

Tab 21	CS/SJR 648 by CA, Hutson; (Compare to CS/H 0165) County Officers				
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Tab 22	SB 686 by Gaetz; (Identical to H 0593) Government Accountability				
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758354	D	S	EE, Gaetz	Delete everything after	01/11 01:01 PM
632244	AA	S	EE, Gaetz	Delete L.1157:	01/12 08:56 AM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
Senator Richter, Chair
Senator Legg, Vice Chair

MEETING DATE: Tuesday, January 12, 2016
TIME: 2:00—4:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Richter, Chair; Senator Legg, Vice Chair; Senators Braynon, Clemens, Flores, Gaetz, Hays, Negrón, Smith, and Thompson

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. (See attached documentation for Tabs 1-20)			
Board of Athletic Training			
1	Hudson, James Brian (St. Petersburg)	10/31/2018	Recommend Confirm Yeas 10 Nays 0
Board of Trustees of College of Central Florida			
2	Edgar, William H. (Ocala)	05/31/2018	Recommend Confirm Yeas 10 Nays 0
Board of Trustees of Florida Gateway College			
3	Tepedino, Miguel J. (Lake City)	05/31/2018	Recommend Confirm Yeas 10 Nays 0
Board of Trustees of Pensacola State College			
4	Lacz, Kevin Robert (Gulf Breeze)	05/31/2018	Recommend Confirm Yeas 10 Nays 0
Board of Trustees of Santa Fe College			
5	Hudson, Robert C. (Gainesville)	05/31/2019	Recommend Confirm Yeas 10 Nays 0
	Mallini, G. T. (Gainesville)	05/31/2019	Recommend Confirm Yeas 10 Nays 0
	Prevatt, Lisa M. (Hampton)	05/31/2019	Recommend Confirm Yeas 10 Nays 0
Board of Dentistry			
6	Calderone, Joseph Vincent (Longwood)	10/31/2018	Recommend Confirm Yeas 10 Nays 0
	Fatmi, Naved (Boca Raton)	10/31/2019	Recommend Confirm Yeas 10 Nays 0
	Thomas, Joseph J. (Vero Beach)	10/31/2018	Recommend Confirm Yeas 10 Nays 0
North Central Florida Regional Planning Council, Region 3			
7	Montgomery, James H. (Lake City)	10/01/2016	Recommend Confirm Yeas 10 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 12, 2016, 2:00—4:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Florida Transportation Commission			
8	Wright, Kenneth W. (Winter Park)	09/30/2018	Recommend Confirm Yeas 10 Nays 0
Big Cypress Basin Board of the South Florida Water Management District			
9	Haskins, Ralph H. (Naples)	03/01/2018	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, Florida A & M University			
10	Woody, Robert Lee ()	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, Florida Atlantic University			
11	Dennis, Michael T.B. (Palm Beach)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, University of Central Florida			
12	Garvy, Robert A. (Palm Beach)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, Florida State University			
13	Buzzett, William A. (Santa Rosa Beach)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Sasser, Bobby L. (Virginia Beach)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Sembler, Brent W. (Pinellas Park)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, Florida International University			
14	Pozo, Justo L. (Pinecrest)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, New College of Florida			
15	Johnston, William R. (Bradenton)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Schulaner, Felice (Siesta Key)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, Florida Polytechnic University			
16	Hallion, Richard P., Jr. (Shalimar)	07/15/2019	Recommend Confirm Yeas 10 Nays 0
	Stork, Robert W. (Vero Beach)	06/30/2018	Recommend Confirm Yeas 10 Nays 0
	Wilson, Donald H. (Homeland)	07/15/2019	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, University of Florida			
17	Zucker, Anita G. (Charleston)	01/06/2020	Recommend Confirm Yeas 10 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 12, 2016, 2:00—4:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Board of Trustees, University of North Florida			
18	Munoz, Oscar (Ponte Vedra Beach)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Tanzler, Hans G. III ()	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, University of South Florida			
19	Lamb, Brian D. (Tampa)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Mullis, Harold W., Jr. (Tampa)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Zimmerman, Jordan (Boca Raton)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
Board of Trustees, University of West Florida			
20	Jones, Robert L. (Westville)	01/06/2020	Recommend Confirm Yeas 10 Nays 0
	Terry, Bentina C. (Pensacola)	01/06/2020	Recommend Confirm Yeas 10 Nays 0

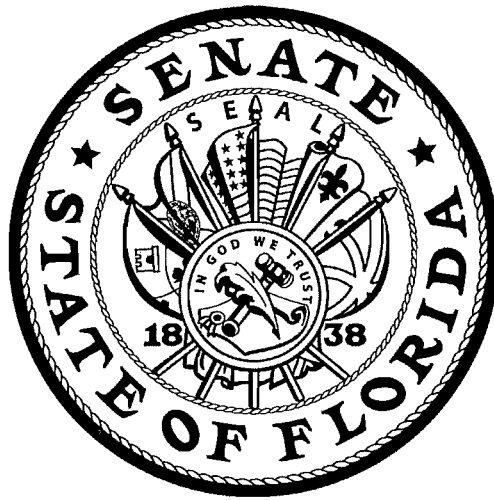
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
21	CS/SJR 648 Community Affairs / Hutson (Compare CS/HJR 165)	County Officers; Proposing an amendment to the State Constitution to remove authority for certain county officers to be chosen in a manner other than election, for any county office to be abolished, or for certain ex officio duties of the clerk of the circuit court to be transferred to another officer, etc. CA 12/01/2015 Fav/CS EE 01/12/2016 Temporarily Postponed RC	Temporarily Postponed
22	SB 686 Gaetz (Identical H 593, Compare CS/H 479, H 651, S 582, S 956, S 992)	Government Accountability; Citing this act as the "Florida Anti-Corruption Act of 2016"; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the Commissioner of Education may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to officers and board members of corporate entities associated with the Department of Economic Opportunity, etc. EE 01/12/2016 Fav/CS GO CA AP	Fav/CS Yeas 7 Nays 3

Other Related Meeting Documents

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 12, 2016, 2:00—4:00 p.m.



Committee:
ETHICS AND ELECTIONS

Senator Richter, Chair
Senator Legg, Vice Chair

Meeting Packet
Tuesday, January 12, 2016
2:00—4:00 p.m.
Pat Thomas Committee Room, 412 Knott Building

The meeting materials for bills on the agenda are in the following order behind each tab:

If a Proposed Committee Substitute is being offered, materials precede the original bill in this order (a separate tab may be used for combined PCS and materials):

- o Bill Analysis for the PCS*
- o Filed amendments to the PCS*
- o Proposed Committee Substitute*
- o Miscellaneous information*

- **Bill Analysis**
- **Filed amendments to the bill**
- **Bill**
- **Amendments from previous committees**
- **Miscellaneous information**

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
Senator Richter, Chair
Senator Legg, Vice Chair

MEETING DATE: Tuesday, January 12, 2016
TIME: 2:00—4:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Richter, Chair; Senator Legg, Vice Chair; Senators Braynon, Clemens, Flores, Gaetz, Hays, Negron, Smith, and Thompson

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated. (See attached documentation for Tabs 1-20)			
Board of Athletic Training			
1	Hudson, James Brian (St. Petersburg)	10/31/2018	
Board of Trustees of College of Central Florida			
2	Edgar, William H. (Ocala)	05/31/2018	
Board of Trustees of Florida Gateway College			
3	Tepedino, Miguel J. (Lake City)	05/31/2018	
Board of Trustees of Pensacola State College			
4	Lacz, Kevin Robert (Gulf Breeze)	05/31/2018	
Board of Trustees of Santa Fe College			
5	Hudson, Robert C. (Gainesville)	05/31/2019	
	Mallini, G. T. (Gainesville)	05/31/2019	
	Prevatt, Lisa M. (Hampton)	05/31/2019	
Board of Dentistry			
6	Calderone, Joseph Vincent (Longwood)	10/31/2018	
	Fatmi, Naved (Boca Raton)	10/31/2019	
	Thomas, Joseph J. (Vero Beach)	10/31/2018	
North Central Florida Regional Planning Council, Region 3			
7	Montgomery, James H. (Lake City)	10/01/2016	
Florida Transportation Commission			
8	Wright, Kenneth W. (Winter Park)	09/30/2018	
Big Cypress Basin Board of the South Florida Water Management District			
9	Haskins, Ralph H. (Naples)	03/01/2018	
Board of Trustees, Florida A & M University			
10	Woody, Robert Lee ()	01/06/2020	

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 12, 2016, 2:00—4:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Board of Trustees, Florida Atlantic University			
11	Dennis, Michael T.B. (Palm Beach)	01/06/2020	
Board of Trustees, University of Central Florida			
12	Garvy, Robert A. (Palm Beach)	01/06/2020	
Board of Trustees, Florida State University			
13	Buzzett, William A. (Santa Rosa Beach)	01/06/2020	
	Sasser, Bobby L. (Virginia Beach)	01/06/2020	
	Sembler, Brent W. (Pinellas Park)	01/06/2020	
Board of Trustees, Florida International University			
14	Pozo, Justo L. (Pinecrest)	01/06/2020	
Board of Trustees, New College of Florida			
15	Johnston, William R. (Bradenton)	01/06/2020	
	Schulaner, Felice (Siesta Key)	01/06/2020	
Board of Trustees, Florida Polytechnic University			
16	Hallion, Richard P., Jr. (Shalimar)	07/15/2019	
	Stork, Robert W. (Vero Beach)	06/30/2018	
	Wilson, Donald H. (Homeland)	07/15/2019	
Board of Trustees, University of Florida			
17	Zucker, Anita G. (Charleston)	01/06/2020	
Board of Trustees, University of North Florida			
18	Munoz, Oscar (Ponte Vedra Beach)	01/06/2020	
	Tanzler, Hans G. III ()	01/06/2020	
Board of Trustees, University of South Florida			
19	Lamb, Brian D. (Tampa)	01/06/2020	
	Mullis, Harold W., Jr. (Tampa)	01/06/2020	
	Zimmerman, Jordan (Boca Raton)	01/06/2020	
Board of Trustees, University of West Florida			
20	Jones, Robert L. (Westville)	01/06/2020	
	Terry, Bentina C. (Pensacola)	01/06/2020	

The Florida Senate
COMMITTEE MEETING PACKET TAB

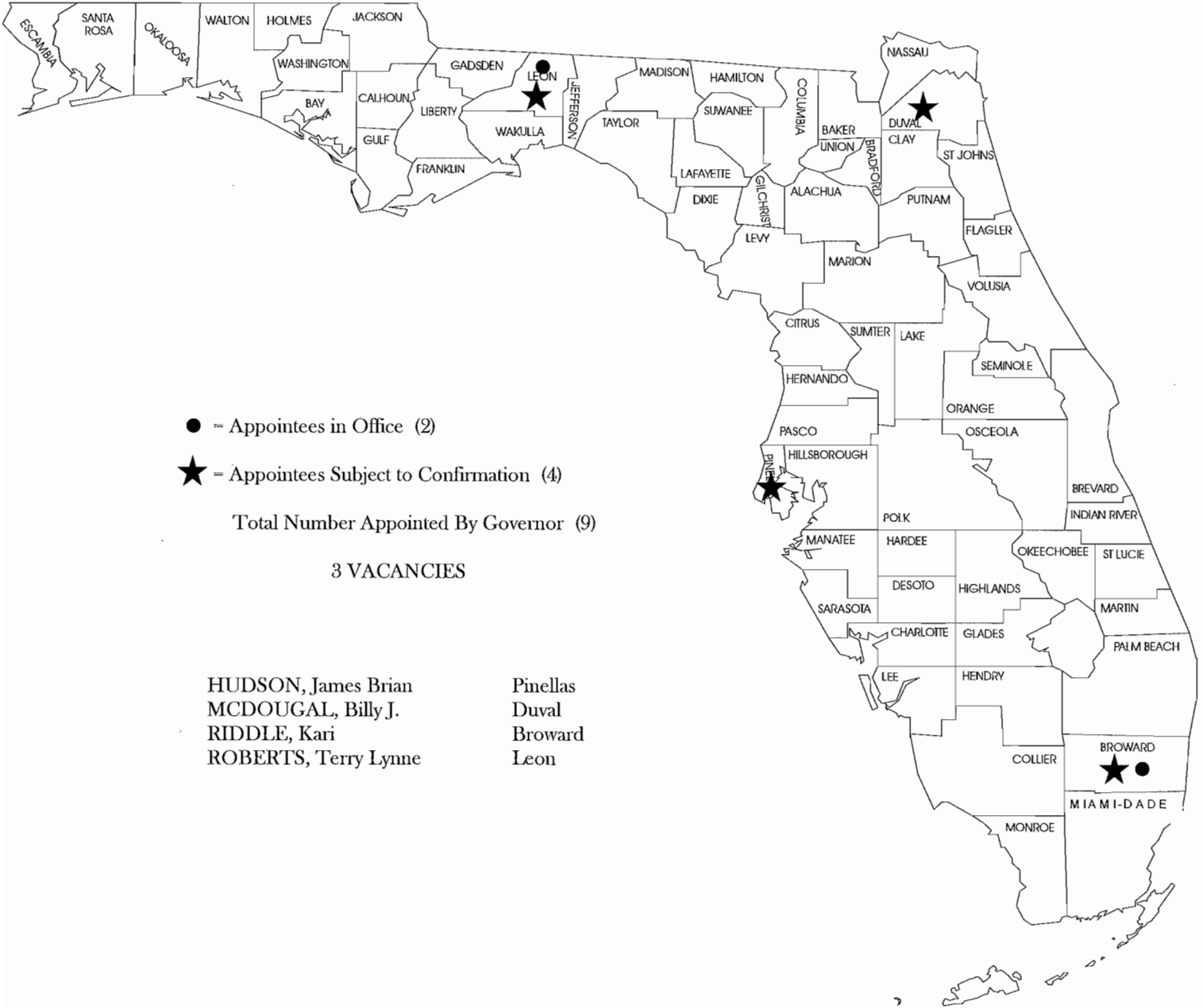
Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Athletic Training



- - Appointees in Office (2)
- ★ - Appointees Subject to Confirmation (4)

Total Number Appointed By Governor (9)

3 VACANCIES

HUDSON, James Brian
 MCDUGAL, Billy J.
 RIDDLE, Kari
 ROBERTS, Terry Lynne

Pinellas
 Duval
 Broward
 Leon

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hudson, James Brian
 Term: 06/12/2015 – 10/31/2018
 City/County: St. Petersburg/Pinellas
 Office: Board of Athletic Training, Member
 Authority: 468.703(1)-(4), F.S. & 20.43(3)(g)18, F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 06/15/2015
 Prior Term: 02/17/2015 - 10/31/2018

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/27/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: VP Sales at Pyramid Healthcare Solutions

Attendance: Attended 2 of 2 meetings (100%) from February 17, 2015 through October 27, 2015.

Compensation: A board member shall be compensated fifty dollars for each day he or she attends an official board meeting and for each day he or she participates in any other board business. A board member shall also be entitled to reimbursement for expenses pursuant to s. 112.061, F. S. Travel out of the state shall require the prior approval of the secretary of the department.

Requirements: The nine-member board shall include:

- Five licensed athletic trainers
- One physician licensed under chapter 458 or chapter 459
- One physician licensed under chapter 460
- Two members shall be consumer members, each of whom must be a resident of this state who has never worked as an athletic trainer, who has no financial interest in the practice of athletic training and who has never been a licensed health care practitioner as defined in s. 456.001(4), F.S.

Additional Requirements:

Terms are for four years.

As the terms of the members expire, the Governor shall appoint successors for terms of 4 years and such members shall serve until their successors are appointed.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Consumer Member

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Edgar, William H.

Appointed: 06/16/2015

Term: 06/12/2015 – 05/31/2018

Prior Term: 03/27/2015 - 05/31/2018

City/County: Ocala/Marion

Office: Board of Trustees of College of Central Florida, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 4/14/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Self Employed

Attendance: Attended 9 of 9 meetings (100%) from March 27, 2015 through October 27, 2015.

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution District Board of Trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for four-year terms. Terms shall expire May 31 of the year of expiration or as soon thereafter as the successors shall be qualified to serve.

It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

Required to file Form 1 with the SOE's office.

Notes: Number 6 - Mr. Edgar served in the U.S. Army from 1961 to 1964.
Number 8 - Marion County Resident

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Tepedino, Miguel J.

Appointed: 06/15/2015

Term: 06/12/2015 – 05/31/2018

Prior Term: 01/28/2015 - 5/31/2018

City/County: Lake City/Columbia

Office: Board of Trustees of Florida Gateway College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/1/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Physician at North Florida Family Medicine; Adjunct Professor at University of Florida College of Medicine

Attendance: Attended 10 of 12 meetings (83%) from January 28, 2015 through October 27, 2015.

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution District Board of Trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for four-year terms. Terms shall expire May 31 of the year of expiration or as soon thereafter as the successors shall be qualified to serve.
It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

Notes: Number 8 - Columbia County Resident
Number 10 - Report 2015-133
Number 19 - Dr. Tepedino is an Adjunct Associate Clinical Professor at the UF College of Medicine, 2009-Present.

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Lacz, Kevin Robert

Appointed: 06/16/2015

Term: 06/12/2015 – 05/31/2018

Prior Term: 03/31/2015 - 05/31/2018

City/County: Gulf Breeze/Santa Rosa

Office: Board of Trustees of Pensacola State College, Member

Authority: 1001.61(1)(2), F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 4/15/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record	X		See Below
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Physician Assistant at Regenesi LLC

Attendance: Attended 6 of 8 meetings (75%) from March 31, 2015 through January 5, 2016.

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution District Board of Trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for four-year terms. Terms shall expire May 31 of the year of expiration or as soon thereafter as the successors shall be qualified to serve.
It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

Notes: Number 6 - Mr. Lacz served in the U.S. Navy from 2002 to 2012
Number 8 - Santa Rosa County Resident
Number 9 - Mr. Lacz disclosed he was charged with unlawful operation of a vehicle while under the influence in Middleton, CT in 12/2001. In addition, Mr. Lacz disclosed he was charged with misdemeanor battery while at San Diego State University on 9/6/2003. A petition for dismissal was granted on 11/8/2011. The FDLE report did not include any charges.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hudson, Robert C. Appointed: 08/27/2015
 Term: 08/21/2015 – 05/31/2019 Prior Term: 05/18/2012 - 05/31/2015
 City/County: Gainesville/Alachua
 Office: Board of Trustees of Santa Fe College, Member
 Authority: 1001.61(1)(2), F.S.
 Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/4/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Retired

Attendance: Attended 25 of 31 meetings (81%) from May 18, 2012 through October 27, 2015.

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution District Board of Trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for four-year terms. Terms shall expire May 31 of the year of expiration or as soon thereafter as the successors shall be qualified to serve.
It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

Notes: Number 6 - Mr. Hudson served in the U.S. Army from 1963 to 1973 (Active) and from 1973 to 1987 (Reserves).
Number 8 - Alachua County Resident
Number 10 - Report 2015-108
Number 18 - Mr. Hudson served on the Florida Historical Commission in 2003. Mr. Hudson has served on the Santa Fe College Board of Trustees since 7/2009.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Mallini, G. T. Appointed: 08/27/2015
 Term: 08/21/2015 – 05/31/2019 Prior Term: 05/18/2012 - 05/31/2015
 City/County: Gainesville/Alachua
 Office: Board of Trustees of Santa Fe College, Member
 Authority: 1001.61(1)(2), F.S.
 Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 7/1/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: CEO/Merchants & Southern Bank

Attendance: Attended 25 of 31 meetings (81%) from May 18, 2012 through October 27, 2015.

