in Florida and assigning the commission to administer such laws).

- Petition for stays and for corrective actions, such as temporary reinstatement;
- Recommend disciplinary proceedings pursuant to investigation and appropriate agency rules and procedures;
- Forward to appropriate entities, including the Florida Department of Law Enforcement, potential violations of any law, rule, or regulation;
- Administer oaths, examine witnesses, take statements, issue subpoenas, order the taking of depositions, order responses to written interrogatories, and make appropriate motions to limit discovery;
- Intervene or otherwise participate in any appeal or other proceeding arising under the statute before the Public Employees Relations Commission or any other appropriate agency; and
- Conduct investigations even in the absence of a complaint.⁵⁴

The CHR may petition for an award of attorney's fees and expenses from a state agency.⁵⁵

Appeals of WBA Decisions

State agency employees must first report prohibited retaliatory actions to the CHR. Within 21 days of receipt of a notice of termination of investigation by the CHR, the complainant may file a complaint with the Public Employees Relations Commission or seek judicial review.⁵⁶

The Public Employees Relations Commission

The Public Employees Relations Commission (PERC) helps in resolve disputes between public employees and public employers.⁵⁷ Part II, Chapter 447, F.S., designates the PERC as having preemptive jurisdiction in resolving labor disputes between public employers and public employees.⁵⁸ There are state employees who have civil service privileges under the Florida Constitution concerning discipline, such as discharge, demotion and suspensions. They have the right to appeal these actions to the PERC which will appoint a hearing officer to hold an evidentiary hearing to determine if there was cause for the discipline and, in certain cases, whether the discipline should be mitigated.

Florida public employees have the right to form, join, and participate in, or to refrain from forming, joining, or participating in, any employee organization of their own choosing.⁵⁹ The PERC additionally reviews and addresses disputes about the composition of bargaining units and alleged unfair labor practices; oversees the registration of public employee collective bargaining units; and conducts elections when public employees express the desire to be represented by a union.

⁵⁴ Section 112.31895(3)(a), F.S.

⁵⁵ Section 112.31895(3)(j), F.S.

⁵⁶ Section 112.31895(4), F.S.

⁵⁷ Section 447.201, F.S.

⁵⁸ *Maxwell v. Sch. Bd. of Broward Cnty.*, 330 So. 2d 177, 179 (Fla. 4th DCA 1976).

⁵⁹ Section 447.301, F.S.

Preclusion of Remedies

A public employee may not elect to pursue remedies through a WBA action against an employer and through a collective bargain grievance procedure.⁶⁰

Florida Private Sector Whistleblower's Act

Florida has two whistleblower laws with different requirements, one for the public-sector (the WBA) and one private-sector law. Unlike the WBA, the private-sector law affords private employees an immediate remedy via civil court. Chapter 448, F.S., provides general labor provisions for employers and employees in Florida. More specifically, ss. 448.101-448.105, F.S., the Private Sector Whistleblower's Act, prohibit retaliatory attacks on employees in private workplaces who disclose illegal workplace practices and provide the remedies and rights that flow from that prohibition.

Under Florida's Private Sector Whistleblower's Act, employees are protected from retaliatory actions for disclosing or threatening to disclose an activity, policy, or practice of the employer that is in violation of a law, rule, or regulation adopted by any federal, state, or local governing body. An employer, for Florida's Private Sector Whistleblower's Act, is limited to a *private* individual, partnership, institution, corporation, or association that employs ten or more persons.⁶¹

It is unclear if this protection extends to employees who, in good faith, report a lawful activity, policy, or practice they believe is unlawful.⁶² To be covered by Florida's Private-Sector Whistleblower's Act, an employee must:

- Refuse to participate in unlawful activity, policy, or practice;
- Cooperate with an investigating governmental agency; or
- Disclose the unlawful activity, policy, or practice, to an appropriate governmental agency in writing and under oath. In this instance, the employee must first, in writing, bring the unlawful activity, policy, or practice to the private employer's attention and provide the employer a reasonable opportunity to correct the activity, policy, or practice.

An employee subjected to retaliatory actions in violation of Florida's Private Sector Whistleblower's Act may file a civil action in court; the employee need not engage in administrative procedures like those in the WBA. The CHR does not have jurisdiction over violations of Florida's Private Sector Whistleblower's Act

Overlap with the Public-Sector Whistle-blower's Act (WBA)

Employees of independent contractors are not precluded from filing an action under both the public-sector Whistle-blower's Act (WBA) and Florida's Private-Sector Whistleblower's Act.

⁶⁰ *Taylor v. Pub. Employees Relations Com'n*, 878 So. 2d 421 (Fla. 4th DCA 2004)

⁶¹ Section 448.101(3), F.S.

⁶² The First and Second District Court of Appeals' opinions conflict with the Fourth District's. See *Gessner v. Southern Co.*, 396 So. 3d 908, 910 (Fla. 1st DCA 2024) (holding that the conduct must actually be unlawful); *Kearns v. Farmer Acquisition Co.*, 157 So. 3d 458, 465 (Fla. 2d DCA 2015) (same); *contra Aery v. Wallace Lincoln-Mercury, LLC*, 118 So. 3d 904, 916 (Fla. 4th DCA 2013) (holding a good faith belief that the activity was illegal, whether or not actually illegal, invokes the protections of the private-sector whistle-blower's act).

The fact that an employer might be independent contractor of the state is incidental and does not exclude employer's actions from private-sector whistleblower act. The WBA does not claim to be an exclusive remedy for employees of independent contractors of state agencies. Both the WBA and Florida's Private-Sector Whistleblower's Act specifically state that their provisions did not diminish rights, privileges, or remedies of employees under any other law or rule.⁶³

Moreover, there may be instances in which the WBA provides protections to employees of independent contractors that are not available under Florida's Private-Sector Whistleblower's Act. As mentioned above, Florida's Private-Sector Whistleblower's Act protects an employee's disclosures of unlawful conduct by his or her *private* employer. The WBA's protections extend to disclosures by an employee or agent of an agency or independent contractor. The alleged wrong-doer does not, under the WBA, need to be the employee's actual employer.

Public Records

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.⁶⁴ The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.⁶⁵ When creating a public records exemption, the Legislature may provide that a record is "exempt" or "confidential and exempt." There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.⁶⁶ Records designated as "confidential and exempt" are not subject to inspection by the public and may only be released under the circumstances defined by statute.⁶⁷ Records designated as "exempt" may be released at the discretion of the records custodian under certain circumstances.⁶⁸

III. Effect of Proposed Changes:

The bill provides protections against retaliation to government employees, applicants for employment with agencies, and employees of private employers doing business with state or local government, for their disclosures of alleged violations of certain standards of conduct and ethical obligations of public employees and officers.

Specifically, the bill protects disclosure of any violation or suspected violation of:

- The Code of Ethics for Public Officers and Employees;
- The Sunshine Amendment and other constitutional provisions relating to public officials' conduct;
- Restrictions on agencies' use of public funds to retain non-employee lobbyists;

⁶³ *Dahl v. Eckerd Family Youth Alternatives, Inc.*, 843 So. 2d 956 (Fla. 2d DCA 2003).

⁶⁴ FLA. CONST. art. I, s. 24(a).

⁶⁵ *Id.* See also, *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

⁶⁶ *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

⁶⁷ *Id.*

⁶⁸ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

- Standards of conduct for the Public Service Commission and the Public Service Commission Nominating Council;
- Standards of conduct for the Florida Gaming Control Commission;
- Requirements for the use, purchase, and lease of state motor vehicles and aircraft; and
- Gift and honoraria laws.

The bill additionally makes instigating such retaliatory actions a violation of the standards of conduct for public officers, employees of agencies, and local government attorneys

Adverse personnel action includes the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment.