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution District Board of Trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for four-year terms. Terms shall expire May 31 of the year of expiration or as soon thereafter as the successors shall be qualified to serve.
It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

Notes: Number 6 - Mr. Mallini served in the U.S. Air Force from 1969 to 1972.
Number 8 - Alachua County Resident
Number 10 - Report 2015-108
Number 15 - Mr. Mallini is the president of a bank that state agencies may have banking accounts.
Number 18 - Mr. Mallini has served on the Santa Fe College Board of Trustees since 9/2003.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Prevatt, Lisa M. Appointed: 08/27/2015
 Term: 08/21/2015 – 05/31/2019 Prior Term: 06/11/2012 - 05/31/2015
 City/County: Hampton/Bradford
 Office: Board of Trustees of Santa Fe College, Member
 Authority: 1001.61(1)(2), F.S.
 Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/29/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Assistant Superintendent of the Bradford County School Board

Attendance: Attended 23 of 31 meetings (74%) from June 11, 2012 through October 27, 2015.

Attendance Notes: Mrs. Prevatt disclosed she was unable to attend several meetings because of scheduling conflicts related to prearranged appointments and planned vacations.

Compensation: Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

Requirements: Florida College System institution District Board of Trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

Additional Requirements: Trustees shall be appointed for four-year terms. Terms shall expire May 31 of the year of expiration or as soon thereafter as the successors shall be qualified to serve. It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal. Required to file Form 1 with the SOE's office.

Notes: Number 8 - Bradford County Resident
Number 10 - Report 2015-108
Number 19 - Mrs. Prevatt has been employed by the Bradford County School Board since 1989 as a Teacher, Administrator, and currently the Assistant Superintendent.

COMMITTEE MEETING PACKET TAB

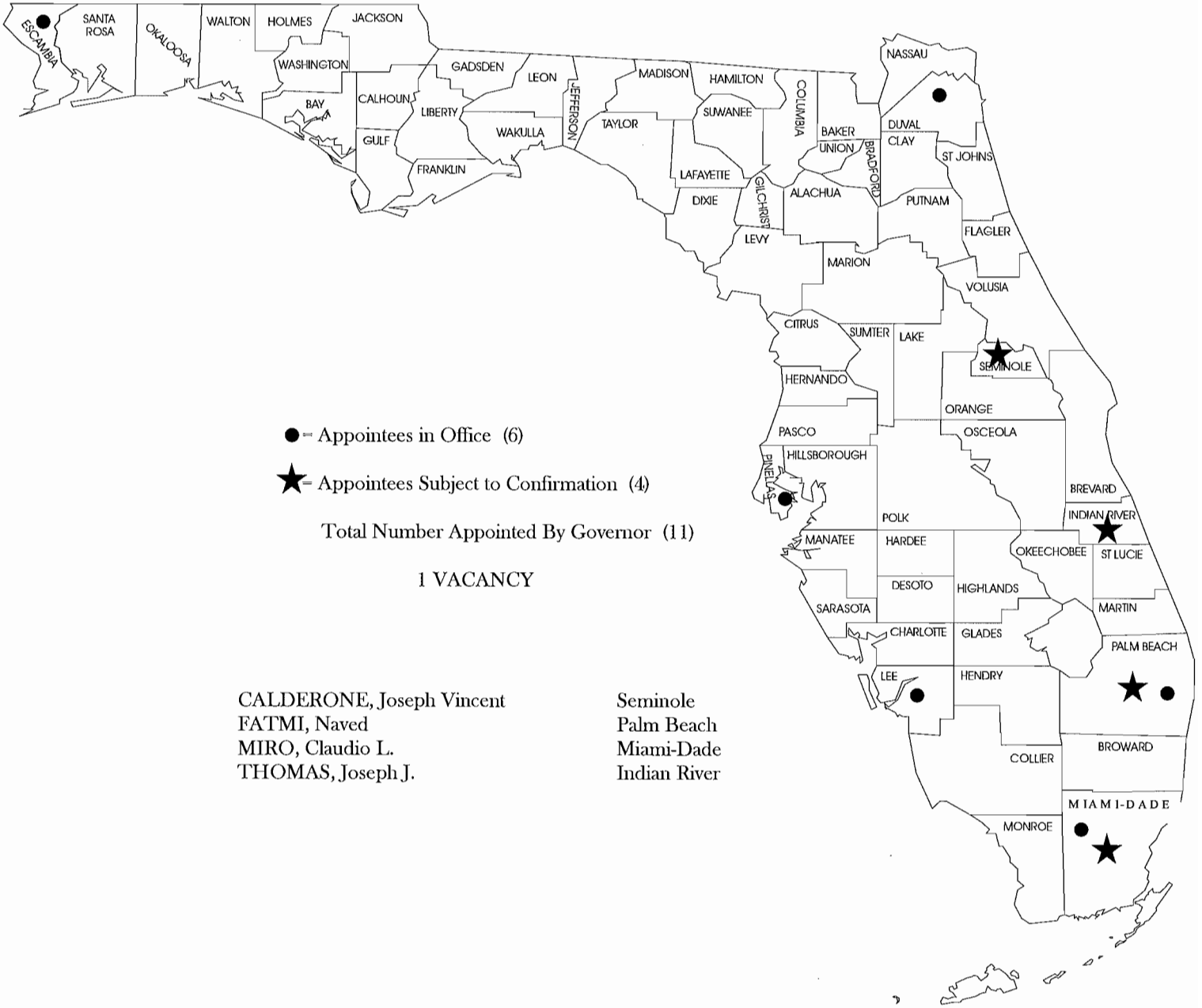
Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Board of Dentistry



● - Appointees in Office (6)
 ★ - Appointees Subject to Confirmation (4)
 Total Number Appointed By Governor (11)
 1 VACANCY

CALDERONE, Joseph Vincent
 FATMI, Naved
 MIRO, Claudio L.
 THOMAS, Joseph J.

Seminole
 Palm Beach
 Miami-Dade
 Indian River

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Calderone, Joseph Vincent
 Term: 09/25/2015 – 10/31/2018
 City/County: Longwood/Seminole
 Office: Board of Dentistry, Member
 Authority: 466.004(1), F.S. & 20.43(3)(g)11, F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 09/25/2015
 Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 11/10/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/18/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Dentist, Heartland Dental Care

Compensation: Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

Requirements: The eleven-member board, appointed by the Governor, consists of:

- Seven members who are licensed dentists actively engaged in the clinical practice of dentistry in this state and has practiced dentistry primarily as a clinical practitioner for at least 5 years immediately preceding the date of appointment. The member must remain primarily in clinical practice during all subsequent periods of appointment.
- Two members who are licensed dental hygienists actively engaged in the practice of dental hygiene in this state, who have been so engaged for at least five years preceding their appointment;
- Two members who are lay persons who are not, and have never been, dentists, dental hygienists, or members of any closely related profession or occupation; and

At least one member who is sixty years of age or older.

Each member of the board who is connected in any way with any dental college or community college must be in compliance with s. 456.007.

Additional Requirements: Members shall be appointed for 4-year terms, but may serve no more than a total of 10 years. Terms expire on October 31. Required to file Form 1 with the Commission on Ethics.

Notes: Number 6 - Dr. Calderone served in the Public Health Service, National Health Service Corps, 1978-1984.
Number 8 - Dentist
Number 19 - Dr. Calderone worked as a Adjunct Associate Clinical Instructor at the University of Florida, College of Dentistry, 2004 - 2007.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Fatmi, Naved
 Term: 11/01/2015 – 10/31/2019
 City/County: Boca Raton/Palm Beach
 Office: Board of Dentistry, Executive Director
 Authority: 466.004(1), F.S. & 20.43(3)(g)11, F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 09/25/2015
 Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 11/6/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/18/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Dentist, Regency Court Dentistry

Compensation: Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

Requirements: The eleven-member board, appointed by the Governor, consists of:

- Seven members who are licensed dentists actively engaged in the clinical practice of dentistry in this state and has practiced dentistry primarily as a clinical practitioner for at least 5 years immediately preceding the date of appointment. The member must remain primarily in clinical practice during all subsequent periods of appointment.
- Two members who are licensed dental hygienists actively engaged in the practice of dental hygiene in this state, who have been so engaged for at least five years preceding their appointment;
- Two members who are lay persons who are not, and have never been, dentists, dental hygienists, or members of any closely related profession or occupation; and

At least one member who is sixty years of age or older.

Each member of the board who is connected in any way with any dental college or community college must be in compliance with s. 456.007.

Additional Requirements: Members shall be appointed for 4-year terms, but may serve no more than a total of 10 years. Terms expire on October 31. Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Dentist

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Thomas, Joseph J.
 Term: 09/25/2015 – 10/31/2018
 City/County: Vero Beach/Indian River
 Office: Board of Dentistry, Member
 Authority: 466.004(1), F.S. & 20.43(3)(g)11, F.S.
 Reference(s): Committee on Ethics and Elections

Appointed: 09/25/2015
 Prior Term: 04/23/2012 - 10/31/2014

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 11/3/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	See Below
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 11/18/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Joseph J. Thomas, DDS, PA

Attendance: Attended 15 of 16 meetings (94%) from April 23, 2012 through November 6, 2015.

Compensation: Fifty dollars per day while attending to the business of the board; reimbursed for expenses pursuant to s. 112.061, F.S.

Requirements: The eleven-member board, appointed by the Governor, consists of:

- Seven members who are licensed dentists actively engaged in the clinical practice of dentistry in this state and has practiced dentistry primarily as a clinical practitioner for at least 5 years immediately preceding the date of appointment. The member must remain primarily in clinical practice during all subsequent periods of appointment.
- Two members who are licensed dental hygienists actively engaged in the practice of dental hygiene in this state, who have been so engaged for at least five years preceding their appointment;
- Two members who are lay persons who are not, and have never been, dentists, dental hygienists, or members of any closely related profession or occupation; and

At least one member who is sixty years of age or older.

Each member of the board who is connected in any way with any dental college or community college must be in compliance with s. 456.007.

Additional Requirements: Members shall be appointed for 4-year terms, but may serve no more than a total of 10 years. Terms expire on October 31. Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Dentist

Number 9 - Dr. Thomas disclosed in his questionnaire that during a legal separation, the Court in its ordered injunction had allowed him to take his children on a round trip to Portland, Oregon. A neighbor notified the Indian River County Sheriff's Department of Dr. Thomas' presence at the residence and he was arrested on July 2, 1996 in Indian River County. After the incident was investigated by the State Attorney's office, the alleged charge was dropped and the record was expunged. The Florida Department of Law Enforcement (FDLE) report did not indicate any violation.

Number 18 - Dr. Thomas served on the Board of Dentistry from 2006 to 2010. Dr. Thomas previously served as the Director for SCRIPPS Florida Funding Corporation, from 2003-2009.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

7

A2135M

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Montgomery, James H.

Appointed: 06/15/2015

Term: 06/12/2015 – 10/01/2016

Prior Term: 03/06/2015 - 10/01/2016

City/County: Lake City/Columbia

Office: North Central Florida Regional Planning Council, Region 3, Member

Authority: 186.504, F.S.

Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/26/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 11/4/15; See Below
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Professor, Florida Gateway College

Attendance: Attended 6 of 8 meetings (75%) from March 6, 2015 through October 27, 2015.

Compensation: The Florida Statutes make no provision for compensation.

Requirements: No less than two-thirds of the representatives serving as voting members on the governing bodies of regional planning councils shall be elected officials of local general-purpose governments chosen by the cities and counties of the region, provided each county shall have at least one vote. The remaining one-third of the voting members on the governing board shall be appointed by the Governor, to include one elected school board member, subject to confirmation by the Senate, and shall reside in the region from each of the following counties:

- Alachua;
- Bradford
- Columbia;
- Dixie;
- Gilchrist;
- Hamilton;
- Lafayette;
- Levy
- Madison;
- Marion
- Suwannee;
- Taylor; and
- Union.

The elected school board member, appointed by the Governor, will be nominated by the Florida School Board Association.

No two appointees of the Governor shall have their places of residence in the same county until each county within the region is represented by a Governor's appointee.

Nothing contained in this section shall deny to local governing bodies or the Governor the option of appointing either locally elected officials or lay citizens provided at least two-thirds is composed of locally elected officials.

Additional Requirements: The Florida Statutes make no provision for terms.

Each county shall be a member of the Regional Planning Council created within the comprehensive planning district encompassing the county.

Required to file Form 1 with SOE's office.

Notes: Number 8 - Columbia County Resident

Number 11 - The Commission on Ethics reported a complaint was filed against Mr. Montgomery when he served on the Columbia County Board of County Commissioners, (00-035). The complaint alleged a violation of the Code of Ethics for Public Officers. The Commission on Ethics dismissed the complaint on 6/6/2000 for legal insufficiency.

Number 18 - Mr. Montgomery has served on the North Central Florida Regional Planning Council since 12/2009. Mr. Montgomery served on the Columbia County Board of County Commissioners from 1972-1980 and 1984-2004.

Number 19 - Mr. Montgomery is a professor at Florida Gateway College, 2003-Present. Mr. Montgomery taught school in the Columbia County School System from 1958-2003.

COMMITTEE MEETING PACKET TAB

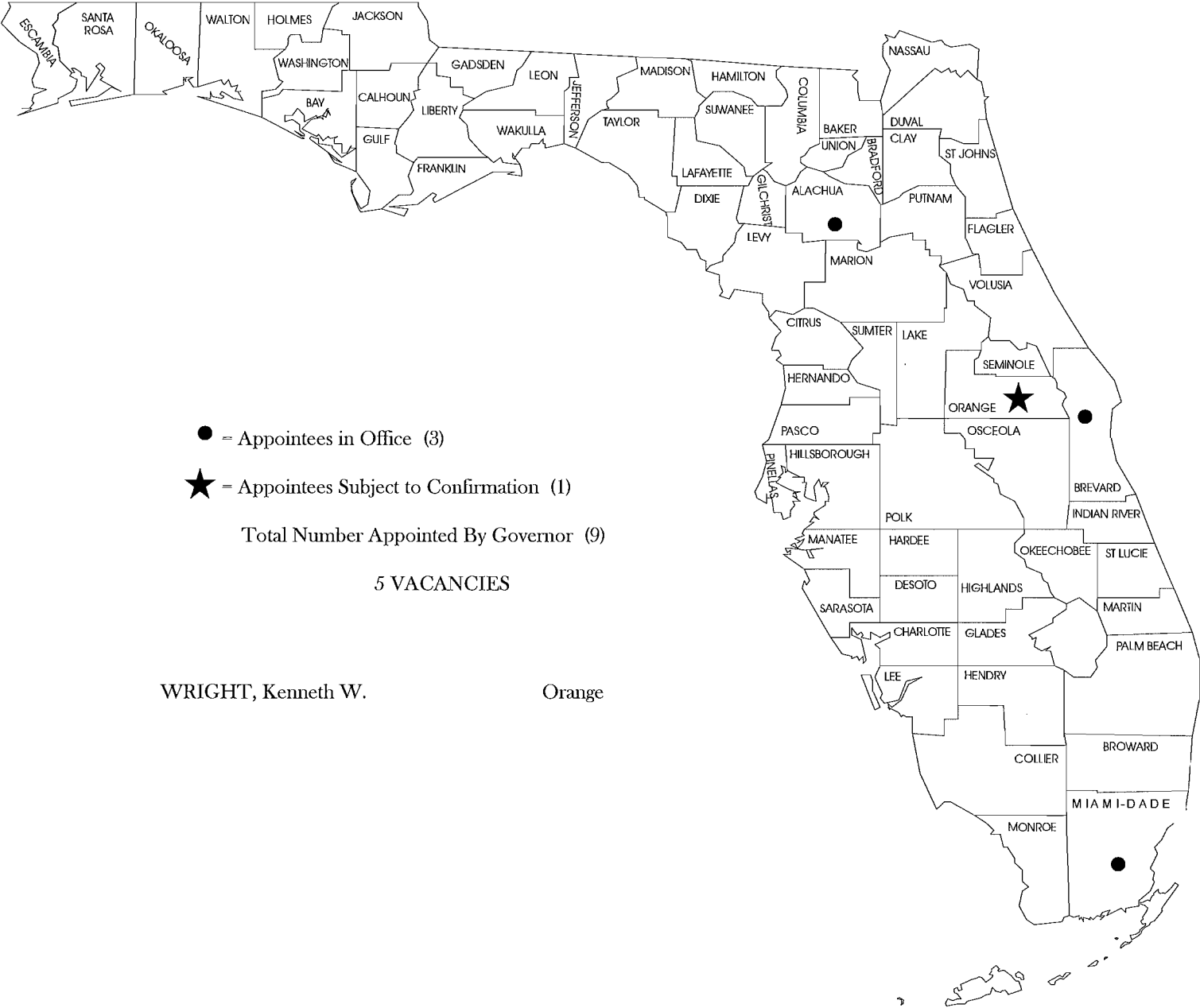
Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Florida Transportation Commission



The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Transportation
MEETING DATE: Thursday, December 03, 2015
TIME: 1:00—3:00 p.m.
PLACE: Mallory Horne Committee Room, 37 Senate Office Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Transportation

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Florida Transportation Commission

Appointee: Wright, Kenneth W.

Term: 6/12/2015-9/30/2018

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Wright, Kenneth W.

Appointed: 06/15/2015

Term: 06/12/2015 – 09/30/2018

Prior Term: 02/25/2015 - 09/30/2018

City/County: Winter Park/Orange

Office: Florida Transportation Commission, Member

Authority: 20.23(2)(a)1, F.S.

Reference(s): Committee on Ethics and Elections

Committee on Transportation-Recommend Confirm-12/03/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/10/15
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 10/2/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Attorney at Shutts & Bowen, LLP

Attendance: Attended 4 of 4 meetings (100%) from February 25, 2015 through September 21, 2015.

Compensation: Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

Requirements: The nine-member commission, who is appointed by the Governor, consists of registered voters and citizens of the state who are appointed to equitably represent all geographic areas of the state.

Each member of the commission must possess business managerial experience in the private sector.

A member may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the appointment and for two years after the termination of the appointment.

Additional Requirements: Terms are for four years.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 18 - Mr. Wright served on the Fish and Wildlife Conservation Commission from 2007 to 2013. He served on the Environmental Regulation Commission from 7/99 to 7/07 and 1/91 to 6/91. In addition, he also served on the East Central Regional Planning Council from 5/88 to 5/89. Mr. Wright was Chairman of the Sanford Aviation Authority from 9/98 to 9/03.
Education Verified

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Haskins, Ralph H. Appointed: 06/15/2015
 Term: 06/12/2015 – 03/01/2018 Prior Term: 04/03/2015 - 03/01/2018
 City/County: Naples/Collier
 Office: Big Cypress Basin Board of the South Florida Water Management District, Member
 Authority: 373.0693(9), F.S.
 Reference(s): Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/12/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 11/4/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Home Builder/Minto Communities

Attendance: Attended 18 of 18 meetings (100%) from April 3, 2015 through October 27, 2015.

Compensation: Reimbursed for actual travel expenses, subsistence, lodging, and other expenses, while on official business, pursuant to s. 112.061, F.S.

Requirements: The Governor shall appoint not fewer than five persons residing in:

- Collier County; and
- mainland, Monroe County.

Basin boards shall consist of not less than three members, but shall include one representative from each of the counties included in the basin.

Additional Requirements: Terms are for three years.

Not required to file a financial disclosure.

Notes: Number 8 - Collier County Resident
Number 19 - Mr. Haskins worked as a Teacher from 1976 to 1980 for the Collier County School Board.

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida A & M University

Appointee: Woody, Robert Lee

Term: 3/27/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Woody, Robert Lee

Appointed: 03/30/2015

Term: 03/27/2015 – 01/06/2020

Prior Term:

City/County: Gainesville/Alachua

Office: Board of Trustees, Florida A & M University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/21/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 7/10/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Director of Community and Business Development for Career Source.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Governor's Appointment

Number 17 - Mr. Woody is serving on the Board of Trustees of Santa Fe College, 2012-Present.

Number 18 - Mr. Woody previously served on the Board of Trustees of Santa Fe Community College from 1995-2002.

Number 19 - Mr. Woody was a Deputy Secretary for the Department of Juvenile Justice, 2011 to 2012. Mr. Woody was the Jail Director for the Alachua County Sheriff's Office, 2008 to 2011. In addition, Mr. Woody was employed by the Department of Corrections, 3/2003-1/2008 as Director of Community Relations and 12/1979-3/2003 as correctional probation officer.

Education Verified

COMMITTEE MEETING PACKET TAB

11

A3005D

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida Atlantic University

Appointee: Dennis, Michael T.B.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Dennis, Michael T.B. Appointed: 05/12/2015
 Term: 05/07/2015 – 01/06/2020 Prior Term: 03/19/2015 - 01/06/2020
 City/County: Palm Beach/Palm Beach
 Office: Board of Trustees, Florida Atlantic University, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 4/10/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 8/28/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation:

Attendance: Attended 5 of 5 meetings (100%) from March 19, 2015 through August 18, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 6 - Dr. Dennis served in the U.S. Air Force, 1971-1973.
Number 8 - Board of Governors' Appointment
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

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A3010G

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of Central Florida

Appointee: Garvy, Robert A.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Garvy, Robert A. Appointed: 05/12/2015
 Term: 05/07/2015 – 01/06/2020 Prior Term: 03/19/2015 - 01/06/2020
 City/County: Palm Beach/Palm Beach
 Office: Board of Trustees, University of Central Florida, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 4/14/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Founder and Chairman of Intech (Investments)

Attendance: Attended 2 of 2 meetings (100%) from March 19, 2015 through July 7, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 6 - Mr. Garvy was in the U.S. Army from 1960 to 1963.
Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-173
Number 15 - Mr. Garvy is Chairman of Intech, an investment firm that may provide contract investment management services to state and local governments.
Number 18 - Mr. Garvy served on the City of Palm Beach General Employees Retirement Board of Trustees from 1999 to 2008.
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida State University

Appointee: Buzzett, William A.

Term: 6/12/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Buzzett, William A.

Appointed: 06/15/2015

Term: 06/12/2015 – 01/06/2020

Prior Term: 03/23/2015 - 01/06/2020

City/County: Santa Rosa Beach/Walton

Office: Board of Trustees, Florida State University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/15/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Attorney, Harrison, Rivard et. al.

Attendance: Attended 2 of 2 meetings (100%) from March 23, 2015 through July 24, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Governor's Appointment
Number 15 - Mr. Buzzett disclosed he is a partner in Harrison, Rivard, a law firm that has provided legal services as Co-counsel with the Attorney General.
Number 18 - Mr. Buzzett served as Secretary for the Department of Community Affairs in 2011. Mr. Buzzett served on the Historic Tallahassee Preservation Board from 1991-1994. Mr. Buzzett also served on the Charter School Review Commission in 1999, the Coastal High Hazard Study Commission in 2005, and the Sustainable Emerald Coast Commission in 2007.
Number 19 - Mr. Buzzett was the Director of the Constitution Revision Commission, 1997-1998. Mr. Buzzett served as a Hearing Officer for the Florida Division of Administrative Hearings from 1996-1997. In addition, he was an attorney for the Article V Task Force in 1996 and he was an attorney for the Florida House of Representatives from 1991-1995.
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida State University

Appointee: Sasser, Bobby L.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Sasser, Bobby L.

Appointed: 05/12/2015

Term: 05/07/2015 – 01/06/2020

Prior Term: 03/19/2015 - 01/06/2020

City/County: Virginia Beach/Non-Florida

Office: Board of Trustees, Florida State University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)		X	See Below
5. Registered Voter in Florida		X	
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/5/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 7/10/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: CEO of Dollar Tree, Inc.

Attendance: Attended 2 of 2 meetings (100%) from March 19, 2015 through June 23, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 4 - State of Virginia Resident
Number 8 - Board of Governors' Appointment
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida State University

Appointee: Sembler, Brent W.

Term: 6/12/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Sembler, Brent W. Appointed: 06/15/2015
 Term: 06/12/2015 – 01/06/2020 Prior Term: 02/13/2015 - 01/06/2020
 City/County: Pinellas Park/Pinellas
 Office: Board of Trustees, Florida State University, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/30/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/28/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Developer/Vice Chairman, The Sembler Company

Attendance: Attended 24 of 35 meetings (69%) from March 19, 2010 through August 18, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Governor's Appointment
Number 10 - Report 2015-172
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President
FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida International University

Appointee: Pozo, Justo L.

Term: 3/19/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Pozo, Justo L. Appointed: 03/25/2015
 Term: 03/19/2015 – 01/06/2020 Prior Term:
 City/County: Pinecrest/Miami-Dade
 Office: Board of Trustees, Florida International University, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/17/15
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 7/10/15
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Chairman of Pozo Capital Partners, LLC

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Education Verified

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, New College of Florida

Appointee: Johnston, William R.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Johnston, William R. Appointed: 05/12/2015
 Term: 05/07/2015 – 01/06/2020 Prior Term: 03/19/2015 - 01/06/2020
 City/County: Bradenton/Manatee
 Office: Board of Trustees, New College of Florida, Member
 Authority: 1001.71(1) & 1004.32, F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/3/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Retired

Attendance: Attended 3 of 3 meetings (100%) from March 19, 2015 through July 7, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 6 - Mr. Johnston served in the U.S. Army from 1961 to 1962 and was in the Reserves until 1965.
Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-139
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, New College of Florida

Appointee: Schulaner, Felice

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Schulaner, Felice

Appointed: 05/12/2015

Term: 05/07/2015 – 01/06/2020

Prior Term: 03/19/2015 - 01/06/2020

City/County: Siesta Key/Sarasota

Office: Board of Trustees, New College of Florida, Member

Authority: 1001.71(1) & 1004.32, F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/27/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 7/10/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Independent Contractor, Coach Foundation (Corporate Foundation)

Attendance: Attended 2 of 2 meetings (100%) from March 19, 2015 through June 23, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-139
Education Verified

COMMITTEE MEETING PACKET TAB

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A3033H

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida Polytechnic University

Appointee: Hallion Jr., Richard P.

Term: 5/7/2015-7/15/2019

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Hallion, Richard P., Jr.

Appointed: 05/12/2015

Term: 05/07/2015 – 07/15/2019

Prior Term: 03/19/2015 - 07/15/2019

City/County: Shalimar/Okaloosa

Office: Board of Trustees, Florida Polytechnic University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/9/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Senior Advisor (part time) to CRI (Science/Tech Analysis); Editor (part time) to Media Fusion; Freelance Author to Weider History Group; Senior Consultant, Institute for Defense Analyses

Attendance: Attended 3 of 3 meetings (100%) from March 19, 2015 through July 24, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-063
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida Polytechnic University

Appointee: Stork, Robert W.

Term: 6/12/2015-6/30/2018

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Stork, Robert W.

Appointed: 06/15/2015

Term: 06/12/2015 – 06/30/2018

Prior Term: 02/13/2015 - 06/30/2018

City/County: Vero Beach/Indian River

Office: Board of Trustees, Florida Polytechnic University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/23/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: CEO of Communications International, Inc.

Attendance: Attended 4 of 4 meetings (100%) from February 13, 2015 through July 20, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Governor's Appointment
Number 10 - Report 2015-063
Number 15 - Mr. Stork indicated that he has had or has contracts with the Florida Highway Patrol and the Department of Corrections for 'radio repair'.

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, Florida Polytechnic University

Appointee: Wilson, Donald H.

Term: 5/7/2015-7/15/2019

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Wilson, Donald H.

Appointed: 05/12/2015

Term: 05/07/2015 – 07/15/2019

Prior Term: 03/19/2015 - 07/15/2019

City/County: Homeland/Polk

Office: Board of Trustees, Florida Polytechnic University, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/15/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Attorney at Boswell & Dunlap, LLP

Attendance: Attended 3 of 3 meetings (100%) from March 19, 2015 through June 26, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-063
Number 15 - Mr. Wilson disclosed on his questionnaire he is a partner with a law firm that provided legal representation as outside counsel to Polk State College, Polk County School Board, and the municipalities of Bartow, Winter Haven, Dundee, and Lake Alfred.
Number 18 - Mr. Wilson served on the Judicial Nominating Commission, 10th Circuit, 2002 to 2012.
Mr. Wilson served on the Polk County Historical Commission, 1985 to 1993.
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of Florida

Appointee: Zucker, Anita G.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Zucker, Anita G. Appointed: 05/12/2015
 Term: 05/07/2015 – 01/06/2020 Prior Term: 03/19/2015 - 01/06/2020
 City/County: Charleston/Non-Florida
 Office: Board of Trustees, University of Florida, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)		X	See Below
5. Registered Voter in Florida		X	
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/10/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: CEO, The InterTech Group, Inc. (Global Holding Company)

Attendance: Attended 3 of 3 meetings (100%) from March 19, 2015 through June 26, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 4 - South Carolina Resident
Number 8 - Board of Governors' Appointment
Number 19 - Ms. Zucker worked for the Alachua County Schools, 1969 to 1972 and the Putnam County Schools from 1972 to 1978.
Education Verified

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of North Florida

Appointee: Munoz, Oscar

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Munoz, Oscar Appointed: 05/12/2015
 Term: 05/07/2015 – 01/06/2020 Prior Term: 03/15/2015-1/6/2020
 City/County: Ponte Vedra Beach/St. Johns
 Office: Board of Trustees, University of North Florida, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/4/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 9/10/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Chief Executive Officer at United Airlines.

Attendance: Attended 21 of 32 meetings (66%) from January 17, 2010 through September 23, 2015.

Attendance Notes: Mr. Munoz was unable to attend several meetings due to conflicts with business schedule.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governors' Appointment
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of North Florida

Appointee: Tanzler III, Hans G.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Tanzler, Hans G., III
 Term: 05/07/2015 – 01/06/2020

Appointed: 05/12/2015
 Prior Term: 03/19/2015 - 01/06/2020

City/County: Jacksonville/Duval

Office: Board of Trustees, University of North Florida, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/26/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: Attorney

Attendance: Attended 4 of 4 meetings (100%) from March 19, 2015 through July 7, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governors' Appointment

Number 18 - Mr. Tanzler previously served on the Jacksonville Transportation Authority (1989-1990), the Gulf States Marine Fisheries Commission (1990-1994), and the St. Johns River Water Management District (2008-2011).

Number 19 - Mr. Tanzler previously served as the Executive Director of the St. Johns River Water Management District, 2011 - 4/2015. Mr. Tanzler was the General Counsel for the St. Johns River Water Management District from 7/11 - 10/11.

Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President
FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of South Florida

Appointee: Lamb, Brian D.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Lamb, Brian D. Appointed: 05/12/2015
 Term: 05/07/2015 – 01/06/2020 Prior Term: 03/19/2015 - 01/06/2020
 City/County: Tampa/Hillsborough
 Office: Board of Trustees, University of South Florida, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/29/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 7/10/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Banking Executive - Fifth Third Bank

Attendance: Attended 2 of 2 meetings (100%) from March 19, 2015 through June 23, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-042
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of South Florida

Appointee: Mullis Jr., Harold W.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Mullis, Harold W., Jr.

Appointed: 05/12/2015

Term: 05/07/2015 – 01/06/2020

Prior Term: 03/19/2015 - 01/06/2020

City/County: Tampa/Hillsborough

Office: Board of Trustees, University of South Florida, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 4/6/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: President/Attorney, Trenam, Kemker

Attendance: Attended 2 of 2 meetings (100%) from March 19, 2015 through June 26, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 6 - Mr. Mullis served in the Florida National Guard from 1970 to 1980.
Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-042
Number 15 - Mr. Mullis disclosed he is the President of a law firm that contracts with government agencies to provide legal services.
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of South Florida

Appointee: Zimmerman, Jordan

Term: 6/12/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Zimmerman, Jordan Appointed: 06/16/2015
 Term: 06/12/2015 – 01/06/2020 Prior Term: 02/13/2015 - 01/06/2020
 City/County: Boca Raton/Palm Beach
 Office: Board of Trustees, University of South Florida, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Higher Education-Recommend Confirm-12/01/2015
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/18/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Founder/Chairman - Zimmerman Advertising

Attendance: Attended 20 of 26 meetings (77%) from March 9, 2010 through July 24, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Governor's Appointment
Number 10 - Report 2015-042
Education Verified

The Florida Senate
COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 12, 2016

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of West Florida

Appointee: Jones, Robert L.

Term: 6/12/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Governor.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Jones, Robert L. Appointed: 06/16/2015
 Term: 06/12/2015 – 01/06/2020 Prior Term: 03/27/2015 - 01/06/2020
 City/County: Westville/Holmes
 Office: Board of Trustees, University of West Florida, Member
 Authority: 1001.71(1), F.S.
 Reference(s): Committee on Ethics and Elections
 Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 5/28/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: President, Jones-Phillips & Associates, Inc.

Attendance: Attended 2 of 2 meetings (100%) from March 27, 2015 through July 20, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 6 - Mr. Jones served in the Florida Army National Guard from 1964 to 1993.
Number 8 - Governor's Appointment
Number 10 - Report 2015-046
Number 15 - Mr. Jones is a contract grants administrator and has held contracts with Escambia, Holmes, and Santa Rosa Counties and the following cities, Bonifay, Century, DeFuniak Springs, Freeport, Havana, Jay, Milton, and Paxton.
Number 18 - Mr. Jones served on the Board of Trustees of Chipola Junior College from 1987-1991 and 2007-2013. Mr. Jones served on the Holmes County Planning Commission from 1977-1981.
Education Verified

The Florida Senate
**COMMITTEE RECOMMENDATION ON
EXECUTIVE APPOINTMENT**

COMMITTEE: Committee on Higher Education
MEETING DATE: Tuesday, December 01, 2015
TIME: 11:00 a.m.—12:00 noon
PLACE: Pat Thomas Committee Room, 412 Knott Building

TO: The Honorable Andy Gardiner, President

FROM: Committee on Higher Education

The committee was referred the following executive appointment subject to confirmation by the Senate:

Office: Board of Trustees, University of West Florida

Appointee: Terry, Bentina C.

Term: 5/7/2015-1/6/2020

After inquiry and due consideration, the committee recommends that the Senate **confirm** the aforesaid executive appointment made by the Board of Governors.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Terry, Bentina C.

Appointed: 05/12/2015

Term: 05/07/2015 – 01/06/2020

Prior Term: 03/19/2015 - 01/06/2020

City/County: Pensacola/Escambia

Office: Board of Trustees, University of West Florida, Member

Authority: 1001.71(1), F.S.

Reference(s): Committee on Ethics and Elections

Committee on Higher Education-Recommend Confirm-12/01/2015

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 4/20/15
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	See Below
11. Adverse Ethics Commission Action		X	As of 8/11/15
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended			Not Applicable
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: VP - Customer Service and Sales, Gulf Power

Attendance: Attended 3 of 3 meetings (100%) from March 19, 2015 through July 7, 2015.

Compensation: Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

Requirements: Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Additional Requirements: Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.
No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Notes: Number 8 - Board of Governors' Appointment
Number 10 - Report 2015-046
Number 15 - Mrs. Terry's employer, Gulf Power, provides power to various government agencies.
Number 17 - Mrs. Terry serves on the Escambia County RESTORE Advisory Committee, 2013-Present.
Number 18 - Mrs. Terry served on the Community Maritime Park Board of Trustees from 2008-2011.
Education Verified

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 Ethics and Elections

BILL: CS/SJR 648

INTRODUCER: Community Affairs Committee and Senator Hutson

SUBJECT: County Officers

DATE: January 7, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Present</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/CS</u>
2.	<u>Carlton</u>	<u>Roberts</u>	<u>EE</u>	<u>Pre-meeting</u>
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SJR 648 proposes to amend the Florida Constitution by limiting the authority to alter the manner of selecting certain county officers or to abolish a county office and transfer all duties prescribed by general law to another office, either by charter counties or by special law approved by the county electors. As a result, the offices of sheriff, property appraiser, supervisor of elections, tax collector, and clerk of the circuit court would be filled only by vote of the county electors and for terms of 4 years. As proposed in the joint resolution, the clerk of the circuit court would be the ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of county funds unless otherwise provided by special law approved by the county voters.

Each house of the Legislature must pass a joint resolution by a three-fifths vote in order for the proposal to be placed on the ballot. The joint resolution provides for the proposed constitutional amendment to be submitted to the electors of Florida for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose.

II. Present Situation:

Article VIII of the Florida Constitution establishes the authority for home rule by counties and municipalities in Florida. The Legislature is required to divide the state into counties¹ and has the authority to choose to create municipalities.²

Pursuant either to general³ or special law, a county government may be adopted by charter approved by the county voters. Any county not having a chartered form of consolidated government may, pursuant to the provisions of ss. 125.60-125.64, F.S., locally initiate and adopt by a majority vote of the qualified electors of the county a county home rule charter.⁴ A special constitutional provision provides unique authorization for the Miami-Dade County home rule charter.⁵ Currently, 20 Florida counties have adopted charters.⁶

Charter Commission

Creation of Charter Commission

After the adoption of a resolution by the board of county commissioners, or upon the submission of a petition to the county commission signed by at least 15 percent of the qualified electors of a county requesting that a charter commission be established, a charter commission shall be appointed within 30 days of the adoption of the resolution or filing of the petition.⁷ The charter commission must be composed of an odd number of not less than 11 nor more than 15 members.⁸ The members of the commission must be appointed by the board of county commissioners of the county or, if so directed in the initiative petition, by the legislative delegation. No member of the Legislature or the board of county commissioners may be a member of the charter commission.⁹

¹ Art. VIII, s. 1(a), Fla. Const.

² Art. VIII, s. 2(a), Fla. Const.

³ Section 125.60, F.S.

⁴ *Id.*

⁵ In 1956, an amendment to the 1885 Florida Constitution provided Dade County with the authority to adopt, revise, and amend from time to time a home rule charter government for the county. The voters of Dade County approved that charter on May 21, 1957. Dade County, now known as Miami-Dade County, has unique home rule status. Article VIII, s. 11(5) of the 1885 State Constitution, now incorporated by reference in art. VIII, s. 6(e), Fla. Const. (1968), further provided the Metropolitan Dade County Home Rule Charter, and any subsequent ordinances enacted pursuant to the charter, may conflict with, modify, or nullify any existing local, special, or general law applicable only to Dade County. Accordingly, Miami-Dade County ordinances enacted pursuant to the Charter may implicitly, as well as expressly, amend or repeal a special act that conflicts with a Miami-Dade County ordinance. Effectively, the Miami-Dade Charter can only be altered through constitutional amendment, general law, or county actions approved by referendum, *Chase v. Cowart*, 102 So. 2d 147, 149-50 (Fla. 1958).

⁶ Alachua, Brevard, Broward, Charlotte, Clay, Columbia, Duval (consolidated government with the City of Jacksonville, ch. 67-1320, Laws of Fla.), Hillsborough, Lee, Leon, Miami-Dade, Orange, Osceola, Palm Beach, Pinellas, Polk, Sarasota, Seminole, Volusia, and Wakulla Counties. The Local Government Formation Manual 2015-2016, Appendix B, at 101-107.

⁷ Section 125.61(1), F.S.

⁸ Section 125.61(2), F.S.