The protections against retaliatory acts are only provided for information disclosed to the Commission on Ethics. Thus, if the information is disclosed through other channels, even if such channel is elsewhere permitted in law, these protections do not apply.

New Ethics Standard

Section 1 adds to the standards of conduct for public officers, employees of agencies, and local government attorneys, a prohibition against taking retaliation against an agency employee or independent contractor for protected activity. A public officer, public employee, or local government attorney breaches the public trust if he or she initiates an adverse personnel action against an agency employee or independent contractor who has engaged in a protected activity by an exercise of the public officer's, public employee's, or local government attorney's ultimate decisionmaking authority or a grant of his or her approval. It is also a breach of the public trust for a public officer, public employee, or local government attorney to use his or her position to cause another to initiate such an adverse personnel action, if the protected activity is the primary reason motivating the adverse personnel action.

"Protected activity" means submitting a written complaint to the Commission executed on the form specified in s. 112.324(1) and signed under oath or affirmation or providing information to an investigator during an investigation of a complaint or referral. This would encompass complaints for violations of ethical standards for public employees and officers.

"Exercise of ultimate decisionmaking authority" or "grant of approval" means having and using the authority to commence an adverse personnel action.

The communication or execution of an adverse personnel action initiated by another's ultimate decisionmaking authority or grant of approval does not constitute an exercise of one's ultimate decisionmaking authority or a grant of one's approval.

Protections Against Retaliation

This bill provides a basis for any employee or individual who faces retaliatory actions for such disclosures to file a complaint with the Commission. These protections cover retaliation taken as a result of specific disclosures to the Commission on Ethics. These protections and procedures

closely follow similar protections against retaliation provided in the Whistle-blower's Act for public employees (WBA), but this bill extends the protections to additional ethical complaints not covered by the WBA.

The protections only apply to complaints filed with, or assistance provided to, the Commission on Ethics. The complaint must be provided in writing on a form prescribed by the Commission and signed under oath or affirmation.

The bill's protections do not apply where an individual makes false disclosures in bad faith or participates in the underlying violation.

Definitions

An "agency," under the bill, is any state, regional, county, local, or municipal governmental entity, whether executive, legislative, or judicial; any official, officer, department, division, bureau, commission, authority, or political subdivision therein; or any public school, community college, or state university. Unless otherwise noted, agency refers to local and state level public entities. Independent contractors are private persons doing business with an agency.

These definitions closely mirror the WBA.

"Investigative Procedures" Established by this Bill to Obtain Remedies

The procedures established for investigating whether remedies are available that are created by this bill closely mirror procedures in the WBA.

The bill allows employees of, and applicants for employment with, agencies⁶⁹ who are subject to adverse personnel actions in violation of this bill to file a complaint with the Commission in order to claim the remedies and relief available under this bill. Complainants have 60 days from the prohibited adverse personnel action to file a complaint with the Commission, which must acknowledge receipt of the complaint within five working days.

The Commission provides copies of the complaint and any other preliminary information available concerning the disclosure to the employer, who shall acknowledge receipt to the complainant. The Commission conducts an informal fact-finding into legally sufficient complaints to the extent necessary to determine whether there are reasonable grounds to believe that a prohibited personnel action has occurred, is occurring, or will occur. Within 180 days of receiving the complaint, the Commission provides the fact-finding report, which may include recommended resolution, to the agency head or independent contractor and the complainant.

If the Commission determines there is no reasonable grounds, it terminates its investigation.

⁶⁹ In this instance, the bill refers to the definition of state agency in s. 216.011, F.S.: "any official, officer, commission, board, authority, council, committee, or department of the executive branch of state government. For purposes of this chapter and chapter 215, "state agency" or "agency" includes, but is not limited to, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, the Justice Administrative Commission, the Florida Housing Finance Corporation, and the Florida Public Service Commission."

If the Commission determines that reasonable grounds exist, it must report that determination, with a fact-finding report, to the agency head or independent contractor and the complainant. If the agency or independent contractor implements a corrective action in response to the Commission's fact-finding report, the Commission terminates its investigation. If the agency or independent contractor does not implement a corrective action within 35 days, the Commission still terminates its investigation and, along with a notice of termination, notifies the complainant of his or her right to appeal. The complainant may, within 21 days after receipt of a notice to terminate an investigation, may file a complaint regarding the alleged prohibited personnel action with the Public Employees Relations Commission. The complainant may also seek judicial review.

An employing agency or independent contractor cannot take disciplinary action against an employee for reporting an alleged prohibited personnel action that is under investigation, or for reporting any related activity, or against an employee for participating in an investigation, without notifying the Commission.

The bill provides an affirmative defense to employers to justify the adverse action by showing the action was predicated on other grounds and would have been taken absent the employee or person's exercise of rights under the section.

Relief From Retaliatory Actions

The relief for an employee or applicant who successfully brings a complaint for a violation of this bill must include:

- Reinstatement of the employee to the same position held before the adverse action was commenced or to an equivalent position or reasonable front pay as alternative relief;
- Reinstatement of the employee's full fringe benefits and seniority rights as appropriate;
- Compensation, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse action;
- Payment of reasonable costs, including attorney's fees; and
- Issuance of an injunction, if appropriate, by a court of competent jurisdiction.

An employee, except for a municipal employee, may also be temporarily reinstated to his or her former position or equivalent position pending the final outcome on the complaint, so long as the court or Commission on Human Relations determines that the disclosure was not made in bad faith and the agency initiated the personnel action after the disclosure to the Commission on Ethics. Such personnel action, to qualify, cannot include documentation of the employee's violation of a disciplinary standard or performance deficiency.

A prevailing employer may receive attorney's fees if the employee filed a frivolous action in bad faith.

The bill explicitly states that it does not diminish the rights, privileged, or remedies of an employee under other law or rule or under any collective bargaining agreement or employment contract. The election of remedies in s. 447.401, F.S., however, does apply to actions under this section. Section 447.401, F.S., addresses labor organizations and bargaining agents for public employees.

Release of the Complaint by the Commission on Ethics

Section 3 of the bill requires the Commission on Ethics to release a complaint for violations of ethical standards, and timely amendments thereto, to:

- An agency conducting an investigation of a claim asserted under the bill. The agency must submit a written request to the commission;
- The person who filed the complaint upon receiving a notarized, written request; and
- A person who identifies himself or herself as a current or former employee or independent contractor of the agency or individual that allegedly violated the ethical standard. In this instance, the commission must receive a notarized, written request.

Typically, such complaint would be exempt from disclosures under s. 112.324(2)(a)-(d), F.S., however this bill allows the Commission on Ethics to release the information notwithstanding and without affecting the public records exemption. Prior to releasing the complaint, however, the Commission on Ethics must redact any designations regarding an ongoing ethics investigation, where the records of that investigation are exempt from public records disclosures. These designations include, but are not limited to, date stamps, receipt stamps, and complaint serial numbers.

Miscellaneous

The bill provides legislative intent to protect employees who report violations of the Code of Ethics for Public Officers and Employees, found in ss. 112.311 to 112.3261, F.S., or article II, section 8 of the State Constitution, from retaliatory actions, and to additionally protect any person who discloses information to an appropriate agency regarding alleged breaches of public trust or violations of article II, section 8 of the State Constitution on the part of an agency, public officer, or employee. This intent mirrors the legislative intent provided for in the WBA but is tailored to the protection of disclosures of ethical violations.

The bill gives the Commission the power to adopt rules as necessary to implement the “investigative procedures” prescribed in the bill.

Section 5 reenacts s. 112.313, F.S., to incorporate other amendments made in the bill.

Section 6 provides the act takes effect on January 1, 2027. This gives the Commission on Ethics time to promulgate the necessary rules to administer the bill.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce the authority of municipalities or counties to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None identified.