⁹ *Id.*

Duties of Charter Commission

The charter commission must meet within 30 days after appointment for organization purposes and must elect a chair and vice chair from its membership.¹⁰ The charter commission must conduct a comprehensive study of county government operations and of the ways in which the county government might be improved or reorganized.¹¹ Within 18 months after its initial meeting, unless such time is extended by resolution of the board of county commissioners, the charter commission must present a proposed charter to the board of county commissioners.¹² The charter commission must conduct 3 public hearings at intervals of not less than 10 nor more than 20 days regarding the proposed charter. At the final hearing, the charter commission must incorporate any amendments it deems desirable, vote upon the proposed charter, and forward the charter to the board of county commissioners for the holding of a referendum.¹³

Submission of the Charter to the Voters¹⁴

Upon submission of the charter to the board of county commissioners, the board must call a special election to determine whether the qualified electors approve the proposed charter. The referendum election must be held not more than 90 nor less than 45 days after the receipt of the proposed charter.

If a majority of voters favor the adoption of the proposals in the new charter, the charter becomes effective on January 1 of the next year or at such other time as provided by the charter. Once adopted by the electors, the charter may be amended only by a vote of the county electors. If a majority of voters reject the adoption of the proposals in the new charter, a new referendum may not be held for two years following the date of the referendum.

After the acceptance or rejection of the proposed charter by the qualified electors, the charter commission is dissolved, and all property of the charter commission becomes property of the county.

Differences between Charter Counties and Non-Charter Counties¹⁵

Structure

The structure of the government of a non-charter county is specified in the Florida Constitution and in the Florida Statutes. As a result, non-charter counties may only change the structure of county government through amendments to the Florida Constitution or the Florida Statutes. In contrast, the structure of a charter county is specified in the charter as approved by the county's electorate. This flexibility allows a charter county to alter its structure in order to meet the needs of the county.

¹⁰ Section 125.62, F.S.

¹¹ Section 125.63, F.S.

¹² *Id.*

¹³ *Id.*

¹⁴ Section 125.64, F.S.

¹⁵ The Florida Association of Counties, *Basic Differences between Charter and Non-Charter Counties* (Mar. 2008), available at <http://www.fl-counties.com/docs/legal-documents-links/basic-differences-between-charter-and-non-charter-counties-pdf.pdf?sfvrsn=0> (last visited Nov. 19, 2015).

Powers of Self-Government

A non-charter county has such powers of self-government as provided by general¹⁶ or special law.¹⁷ Alternatively, a charter county has all powers of self-government *not inconsistent* with general law or special law approved by the county voters.¹⁸ Accordingly, charter counties may take any action as long as it does not conflict with state law, whereas non-charter counties may only do what state law allows them to do.

Initiative, Referendum, and Recall of County Officers

The Florida Statutes do not provide for initiative¹⁹, referendum²⁰, or recall²¹ of county officers in a non-charter county. As a result, non-charter counties do not have the power to take these actions. On the other hand, a charter county may provide for initiative, referendum, and recall of county officers in its charter.

Administrative Code

The Florida Statutes do not require an administrative code for non-charter counties. As a result, a non-charter county may not require an administrative code. Conversely, charter counties may require an administrative code in its charter which details all regulations, policies, and procedures.

Utility Taxation

A non-charter county may not levy a utility tax in an unincorporated area of the county. However, a charter county may provide for the levying of such a tax in an unincorporated area of the county.

Special Acts

In a non-charter county, the Legislature can adopt a special act, and it is effective without the approval of the electors. However, in a charter county, a special act adopted by the Legislature is not effective unless the special act is also approved by a vote of the local electorate.

Municipal Ordinances

In a non-charter county, if there is a conflict between a municipal ordinance and a county ordinance, the municipal ordinance prevails within that municipality. On the contrary, an ordinance from a charter county will prevail over a conflicting municipal ordinance if such an instance is provided for in the county charter.

¹⁶ Ch. 125, Part I, F.S.

¹⁷ Art. VIII, s. 1(f), Fla. Const.

¹⁸ Art. VIII, s. 1(g), Fla. Const.

¹⁹ Initiative is the ability of citizens to petition to call for a referendum to consider charter revisions.

²⁰ Referendum is the ability of citizens to review and make periodic recommendations for revisions to the charter which are consistent with the petition and charter review requirements stipulated by the charter.

²¹ Recall is the ability of citizens to remove a county commissioner from office for those reasons consistent with the Florida Statutes and the petition requirements stipulated in the charter.

County Officers under the Florida Constitution

The Florida Constitution creates five specific county officers: sheriff, tax collector, property appraiser, supervisor of elections, and clerk of the circuit court (collectively, the five constitutional offices/officers).²² The clerk of the circuit court also serves as the ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of county funds. Each officer is elected separately by the voters of the county for terms of 4 years. These officers have prescribed duties provided for in general law.²³

The five constitutional offices can only be altered through charter provision or by special act approved by the voters of the county.²⁴ All non-charter counties have the five constitutional officers with statutorily prescribed duties. Eight charter counties have changed the manner of selection of at least one of the five constitutional officers or restructured or abolished at least one of the five constitutional offices and transferred the powers to another county office.²⁵

Brevard County

Brevard “expressly preserved” the offices of the sheriff, tax collector, property appraiser, supervisor of elections, and clerk of the circuit court as departments of county government, rather than constitutional offices.²⁶ The county reiterated the ability to transfer or add to the powers of each of the county officers.²⁷ The county has transferred the powers of the clerk of circuit court as auditor, and custodian of county funds to the county manager.²⁸ Each of the officers remains elected for 4 year terms.²⁹

Broward County

Broward County has not altered the constitutionally elected offices and duties of the sheriff, property appraiser, and supervisor of elections.³⁰ However, the office of the tax collector was abolished and the duties were transferred to the department of finance and administrative services, headed by the finance and administrative services director appointed by the county

²² Art. VIII, s. 1(d), Fla. Const. In a separate subsection, the constitution provides for counties to be governed by a board of county commissioners unless otherwise provided in their respective charters, if any. Art. VIII, s. 1(e), Fla. Const., which is not affected by the joint resolution.

²³ See ch. 30, F.S. (setting forth certain duties of the sheriff as a constitutional officer); ch. 197, F.S. (setting forth certain duties of the tax collector as a constitutional officer); ch. 193, Part I, F.S. (setting forth certain duties of the property appraiser as a constitutional officer); ch. 102, F.S. (setting forth certain duties of the supervisor of elections as a constitutional officer); ch. 28, F.S. (setting forth certain duties of the clerk of the circuit court as a constitutional officer).

²⁴ Art. VIII, s. 1(d), Fla. Const.

²⁵ Brevard, Broward, Clay, Duval, Miami-Dade, Orange, Osceola, and Volusia Counties.

²⁶ BREVARD COUNTY FLORIDA, Code of Ordinances, Part I s. 4.1, *available at* https://www.municode.com/library/fl/osceola_county/codes/code_of_ordinances?nodeId=11534.

²⁷ BREVARD COUNTY FLORIDA, Charter, Part I ss. 4.2.1, 4.2.2, 4.2.3, 4.2.4 & 4.2.5, *available at* https://www.municode.com/library/fl/osceola_county/codes/code_of_ordinances?nodeId=11534.

²⁸ BREVARD COUNTY FLORIDA, Code of Ordinances, s. 2-73, *available at* https://www.municode.com/library/fl/osceola_county/codes/code_of_ordinances?nodeId=11534.

²⁹ BREVARD COUNTY FLORIDA, Code of Ordinances, Part I s. 4.1.1, *available at* https://www.municode.com/library/fl/osceola_county/codes/code_of_ordinances?nodeId=11534.

³⁰ BROWARD COUNTY FLORIDA, Code of Ordinances, Part I Charter, “Definitions”, *available at* https://www.municode.com/library/fl/broward_county/codes/code_of_ordinances.

administrator.³¹ Though the clerk of the circuit court also retains the status of constitutional officer, the clerk's constitutional duties as clerk of the county commission were transferred to the county administrator.³²

Clay County

Clay County has not altered the constitutionally elected offices and duties of the sheriff, tax collector, property appraiser, and supervisor of elections.³³ Although the clerk of the circuit court also retains the status of constitutional officer, the clerk's constitutional duties as clerk of the county commission, auditor, and custodian of county funds were transferred to the county administrator.³⁴

Duval County

Duval County has not altered the constitutionally elected offices and duties of the sheriff, tax collector, property appraiser, and supervisor of elections.³⁵ The clerk of the circuit court retains the status of constitutional officer but the clerk's duties as clerk of the county commission were transferred to the council secretary and the constitutional duties as auditor were transferred to the council auditor.³⁶

Miami-Dade County

Miami-Dade County abolished the constitutional offices of the sheriff, tax collector, supervisor of elections,³⁷ and property appraiser,³⁸ transferred these powers to the mayor, and granted the mayor the discretion to sub-delegate the powers.³⁹ The duties of the sheriff were transferred to

³¹ BROWARD COUNTY FLORIDA, Code of Ordinances, Part I Charter ss. 2.12 & 3.06, *available at*, https://www.municode.com/library/fl/broward_county/codes/code_of_ordinances.

³² BROWARD COUNTY FLORIDA, Code of Ordinances, Part I Charter, "Definitions" & s. 3.03G., *available at* https://www.municode.com/library/fl/broward_county/codes/code_of_ordinances.

³³ CLAY COUNTY FLORIDA, Home Rule Charter, Article III, s. 3.1, 2014 Edition, *available at*, <http://www.claycountygov.com/about-us>.

³⁴ CLAY COUNTY FLORIDA, Home Rule Charter, Article III, ss. 3.1 & 2.3, 2014 Edition, *available at* <http://www.claycountygov.com/about-us>.

³⁵ JACKSONVILLE COUNTY FLORIDA, Charter and Related Laws, Part A. ss. 8.01, 9.01, 10.01 & 11.01, *available at* https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=CHRELA. Duval County currently does not have the authority to abolish the office of the sheriff or the clerk of court. Art. VIII, s. 6(e), Fla. Const., (1968), incorporating by reference Art. VIII, s. 9, Fla. Const. (1885, as amended in 1934). The consolidated government of the City of Jacksonville was created by ch. 67-1320, Laws of Florida, adopted pursuant to Art. VIII, s. 9, Fla. Const. (1885).

³⁶ JACKSONVILLE COUNTY FLORIDA, Charter and Related Laws, Part A. s. 12.06, *available at*, https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=CHRELA; JACKSONVILLE COUNTY FLORIDA, Code of Ordinances, Title II ss. 11.103 & 13.103, *available at*, https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=CHRELA.

³⁷ Referred to in the Miami-Dade Charter as the "supervisor of registration." See MIAMI-DADE COUNTY FLORIDA, *Constitutional Amendment and Charter*, Part I s. 9.01, available at https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH.

³⁸ Referred to in the Miami-Dade Charter as the "county surveyor." See MIAMI-DADE COUNTY FLORIDA, *Constitutional Amendment and Charter*, Part I s. 9.01, available at https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH.

³⁹ MIAMI-DADE COUNTY FLORIDA, *Constitutional Amendment and Charter*, Part I s. 9.01, available at https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH.

the police department, the director of which is appointed by the mayor.⁴⁰ The duties of the tax collector were transferred to the department of finance,⁴¹ the director of which is jointly appointed by the mayor and the clerk of court.⁴² The county property appraiser, although not retained as a constitutional office, remains an elected position.⁴³ The duties of the supervisor of elections were transferred to the elections department, the director of which is appointed by the mayor.⁴⁴ The clerk of the circuit court remains a constitutional, elected officer with some changes in duties.⁴⁵ Although the clerk is still the clerk of the county commission, the clerk's financial recorder and custodian duties were transferred to the department of financial services, and the clerk's auditing duties were transferred to the commission auditor.⁴⁶

Orange County

Orange County has not altered the constitutionally elected offices and duties of the sheriff, tax collector, property appraiser,⁴⁷ and supervisor of elections.⁴⁸ Although the clerk of the circuit court also retains the status of constitutional officer,⁴⁹ the clerk's constitutional duties as clerk of the county commission, auditor, and custodian of county funds were transferred to the county comptroller.⁵⁰

Osceola County

Osceola County has not altered the constitutionally elected offices and duties of the sheriff, tax collector, property appraiser, and supervisor of elections.⁵¹ The clerk of the circuit court retains the status of constitutional officer, but the clerk's duties as clerk of the county commission, auditor, and custodian of funds were transferred to the county manager.

⁴⁰ Historically, the Miami-Dade Police Director was appointed by the county manager. This appointment power was subsequently reallocated to the mayor when the office of county manager was abolished. See Miami-Dade County Florida, Code of Ordinances, ss. 2-91, 2-92 & 1-4.4 *available at* https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTXIIMIDEPODE.

⁴¹ MIAMI-DADE COUNTY FLORIDA, Constitutional Amendment and Charter, Part I s. 5.03, Nov. 4, 2014, *available at* https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH. See also MIAMIDADE.GOV, Miami-Dade County Finance Department, <http://www.miamidade.gov/finance/>.

⁴² MIAMI-DADE COUNTY FLORIDA, Constitutional Amendment and Charter, Part I s. 5.03, *available at* https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH.

⁴³ MIAMIDADE.GOV, County Departments, <http://miamidade.gov/wps/portal/Main/departments>.

⁴⁴ Though the Miami-Dade charter and ordinances do not expressly so state, the supervisor of elections is an appointed official. See MIAMIDADE.GOV, County Departments, <http://miamidade.gov/wps/portal/Main/departments>.

⁴⁵ MIAMIDADE.GOV, County Departments, <http://miamidade.gov/wps/portal/Main/departments>.

⁴⁶ MIAMIDADE.GOV, Miami-Dade County Finance Department, <http://www.miamidade.gov/finance/>; MIAMI-DADE COUNTY FLORIDA, Constitutional Amendment and Charter, Part I s. 9.10, *available at* https://www.municode.com/library/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH.

⁴⁷ At one point the county abolished the constitutional offices of sheriff, tax collector, and property appraiser but ultimately reconstituted the constitutional offices. ORANGE COUNTY FLORIDA, Charter, s. 703, *available at* https://www.municode.com/library/fl/orange_county/codes/code_of_ordinances.

⁴⁸ ORANGE COUNTY FLORIDA SUPERVISOR OF ELECTIONS, *About the Supervisor*, <http://www.ocfelections.com/aboutbillcowles.aspx>.

⁴⁹ ORANGE COUNTY FLORIDA, Code of Ordinances, Part I s. 2-66, *available at* https://www.municode.com/library/fl/orange_county/codes/code_of_ordinances.

⁵⁰ ORANGE COUNTY FLORIDA, Code of Ordinances, Part I s. 2-67, *available at* https://www.municode.com/library/fl/orange_county/codes/code_of_ordinances.

⁵¹ OSCEOLA COUNTY FLORIDA, Home Rule Charter, Article III s. 3.01, *available at* https://www.municode.com/library/fl/osceola_county/codes/code_of_ordinances?nodeId=11534.

Volusia County

Volusia County abolished the constitutional offices of the sheriff, tax collector, supervisor of elections, and property appraiser. The county transferred these offices' powers to new charter offices. The duties of the sheriff were transferred to and divided between the department of public safety and the department of corrections.⁵² The duties of the tax collector were transferred to the department of finance.⁵³ The duties of the property appraiser were transferred to the department of property appraisal.⁵⁴ The duties of the supervisor of elections were transferred to the department of elections.⁵⁵ The sheriff, property appraiser, and supervisor of elections are elected directors of their respective offices.⁵⁶ The tax collector is appointed by the county manager and confirmed by the county council.⁵⁷ The clerk of the circuit court remains a constitutionally elected officer except that the clerk's constitutional duties as clerk of the county commission were transferred to and divided between the department of central services and the department of finance.⁵⁸

Existing Selection and Removal Procedures for Constitutional Officers in Charter Counties

In addition to whether the five constitutional officers are elected or appointed, some counties provide in their charters for term limits, recall procedures, or the non-partisan election of these officers. While not expressly identified in Art. VIII, s. 1(d) of the Florida Constitution, these additional "selection and removal procedures" could be interpreted as affecting the selection of the five constitutional officers.

There is no constitutional or statutory prohibition limiting the ability of charter counties to impose additional selection and removal procedures on the five constitutional officers. The broad home rule power of counties allows them to act so long as the action taken is not "inconsistent with general law, or . . . special law."⁵⁹ This suggests that counties can currently modify their selection or removal procedures within the existing Art. VIII, s. 1(d), Florida Constitution, framework through charter amendment or special law.⁶⁰

⁵² VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter s. 601.1(2), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO.

⁵³ VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter s. 601.1(1), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO.

⁵⁴ VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter s. 601.1(3), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO.

⁵⁵ VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter s. 601.1(4), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO.

⁵⁶ VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter ss. 401 & 601.1(1)(b), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO.

⁵⁷ VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter s. 2-111(a), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO. VOLUSIA.ORG, Revenue Division-Tax Collection, <http://www.volusia.org/services/financial-and-administrative-services/revenue-services/>.

⁵⁸ CLERK OF THE CIRCUIT COURT, VOLUSIA COUNTY FLORIDA, Overview, <https://www.clerk.org/html/about.aspx#Overview>; VOLUSIA COUNTY FLORIDA, Code of Ordinances, Part I Charter s. 601.1 (1)(b) & (5), https://www.municode.com/library/fl/volusia_county/codes/code_of_ordinances?nodeId=PTICH_ARTVIADDEGO.

⁵⁹ Art. VIII, s. 1(g), Fla. Const.

⁶⁰ Current statute and case law also supports this principle. See s. 100.361, F.S. (providing that whether or not a charter county adopts a recall provision, the county may exercise recall authority); *Telli v. Broward County*, 94 So. 3d 504, 512-13

Term Limits

Three charter counties have imposed term limits on one or more of the five constitutional officers.⁶¹ Although the imposition of term limits on the five constitutional officers is not constitutionally or statutorily prohibited, or expressly endorsed, the imposition of term limits currently is interpreted to be within the broad home rule power of the charter.⁶²

Recall

Five counties have charters expressly providing for the recall of one or more of the five constitutional officers.⁶³ Regardless of whether a county charter includes a recall provision, counties have independent statutory authority to conduct a recall of any of the five constitutional officers.⁶⁴

Non-partisan Elections

Seven counties require non-partisan elections for some or all elections of the five constitutional officers.⁶⁵ Non-partisan election of the five constitutional officers is neither constitutionally nor statutorily prohibited and is therefore within the broad home rule power of charter counties.⁶⁶

III. Effect of Proposed Changes:

If the joint resolution is adopted and the proposed amendment is approved by the voters, the resulting limitation on revising the status of certain county officers will have no impact on non-charter counties⁶⁷ and those charter counties that retained the five constitutional officers without any changes to their selection or authority.⁶⁸ Charter counties that changed the selection or authority of any of the five constitutional officers will be required to revise their charters and ordinances to conform to the revised constitutional requirement.⁶⁹

Each house of the Legislature must pass a joint resolution by a three-fifths vote in order for the proposal to be placed on the ballot. The joint resolution provides for the proposed constitutional amendment to be submitted to the electors of Florida for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose.

(Fla. 2012) (allowing charter counties to adopt term limits on county commissioners and explicitly overruling a prior case which barred this in the case of the five constitutional officers).

⁶¹ Duval, Orange, and Sarasota Counties.

⁶² *Telli v. Broward County*, supra at n. 60.

⁶³ Brevard, Clay, Duval, Miami-Dade, and Sarasota Counties.

⁶⁴ Section 100.361, F.S.

⁶⁵ Lee, Leon, Miami-Dade, Orange, Palm Beach, Polk, and Volusia Counties.

⁶⁶ See Art. III s. 11(a)(1), Fla. Const. (prohibiting the Legislature from enacting special laws which alter local election procedure but excepting charter counties); Ch. 105, F.S. (providing for non-partisan elections and procedure).

⁶⁷ Baker, Bay, Bradford, Calhoun, Citrus, Collier, DeSoto, Dixie, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Hernando, Highlands, Holmes, Indian River, Jackson, Jefferson, Lafayette, Lake, Levy, Liberty, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okaloosa, Okeechobee, Pasco, Putnam, Santa Rosa, St. Johns, St. Lucie, Sumter, Suwannee, Taylor, Union, Walton, and Washington Counties.