B. Private Sector Impact:

The private sector will likely incur additional costs if private contractors are subjected to the Code of Ethics and other standards of conduct for public officers and employees.

C. Government Sector Impact:

The Commission on Ethics will likely see an increase in workload associated with these investigations.

VI. Technical Deficiencies:

It is unclear if the “breach of public trust” created in section 1 of the bill encompasses adverse actions taken against employees of independent contractors. Unlike the rest of this bill, section 1 specifically speaks to taking adverse action against an agency employee or independent contractor—rather than an employee of an independent contractor. Consequently, a public employee or officer who uses his or her position to pressure an independent contractor to take adverse employment actions against an employee of said contractor may not be considered an ethics violation. It further is unclear how a public officer or employee could take adverse personnel action prohibited by section 1 against an independent contractor. The Legislature may consider clarifying that the breach of public trust in section 1 extends to actions taken “against an employee of an agency or independent contractor,” at lines 109-110.

Lines 191–199 (section 2) may be inconsistent with lines 274–370 (section 4). Both discuss the same remedial process but identify different protected classes. Section 2 states any “employee of or applicant for employment with an agency,” can use the process outlined in section 4. Section 4, however, makes the process available to an “employee or former employee of an

agency or independent contractor.”⁷⁰ While both sections cover agency employees, section 2 also includes agency job applicants, which section 4 does not. Conversely, section 4 includes employees and former employees of independent contractors—as well as former agency employees—which section 2 does not. The Legislature may wish to ensure the protected parties at lines 191-199 matches those discussed in section 4 by referring to “employees and former employees of agencies and independent contractors, and applicants for employment with agencies.”

It appears that the bill may intend to create a new administrative process that precludes filing of a complaint in civil court for action taken in violation of this bill. This, however, is never explicitly stated. Generally, an individual must exhaust contractual and administrative remedies prior to going to court. The Legislature may wish to clarify this point by explicitly stating—after line 358—that the process established in the bill constitutes an administrative process for purposes of exhaustion, including for employees of independent contractors, prior to filing a civil action.

VII. Related Issues:

Individuals and Actions Not Protected Under This Bill

There are various means and channels available to report or disclose ethical violations. The bill, however, only protects complaints and disclosures to the Commission on Ethics (Commission). Thus, if the complainant submits a complaint through other permissible channels these protections do not apply.

For instance, disclosures and complaints made to, and cooperation with, the following are not protected under the bill:

- Local commission on ethics;
- Superiors, managers, and internal processes—this differs from both the WBA and the Private Sector Whistleblower Act;
- The Chief Financial Officer, with whom individuals presumably report violations of the relevant ethical standards for means of transportation for state officers and employees;
- Department of Law Enforcement; and
- Other governmental entities that are charged with investigating or having oversight authority over the alleged ethical violation.

The Legislature may wish to extend protections to reports and disclosures “to an agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act,” or appropriate supervisor. This would mirror the language in the WBA.

Additionally, the following are not protected under the bill:

- Refusals to participate in a prohibited retaliatory action—which differs from the WBA; and
- Reports about an employee or commissioner of the Commission on Ethics, because those complaints are not filed with the Commission on Ethics.

⁷⁰ See *e.g.*, lines 278-279, 306-307 (although the latter does not include former employees).

Application to “Independent Contractors”

The legislative intent section, specifically lines 126-137, provides that the bill intends to “prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency any violation of this part or s. 8, Art. II of the State Constitution on the part of a public employer or an independent contractor.” The quoted language appears to hold independent contractors to the standards of conduct for public officers and employees under article II, section 8 of the State Constitution. This may pose additional cost on the private businesses working with state agencies, which in turn may discourage private businesses from working with state agencies. The Legislature may wish to amend the legislative intent section to clearly delineate whom it intends to impose these ethical standards.

It is unclear whether the bill is intended to expand the Commission’s investigatory authority to include retaliation claims brought by employees of independent contractors—and to recommend remedies—before the matter reaches civil court. Although the bill’s process for determining whether a prohibited personnel action warrants a remedy is similar to the process used by the Commission on Human Relations (CHR) under the WBA, the two are not identical. Notably, the WBA does not appear to grant the CHR jurisdiction to investigate retaliation committed by independent contractors against their employees. As written, the bill seems to require the Commission to assume investigatory responsibility for actions by independent contractors that fall outside both its current authority and the new jurisdiction created in section 1.

The bill also creates uncertainty about the remedial process for employees of independent contractors. Under the WBA, local public employees must file complaints with their local governmental entity, while “any other person protected” may file a civil action only after exhausting applicable contractual and administrative remedies. The bill eliminates these distinctions and appears to subject employees of independent contractors to the same administrative process used for agency employees through the Commission on Ethics.⁷¹

It is unclear how this new administrative process would interact with contractual remedies referenced in the WBA and generally provided for and discussed in law. Specifically, the bill does not clarify whether its administrative process supersedes those contractual remedies—potentially allowing an employee of an independent contractor to pursue a civil action without first exhausting contractual remedies, so long as the employee follows the procedures established in the bill.

The Legislature may wish to clarify how the Commission’s investigations under this bill apply to independent contractors.

VIII. Statutes Affected:

This bill creates section 112.3242 of the Florida Statutes and substantially amends section 112.324 of the Florida Statutes.

⁷¹ For further discussion about relevant inconsistency in the bill, see *supra* discussion of lines 191-199 versus section 4 of the bill under Vi. Technical Deficiencies.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Governmental Oversight and Accountability on December 9, 2025:

The CS makes the retaliatory actions prohibited by the bill an ethical violation itself. As an ethical violation, the Commission on Ethics becomes the appropriate body to investigate.

The amendment makes the Commission on Ethics, instead of the Commission on Human Relations, responsible for determining whether remedies are available and prescribes the procedures for such determination; grants the Commission on Ethics authority make rules; and standardizes the applicable process for employees of and applicants for employment with an agency.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/09/2025	.	
	.	
	.	
	.	

The Committee on Governmental Oversight and Accountability
(Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (18) is added to section 112.313,
Florida Statutes, to read:

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

(18) RETALIATION FOR PROTECTED ACTIVITY PROHIBITED.—

(a) As used in this subsection, the term:



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11 1. "Adverse personnel action" means the discharge,
12 suspension, transfer, or demotion of an employee; the
13 withholding of bonuses or reduction in salary or benefits of an
14 employee; or any other adverse action taken against an employee
15 within the terms and conditions of employment by an agency or
16 independent contractor of an agency.

17 2. "Exercise of ultimate decisionmaking authority" or
18 "grant of approval" means having and using the authority to
19 commence an adverse personnel action.

20 3. "Protected activity" means submitting a written
21 complaint to the commission executed on the form specified in s.
22 112.324(1) and signed under oath or affirmation or providing
23 information to an investigator during an investigation of a
24 complaint or referral.

25 (b) A public officer, public employee, or local government
26 attorney commits a breach of the public trust when he or she
27 initiates an adverse personnel action against an agency employee
28 or independent contractor who has engaged in a protected
29 activity by an exercise of the public officer's, public
30 employee's, or local government attorney's ultimate
31 decisionmaking authority or a grant of his or her approval, or
32 uses his or her position to cause another to initiate such an
33 adverse personnel action, if the protected activity is the
34 primary reason motivating the adverse personnel action. The
35 communication or execution of an adverse personnel action
36 initiated by another's ultimate decisionmaking authority or
37 grant of approval does not constitute an exercise of one's
38 ultimate decisionmaking authority or a grant of one's approval.

39 Section 2. Section 112.3242, Florida Statutes, is created



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to read:

112.3242 Adverse action against employee for disclosing information of specified nature to the Commission on Ethics prohibited; employee remedy and relief.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency any violation of this part or s. 8, Art. II of the State Constitution on the part of a public employer or an independent contractor. It is further the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency regarding alleged breaches of the public trust or violations of s. 8, Art. II of the State Constitution on the part of an agency, a public officer, or an employee.