⁶⁸ Alachua, Charlotte, Columbia, Hillsborough, Lee, Leon, Palm Beach, Pinellas, Polk, Sarasota, Seminole, and Wakulla Counties.

⁶⁹ See supra at n. 25.

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

The mandate provisions in Article VII, section 18 of the Florida Constitution do not apply to joint resolutions.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Article XI, section 1 of the Florida Constitution authorizes the Legislature to propose amendments to the Florida Constitution by joint resolution approved by a three-fifths vote of the membership of each house. The amendment must be placed before the electorate at the next general election held more than 90 days after the proposal has been filed with the Secretary of State or at a special election held for that purpose.

Article XI, section 5(a) of the Florida Constitution and s. 101.161(1), F.S., require constitutional amendments submitted to the electors to be printed in clear and unambiguous language on the ballot. In determining whether a ballot title and summary are in compliance with the accuracy requirement, Florida courts utilize a two-prong test, asking “first, whether the ballot title and summary ‘fairly inform the voter of the chief purpose of the amendment,’ and second, ‘whether the language of the title and summary, as written, misleads the public.’”⁷⁰

Article XI, section 5(d) of the Florida Constitution, requires proposed amendments or constitutional revisions to be published in a newspaper of general circulation in each county where a newspaper is published. The amendment or revision must be published once in the 10th week and again in the 6th week immediately before the week the election is held. The Department of State, Division of Elections, estimated the average cost per word to advertise an amendment to the Florida Constitution is \$135.97 for this fiscal year. The department has estimated the publication costs for advertising the joint resolution will be at least \$96,130.79 to \$100,735.77, possibly greater, depending on the final wording of the joint resolution and the resulting ballot language.⁷¹

Article XI, section 5(e) of the Florida Constitution requires approval by 60 percent of voters for a constitutional amendment to take effect. The amendment, if approved, becomes effective after the next general election or at an earlier special election specifically authorized by law for that purpose.

⁷⁰ *Roberts v. Doyle*, 43 So. 3d 654, 659 (Fla. 2010), citing *Florida Dep’t of State v. Slough*, 992 So. 2d 142, 147 (Fla. 2008).

⁷¹ 2016 Agency Legislative Bill Analysis, Department of State, HJR 165.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Charter counties that changed the selection or authority of any of the five constitutional officers will incur an indeterminate negative fiscal impact to the extent of having to revise their charters and ordinances to conform to the revised constitutional requirement.

Article XI, section 5(d) of the Florida Constitution, requires proposed amendments or constitutional revisions to be published in a newspaper of general circulation in each county where a newspaper is published. The amendment or revision must be published once in the 10th week and again in the 6th week immediately before the week the election is held. The Department of State, Division of Elections, estimated the average cost per word to advertise an amendment to the Florida Constitution is \$135.97 for this fiscal year. The department has estimated the publication costs for advertising the joint resolution will be at least \$96,130.79 to \$100,735.77, possibly greater, depending on the final wording of the joint resolution and the resulting ballot language.⁷²

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

No statutes are affected. However, the amendment proposed by this joint resolution, if approved by the electorate and implemented by the Legislature, would amend Article VIII, section 1 of the Florida Constitution.

⁷² 2016 Agency Legislative Bill Analysis, Department of State, HJR 165 (10/27/2015).

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 Community Affairs on December 1, 2015:

Makes tax collectors subject to the same provisions of the joint resolution as the other four constitutional officers. Specifically, the amendment removes an exception which permitted a tax collector to be selected in a manner other than by election when provided by county charter or special law. As a result, a tax collector may now only be chosen through an election by the county's electors.

- B. **Amendments:**

None.

By the Committee on Community Affairs; and Senator Hutson

578-01762-16

2016648c1

Senate Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution to remove authority for certain county officers to be chosen in a manner other than election, for any county office to be abolished, or for certain ex officio duties of the clerk of the circuit court to be transferred to another officer.

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

That the following amendment to Section 1 of Article VIII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VIII

LOCAL GOVERNMENT

SECTION 1. Counties.—

(a) POLITICAL SUBDIVISIONS. The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.

(b) COUNTY FUNDS. The care, custody and method of disbursing county funds shall be provided by general law.

(c) GOVERNMENT. Pursuant to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

Page 1 of 4

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

578-01762-16

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(d) COUNTY OFFICERS. There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; ~~except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office.~~ When not otherwise provided by ~~county charter or~~ special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds.

(e) COMMISSIONERS. Except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five or seven members serving staggered terms of four years. After each decennial census the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner residing in each district shall be elected as provided by law.

(f) NON-CHARTER GOVERNMENT. Counties not operating under county charters shall have such power of self-government as is provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with general or special law, but an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict.

Page 2 of 4

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578-01762-16

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59 (g) CHARTER GOVERNMENT. Counties operating under county
60 charters shall have all powers of local self-government not
61 inconsistent with general law, or with special law approved by
62 vote of the electors. The governing body of a county operating
63 under a charter may enact county ordinances not inconsistent
64 with general law. The charter shall provide which shall prevail
65 in the event of conflict between county and municipal
66 ordinances.

67 (h) TAXES; LIMITATION. Property situate within
68 municipalities shall not be subject to taxation for services
69 rendered by the county exclusively for the benefit of the
70 property or residents in unincorporated areas.

71 (i) COUNTY ORDINANCES. Each county ordinance shall be filed
72 with the custodian of state records and shall become effective
73 at such time thereafter as is provided by general law.

74 (j) VIOLATION OF ORDINANCES. Persons violating county
75 ordinances shall be prosecuted and punished as provided by law.

76 (k) COUNTY SEAT. In every county there shall be a county
77 seat at which shall be located the principal offices and
78 permanent records of all county officers. The county seat may
79 not be moved except as provided by general law. Branch offices
80 for the conduct of county business may be established elsewhere
81 in the county by resolution of the governing body of the county
82 in the manner prescribed by law. No instrument shall be deemed
83 recorded until filed at the county seat, or a branch office
84 designated by the governing body of the county for the recording
85 of instruments, according to law.

86 BE IT FURTHER RESOLVED that the following statement be
87 placed on the ballot:

Page 3 of 4

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

578-01762-16

2016648c1

88 CONSTITUTIONAL AMENDMENT

89 ARTICLE VIII, SECTION 1

90 SELECTION AND DUTIES OF COUNTY OFFICERS.—Proposing an
91 amendment to the State Constitution to remove the authority of a
92 county, by county charter or special law, to choose certain
93 county officers in a manner other than election and to abolish
94 any county office when its duties are transferred to another
95 office. The amendment also removes authority for a county
96 charter to transfer certain ex officio duties of the clerk of
97 the circuit court to another officer.

98 BE IT FURTHER RESOLVED that the following statement be
99 placed on the ballot if a court declares the preceding statement
100 defective and the decision of the court is not reversed:

101 CONSTITUTIONAL AMENDMENT

102 ARTICLE VIII, SECTION 1

103 SELECTION AND DUTIES OF COUNTY OFFICERS.—Proposing an
104 amendment to the State Constitution to remove the authority of a
105 county, by county charter or special law approved by the
106 county's voters, to choose its sheriff, tax collector, property
107 appraiser, supervisor of elections, and clerk of the circuit
108 court in a manner other than election and to abolish any county
109 office when its duties are transferred to another office. The
110 amendment also removes authority for a county charter to
111 transfer to another officer the duties of the clerk of the
112 circuit court to serve as ex officio clerk of the board of
113 county commissioners, auditor, recorder, and custodian of all
114 county funds.

Page 4 of 4

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

648

Bill Number (if applicable)

Amendment Barcode (if applicable)

Meeting Date

Topic

Name JESS McCARTY

Job Title

Address 111 NW 1ST St 2810

Street

MIAMI

City

33128

State

Zip

Phone 305-979-7110

Email JMM2@MIAMIDADEF.GOV

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing MIAMI - DADE COUNTY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/12/16
Meeting Date

648
Bill Number (if applicable)

Topic Ethics and Elections

Amendment Barcode (if applicable)

Name Martha Cleaver

Job Title Governmental Consultant

Address P.O. Box 11275

Phone 850/491-1945

Street

Tallahassee, FL

City

32302-1275

State

Zip

Email marthacleaver@fapa.net

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Association of Property Appraisers

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

S-001 (10/14/14)

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 Ethics and Elections

BILL: SB 686

INTRODUCER: Senator Gaetz

SUBJECT: Government Accountability

DATE: January 6, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carlton	Roberts	EE	Pre-meeting
2.			GO	
3.			CA	
4.			AP	

I. Summary:

SB 686 is an omnibus government accountability bill. The bill includes changes to Florida's governmental ethics policies including broadening the water management district lobbyist registration provisions to apply to many more special districts, and applying post-employment lobbying restrictions to certain individuals with Enterprise Florida, its divisions, and the Florida Development Finance Corporation. The bill applies certain ethics standards and post-employment lobbying restrictions to corporations created or housed within the Department of Economic Opportunity that are not currently covered by ethical standards. The bill extends the conflicting contractual relationship ban in s. 112.313(7)(a), F.S., to include contracts held by a business entity in which a public officer or public employee holds a controlling interest in a business entity or are an officer, director, or a member who manages such an entity. The bill also requires that, beginning in 2016, all elected municipal officers must file the more detailed CE Form 6 financial disclosure with their qualifying papers and for each year that they hold office. The bill amends Florida's criminal provisions relating to Bribery, Misuse of Public Office, Unlawful Compensation or Reward for Official Behavior, Official Misconduct, Bid Tampering to replace the corrupt intent mens rea requirement with the knowingly and intentionally mens rea requirement.

The bill also requires local governmental entities to keep their final budgets, and any amendments thereto, on their website for a period of 2 years after adoption.

The bill requires various governmental entities to adopt internal controls to prevent and detect fraud, waste, and abuse.

The bill makes it a first degree misdemeanor to provide prohibited compensation. The bill requires governmental entities to investigate claims of unauthorized compensation and authorizes litigation to enforce the civil penalty and treble damages provisions. Finally, it provides a reward

structure and extends Whistle-blower's Protection Act coverage to those reporting prohibited compensation. The bill also makes compensation claims in violation of s. 215.425, F.S., a false claim against the state. Thus, the state would be authorized to sue to recover damages and civil penalties as provided in ss. 68.082 and 68.083, F.S. (The False Claims Act). Additionally, the Department of Financial Services is authorized to file suit under the False Claims Act.

The bill allows the Governor or Commissioner of Education, or their designees, to report that a local governmental entity has failed to comply with applicable auditing, financial reporting, bond issuance notification, bond verification provisions, or failed to disclose a financial emergency or provide information required during a financial emergency. It increases the Single Audit Act threshold from \$500,000 to \$750,000 and allows the Auditor General to review the threshold periodically and make appropriate recommendations to the Legislature. It makes changes to the financial reporting requirements and independent audit requirements. The bill specifies who can serve as members of the auditor selection committees for local governmental entities. It requires the Florida Virtual School to have an independent financial audit each year.

If an audit report of a school district, Florida College System institution, or other institution or agency under the supervision of the State Board of Education and state universities under the supervision of the Board of Governors includes a recommendation that was in the preceding financial audit report, the entity must indicate its intent regarding corrective action within 60 days after the delivery of the audit report. This response must occur during a regularly scheduled public meeting.

The bill also requires the Florida Clerk of Courts Corporation to notify the Legislature quarterly of any clerk of court not meeting workload requirements and provide corrective action plans within 45 days of the end of the quarter.

The bill requires a water management district monthly financial report to be provided in the format required by the Department of Financial Services.

The Governor or the Commissioner of Education must notify the Legislative Auditing Committee of financial emergencies instead of notifying the members of the Legislative Auditing Committee.

Finally, the bill clarifies that members of the public are not required to provide an advance written copy of his or her testimony or comments as a precondition to being given the opportunity to be heard.

SB 686 is effective October 1, 2016.

II. Present Situation:

For the purposes of this bill analysis, the Present Situation will be addressed in the III. Effect of Proposed Changes section below.

III. Effect of Proposed Changes:

Statement of Legislative Findings and Intent

The bill explains that the intent of the bill is to prevent fraud, waste, and abuse, and to safeguard government resources. Specifically, section 44 of the bill provides: “The Legislature finds that a proper and legitimate state purpose is served when internal controls are established to prevent and detect fraud, waste, and abuse and to safeguard and account for government funds and property. Therefore, the Legislature determines and declares that this act fulfills an important state interest.”

Governmental Ethics Laws

Collection Methods for Unpaid Financial Disclosure Fines

Present Situation: Section 112.31455, F.S., authorizes the Florida Commission on Ethics to engage in common-law withholding of wages and to seek garnishment in order to collect unpaid financial disclosure fines. Prior to referring such a fine to the Department of Financial Services, the Florida Commission on Ethics must attempt to determine whether or not the filer is a current public officer or public employee.¹ If the person is currently a public officer or public employee, the Florida Commission on Ethics may notify the Chief Financial Officer or the governing body of the appropriate county, municipality, or special district of the total amount of the fine owed to the Florida Commission on Ethics. After receipt and verification of the notice from the Florida Commission on Ethics, the appropriate governing body is required to begin withholding the lesser of 10 percent or the maximum amount allowed under federal law from any salary-related payment. The withheld payments shall be remitted to the Florida Commission on Ethics until the fine is satisfied. Additionally, the Chief Financial Officer or appropriate governing body may retain an amount from each withheld payment to cover administrative costs incurred under s. 112.31455(1)(b), F.S. In the event that the Florida Commission on Ethics determines that the person is no longer a public officer, or is unable to make such a determination, the Florida Commission on Ethics must wait for 6 months. After that period of time, the Florida Commission on Ethics can seek garnishment pursuant to ch. 77, F.S. Additionally, the Florida Commission on Ethics can refer the unpaid fine to a collection agency.² The collection agency can use any legal tool it may possess to collect the unpaid fine. The statute of limitations for an unpaid financial disclosure fine is 20 years.³

Effect of the Bill: The bill expressly requires school districts to withhold public salary-related payments after receiving notice from the commission that an employee has an unpaid fine, including a portion to cover any administrative costs incurred under this section.

Lobbying Registration and Reporting Requirements for Certain Districts

Present Situation: Section 112.3261, F.S., requires a person who seeks to lobby a water management district to register as a lobbyist before he or she begins to lobby. The lobbyist must present a signed statement authorizing him or her to act on the principal’s behalf. The statement

¹ Section 112.31455(1), F.S.

² Section 112.31455(3), F.S.

³ Section 112.31455(4), F.S.

must also state the principal's main business. Changes to this information must be reported within 15 days. Water management districts may create their own lobbyist registration forms or use a legislative or executive branch lobbyist registration form. Districts are required to be diligent in ascertaining whether lobbyists have properly registered and may not knowingly allow a lobbyist to lobby if he or she is not registered. The Florida Commission on Ethics is charged with investigating complaints alleging that a lobbyist has failed to register or provided false information in a report or registration. The Governor has the authority to enforce the Florida Commission on Ethics' findings and recommendation. The water management districts were granted rulemaking authority to adopt rules and establish procedures to govern lobbyist registration, including the adoption of forms and the establishment of a lobbyist registration fee not to exceed \$40.

Effect of the Bill: The bill expands the scope of these lobbyist registration and reporting requirements to apply to hospital districts, a children's services district, expressway authorities, port authorities, counties or municipalities that have not adopted lobbyist registration or reporting requirements, or any independent special district with annual revenues of more than \$5 million which exercises ad valorem taxing authority.

Post Service Lobbying Restrictions

Present Situation: Section 288.92, F.S., authorizes Enterprise Florida to create and dissolve divisions as necessary to carry out its mission. That section also requires Enterprise Florida to have certain divisions. The law also provides for hiring of officers and members of the divisions of Enterprise Florida and subjects certain officers and members to several standards of conduct in the Code of Ethics for Public Officers and Employees.⁴ The law currently does not contain any post-employment or post-service restrictions.

The Florida Development Finance Authority is created in s. 288.9604, F.S. That provision addresses appointment of members of the board of directors and powers of the corporation. It also subjects directors to several standards of conduct in the Code of Ethics for Public Officers and Employees.⁵ The law currently does not contain any post-employment or post-service restrictions.

The Department of Economic Opportunity is created in s. 20.60, F.S., and has numerous entities under its purview in various chapters of the Florida Statutes. While the Department is an agency, and therefore subject to the provisions of the Code of Ethics for Public Officers and Employees, many of the divisions and corporations created by, or administratively housed in, may not be subject to the provisions. In 2014, the Legislature required that the officers and board members of Enterprise Florida, its divisions, its subsidiaries, corporations created to carry out the missions of Enterprise Florida, and of corporations with which a division is required to contract with in order to carry out its missions are all subject to specified standards of conduct.⁶ The Legislature also applied certain standards of conduct to the Florida Development Finance Corporation.⁷

⁴ Part III, Chapter 112, Florida Statutes.

⁵ Part III, Chapter 112, Florida Statutes.

⁶ Section 8, Ch. 2014-183, L.O.F.

⁷ Section 9, Ch. 2014-183, L.O.F.

Effect of the Bill: The bill prohibits officers and members of the boards of directors of the divisions of Enterprise Florida, subsidiaries of Enterprise Florida, corporations created to carry out the missions of Enterprise Florida, and corporations with which a division is required by law to contract to carry out its missions, from representing another person or entity for compensation before Enterprise Florida, Inc., divisions of Enterprise Florida, subsidiaries of Enterprise Florida, corporations created to carry out the missions of Enterprise Florida, and corporations with which a division is required by law to contract to carry out its missions, for a period of 6 years after retirement or termination of service to a division. If such person is removed or terminated for misconduct, as defined in s. 443.036(29), F.S., that term is extended to a period of 10 years after termination of the service.

The bill also prohibits directors of the Florida Development Finance Authority from representing another person or entity for compensation before the corporation, for a period of 6 years after retirement or termination of service.

The bill subjects the officers and members of the boards of directors of any corporation created pursuant to ch. 288, F.S., Space Florida, CareerSource Florida, Inc., the Florida Housing Finance Corporation, or any other corporation created by the Department of Economic Opportunity to certain standards of conduct. Specifically, those individuals are subject to the anti-nepotism provision in s. 112.3135, F.S., the voting conflicts standard applicable to statewide officers in s. 112.3143(2), F.S., and the standards of conduct in s. 112.313, F.S. Additionally, the bill prohibits a former officer or board member from representing a person or entity for compensation before his or her corporation; a division, subsidiary or the board of directors of a corporation created to carry out the mission of his or her corporation; a corporation with which his or her former corporation within DEO is required by law to contract with to carry out its missions for a period of 6 years after retirement or termination of service with the DEO corporate entity. If he or she is removed due to misconduct, as defined in s. 443.036(29), F.S., the prohibition applies for a period of 10 years.

Conflicting Employment and Contractual Relationships

Present Situation: Section 112.313(7)(a), F.S., prohibits public officers and employees of an agency from having employment or contractual relationships with a business entity or agency that is subject to the regulation of, or doing business with, his or her agency. That section further prohibits public officers and employees of an agency from having employment or a contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

In its annual reports to the Legislature for the last several years, the Commission on Ethics has advised that the law needs to be amended. Specifically, the Commission has advised that individuals were creating a fictitious legal entity then using those fictitious legal entities to engage in contracts that would be prohibited if the people entered them individually.

Effect of the Bill: The bill provides that if a public officer or public employee holds a controlling interest in a business entity or is an officer, director, or a member who manages such an entity, contractual relationships held by the business entity are deemed to be held by the public officer.

As such, if a public officer or public employee holds a controlling interest in a business entity or is an officer, director, or a member who manages such an entity, it would be a violation for the business entity to have a contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties. The public officer or public employee would face penalties ranging from censure and reprimand to removal from office. The penalties also permit a civil fine up to \$10,000 per violation.