(2) DEFINITIONS.—As used in this section and s. 112.3243, unless otherwise specified, the term:

(a) "Adverse personnel action" means the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment by an agency or independent contractor.

(b) "Agency" means any state, regional, county, local, or municipal governmental entity, whether executive, judicial, or legislative; any official, officer, department, division, bureau, commission, authority, or political subdivision therein; or any public school, community college, or state university.



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69 (c) "Employee" means a person who performs services for,
70 and is under the control and direction of, or contracts with, an
71 agency or independent contractor for wages or other
72 remuneration.

73 (d) "Independent contractor" means a person, other than an
74 agency, who is engaged in any business and enters into a
75 contract, including a provider agreement, with an agency.

76 (3) ACTIONS PROHIBITED.—

77 (a) An agency or independent contractor may not dismiss,
78 discipline, or take any other adverse personnel action against
79 an employee for disclosing information protected under this
80 section.

81 (b) An agency or independent contractor may not take any
82 adverse personnel action that affects the rights or interests of
83 a person in retaliation for the person's disclosure of
84 information protected under this section.

85 (c) This subsection does not apply when an employee or a
86 person discloses information known by the employee or person to
87 be false or when the employee or person discloses information
88 that forms the basis of an award of costs or attorney fees or
89 both pursuant to s. 112.317(7).

90 (4) NATURE OF INFORMATION DISCLOSED.—The protected
91 information disclosed under this section must include any
92 violation or suspected violation of:

93 (a) Any standard of conduct imposed by this part;

94 (b) Section 8, Art. II of the State Constitution; or

95 (c) Section 11.062, s. 16.715, part II of chapter 287, s.
96 350.031, s. 350.04, s. 350.041, s. 350.042, or s. 350.0605.

97 (5) TO WHOM INFORMATION IS DISCLOSED.—The information



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disclosed under this section must be disclosed to the
commission.

(6) EMPLOYEES AND PERSONS PROTECTED.—This section protects employees and persons who submit a written complaint to the commission executed on the form specified in s. 112.324(1) and signed under oath or affirmation or who provide information to an investigator during an investigation of a complaint. A remedy or other protection under this section does not apply to any employee or person who has committed or intentionally participated in committing the violation or suspected violation for which protection under this section is being sought.

(7) REMEDIES.—Any employee of or applicant for employment with an agency who is subjected to adverse personnel action because he or she engaged in an activity protected by this section may file a complaint, which must be made in accordance with s. 112.3243. Upon receipt of notice from the commission of termination of the investigation, the complainant may elect to pursue the administrative remedy available under s. 112.3243 or bring a civil action within 180 days after receipt of the notice.

(8) RELIEF.—In any action brought under this section, the relief must include the following:

(a) Reinstatement of the employee to the same position held before the adverse personnel action was commenced, or to an equivalent position, or reasonable front pay as an alternative relief.

(b) Reinstatement of the employee's full fringe benefits and seniority rights, as appropriate.

(c) Compensation to the employee, if appropriate, for lost



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wages, benefits, or other lost remuneration caused by the
adverse personnel action.

(d) Payment of reasonable costs, including attorney fees,
to a substantially prevailing employee, or to the prevailing
employer if the employee filed a frivolous action in bad faith.

(e) Issuance of an injunction, if appropriate, by a court
of competent jurisdiction.

(f) Temporary reinstatement of the employee to his or her
former position or to an equivalent position, pending the final
outcome on the complaint, if an employee complains of being
discharged in retaliation for a protected disclosure and if a
court of competent jurisdiction or the commission, as applicable
under s. 112.3243, determines that the disclosure was not made
in bad faith or for a wrongful purpose or that the disclosure
occurred after an agency's or independent contractor's
initiation of a personnel action against the employee which
includes documentation of the employee's violation of a
disciplinary standard or performance deficiency. This paragraph
does not apply to an employee of a municipality.

(9) DEFENSE.—It is an affirmative defense to any action
brought pursuant to this section that the adverse personnel
action was predicated upon grounds other than, and would have
been taken absent, the employee's or person's exercise of rights
protected by this section.

(10) EXISTING RIGHTS.—This section does not diminish the
rights, privileges, or remedies of an employee under any other
law or rule or under any collective bargaining agreement or
employment contract; however, the election of remedies in s.
447.401 also applies to actions under this section.



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Section 3. Paragraphs (g) and (h) are added to subsection (2) of section 112.324, Florida Statutes, to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(2)

(g) Notwithstanding the exemptions in paragraphs (a)-(d), the Commission on Ethics shall deliver a copy of an ethics complaint, and its timely amendments, to the Public Employees Relations Commission upon receiving a written request from the agency. The Commission on Ethics' delivery of the complaint, and any amendment thereto, does not affect the exemptions in paragraphs (a)-(d) in any other context. The Commission on Ethics shall deliver the complaint, and any amendment thereto, within a reasonable timeframe. If the exemptions in paragraphs (a)-(d) are applicable at the time of the request, the commission must redact any designation to the complaint form it supplied after the form was filed, including, but not limited to, date stamps, receipt stamps, and complaint serial numbers.

(h) Notwithstanding the exemptions in paragraphs (a)-(d), the commission shall deliver a copy of an ethics complaint, and its timely amendments, to the person who filed the ethics complaint and identified himself or herself in the text of the complaint or its timely amendments as a current or former employee of the agency associated with the respondent named in the complaint or of an independent contractor of that agency, upon receiving a notarized, written request from such person. The commission's delivery of the complaint, and any amendment thereto, does not affect the exemptions in paragraphs (a)-(d) in any other context. The commission shall deliver the complaint



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within a reasonable timeframe. If the exemptions in paragraphs (a)-(d) are applicable at the time of the request, the commission must redact any designation to the complaint form it supplied after the form was filed, including, but not limited to, date stamps, receipt stamps, and complaint serial numbers.

Section 4. Section 112.3243, Florida Statutes, is created to read:

112.3243 Investigative procedures in response to prohibited personnel actions against ethics complaints.—

(1) COMPLAINT.—

(a) If a disclosure under s. 112.3242 results in alleged retaliation by an employer, the employee or former employee of an agency or independent contractor that is so affected may file a complaint alleging a prohibited personnel action, which must be made by filing a written complaint with the commission no later than 60 days after the prohibited personnel action.

(b) Within 5 working days after receiving a complaint under this section, the commission shall acknowledge receipt of the complaint and provide copies of the complaint and any other preliminary information available concerning the disclosure of information under s. 112.3242 to the employer, who shall acknowledge receipt of such copies to the complainant.

(2) FACT-FINDING.—The commission shall:

(a) Receive any allegation of a personnel action prohibited by s. 112.3242, including a proposed or potential action, and conduct informal fact-finding regarding any allegation of a legally sufficient complaint under this section to the extent necessary to determine whether there are reasonable grounds to believe that a prohibited personnel action under s. 112.3242 has



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occurred, is occurring, or is to be taken.

(b) Within 180 days after receiving the complaint, provide the agency head or independent contractor and the complainant with a fact-finding report that may include recommendations to the parties or a proposed resolution of the complaint. The fact-finding report is admissible in any subsequent or related administrative or judicial review.

(3) INVESTIGATIVE POWERS AND TERMINATION OF INVESTIGATION.—

(a) The commission, in accordance with this section, is empowered to:

1. Receive and investigate complaints from employees alleging retaliation by agencies or independent contractors.

2. Administer oaths, examine witnesses, take statements, issue subpoenas, order the taking of depositions, order responses to written interrogatories, and make appropriate motions to limit discovery, pursuant to investigations under subparagraph 1.

3. Create fact-finding reports and make determinations regarding investigations under subparagraph 1.

(b) The commission shall notify a complainant of the status of the investigation and any action taken at such times as the commission deems appropriate.

(c)1. If the commission determines that, in connection with any investigation, reasonable grounds exist to believe that a prohibited action has occurred, is occurring, or is to be taken which requires corrective action, the commission must report the determination together with a fact-finding report to the agency head or independent contractor and the complainant. The commission may include in the report recommendations for



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corrective action.

2. If the commission, in consultation with the individual subject to the prohibited action, finds that the agency or independent contractor has implemented a corrective action in response to the commission's determination and fact-finding report, the commission must file such finding with the agency head or independent contractor, together with any written comments that the individual provides, and terminate the investigation. The commission shall provide notice of the termination of its investigation, along with the reason for termination, to the complainant and the agency head or independent contractor.

3. If the agency or independent contractor, after 35 days, does not implement a corrective action, the commission must terminate the investigation. If an investigation is terminated pursuant to this subparagraph, the commission must provide notice of the termination of its investigation, along with the reason for termination, to the complainant and the agency head or independent contractor, and notify the complainant of the right to appeal under subsection (4).

(d) If the commission determines that there are no reasonable grounds to believe that a prohibited personnel action has occurred, is occurring, or is to be taken, the commission must terminate its investigation and report its determination, together with a fact-finding report and a notice of termination of investigation, to the agency head or independent contractor and the complainant.

(e) During any investigation under this section, disciplinary action may not be taken against an employee of an



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agency or independent contractor for reporting an alleged prohibited personnel action that is under investigation, or for reporting any related activity, or against any employee for participating in an investigation without notifying the commission.

(4) RIGHT TO APPEAL.—

(a) The complainant may, within 21 days after receipt of a notice of termination of an investigation from the commission, file a complaint against the employer agency regarding the alleged prohibited personnel action with the Public Employees Relations Commission. The Public Employees Relations Commission has jurisdiction over such complaints under ss. 112.3242 and 447.503(4) and (5).

(b) Judicial review of any final order of the commission must be as provided in s. 120.68.

(5) RULEMAKING.—The commission may adopt rules to implement this section.

Section 5. For the purpose of incorporating the amendment made by this act to section 112.313, Florida Statutes, in a reference thereto, subsection (1) of section 112.3136, Florida Statutes, is reenacted to read:

112.3136 Standards of conduct for officers and employees of entities serving as chief administrative officer of political subdivisions.—The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision, for the



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purposes of the following sections, are public officers and employees who are subject to the following standards of conduct of this part:

(1) Section 112.313, and their "agency" is the political subdivision that they serve; however, the contract under which the business entity serves as chief executive or administrative officer of the political subdivision is not deemed to violate s. 112.313(3) or (7).

Section 6. This act shall take effect January 1, 2027.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to employee protections; amending s. 112.313, F.S.; defining terms; providing that public officers, public employees, and local government attorneys commit a breach of the public trust when they initiate adverse personnel actions against specified agency employees or independent contractors under certain circumstances; providing construction; creating s. 112.3242, F.S.; providing legislative intent; defining terms; prohibiting agencies and independent contractors from taking specified actions against employees or certain persons for disclosing certain information to the Commission on Ethics; providing applicability; requiring that information disclosed include specified violations or alleged



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violations; requiring disclosure of specified information to the commission under specified circumstances; providing that specified provisions protect employees and persons who submit written complaints to the commission or provide information to an investigator during an investigation of a complaint or referral; providing applicability; authorizing certain employees or applicants for employment to file complaints in accordance with specified provisions; authorizing certain complainants to pursue a specified administrative remedy or a civil action within a specified timeframe; requiring specified relief; providing applicability; providing that it is an affirmative defense to certain actions that the adverse personnel action was predicated on grounds other than the exercising of certain protected rights; providing construction; amending s. 112.324, F.S.; requiring the Commission on Ethics to deliver copies of complaints and any amendment thereto to the Public Employees Relations Commission upon receiving a written request from the agency; providing that such delivery does not affect specified exemptions in regard to the complaint and amendments; requiring that such delivery be within a reasonable timeframe; requiring that the Commission on Ethics redact certain information under specified conditions; requiring the commission to deliver complaints and any amendment thereto to certain persons upon a notarized written request; providing that such delivery does not affect



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the specified exemptions of the complaint; requiring that such delivery be within a reasonable timeframe; requiring that the commission redact certain information under specified conditions; creating s. 112.3243, F.S.; authorizing certain employees to file a complaint with the commission within a specified timeframe; requiring that the commission acknowledge receipt of such complaint and provide copies of the complaint and any other information to the agency head or independent contractor within a specified timeframe; requiring the commission to conduct informal fact-finding regarding legally sufficient complaints and provide, within a specified timeframe, a certain report to the agency head or independent contractor; providing that the commission is empowered to take specified actions; requiring the commission to notify a complainant of the status of the investigation and actions taken when appropriate; requiring the commission to make a certain determination and provide a fact-finding report to specified entities under specified conditions; requiring the commission to file such determination and report with the agency head or independent contractor under specified conditions; requiring the commission to provide a certain notice to specified entities under specified conditions; requiring the commission to terminate investigations under specified circumstances; prohibiting disciplinary action against an employee under specified conditions; authorizing



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388 complainants to file a complaint against the employer
389 agency with the Public Employees Relations Commission;
390 providing that such commission has jurisdiction over
391 such complaints; authorizing the Commission on Ethics
392 to adopt rules; reenacting s. 112.3136(1), F.S.,
393 relating to standards of conduct for officers and
394 employees of entities serving as chief administrative
395 officer of political subdivisions, to incorporate the
396 amendment made to s. 112.313, F.S., in a reference
397 thereto; providing an effective date.

By Senator Gaetz

1-00194A-26

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1 A bill to be entitled
 2 An act relating to employee protections; creating s.
 3 112.3242, F.S.; providing legislative intent; defining
 4 terms; prohibiting agencies and independent
 5 contractors from taking specified actions against
 6 employees or certain persons for disclosing certain
 7 information to the Commission on Ethics; providing
 8 applicability; requiring that information disclosed
 9 include specified violations or alleged violations;
 10 requiring disclosure of specified information to the
 11 commission under specified circumstances; providing
 12 that specified provisions protect employees and
 13 persons who submit written complaints to the
 14 commission or provide information to an investigator
 15 during an investigation of a complaint or referral;
 16 providing applicability; authorizing certain employees
 17 or applicants for employment to file complaints in
 18 accordance with specified provisions; authorizing such
 19 employees or applicants to pursue a specified
 20 administrative remedy or a civil action within a
 21 specified timeframe; defining the term "local
 22 governmental authority"; authorizing local public
 23 employees to file a complaint with the appropriate
 24 local governmental authority under specified
 25 circumstances; specifying requirements for
 26 administrative procedures created by local
 27 governmental authorities; authorizing such employees
 28 to bring civil actions in a court of competent
 29 jurisdiction under specified conditions; requiring

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 specified relief; providing applicability; providing
 31 that it is an affirmative defense to certain actions
 32 that the adverse personnel action was predicated on
 33 grounds other than the exercising of certain protected
 34 rights; providing construction; amending s. 112.324,
 35 F.S.; requiring the commission to deliver complaints
 36 and any amendment thereto to the agency conducting a
 37 certain investigation, upon the agency's written
 38 request; providing that such delivery does not affect
 39 specified exemptions in regard to the complaint and
 40 amendments; requiring that such delivery be within a
 41 reasonable timeframe; requiring that the commission
 42 redact certain information under specified conditions;
 43 requiring the commission to deliver complaints and any
 44 amendment thereto to certain persons upon a notarized
 45 written request; providing that such delivery does not
 46 affect the specified exemptions of the complaint;
 47 requiring that such delivery be within a reasonable
 48 timeframe; requiring that the commission redact
 49 certain information under specified conditions;
 50 providing an effective date.