CE Form 6 Financial Disclosure

Present Situation: Section 112.3144, F.S., requires certain officers that are specified in Article II, Section 8 of the State Constitution, and other officers as required by law, to file a Full and Public Disclosure of Financial Interests (commonly referred to as a CE Form 6). That statute addresses what is required to be disclosed, the due date of the disclosure, the processes to amend the disclosure, and penalties for failing to file the CE Form 6 as required. This filing is more detailed than what is referred to as a CE Form 1 which is filed annually by other officers as provided in s. 112.3145, F.S. Currently, elected municipal officers are subject to the CE Form 1 filing requirement.

Effect of the Bill: The bill requires all elected municipal officers to file the more detailed CE Form 6 annually as provided in s. 112.3144, F.S., beginning with the 2016 filing year.⁸ The bill also amends s. 99.061, F.S., to require a candidate for elected municipal office to file a CE Form 6 with his or her qualifying papers.

Criminal Ethics Provisions

Nineteenth Statewide Grand Jury

A statewide grand jury⁹ was impaneled in February 2010 upon the petition of Governor Charlie Crist to the Supreme Court of Florida. In the Petition for Order to Impanel a Statewide Grand Jury, Governor Crist requested that the following should be addressed:¹⁰

- Examine criminal activity of public officials who have abused their powers via their public office;
- Consider whether Florida's prosecutors have sufficient resources to effectively combat corruption;
- Address the effectiveness of Florida's current statutes in fighting public corruption;
- Identify any deficiencies in current laws, punishments or enforcement efforts and make detailed recommendations to improve our anti-corruption initiatives;
- Investigate crimes, return indictments, and make presentations; and
- Examine public policy issues regarding public corruption and develop specific recommendations regarding improving current laws.

⁸ Financial disclosure, much like federal income tax filings, are done for the preceding year. Thus, elected municipal officers will be required to file the CE Form 6 for the first year by July 1, 2017.

⁹ See ss. 905.31-905.40, F.S., known as the Statewide Grand Jury Act.

¹⁰ Nineteenth Statewide Grand Jury First Interim Report: A Study of Public Corruption in Florida and Recommended Solutions, December 17, 2010, Case No. SC 09-1910. Available online at: [http://myfloridalegal.com/webfiles.nsf/WF/JFAO-8CLT9A/\\$file/19thSWGJInterimReport.pdf](http://myfloridalegal.com/webfiles.nsf/WF/JFAO-8CLT9A/$file/19thSWGJInterimReport.pdf) (last visited on November 20, 2015).

The Nineteenth Statewide Grand Jury issued its First Interim Report: A Study of Public Corruption in Florida and Recommended Solutions on December 17, 2010. In its report, the Nineteenth Statewide Grand Jury made several recommendations to the Legislature, including revisions to ch. 838, F.S., regarding the definitions of the terms “public servant” and “corruptly” and “corrupt intent,” and the offenses of bribery, unlawful compensation or reward for official behavior, official misconduct, and bid tampering.

Color of Law

Florida law does not enhance criminal classifications or felony sentencing penalties for criminal acts committed “under color of law” where the enhancements for wrongful conduct are based on public authority or position or the assertion of such that does not form an element of the underlying crime. The Nineteenth Statewide Grand Jury also recommended that the legislature consider reclassification of such offenses.¹¹

Doctrine of Mens Rea and Scienter

The term “mens rea” is defined as “a guilty mind; a guilty or wrongful purpose; a criminal intent.”¹² Black’s Law Dictionary notes that the term scienter is defined as “knowingly” and frequently used to signify the defendant’s guilty knowledge.¹³ The general rule is that scienter or mens rea is a necessary element in the indictment for every crime.¹⁴

The Nineteenth Statewide Grand Jury found that the use of the word “corruptly” or “with corrupt intent” made prosecutions of offenses under ch. 838, F.S., more difficult and might require additional evidence, such as testimony from persons involved.¹⁵ The Nineteenth Statewide Grand Jury recommended that the additional element of “corruptly” or “with corrupt intent” be removed from the ch. 838, F.S., offenses of bribery, unlawful compensation, official misconduct, and bid tampering.¹⁶

Bribery; Misuse of Public Office: Chapter 838, F.S.

Present Situation: Chapter 838, F.S., pertains to bribery and other offenses concerning the misuse of public office.

Section 838.014(4), F.S., defines the term “corruptly” or “with corrupt intent” as acting knowingly and dishonestly for a wrongful purpose.

Section 838.014(6), F.S., defines the term “public servant” as:

- a) Any officer or employee of a state, county, municipal, or special district agency or entity;
- b) Any legislative or judicial officer or employee;

¹¹ See *supra* note 2.

¹² BLACK’S LAW DICTIONARY 1137 (4th Rev. 1968).

¹³ *Id.* 1512.

¹⁴ *Chicone v. State*, 684 So.2d 736, 741 (Fla. 1996). Also, see *U.S. v. Balint*, 258 U.S. 250 (1922).

¹⁵ See *supra* note 2, at 24.

¹⁶ *Id.*

- c) Any person, except a witness, who acts as a general or special magistrate, receiver, auditor, arbitrator, umpire, referee, consultant, or hearing officer while performing a governmental function; or
- d) A candidate for election or appointment to any of the positions listed in this subsection, or an individual who has been elected to, but has yet to officially assume the responsibilities of, public office.

Bribery

Present Situation: Section 838.015, F.S., relates to the offense of bribery.¹⁷ Any individual who violates this section is guilty of a felony of the second degree, which is punishable as provided for in ss. 775.082, 775.083, or 775.084, F.S.¹⁸

Chapter 838, F.S., also contains 3 other bribery offenses, including bribery in athletic contests,¹⁹ commercial bribery receiving,²⁰ and commercial bribery.²¹ In *Roque v. State*, the Florida Supreme Court held that s. 838.15, F.S., the commercial bribe receiving law, was invalid.²² The Nineteenth Statewide Grand Jury Report opined that s. 838.16, F.S., commercial bribery, was probably unconstitutionally vague since s. 838.16, F.S., referred to s. 838.15, F.S.²³

Unlawful Compensation or Reward for Official Behavior

Present Situation: Section 838.016, F.S., pertains to unlawful compensation or reward for official behavior. Any person who violates this section commits a second degree felony which is punishable as provided for in ss. 775.082, 775.083, or 775.084, F.S.²⁴

Section 838.016, F.S., pertains to unlawful compensation or reward for official behavior. It is a second degree felony for any person corruptly to give, offer, or promise to any public servant any benefit not authorized by law; or for any public servant corruptly to request, solicit, accept or agree to accept any benefit not authorized by law:

- For the past, present, or future performance, nonperformance or violation of any act or omission; or
- For the past, present, or future exertion of any influence upon or with any other public servant regarding any act or omission which the person believes to have been or the public

¹⁷ Section 838.015(1), F.S., defines "bribery" as corruptly to give, offer, or promise to any public servant, or, if a public servant, corruptly to request, solicit, accept, or agree to accept for himself or herself or another, any pecuniary or other benefit not authorized by law with an intent or purpose to influence the performance of any act or omission which the person believes to be, or the public servant represents as being, within the official discretion of a public servant, in violation of a public duty, or in performance of a public duty.

¹⁸ Section 838.015(3), F.S. Under sections 775.082 and 775.083, Florida Statutes, a second degree felony is punishable by a term of imprisonment not to exceed 15 years, and a maximum fine of \$10,000. Section 775.084, Florida Statutes, relates to habitual felony offenders. If a habitual felony offender is convicted of a second degree felony, such offender may be sentenced for a term not exceeding 30 years.

¹⁹ Section 838.12, F.S.

²⁰ Section 838.15, F.S.

²¹ Section 838.16, F.S.

²² *Roque v. State*, 664 So.2d 928 (Fla. 1995). The Court further noted that s. 838.015, F.S., was impermissibly vague and subject to arbitrary application. *Id.* at 929.

²³ See *supra* note 2, at 34.

²⁴ Section 838.016(4), F.S. Also, see *supra* note 4.

servant represents to have been either within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty.

Official Misconduct

Present Situation: The offense of official misconduct contained in s. 838.022(1), F.S., provides that it “is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause harm to another to:

- e) Falsify, or cause another person to falsify, any official record or official document;
- f) Conceal, cover up, destroy, mutilate, or alter any official record or official document or cause another person to perform such an act; or
- g) Obstruct, delay, or prevent the communication of information relating to the commission of a felony that directly involves or affects the public agency or public entity served by the public servant.

Any person who violates this section commits a felony of the third degree, which is punishable as provided for in sections 775.082, 775.083, or section 775.084, F.S.²⁵

Bid Tampering

Present Situation: Section 838.22, F.S., provides that:

- 1) It is unlawful for a public servant, with corrupt intent to influence or attempt to influence the competitive bidding process undertaken by any state, county, municipal, or special district agency, or any other public entity, for the procurement of commodities or services, to:
 - a) Disclose material information concerning a bid or other aspects of the competitive bidding process when such information is not publicly disclosed.
 - b) Alter or amend a submitted bid, documents or other materials supporting a submitted bid, or bid results for the purpose of intentionally providing a competitive advantage to any person who submits a bid.
- 2) It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause unlawful harm to another, to circumvent a competitive bidding process required by law or rule by using a sole-source contract for commodities or services.
- 3) It is unlawful for any person to knowingly agree, conspire, combine, or confederate, directly or indirectly, with a public servant to violate subsection (1) or subsection (2).
- 4) It is unlawful for any person to knowingly enter into a contract for commodities or services which was secured by a public servant acting in violation of subsection (1) or subsection (2).
- 5) Any person who violates this section commits a felony of the second degree, punishable as provided in ss. 775.082, 775.083, or 775.084.²⁶

Effect of the Bill: The bill amends s. 838.014, F.S., to define the term “governmental entity” as the state, including any unit of the executive, legislative, and judicial branches of government, political subdivisions and any agency or office thereof, or any other public entity that independently exercises any type of governmental function. The bill appears to expand the

²⁵ Section 838.022(3), F.S. Under sections 775.082 and 775.083, Florida Statutes, a third degree felony is punishable by a term of imprisonment not to exceed 5 years, and a maximum fine of \$5,000. Section 775.084, Florida Statutes, relates to habitual felony offenders. If a habitual felony offender is convicted of a third degree felony, such offender may be sentenced for a term not exceeding 10 years.

²⁶ See *supra* note 3.

definition of “governmental entity” to include other public entities, such as Citizens Property Insurance Corporation,²⁷ statutorily-created direct support organizations,²⁸ and other statutorily-created public entities. The definition of “corruptly” or “with corrupt intent” is eliminated.

The definition of the term “public servant” is expanded to include any officer, director, partner, manager, representative, or employee of a nongovernmental entity, private corporation, quasi-public corporation, or quasi-public entity, or any person subject to chapter 119, F.S., who is acting on behalf of a governmental entity. Also, for purposes of this section, the term “nongovernmental entity” is defined to mean a person, association, cooperative, corporation, partnership, organization, or other entity, whether operating for profit or not for profit, which is not a governmental entity.

The bill amends s. 838.015(1), F.S., relating to bribery; s. 838.016, F.S., relating to unlawful compensation or reward for official behavior; s. 838.022, F.S., relating to official misconduct; and s. 838.22, F.S., relating to bid tampering, to change the mens rea element of each crime from “corruptly” to “knowingly and intentionally.” Additionally, s. 838.022, F.S., relating to official misconduct, is clarified so that the benefit received by the other person must be an “improper” benefit or the harm caused to another must be an “unlawful” harm.

Online Posting of Governmental Budgets

Counties, Municipalities, and Special Districts

Present Situation: Counties²⁹, municipalities³⁰, and special districts³¹ are required to post their tentative budgets on their websites 2 days prior to consideration of the budget. The final budget of a county, municipality or special district must be posted on the county’s, municipality’s, or special district’s website within 30 days after adoption. An amendment to a budget must be posted to the county’s, municipality’s, or special district’s website within 5 days of adoption.³² Current law does not specify how long those items must remain available on the website.

Effect of the Bill: The bill requires the tentative budget to remain on the county’s, municipality’s, or special district’s website for at least 45 days. The bill also requires that the final adopted budget must remain on the county’s, municipality’s, or special district’s website for at least 2 years. Finally, the bill requires an adopted amendment to the budget to remain on a county’s, municipality’s, or special district’s website for at least 2 years.

²⁷ Section 627.351(6), F.S. Citizens Property Insurance Corporation was created in 2002 as a not-for-profit insurer of last resort for home-owners who could not obtain insurance elsewhere.

²⁸ A direct support organization is an organization incorporated under ch. 617, F.S., and approved by the Department of State as a Florida corporation not for profit that is approved by a state agency to operate for the benefit of a specific program, such as the Florida Historic Capitol Museum Council’s direct support organization. See s. 272.131(1)(e), F.S.

²⁹ Section 129.03, F.S.

³⁰ Section 166.241, F.S.

³¹ Section 189.016, F.S.

³² Section 129.06, F.S.

Water Management Districts

Present Situation: Chapter 373 governs Florida's water resource management. That chapter includes provisions authorizing the creation of water management districts and provides those districts with taxing authority. Section 373.536, F.S., governs water management districts' budget process. That section also requires financial audits, 5-year capital improvement plans, and 5-year water resource development work programs. All of these items must be submitted to the Department of Environmental Protection as specified in s. 373.536(6), F.S. The tentative budget is required to be posted on the water management district's website at least 2 days before the budget hearings are conducted. The law requires the final budget to be posted on the district's official website within 30 days of adoption.

Effect of the Bill: The bill requires the tentative budget to remain on the district's website for at least 45 days. The bill requires the final budget to remain on the district's website for at least 2 years.

Internal Controls to Prevent and Detect Fraud, Waste, and Abuse

State Agencies and the Judicial Branch

Present Situation: Section 215.86, F.S., provides:

Each state agency and the judicial branch as defined in s. 216.011 shall establish and maintain management systems and controls that promote and encourage compliance; economic, efficient, and effective operations; reliability of records and reports; and safeguarding of assets. Accounting systems and procedures shall be designed to fulfill the requirements of generally accepted accounting principles.

Local Governmental Entities

Present Situation: Section 218.33, F.S., requires each local governmental entity to begin its fiscal year on October 1 and end it on September 30. Section 218.33(2), F.S., requires each local governmental entity shall follow uniform accounting practices and procedures as provided by rule of the department to assure the use of proper accounting and fiscal management by such units. Such rules shall include a uniform classification of accounts.

Charter Schools

Present Situation: Section 1002.33, F.S., authorizes charter schools as part of Florida's state program of education. In addition to the creation of charter schools, that section also imposes certain requirements on charter schools. In pertinent part, the law requires that the governing body of a charter school is responsible for: ensuring that the charter school has retained a certified public accountant to perform its annual audit; reviewing the audit report; establishing a corrective plan, if necessary; monitoring a financial recovery plan to ensure compliance; and, participating in governance training approved by the Department of Education. That governance training is required to address government in the sunshine, conflicts of interest, ethics, and financial responsibility.

School Districts and Florida College System Institutions

Present Situation: The financial records and accounts of each school district, Florida College System institution, and other institution or agency under the supervision of the State Board of Education shall be prepared and maintained as prescribed by law and rules of the State Board of Education. The financial records and accounts of each state university under the supervision of the Board of Governors shall be prepared and maintained as prescribed by law and rules of the Board of Governors. Rules of the State Board of Education and rules of the Board of Governors shall incorporate the requirements of law and accounting principles generally accepted in the United States. Such rules shall include a uniform classification of accounts. Each state university shall annually file with the Board of Governors financial statements prepared in conformity with accounting principles generally accepted by the United States and the uniform classification of accounts prescribed by the Board of Governors. The Board of Governors' rules shall prescribe the filing deadline for the financial statements. Required financial accounts and reports shall include provisions that are unique to each of the following: K-12 school districts, Florida College System institutions, and state universities, and shall provide for the data to be reported to the National Center of Educational Statistics and other governmental and professional educational data information services as appropriate.

Justice Administration Commission

Present Situation: The Justice Administration Commission is created in s. 43.16, F.S. Among its duties, the Commission is charged with maintaining a central state office for administrative services and assistance when possible, and on behalf of the state attorneys and public defenders of Florida, the capital collateral regional counsel of Florida, the criminal conflict and civil regional counsel, and the Guardian Ad Litem Program. Additionally, the Commission records and submits necessary budgets, vouchers that represent valid claims for reimbursement by the state for authorized expenses, and other things incidental to the proper administrative operation of the office, such as revenue transmittals to the Chief Financial Officer and automated systems plans that were created by the state attorney, public defender, and criminal conflict and civil regional counsel and the Guardian Ad Litem Program.

Effect of the Bill: The bill requires each entity³³ to maintain internal controls designed to: prevent and detect fraud, waste, and abuse; promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices; support economic, efficient, and effective operations; ensure reliability of records and reports; and, safeguard assets. The bill also permits a district school board to retain an internal auditor to determine the adequacy of internal controls described above; compliance with applicable laws, rules, contracts, grant agreements, and best practices; the efficiency of operations; reliability of financial records and reports; and safeguarding of assets.

³³ This includes each state attorney, each public defender, the criminal conflict and civil regional counsel, the capital collateral regional counsel, and the Guardian Ad Litem program.

Extra Compensation Claims and False Claims Act Changes

Extra Compensation Claims

Present Situation: Section 215.425, F.S., prohibits extra compensation to any officer, agent, employee, or contractor after the service has been rendered or the contract made; nor shall any money be appropriated or paid on any claim the subject matter of which has not been provided for by preexisting laws, unless such compensation or claim is allowed by a law enacted by two-thirds of the members elected to each house of the Legislature. However, when adopting salary schedules for a fiscal year, a district school board or community college district board of trustees may apply the schedule for payment of all services rendered subsequent to July 1 of that fiscal year. That section also requires a contract or employment agreement, or renewal of a contract or employment agreement, containing a provision for severance pay to limit severance pay to 20 weeks and to prohibit severance pay when the individual is terminated for misconduct.

Effect of the Bill: The bill defines “public funds” as:

any taxes, tuition, grants, fines, fees, or other charges or any other type of revenue collected by the state or any county, municipality, special district, school district, Florida College System institution, state university, or other separate unit of government created pursuant to law, including any office, department, agency, division, subdivision, political subdivision, board, bureau, commission, authority, or institution of such entities.

The bill clarifies that there can be no violation of s. 215.425, F.S., for payment of a bonus or severance pay that is paid from sources other than public funds. Additionally, if allowed under the Code of Ethics for Public Officers and Employees in Part III, Chapter 112, F.S., the following funds may be used to pay extra compensation:

- Revenues received by state universities through or from faculty practice plans; health services support organizations; hospitals with which state universities are affiliated; direct-support organizations; or private donations, so long as such extra compensation is paid to individuals who are primarily clinical practitioners;
- Revenues received by Florida College System institutions through or from faculty practice plans; health services support organizations; direct-support organizations; or private donations, so long as such extra compensation is paid to individuals who are primarily clinical practitioners;
- Certain revenues that are received by a hospital licensed under chapter 395 which has entered into a Medicaid Provider Contract, so long as such extra compensation is paid to individuals who are primarily clinical practitioners, and that:
 - Are not derived from the levy of an ad valorem tax;
 - Are not derived from patient services paid through the Medicaid or Medicare program;
 - Are derived from patient services pursuant to contracts with private insurers or private managed care entities; or
 - Are not appropriated by the Legislature or by any county, municipality, special district, school district, Florida College System institution, state university, or other separate unit of government created pursuant to law, including any office, department, agency, division, subdivision, political subdivision, board, bureau, commission, authority, or

institution of such entities, except for revenues otherwise authorized to be used pursuant to subparagraphs 2. and 3.