51
 52 Be It Enacted by the Legislature of the State of Florida:

53
 54 Section 1. Section 112.3242, Florida Statutes, is created
 55 to read:

56 112.3242 Adverse action against employee for disclosing
 57 information of specified nature to the Commission on Ethics
 58 prohibited; employee remedy and relief.-

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency any violation of this part or s. 8(f), Art. II of the State Constitution on the part of a public employer or an independent contractor. It is further the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency regarding alleged breaches of the public trust or violations of s. 8(f), Art. II of the State Constitution on the part of an agency, a public officer, or an employee.

(2) DEFINITIONS.—As used in this section, unless otherwise specified, the term:

(a) “Adverse personnel action” means the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment by an agency or independent contractor.

(b) “Agency” means any state, regional, county, local, or municipal governmental entity, whether executive, judicial, or legislative; any official, officer, department, division, bureau, commission, authority, or political subdivision therein; or any public school, community college, or state university.

(c) “Employee” means a person who performs services for, and is under the control and direction of, or contracts with, an agency or independent contractor for wages or other remuneration.

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(d) “Independent contractor” means a person, other than an agency, who is engaged in any business and enters into a contract, including a provider agreement, with an agency.

(3) ACTIONS PROHIBITED.—

(a) An agency or independent contractor may not dismiss, discipline, or take any other adverse personnel action against an employee for disclosing information pursuant to this section.

(b) An agency or independent contractor may not take any adverse personnel action that affects the rights or interests of a person in retaliation for the person’s disclosure of information under this section.

(c) This subsection does not apply when an employee or a person discloses information known by the employee or person to be false or when the employee or person discloses information that forms the basis of an award of costs or attorney fees or both pursuant to s. 112.317(7).

(4) NATURE OF INFORMATION DISCLOSED.—The information disclosed under this section must include any violation or suspected violation of:

(a) Any standard of conduct imposed by this part;

(b) Section 8, Art. II of the State Constitution; or

(c) Section 11.062, s. 16.715, part II of chapter 287, s. 350.031, s. 350.04, s. 350.041, s. 350.042, or s. 350.0605.

(5) TO WHOM INFORMATION IS DISCLOSED.—The information disclosed under this section must be disclosed to the Commission on Ethics.

(6) EMPLOYEES AND PERSONS PROTECTED.—This section protects employees and persons who submit a written complaint to the Commission on Ethics executed on a form prescribed by the

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commission and signed under oath or affirmation or who provide information to an investigator during an investigation of a complaint or referral. A remedy or other protection under this section does not apply to any employee or person who has committed or intentionally participated in committing the violation or suspected violation for which protection under this section is being sought.

(7) REMEDIES.—

(a) Any employee of or applicant for employment with any state agency as defined in s. 216.011 who is discharged, disciplined, or subjected to other adverse personnel action or denied employment because he or she engaged in an activity protected by this section may file a complaint, which complaint must be made in accordance with s. 112.31895. Upon receipt of notice from the Florida Commission on Human Relations of termination of the investigation, the complainant may elect to pursue the administrative remedy available under s. 112.31895 or bring a civil action within 180 days after receipt of the notice.

(b) For the purpose of this paragraph, the term "local governmental authority" includes any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision thereof. Within 60 days after the action prohibited by this section, any local public employee protected by this section may file a complaint with the appropriate local governmental authority if that authority has established by ordinance an administrative procedure for handling such complaints or has contracted with the Division of Administrative Hearings under s. 120.65 to

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conduct hearings under this section. The administrative procedure created by ordinance must provide for the complaint to be heard by a panel of impartial persons appointed by the appropriate local governmental authority. Upon hearing the complaint, the panel shall make findings of fact and conclusions of law for a final decision by the local governmental authority. Within 180 days after the entry of a final decision by the local governmental authority, the local public employee who filed the complaint may bring a civil action in any court of competent jurisdiction. If the local governmental authority has not established an administrative procedure by ordinance or contract, a local public employee may, within 180 days after the action prohibited by this section, bring a civil action in a court of competent jurisdiction.

(c) Any other person protected by this section may, after exhausting all available contractual or administrative remedies, bring a civil action in any court of competent jurisdiction within 180 days after the action prohibited by this section.

(8) RELIEF.—In any action brought under this section, the relief must include the following:

(a) Reinstatement of the employee to the same position held before the adverse personnel action was commenced, or to an equivalent position, or reasonable front pay as an alternative relief.

(b) Reinstatement of the employee's full fringe benefits and seniority rights, as appropriate.

(c) Compensation to the employee, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse personnel action.

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(d) Payment of reasonable costs, including attorney fees, to a substantially prevailing employee, or to the prevailing employer if the employee filed a frivolous action in bad faith.

(e) Issuance of an injunction, if appropriate, by a court of competent jurisdiction.

(f) Temporary reinstatement of the employee to his or her former position or to an equivalent position, pending the final outcome on the complaint, if an employee complains of being discharged in retaliation for a protected disclosure and if a court of competent jurisdiction or the Florida Commission on Human Relations, as applicable under s. 112.31895, determines that the disclosure was not made in bad faith or for a wrongful purpose or occurred after an agency's initiation of a personnel action against the employee which includes documentation of the employee's violation of a disciplinary standard or performance deficiency. This paragraph does not apply to an employee of a municipality.

(9) DEFENSE.—It is an affirmative defense to any action brought pursuant to this section that the adverse personnel action was predicated upon grounds other than, and would have been taken absent, the employee's or person's exercise of rights protected by this section.

(10) EXISTING RIGHTS.—This section does not diminish the rights, privileges, or remedies of an employee under any other law or rule or under any collective bargaining agreement or employment contract; however, the election of remedies in s. 447.401 also applies to actions under this section.

Section 2. Paragraphs (g) and (h) are added to subsection (2) of section 112.324, Florida Statutes, to read:

1-00194A-26

202692

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(2)

(g) Notwithstanding the exemptions in paragraphs (a)-(d), the commission shall deliver a copy of an ethics complaint, and its timely amendments, to an agency conducting an investigation of a claim asserted under s. 112.3242, upon receiving a written request from the agency. The commission's delivery of the complaint, and any amendments thereto, does not affect the exemptions in paragraphs (a)-(d) in any other context. The commission shall deliver the complaint, and any amendments thereto, within a reasonable timeframe. If the exemptions in paragraphs (a)-(d) are applicable at the time of the request, the commission must redact any designations to the complaint form it supplied after the form was filed, including, but not limited to, date stamps, receipt stamps, and complaint serial numbers.

(h) Notwithstanding the exemptions in paragraphs (a)-(d), the commission shall deliver a copy of an ethics complaint, and its timely amendments, to the person who filed the ethics complaint and to the person who identified himself or herself in the text of the complaint or its timely amendments as a current or former employee of the agency associated with the respondent named in the complaint or of an independent contractor of that agency, upon receiving a notarized, written request from such person. The commission's delivery of the complaint, and any amendments thereto, does not affect the exemptions in paragraphs (a)-(d) in any other context. The commission shall deliver the complaint in a reasonable timeframe. If the exemptions in

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202692

233 paragraphs (a)-(d) are applicable at the time of the request,
234 the commission must redact any designations to the complaint
235 form it supplied after the form was filed, including, but not
236 limited to, date stamps, receipt stamps, and complaint serial
237 numbers.

238 Section 3. This act shall take effect July 1, 2026.



The Florida Senate

Committee Agenda Request


To: Senator Debbie Mayfield, Chair
Committee on Governmental Oversight and Accountability

Subject: Committee Agenda Request

Date: October 13, 2025

I respectfully request that **Senate Bill #92**, relating to Employee Protections, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.



Senator Don Gaetz
Florida Senate, District 1

12/9/25

Meeting Date

Gov. Oversight & Accountability

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 92

Bill Number or Topic

776688

Amendment Barcode (if applicable)

Name

Steven Zuilkowski (zil-KOW-skee)

Phone

850-488-7864

Address

P.O. Drawer 15709

Email

zuilkowski.steven@leg.state.fl.us

Street

Tallahassee

FL

32317-5709

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Fla. Commission on Ethics

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

12/9/25

Meeting Date

Gov. Oversight & Accountability

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 92

Bill Number or Topic

Amendment Barcode (if applicable)

Name

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Phone

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OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

Fla. Commission on Ethics



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: SB 194

INTRODUCER: Senators Martin and Gaetz

SUBJECT: Charlie Kirk Day of Remembrance

DATE: December 8, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McVaney	McVaney	GO	Favorable
2.			HE	
3.			FP	

I. Summary:

SB 194 designates October 14 of each year as “Charlie Kirk Day of Remembrance.” The bill authorizes the Governor to issue a proclamation designating the day as “Charlie Kirk Day of Remembrance.”

The bill is not expected to impact state or local government revenues or expenditures.

The bill takes effect July 1, 2026.

II. Present Situation:

Charlie Kirk

Charlie Kirk was a co-founder and executive director of Turning Point USA, Inc. Mr. Kirk was born “Charles James Kirk” on October 14, 1993, in Arlington Heights, Illinois. He died September 10, 2025, after being shot while speaking to a crowd at Utah Valley University in Orem, Utah.

Turning Point USA, Inc.

Turning Point USA, Inc. is a nonprofit corporation domiciled in Indiana.¹ “It is organized and operated exclusively for educational and charitable purposes in accordance with section 501(c)(3), to empower informed civic and cultural engagement grounded in American exceptionalism and a positive spirit of action. Turning Point USA guides citizens through development of knowledge, skills, values, and motivation, so they can meaningfully engage in

¹ Indiana Secretary of State: Business Services Division, *Public Business Search*, INBIZ, <https://bsd.sos.in.gov/PublicBusinessSearch> (search “turning point usa, inc.” as business name) (last visited Nov. 24, 2025) (on file with the Senate Committee on Governmental Oversight and Accountability).

their communities to restore traditional American values like patriotism, respect for life, liberty, family, and fiscal responsibility.”²

Legal Holidays and Special Observances in Florida

The legislature has designated numerous days as “legal holidays.” Whenever reference is made to “legal holidays” in contracts performed in Florida, the term is understood to include those holidays designated in s. 683.01, F.S., and any other days designated by law.³ Section 683.01, F.S., designates the following days as legal or public holidays:

- Sunday;
- New Year’s Day, January 1;
- Birthday of Martin Luther King, Jr., January 15;
- Birthday of Robert E. Lee, January 19;
- Lincoln’s Birthday, February 12;
- Susan B. Anthony’s Birthday, February 15;
- Washington’s Birthday, the third Monday in February;
- Tuskegee Airmen Commemoration Day, the fourth Thursday in March;
- Good Friday;
- Pascua Florida Day, April 2;
- Confederate Memorial Day, April 26;
- Memorial Day, the last Monday in May;
- Birthday of Jefferson Davis, June 3;
- Flag Day, June 14;
- Independence Day, July 4;
- Labor Day, the first Monday in September;
- Columbus Day and Farmers’ Day, the second Monday in October;
- Veterans’ Day, November 11;
- General Election Day.
- Thanksgiving Day, the fourth Thursday in November;
- Christmas Day, December 25; and
- Shrove Tuesday, sometimes known as “Mardi Gras” in counties where carnival associations are organized for celebrating the day.

Whenever a legal holiday falls on a Sunday, the Monday next following will be deemed the public holiday.⁴

In addition, the legislature has designated the following days for special observances statewide:

- Three Kings Day, January 6;⁵
- Arbor Day, the third Friday in January;⁶

² Turning Point U.S.A., Inc., Form 990: Return of Organization Exempt from Income Tax (2021), *available at* https://apps.irs.gov/pub/epostcard/cor/800835023_202206_990_2023060921420938.pdf

³ Section 683.02, F.S.

⁴ Section 683.01(2), F.S.

⁵ Section 683.33, F.S.

⁶ Section 683.04, F.S.

- Florida Alzheimer’s Disease Day, February 6;⁷
- Ronald Reagan Day, February 6;⁸
- Save the Florida Panther Day, the third Saturday of March;⁹
- Medal of Honor Day, March 25;¹⁰
- Parents’ and Children’s Day, the first Sunday in April;¹¹
- Everglades Day, April 7;¹²
- Pan-American Day, April 14;¹³
- Patriots’ Day, April 19;¹⁴
- Law Enforcement Appreciation Day, May 1;¹⁵
- Law Day, May 1;¹⁶
- Child Welfare Professionals Recognition Day, the second Monday in May;¹⁷
- Law Enforcement Memorial Day, May 15;¹⁸
- Teacher’s Day, the third Friday in May;¹⁹
- Revive Awareness Day, June 6;²⁰
- Juneteenth Day, June 19;²¹
- Purple Heart Day, August 7;²²
- Fentanyl Awareness and Education Day, August 21;²³
- Grandparents’ Day and Family Caregivers’ Day, the first Sunday after Labor Day;²⁴
- Florida Missing Children’s Day, the second Monday in September;²⁵
- I am an American Day, the third Sunday in October;²⁶
- Retired Teachers’ Day, the Sunday commencing the third week of November;²⁷
- Bill of Rights Day, December 15;²⁸ and
- Homeless Persons’ Memorial Day, December 21.²⁹

⁷ Section 683.24, F.S.

⁸ Section 683.26, F.S.

⁹ Section 683.18, F.S.

¹⁰ Section 683.147, F.S.

¹¹ Section 683.17, F.S.

¹² Section 683.185, F.S.

¹³ Section 683.05, F.S.

¹⁴ Section 683.14, F.S.

¹⁵ Section 683.11, F.S.

¹⁶ Section 683.22, F.S.

¹⁷ Section 683.331, F.S.

¹⁸ Section 683.115, F.S.

¹⁹ Section 683.15, F.S.

²⁰ Section 683.3342, F.S.

²¹ Section 683.21, F.S.

²² Section 683.146, F.S.

²³ Section 683.3343, F.S.

²⁴ Section 683.10, F.S.

²⁵ Section 683.23, F.S.

²⁶ Section 683.145, F.S.

²⁷ Section 683.16, F.S.

²⁸ Section 683.25, F.S.

²⁹ Section 683.325, F.S.

The legislature has directed the governor to annually proclaim various days of special observances. These days of special observances include:

- Pan-American Day, April 14;³⁰
- Holocaust Remembrance Day, January 27;³¹
- Victims of Communism Day, November 7;³² and
- 9/11 Heroes' Day, September 11.³³

Days of special observance, whether designated by the legislature or proclaimed by the Governor, have no impact on contracts in Florida or the operations of state government.³⁴

III. Effect of Proposed Changes:

The bill designates October 14, the anniversary of Mr. Kirk's birth, as "Charlie Kirk Remembrance Day." It also authorizes the Governor to issue a proclamation designating the same. The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require municipalities or counties to spend funds, reduce the authority of municipalities or counties to raise revenue, or reduce the percentage of state tax shared with municipalities and counties.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

³⁰ Section 683.05, F.S.

³¹ Section 683.196, F.S.

³² Section 683.34, F.S.

³³ Section 683.335, F.S.

³⁴ Section 110.117, F.S., delineates the paid holidays observed by state branches and agencies.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill is not expected to impact state or local government revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 683.338 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Martin

33-00520-26

2026194

A bill to be entitled

An act relating to Charlie Kirk Day of Remembrance;
creating s. 683.338, F.S.; designating October 14 of
each year as "Charlie Kirk Day of Remembrance";
authorizing the Governor to issue an annual
proclamation; providing an effective date.