- Revenues or fees received by a seaport or airport from sources other than through the levy of a tax, or funds appropriated by any county or municipality or the Legislature.

SB 686 requires new contracts or renewal contracts after October 1, 2016, in which state universities or units of government are a party, to contain a requirement that severance pay from public funds may not exceed 20 weeks and to prohibit severance paid from any source of revenue when the officer, agent, employee, or contractor has been fired for misconduct.

The bill requires a unit of government that has made a prohibited compensation payment to investigate and take all actions necessary to recover the prohibited compensation. If the compensation was provided unintentionally, the unit of government must recover the prohibited compensation through its normal recovery methods. If the prohibited payment was willfully made, the unit of government must recover the payment from either the recipient or the person who authorized the prohibited payment. Willfully providing a prohibited payment would become a first degree misdemeanor under the bill. The bill provides for suspension and removal of officers as follows: An officer who exercises the powers and duties of a state or county office may be suspended by the Governor and removed by the Florida Senate. Any other officer may be suspended and removed by the Governor pursuant to s. 112.51, F.S.

A person who reports the making of a prohibited extra compensation payment is eligible for a reward of at least \$500, or the lesser of 10 percent of the funds recovered or \$10,000 per incident. There is an exception to the reward provision where the recovery of the prohibited compensation is based on disclosures of information relating to allegations or transactions in a criminal, civil, or administrative hearing; a legislative, administrative, inspector general, or other government report; auditor general report, hearing, audit, or investigation; or from the news media. If the person was involved in the authorization, or was convicted for his role in the unauthorized compensation, he or she is not eligible for the reward. Whistle-blowers are granted full protection under the Whistle-blower's Act.³⁴

If the unit of government fails to recover the prohibited extra compensation payment within 90 days, a lawsuit is authorized to recover those funds using the legal procedures in ss. 68.082, (governing false claims against the state) and 68.083, F.S., (governing civil actions for false claims). Litigation to recover such funds must be brought in the circuit court of the county in which the unit of local government is located.

False Claims Against the State

Present Situation: Section 68.082, F.S., prohibits a person from:

- Knowingly presenting a false or fraudulent claim for payment or approval;
- Knowingly making or using a false record or statement material to a false or fraudulent claim;
- Conspiring to commit a violation of this subsection;

³⁴ Section 112.3187, F.S.

- Having possession, custody, or control of property or money used or to be used by the state and knowingly delivering less than all of that money or property;
- Making or delivering a document certifying receipt of property used or to be used by the state and, intending to defraud the state, making or delivering the receipt without knowing that the information on the receipt is true;
- Knowingly buying or receiving, as a pledge of an obligation or a debt, public property from an officer or employee of the state who may not sell or pledge the property; or
- Knowingly making or using a false record or statement material to an obligation to pay or transmit money or property to the state, or knowingly concealing or knowingly and improperly avoiding or decreasing an obligation to pay or transmit money or property to the state.

A person who does any of the foregoing is liable to the state for a civil penalty of not less than \$5,500 and not more than \$11,000 and for treble the amount of damages the state sustains.

Section 68.083, F.S., authorizes the Department of Legal Affairs to investigate an allegation of a false claim against the state. If the Department of Legal Affairs determines a violation has occurred, it is authorized to commence a civil action against the violator. Additionally, the Department of Financial Services may bring such a suit if the Department of Legal Affairs has not done so.

Effect of the Bill: The bill makes it a “false claim against the state” for any person to knowingly authorize, approve, or receive payment of prohibited extra compensation in violation of s. 215.425, F.S. A person who authorizes, approves, or receives payment of prohibited extra compensation is subject to the civil penalty ranging from \$5,500 to \$11,000 and for treble the amount of damages that the state sustains as a result of the authorization, approval, or receipt of prohibited compensation.

The bill authorizes the Department of Financial Services to bring a civil action if the action arises from an investigation by that Department concerning a violation of the prohibited extra compensation claim and the Department of Legal Affairs has not filed an action to recover the civil penalty and damages.

Auditing

Joint Legislative Auditing Committee

Present Situation: Section 11.40, F.S., provides:

Following notification by the Auditor General, the Department of Financial Services, or the Division of Bond Finance of the State Board of Administration of the failure of a local governmental entity, district school board, charter school, or charter technical career center to comply with the applicable provisions within

ss. 11.45(5)-(7),³⁵ 218.32(1),³⁶ 218.38,³⁷ or 218.503(3),³⁸ the Legislative Auditing Committee may schedule a hearing to determine if the entity should be subject to further state action.

Section 11.45, F.S., defines the types of audits that may be conducted. That section requires the Auditor General to conduct certain state and local governmental audits and specifies the frequency with which the audits must occur. Section 11.45, F.S., also allows the Auditor General to conduct other audits he or she determines to be appropriate. For purposes of s. 11.45, F.S., the term local governmental entity means “a county agency, municipality, or special district as defined in s. 189.012, F.S., but does not include any housing authority established under ch. 421, F.S.”

The Auditor General is required to transmit, by July 15, to the President of the Senate, the Speaker of the House of Representatives, and the Department of Financial Services a list of all school districts, charter schools, charter technical career centers, Florida College System institutions, state universities, and water management districts that have failed to comply with the transparency requirements as identified in the audit reports reviewed pursuant to paragraph (b) and those conducted pursuant to subsection (2).

Effect of the Bill: The bill provides that the Governor or his or her designee, or the Commissioner of Education or his or her designee, may also notify the Joint Legislative Auditing Committee that a local governmental entity has failed to comply with applicable auditing, financial reporting, bond issuance notification, bond verification provisions, or failed to disclose a financial emergency or provide information required during a financial emergency.

The bill defines the terms “abuse,” “fraud,” and “waste” in s. 11.45, F.S., as follows:

- “Abuse” means behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary operational practice given the facts and circumstances. The term includes the misuse of authority or position for personal gain.
- “Fraud” means obtaining something of value through willful misrepresentation, including, but not limited to, the intentional misstatements or omissions of amounts or disclosures in financial statements to deceive users of financial statements, theft of an entity’s assets, bribery, or the use of one’s position for personal enrichment through the deliberate misuse or misapplication of an organization’s resources.
- “Waste” means the act of using or expending resources unreasonably, carelessly, extravagantly, or for no useful purpose.

The bill also redefines the term “Local governmental entity” for purposes of s. 11.45, F.S., to include tourist development councils and county tourism promotion agencies.

The bill exempts water management districts from being subject to audits pursuant to s. 11.45(2)(j), F.S. The bill allows the Auditor General to conduct audits or other engagements of

³⁵ Section 11.45, F.S., governs certain audits to be conducted by the Auditor General.

³⁶ Section 218.32(1), F.S., requires annual financial reports from local governmental entities.

³⁷ Section 218.38, F.S., requires notice of bond issuance and contains verification requirements.

³⁸ Section 218.503(3), F.S., requires those entities to disclose a financial emergency and provide certain information concerning a financial emergency.

tourist development councils and county tourism promotion agencies. The bill also conforms the Auditor General's reporting requirement to the President of the Senate, the Speaker of the House of Representatives, and the Department of Financial Services, by removing the obsolete reference to water management districts and replacing it with the phrase "local governmental entity."

Single Audit Act

Present Situation: The Florida Single Audit Act, s. 215.97, F.S., is designed to establish uniform state audit requirements for state financial assistance provided by state agencies to nonstate entities to carry out state projects; promote sound financial management, including effective internal controls, with respect to state financial assistance administered by nonstate entities; promote audit economy and efficiency by relying to the extent possible on already required audits of federal financial assistance provided to nonstate entities; provide for identification of state financial assistance transactions in the state accounting records and recipient organization records; promote improved coordination and cooperation within and between affected state agencies providing state financial assistance and nonstate entities receiving state assistance; and, ensure, to the maximum extent possible, that state agencies monitor, use, and follow-up on audits of state financial assistance provided to nonstate entities. Pursuant to the Single Audit Act, certain entities that exceed the "audit threshold" are subject to a state single audit or a project specific audit. Currently, the "audit threshold" is defined as:

the threshold amount used to determine when a state single audit or project-specific audit of a nonstate entity shall be conducted in accordance with this section. Each nonstate entity that expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year of such nonstate entity shall be required to have a state single audit, or a project-specific audit, for such fiscal year in accordance with the requirements of this section. Every 2 years the Auditor General, after consulting with the Executive Office of the Governor, the Department of Financial Services, and all state awarding agencies, shall review the threshold amount for requiring audits under this section and may adjust such threshold amount consistent with the purposes of this section. Section 215.97(2)(a), F.S.

Effect of the Bill: The bill changes the audit threshold from \$500,000 to \$750,000. Additionally, the bill changes the requirement that the Auditor General review the threshold amount for requiring audits from every 2 years to "periodically." The term "periodically" is not defined in the bill. Finally, the bill authorizes the Auditor General to recommend to the Legislature a statutory change to revise the threshold amount in the annual report submitted pursuant to s. 11.45(7)(f), F.S.

Local Government Entity Annual Financial Reports

Present Situation: Section 218.32, F.S., requires certain local governmental entities to submit an annual financial report for the previous fiscal year. The annual financial report is required to be signed by the chair of the governing body and the chief financial officer of the local governmental entity. That section also specifies what information is required to be in the report.

Additionally, the Department of Financial Services is required to file a verified report with the Governor, the Legislature, the Auditor General, and the Special District Accountability Program of the Department of Economic Opportunity showing the revenues, both locally derived and derived from intergovernmental transfers, and the expenditures of each local governmental entity, regional planning council, local government finance commission, and municipal power corporation that is required to submit an annual financial report.³⁹

Effect of the Bill: The bill requires an independent certified public accountant completing an audit of a unit of local government pursuant to s. 218.39, F.S., to determine, as part of the audit, whether or not the entity's annual financial report is in agreement with the audit report. The accountant's audit report must be supported by the same level of detail required for the annual financial report. If the reports are not in agreement, the bill requires the audit to specify the differences that exist between the annual financial report and the audit report.

The bill also provides that, in preparing the verified report, the Department of Financial Services may request additional information from the local governmental entity. Any additional information requested must be provided within 45 days of the request. If the local governmental entity does not comply with the request, the Department of Financial Services must notify the Legislative Auditing Committee, which may take action pursuant to s. 11.40(2), F.S.

Annual Financial Audit Reports

Present Situation: If certain types of governmental entities are not notified by the first day of the fiscal year that they will be audited by the Auditor General, those entities must have an annual financial audit performed by an independent certified public accountant completed within 9 months.⁴⁰ Section 218.39, F.S., lays out the minimum required information for the independent audits and provides for discussion between the governing body and the independent certified public accountant regarding certain specified conditions. If corrective action is required and has not been taken, the Legislative Auditing Committee can request a statement explaining why the corrective action has not been taken and provides for corrective steps including actions pursuant to s. 11.40(2), F.S.

Effect of the Bill: The bill provides that if the audit report contains a recommendation from the preceding financial audit report, the governing body, within 60 days, must indicate its intent regarding corrective action, the corrective action to be taken, and when the corrective action will occur. If the governing body does not intend to take any corrective action, it shall explain why such action will not be taken at the regularly scheduled public meeting.

Auditor Selection Procedures

Present Situation: Section 218.391, F.S., lays out the process that specified governmental entities⁴¹ must follow in selecting its independent certified public accountant to act as an auditor. Noncharter counties are required to create a committee consisting of each of its elected county constitutional officers and one member of the board of county commissioners or their designee.

³⁹ Section 218.32(2), F.S.

⁴⁰ Section 218.39, F.S.

⁴¹ The entities are: the governing body of a charter county, municipality, special district, district school board, charter school, or charter technical career center.

Those entities must create an audit committee which must make a request for proposals. The law lays out what must be considered in selecting the firm and discusses negotiating for compensation.

Effect of the Bill: The bill requires all counties to have an auditor selection committee consisting of each of its officers elected pursuant to the county charter or Florida Constitution. The bill requires municipalities, special districts, district school boards, charter schools, or charter technical career centers to create an audit committee with at least three members, one of which must be a member of the governing body of the entity. That member will serve as the committee's chair. Members of county, municipal, or special district audit committees may not exercise financial management responsibilities for the county, municipality, or special district. The bill provides that the contract period may not exceed 5 years. The bill creates a 2-year period of ineligibility for a firm to get a new contract after its 5-year contract has expired.

The audit report submitted pursuant to s. 218.39, F.S., must include an affidavit executed by the chair of the audit committee affirming that the committee complied with the auditor selection requirements. If the Auditor General determines that an entity failed to comply with the requirements in selecting an auditor, the entity shall select a replacement auditor to conduct audits for the remaining subsequent fiscal year(s) remaining in the contract.

The Florida Virtual School

Present Situation: The Florida Virtual School is created to develop and deliver online and distance learning. The Commissioner of Education is charged with monitoring the Florida Virtual School. In pertinent part, the law requires the board of trustees to submit an annual report to the Governor, the Legislature, the Commissioner of Education, and the State Board of Education. The report is required to address: operations and accomplishments of the Florida Virtual School within the state and those occurring outside the state as Florida Virtual School Global; marketing and operational plan for the Florida Virtual School and Florida Virtual School Global, including recommendations regarding methods for improving the delivery of education through the Internet and other distance learning technology; assets and liabilities of the Florida Virtual School and Florida Virtual School Global at the end of the fiscal year; a copy of an annual financial audit of the accounts and records of the Florida Virtual School and Florida Virtual School Global, conducted by an independent certified public accountant and performed in accordance with rules adopted by the Auditor General; recommendations regarding the unit cost of providing services to students through the Florida Virtual School and Florida Virtual School Global; and, recommendations regarding an accountability mechanism to assess the effectiveness of the services provided by the Florida Virtual School and Florida Virtual School Global.⁴²

The Auditor General is required to conduct an operational audit of the Florida Virtual School, including Florida Virtual School Global. The scope of the audit must include, but not be limited to, the administration of responsibilities relating to personnel; procurement and contracting; revenue production; school funds, including internal funds; student enrollment records; franchise agreements; information technology utilization, assets, and security; performance measures and

⁴² Section 1002.37(6), F.S.

standards; and accountability. The final report on the audit shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than January 31, 2014.

Effect of the Bill: The bill eliminates the requirement that the Auditor General conduct an operation audit and report to the President of the Senate and the Speaker of the House of Representatives by January 31, 2014. That provision is replaced with requiring the Florida Virtual School to have an annual financial audit of its accounts and records completed by an independent auditor who is a licensed certified public accountant. The independent auditor must conduct the audit in accordance with the rules adopted by the Auditor General governing such audits. The audit report is required to include a written statement of the board of trustees describing corrective action to be taken in response to each of the independent auditor's recommendations. Upon completion of the audits, the independent auditor is required to submit an audit report to the board of trustees and the Auditor General no later than 9 months after the end of the prior fiscal year. The bill also makes conforming changes to the annual report provided to the Governor, the Legislature, the Commissioner of Education, and the State Board of Education, by requiring a copy of the audit report be submitted with the annual statement. That audit report is to provide a written statement of the board of trustees describing corrective action to be taken in response to each finding of the independent auditor's recommendations included in the audit report.

Required Audits of Certain Educational Institutions

Present Situation: School districts, Florida College System institutions, and other institutions and agencies under the supervision of the State Board of Education and state universities under the supervision of the Board of Governors are subject to the audit provisions of ss. 11.45 and 218.39, F.S. If an audit contains a significant finding, the district school board, the Florida College System institution board of trustees, or the university board of trustees shall conduct an audit overview during a public meeting.

Effect of the Bill: If any audit report includes a recommendation that was previously included in the preceding financial audit report, the district school board, the Florida College System institution board of trustees, or the university board of trustees, must indicate its intent regarding corrective action, the corrective action to be taken, and when the corrective action will occur within 60 days after the delivery of the audit report. This response must occur during a regularly scheduled public meeting. If the district school board, Florida College System institution board of trustees, or university board of trustees does not intend to take corrective action, it shall explain why such action will not be taken at the regularly scheduled public meeting.

Other Provisions

Florida Clerk of Courts Corporation

Present Situation: Currently, s. 28.35, F.S., requires the Florida Clerk of Courts Corporation to develop and certify a uniform system of workload measures and applicable workload standards for court-related functions as developed by the corporation and clerk workload performance in meeting the workload performance standards. These workload measures and workload performance standards must be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management,

operational efficiency, and effective collection of fines, fees, service charges, and court costs. The corporation shall develop the workload measures and workload performance standards in consultation with the Legislature. When the corporation finds a clerk has not met the workload performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court. The corporation shall notify the Legislature of any clerk not meeting workload performance standards and provide a copy of any corrective action plans.

Effect of the Bill: The bill requires the Florida Clerk of Courts Corporation to notify the Legislature of any clerk not meeting the workload performance standards and provide a copy of any corrective action plans within 45 days after the end of each quarter. For purposes of s. 28.35, F.S., the quarters end on the last day of March, June, September, and December of each year.

Transparency in Government Spending

Present Situation: The Transparency Florida Act, located in s. 215.985, F.S., requires the Governor, in consultation with the appropriations committees of the House and Senate, to maintain a central website providing access to all other websites required to be linked under the Act. That law requires certain budget information to be readily available online, certain contract information, and minimum functionality standards. In pertinent part, s. 215.985(11), F.S., requires: “Each water management district shall provide a monthly financial statement to its governing board and make such statement available for public access on its website.”

Effect of the Bill: The bill requires the monthly financial statement to be in the form and manner prescribed by the Department of Financial Services to the district’s governing board and make such monthly financial statement available to the public on its website.

Financial Emergencies

Present Situation: Local governmental entities, charter schools, charter technical career centers, and district school boards are subject to review and oversight by the Governor, the charter school sponsor, the charter technical career center sponsor, or the Commissioner of Education, as appropriate, under certain circumstances.⁴³ If a financial emergency occurs, the Governor or the Commissioner of Education must contact the entity to determine what steps have been taken to rectify, resolve, or prevent the financial emergency. Any information requested must be provided within 45 days. If the local governmental entity or the district school board does not comply with the request, the Governor or Commissioner of Education must notify the *members* of the Legislative Auditing Committee who may take action pursuant to s. 11.40, F.S. The Governor or the Commissioner of Education must then determine whether the entity needs state assistance. If so, the entity is considered to be in a state of financial emergency. The Governor or the Commissioner of Education then has the authority to take steps to resolve the financial emergency.⁴⁴

⁴³ Section 218.503(1), F.S.

⁴⁴ Section 218.503(3), F.S.

Effect of the Bill: The bill provides that the Governor, or his or her designee, or the Commissioner of Education, or his or her designee, must notify the Legislative Auditing Committee instead of notifying the members of the Legislative Auditing Committee.

Reasonable Opportunity to be Heard at Public Meetings

Present Situation: Section 286.0114, F.S., requires, with certain exceptions, that the public be provided a reasonable opportunity to be heard. That Section prescribes the general process and permits entities to prescribe how public comment is made and certain reasonable limitations. The law also provides for the availability of attorneys fees.

Effect of the Bill: The bill clarifies that a member of the public is not required to provide an advance written copy of his or her testimony or comments as a precondition to being given the opportunity to be heard.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The county/municipality mandates provision of Art. VII, s. 18 of the State Constitution may apply because the bill requires county and municipal governments to establish and maintain specified internal controls. An exemption may apply if the bill results in an insignificant fiscal impact to county or municipal governments. An exemption also may apply because similarly situated persons are all required to comply and the bill articulates a threshold finding of serving an important state interest.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill requires members of the public to register as a lobbyist when lobbying a specified unit of local government. Current law authorizes a fee for each registration, which may not exceed \$40.

C. Government Sector Impact:

The bill requires state agencies, the court system, court-related entities, local governments, district school boards, charter schools, and state colleges and universities to establish specified internal controls. Such requirement may require additional time and expense to create the internal controls.