WHEREAS, Charlie Kirk was a champion of free speech, civil
dialogue, and faith, and

WHEREAS, Charlie Kirk consistently promoted the values of
individual liberty, open debate, civic engagement, and defense
of constitutional principles, and

WHEREAS, Charlie Kirk believed in the power of free speech
and the open debate of ideas as the foundation of a free
society, and he dedicated his life to ensuring those principles
were upheld on college and university campuses and in public
life, and

WHEREAS, Charlie Kirk was a co-founder and the executive
director of Turning Point USA, a nonprofit organization with
thousands of chapters nationwide, including active chapters at
colleges and universities across this state, where his work
inspired Florida students to embrace civic participation and the
principles of liberty and democracy, and

WHEREAS, through his public speaking, writing, and media
presence, Charlie Kirk reached millions of Americans, including
Floridians of all ages, encouraging them to take part in civic
life and defend constitutional freedoms, and

WHEREAS, Charlie Kirk's life's work contributed to
strengthening civic education, youth leadership, free speech,

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00520-26

2026194

and public discourse within this state and across the nation,
and

WHEREAS, Charlie Kirk is honored for his contributions to
free speech, open debate, civic education, youth leadership, and
the advancement of individual liberties, which left a lasting
impact on this state's students and civic organizations, and

WHEREAS, Charlie Kirk's tragic death on September 10, 2025,
was not only a national loss but also deeply felt within
Florida's civic and educational communities, NOW, THEREFORE,

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

Section 1. Section 683.338, Florida Statutes, is created to
read:

683.338 Charlie Kirk Day of Remembrance.—

(1) October 14 of each year is designated as "Charlie Kirk
Day of Remembrance."

(2) The Governor may annually issue a proclamation
designating October 14 as "Charlie Kirk Day of Remembrance."

Section 2. This act shall take effect July 1, 2026.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

12-09-25

Meeting Date

SB 194

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name JULIE KEEFE

Phone 850-322-1055

Address 3256 Appleton Dr.
Street

Email juliemkeefe@gmail.com

Tallahassee FL 32311
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD12/9/25
Meeting Date194
Bill Number or TopicGovernmental Oversight & Accountability
CommitteeDeliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name John LabriolaPhone 954-515-2084Address PO Box 650216
StreetEmail JohnLabriola@cfcflorida.netMiami
CityFL
State33265
ZipSpeaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☐ I am appearing without
compensation or sponsorship.☒ I am a registered lobbyist,
representing:Christian Family Coalition Florida☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

12/9/2025

Meeting Date

GOC.

Committee

194

Bill Number or Topic

Amendment Barcode (if applicable)

Name

GUSTAVO GARZAGOTRY

Phone

(786) 280-2909

Address

9923 NW 52 Ave

Email

GGARZAGOTRY@gmail.com

Street

Doral

City

FL

State

33178

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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S-001 (08/10/2021)

APPEARANCE RECORD

1941

12-9-2025

Meeting Date

Government on SF Committee

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jorge JAEU

Phone

786-399-3977

Address

10650 SW 157 Ct

Email

Jorge.JAEU@live.com

Street

Mia

City

FL

State

33196

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



Florida Senate

Kristen Arrington

Senator, District 25

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Zoe Karabenick
Senior Legislative Aide

Monica Smith
District Legislative
Aide

Ana Villalobos
District Legislative
Aide

Francis Briones
District Legislative
Aide

Committees:

Vice Chair of
Commerce & Tourism
Committee

Appropriations
Committee on
Agriculture,
Environment, and
General Government

Appropriations
Committee on
Transportation,
Tourism, and Economic
Development

Environment and
Natural Resources

Fiscal Policy

Governmental
Oversight and
Accountability

Transportation

December 8, 2025

The Honorable Debbie Mayfield
302 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chair Mayfield,

I am respectfully requesting to be excused from the upcoming Governmental Oversight and Accountability Committee meeting on December 9th at 10:00am.

Thank you for your consideration. Please do not hesitate to reach out should you have any questions.

Respectfully,

Senator Kristen Arrington

CC: Joe McVaney, Staff Director
Tamra Redig, Committee Administrative Assistant

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Governmental Oversight And Accountability Committee

Judge:

Started: 12/9/2025 10:01:38 AM

Ends: 12/9/2025 10:57:04 AM

Length: 00:55:27

10:01:49 AM Chair Mayfield calls the meeting to order
10:01:56 AM Roll Call
10:02:15 AM Chair Mayfield makes opening remarks
10:02:21 AM Pledge of Allegiance
10:02:55 AM Tab 2, SB 92 by Senator Gatez, Employee Protections
10:03:18 AM Senator Gaetz explains the bill
10:03:38 AM Amendment #776688
10:03:39 AM Senator Gaetz explains the amendment
10:04:57 AM Chair Mayfield recognizes public appearances on the amendment
10:05:01 AM Speaking:
10:05:20 AM Steven Zuilkowski
10:07:24 AM Senator Gaetz waives close on the amendment
10:07:34 AM Back on bill as amended
10:07:48 AM Senator Gaetz waives close on bill as amended
10:07:51 AM Roll Call
10:08:46 AM Tab 1, SB 60 by Senator McClain, Criminal Conflict and Civil Regional Counsel Membership in the Senior Management Service Class
10:08:54 AM Senator McClain explains bill
10:09:34 AM Amendment 417848
10:09:45 AM Senator McClain explains the amendment
10:10:11 AM Senator McClain waives close on the amendment
10:10:16 AM Back on bill as amended
10:10:30 AM Chair Mayfield recognizes public appearances
10:10:36 AM Back on bill as amended
10:10:40 AM Senator McClain waives close on the bill
10:10:43 AM Roll Call
10:11:11 AM Recording Paused
10:12:02 AM Recording Resumed
10:12:06 AM Tab 3, SB 194 by Senator Martin, Charlie Kirk Day of Remembrance
10:12:18 AM Senator Martin explains the bill
10:13:10 AM Questions:
10:13:17 AM Senator Bracy-Davis
10:13:28 AM Senator Martin
10:16:05 AM Senator Bracy-Davis
10:16:15 AM Senator Martin
10:18:06 AM Senator Bracy-Davis
10:18:55 AM Senator Martin
10:20:07 AM Senator Bracy-Davis
10:20:34 AM Senator Martin
10:21:03 AM Senator Bracy-Davis
10:21:39 AM Senator Martin
10:23:40 AM Senator Polsky
10:23:44 AM Senator Martin
10:25:07 AM Senator Polsky
10:25:17 AM Senator Martin
10:26:03 AM Senator Polsky
10:26:07 AM Senator Martin
10:26:14 AM Senator Polsky
10:26:54 AM Senator Martin
10:27:43 AM Senator Polsky
10:29:22 AM Senator Martin
10:31:48 AM Senator Polsky

10:32:40 AM Senator Martin
10:32:58 AM Senator Polsky
10:33:27 AM Senator Martin
10:34:55 AM Senator Polsky
10:35:40 AM Senator Martin
10:37:21 AM Chair Mayfield recognizes public appearances
10:37:25 AM Speaking:
10:37:37 AM Julie Keefe
10:40:16 AM Jorge Jaen
10:41:15 AM John Labriola
10:42:19 AM Gustavo
10:42:21 AM Debate:
10:42:26 AM Senator Polsky
10:48:07 AM Senator Bracy-Davis
10:52:28 AM Senator Martin closes on the bill
10:55:50 AM Roll Call
10:56:41 AM Chair Mayfield recognizes those wishing to record votes
10:56:50 AM Senator DiCeglie moves to adjourn
10:56:57 AM Meeting adjourned