The bill amends provisions related to the prohibition against extra compensation. It requires investigations of allegations and repayment of any prohibited compensation. It also requires the payment of rewards to individuals who report violations. The changes may result in the recovery of prohibited payments, but it also will have an associated increased workload cost for investigations and the payment of rewards.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 20.602 of the Florida Statutes.

This bill substantially amends the following sections of the Florida Statutes: 11.40, 11.45, 28.35, 43.16, 112.313, 112.3144, 112.31455, 112.3261, 129.03, 129.06, 166.241, 189.016, 215.425, 215.86, 215.97, 215.985, 218.32, 218.33, 218.39, 218.391, 286.0114, 288.92, 288.9604, 373.536, 838.014, 838.015, 838.016, 838.022, 838.22, 1001.42, 1002.33, 1002.37, 1010.01, 1010.30, 68.082, 68.083, 99.061, 218.503, 1002.455, and 817.568.

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.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Ethics and Elections (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Florida Anti-Corruption Act of 2016."

Section 2. Present subsections (5) through (9) of section 11.045, Florida Statutes, are renumbered as subsections (6) through (10), respectively, a new subsection (5) is added to that section, and present subsection (8) of that section is



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11 amended, to read:

12 11.045 Lobbying before the Legislature; registration and
13 reporting; exemptions; penalties.-

14 (5) (a) For purposes of this subsection, the term:

15 1. "Lobbying activities" means any action designed to
16 support, oppose, or influence proposed legislation or proposed
17 legislative action. The term includes, but is not limited to,
18 any verbal, written, or electronic communication with any
19 legislator or legislative employee undertaken for the purpose of
20 directly or indirectly supporting, opposing, or influencing
21 legislation or requesting proposed legislation to be filed.

22 2. "Proposed legislation" includes, but is not limited to,
23 policies, ideas, issues, concepts, or statutory language that is
24 presently, or may at some future point be, reflected in or
25 impacted by a bill, a memorial, a resolution, a compact, or an
26 appropriation.

27 3. "Proposed legislative action" means any action by a
28 constituent entity of the Legislature, including, but not
29 limited to, the houses of the Legislature, a joint office, and a
30 joint committee.

31 (b) Each house of the Legislature shall provide reporting
32 requirements by rule requiring each lobbying firm to file a
33 monthly report with the office. The report must include:

34 1. The full name, business address, and telephone number of
35 the lobbying firm.

36 2. The name of each of the lobbying firm's lobbyists.

37 3. A list detailing the lobbying firm's lobbying activities
38 during the reporting period. The list must itemize:

39 a. The proposed legislation or proposed legislative action



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40 that the lobbying firm has attempted to support, oppose, or
41 influence;

42 b. The entity lobbied;

43 c. Each principal on behalf of whom the lobbying firm has
44 acted; and

45 d. If the proposed legislation included an appropriation or
46 was an appropriation, the intended recipient of the
47 appropriation.

48 (c) For purposes of the reporting requirement provided in
49 this subsection, the reports must identify proposed legislation
50 by referencing any legislatively assigned identifying numbers,
51 including, but not limited to, bill numbers, amendment barcode
52 numbers, or specific appropriation numbers. If the proposed
53 legislation does not have an identifying number assigned, the
54 report must include a description of the subject matter of the
55 proposed legislation, whether the lobbying firm is supporting or
56 opposing the proposed legislation and, if seeking to modify the
57 proposed legislation, how the lobbying firm's modification would
58 alter the proposal.

59 (d) The reports shall be filed even if the reporting
60 lobbying firm did not engage in any lobbying activities
61 requiring disclosure, in which the report shall be marked "not
62 applicable."

63 (e) The reports shall be filed with the office by
64 electronic means no later than 7 business days after the end of
65 the preceding month. The reports shall be rendered in the
66 identical form provided by the respective houses and shall be
67 open to public inspection.

68 (f) Each house of the Legislature shall provide by rule, or



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69 both houses may provide by joint rule, a procedure by which a
70 lobbying firm that fails to timely file a report is notified and
71 assessed fines. The rule must provide the following:

72 1. Upon determining that the report is late, the person
73 designated to review the timeliness of reports shall immediately
74 notify the lobbying firm as to the failure to timely file the
75 report and that a fine is being assessed for each late day. The
76 fine shall be \$50 per day per report for each late day, not to
77 exceed \$5,000 per report.

78 2. Upon receipt of the report, the person designated to
79 review the timeliness of reports shall determine the amount of
80 the fine due based upon when a report is actually received by
81 the office.

82 3. Such fine must be paid within 30 days after the notice
83 of payment due is transmitted by the office, unless appeal is
84 made to the office. The moneys shall be deposited into the
85 Legislative Lobbyist Registration Trust Fund.

86 4. A fine may not be assessed against a lobbying firm the
87 first time any reports for which the lobbying firm is
88 responsible are not timely filed. However, to receive the one-
89 time fine waiver, all reports for which the lobbying firm is
90 responsible must be filed within 30 days after notice that any
91 reports have not been timely filed is transmitted by the
92 Lobbyist Registration Office. A fine shall be assessed for any
93 subsequent late-filed reports.

94 5. Any lobbying firm may appeal or dispute a fine, based
95 upon unusual circumstances surrounding the failure to file on
96 the designated due date, and may request and is entitled to a
97 hearing before the General Counsel of the Office of Legislative



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98 Services, who shall recommend to the President of the Senate and
99 the Speaker of the House of Representatives, or their respective
100 designees, that the fine be waived in whole or in part for good
101 cause shown. The President of the Senate and the Speaker of the
102 House of Representatives, or their respective designees, may
103 concur in the recommendation and waive the fine in whole or in
104 part. Any such request must be made within 30 days after the
105 notice of payment due is transmitted by the office. In such
106 case, the lobbying firm shall, within the 30-day period, notify
107 the person designated to review the timeliness of reports in
108 writing of his or her intention to request a hearing.

109 6. A lobbying firm may request that the filing of a report
110 be waived upon good cause shown, based on unusual circumstances.
111 The request must be filed with the General Counsel of the Office
112 of Legislative Services, who shall make a recommendation
113 concerning the waiver request to the President of the Senate and
114 the Speaker of the House of Representatives. The President of
115 the Senate and the Speaker of the House of Representatives may
116 grant or deny the request.

117 7. All lobbyist registrations for lobbyists who are
118 partners, owners, officers, or employees of a lobbying firm that
119 fails to timely pay a fine are automatically suspended until the
120 fine is paid or waived, and the office shall promptly notify all
121 affected principals of any suspension or reinstatement.

122 8. The person designated to review the timeliness of
123 reports shall notify the coordinator of the office of the
124 failure of a lobbying firm to file a report after notice or of
125 the failure of a lobbying firm to pay the fine imposed.

126 (9)~~(8)~~ Any person required to be registered or to provide



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127 information pursuant to this section or pursuant to rules
128 established in conformity with this section who knowingly fails
129 to disclose any material fact required by this section or by
130 rules established in conformity with this section, or who
131 knowingly provides false information on any report required by
132 this section or by rules established in conformity with this
133 section, commits a noncriminal infraction, punishable by a fine
134 not to exceed \$5,000. Such penalty shall be in addition to any
135 other penalty assessed by a house of the Legislature pursuant to
136 subsection (8) ~~(7)~~.

137 Section 3. Subsection (2) of section 11.40, Florida
138 Statutes, is amended to read:

139 11.40 Legislative Auditing Committee.—

140 (2) Following notification by the Auditor General, the
141 Department of Financial Services, ~~or~~ the Division of Bond
142 Finance of the State Board of Administration, the Governor or
143 his or her designee, or the Commissioner of Education or his or
144 her designee of the failure of a local governmental entity,
145 district school board, charter school, or charter technical
146 career center to comply with the applicable provisions within s.
147 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the
148 Legislative Auditing Committee may schedule a hearing to
149 determine if the entity should be subject to further state
150 action. If the committee determines that the entity should be
151 subject to further state action, the committee shall:

152 (a) In the case of a local governmental entity or district
153 school board, direct the Department of Revenue and the
154 Department of Financial Services to withhold any funds not
155 pledged for bond debt service satisfaction which are payable to



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156 such entity until the entity complies with the law. The
157 committee shall specify the date that such action must ~~shall~~
158 begin, and the directive must be received by the Department of
159 Revenue and the Department of Financial Services 30 days before
160 the date of the distribution mandated by law. The Department of
161 Revenue and the Department of Financial Services may implement
162 ~~the provisions of~~ this paragraph.

163 (b) In the case of a special district created by:

164 1. A special act, notify the President of the Senate, the
165 Speaker of the House of Representatives, the standing committees
166 of the Senate and the House of Representatives charged with
167 special district oversight as determined by the presiding
168 officers of each respective chamber, the legislators who
169 represent a portion of the geographical jurisdiction of the
170 special district pursuant to s. 189.034(2), and the Department
171 of Economic Opportunity that the special district has failed to
172 comply with the law. Upon receipt of notification, the
173 Department of Economic Opportunity shall proceed pursuant to s.
174 189.062 or s. 189.067. If the special district remains in
175 noncompliance after the process set forth in s. 189.034(3), or
176 if a public hearing is not held, the Legislative Auditing
177 Committee may request the department to proceed pursuant to s.
178 189.067(3).

179 2. A local ordinance, notify the chair or equivalent of the
180 local general-purpose government pursuant to s. 189.035(2) and
181 the Department of Economic Opportunity that the special district
182 has failed to comply with the law. Upon receipt of notification,
183 the department shall proceed pursuant to s. 189.062 or s.
184 189.067. If the special district remains in noncompliance after



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185 the process set forth in s. 189.034(3), or if a public hearing
186 is not held, the Legislative Auditing Committee may request the
187 department to proceed pursuant to s. 189.067(3).

188 3. Any manner other than a special act or local ordinance,
189 notify the Department of Economic Opportunity that the special
190 district has failed to comply with the law. Upon receipt of
191 notification, the department shall proceed pursuant to s.
192 189.062 or s. 189.067(3).

193 (c) In the case of a charter school or charter technical
194 career center, notify the appropriate sponsoring entity, which
195 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

196 Section 4. Subsection (1), paragraph (j) of subsection (2),
197 paragraph (u) of subsection (3), and paragraph (i) of subsection
198 (7) of section 11.45, Florida Statutes, are amended, and
199 paragraph (x) is added to subsection (3) of that section, to
200 read:

201 11.45 Definitions; duties; authorities; reports; rules.—

202 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

203 (a) "Abuse" means behavior that is deficient or improper
204 when compared with behavior that a prudent person would consider
205 a reasonable and necessary operational practice given the facts
206 and circumstances. The term includes the misuse of authority or
207 position for personal gain.

208 (b) ~~(a)~~ "Audit" means a financial audit, operational audit,
209 or performance audit.

210 (c) ~~(b)~~ "County agency" means a board of county
211 commissioners or other legislative and governing body of a
212 county, however styled, including that of a consolidated or
213 metropolitan government, a clerk of the circuit court, a



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214 separate or ex officio clerk of the county court, a sheriff, a
215 property appraiser, a tax collector, a supervisor of elections,
216 or any other officer in whom any portion of the fiscal duties of
217 a body or officer expressly stated in this paragraph are the
218 ~~above are under law~~ separately placed by law.

219 (d) ~~(e)~~ "Financial audit" means an examination of financial
220 statements in order to express an opinion on the fairness with
221 which they are presented in conformity with generally accepted
222 accounting principles and an examination to determine whether
223 operations are properly conducted in accordance with legal and
224 regulatory requirements. Financial audits must be conducted in
225 accordance with auditing standards generally accepted in the
226 United States and government auditing standards as adopted by
227 the Board of Accountancy. When applicable, the scope of
228 financial audits must ~~shall~~ encompass the additional activities
229 necessary to establish compliance with the Single Audit Act
230 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other
231 applicable federal law.

232 (e) "Fraud" means obtaining something of value through
233 willful misrepresentation, including, but not limited to, the
234 intentional misstatements or omissions of amounts or disclosures
235 in financial statements to deceive users of financial
236 statements, theft of an entity's assets, bribery, or the use of
237 one's position for personal enrichment through the deliberate
238 misuse or misapplication of an organization's resources.

239 (f) ~~(d)~~ "Governmental entity" means a state agency, a county
240 agency, or any other entity, however styled, that independently
241 exercises any type of state or local governmental function.

242 (g) ~~(e)~~ "Local governmental entity" means a county agency,



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243 municipality, tourist development council, county tourism
244 promotion agency, or special district as defined in s. 189.012.
245 The term, ~~but~~ does not include any housing authority established
246 under chapter 421.

247 (h)~~(f)~~ "Management letter" means a statement of the
248 auditor's comments and recommendations.

249 (i)~~(g)~~ "Operational audit" means an audit whose purpose is
250 to evaluate management's performance in establishing and
251 maintaining internal controls, including controls designed to
252 prevent and detect fraud, waste, and abuse, and in administering
253 assigned responsibilities in accordance with applicable laws,
254 administrative rules, contracts, grant agreements, and other
255 guidelines. Operational audits must be conducted in accordance
256 with government auditing standards. Such audits examine internal
257 controls that are designed and placed in operation to promote
258 and encourage the achievement of management's control objectives
259 in the categories of compliance, economic and efficient
260 operations, reliability of financial records and reports, and
261 safeguarding of assets, and identify weaknesses in those
262 internal controls.

263 (j)~~(h)~~ "Performance audit" means an examination of a
264 program, activity, or function of a governmental entity,
265 conducted in accordance with applicable government auditing
266 standards or auditing and evaluation standards of other
267 appropriate authoritative bodies. The term includes an
268 examination of issues related to:

- 269 1. Economy, efficiency, or effectiveness of the program.
270 2. Structure or design of the program to accomplish its
271 goals and objectives.



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272 3. Adequacy of the program to meet the needs identified by
273 the Legislature or governing body.

274 4. Alternative methods of providing program services or
275 products.

276 5. Goals, objectives, and performance measures used by the
277 agency to monitor and report program accomplishments.

278 6. The accuracy or adequacy of public documents, reports,
279 or requests prepared under the program by state agencies.

280 7. Compliance of the program with appropriate policies,
281 rules, or laws.

282 8. Any other issues related to governmental entities as
283 directed by the Legislative Auditing Committee.

284 (k)~~(i)~~ "Political subdivision" means a separate agency or
285 unit of local government created or established by law and
286 includes, but is not limited to, the following and the officers
287 thereof: authority, board, branch, bureau, city, commission,
288 consolidated government, county, department, district,
289 institution, metropolitan government, municipality, office,
290 officer, public corporation, town, or village.

291 (l)~~(j)~~ "State agency" means a separate agency or unit of
292 state government created or established by law and includes, but
293 is not limited to, the following and the officers thereof:
294 authority, board, branch, bureau, commission, department,
295 division, institution, office, officer, or public corporation,
296 as the case may be, except any such agency or unit within the
297 legislative branch of state government other than the Florida
298 Public Service Commission.

299 (m) "Waste" means the act of using or expending resources
300 unreasonably, carelessly, extravagantly, or for no useful



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301 purpose.

302 (2) DUTIES.—The Auditor General shall:

303 (j) Conduct audits of local governmental entities when
304 determined to be necessary by the Auditor General, when directed
305 by the Legislative Auditing Committee, or when otherwise
306 required by law. No later than 18 months after the release of
307 the audit report, the Auditor General shall perform such
308 appropriate followup procedures as he or she deems necessary to
309 determine the audited entity's progress in addressing the
310 findings and recommendations contained within the Auditor
311 General's previous report. The Auditor General shall notify each
312 member of the audited entity's governing body and the
313 Legislative Auditing Committee of the results of his or her
314 determination. For purposes of this paragraph, local
315 governmental entities do not include water management districts.

316
317 The Auditor General shall perform his or her duties
318 independently but under the general policies established by the
319 Legislative Auditing Committee. This subsection does not limit
320 the Auditor General's discretionary authority to conduct other
321 audits or engagements of governmental entities as authorized in
322 subsection (3).

323 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
324 General may, pursuant to his or her own authority, or at the
325 direction of the Legislative Auditing Committee, conduct audits
326 or other engagements as determined appropriate by the Auditor
327 General of:

328 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

329 (x) Tourist development councils and county tourism



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330 promotion agencies.

331 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

332 (i) The Auditor General shall annually transmit by July 15,
333 to the President of the Senate, the Speaker of the House of
334 Representatives, and the Department of Financial Services, a
335 list of all school districts, charter schools, charter technical
336 career centers, Florida College System institutions, state
337 universities, and local governmental entities ~~water management~~
338 ~~districts~~ that have failed to comply with the transparency
339 requirements as identified in the audit reports reviewed
340 pursuant to paragraph (b) and those conducted pursuant to
341 subsection (2).

342 Section 5. Section 20.602, Florida Statutes, is created to
343 read:

344 20.602 Standards of conduct; officers and board members of
345 Department of Economic Opportunity corporate entities.—

346 (1) The following officers and board members are subject to
347 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
348 112.3143(2):

349 (a) Officers and members of the board of directors of:

350 1. Any corporation created under chapter 288;

351 2. Space Florida;

352 3. CareerSource Florida, Inc., or the programs or entities
353 created by CareerSource Florida, Inc., pursuant to s. 445.004;

354 4. The Florida Housing Finance Corporation; or

355 5. Any other corporation created by the Department of
356 Economic Opportunity in accordance with its powers and duties
357 under s. 20.60.

358 (b) Officers and members of the board of directors of a



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359 corporate parent or subsidiary corporation of a corporation
360 described in paragraph (a).

361 (c) Officers and members of the board of directors of a
362 corporation created to carry out the missions of a corporation
363 described in paragraph (a).

364 (d) Officers and members of the board of directors of a
365 corporation with which a corporation described in paragraph (a)
366 is required by law to contract with to carry out its missions.

367 (2) For purposes of applying ss. 112.313(1)-(8), (10),
368 (12), and (15); 112.3135; and 112.3143(2) to activities of the
369 officers and members of the board of directors specified in
370 subsection (1), those persons shall be considered public
371 officers or employees and the corporation shall be considered
372 their agency.

373 (3) For a period of 2 years after retirement from or
374 termination of service, or for a period of 10 years if removed
375 or terminated for cause or for misconduct, as defined in s.
376 443.036(29), an officer or a member of the board of directors
377 specified in subsection (1) may not represent another person or
378 entity for compensation before:

379 (a) His or her corporation;

380 (b) A division, a subsidiary, or the board of directors of
381 a corporation created to carry out the mission of his or her
382 corporation; or

383 (c) A corporation with which the corporation is required by
384 law to contract to carry out its missions.

385 (4) This section does not supersede any additional or more
386 stringent standards of conduct applicable to an officer or a
387 member of the board of directors of an entity specified in



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388 subsection (1) prescribed by any other provision of law.

389 Section 6. Paragraph (d) of subsection (2) of section
390 28.35, Florida Statutes, is amended to read:

391 28.35 Florida Clerks of Court Operations Corporation.-

392 (2) The duties of the corporation shall include the
393 following:

394 (d) Developing and certifying a uniform system of workload
395 measures and applicable workload standards for court-related
396 functions as developed by the corporation and clerk workload
397 performance in meeting the workload performance standards. These
398 workload measures and workload performance standards shall be
399 designed to facilitate an objective determination of the
400 performance of each clerk in accordance with minimum standards
401 for fiscal management, operational efficiency, and effective
402 collection of fines, fees, service charges, and court costs. The
403 corporation shall develop the workload measures and workload
404 performance standards in consultation with the Legislature. When
405 the corporation finds a clerk has not met the workload
406 performance standards, the corporation shall identify the nature
407 of each deficiency and any corrective action recommended and
408 taken by the affected clerk of the court. For quarterly periods
409 ending on the last day of March, June, September, and December
410 of each year, the corporation shall notify the Legislature of
411 any clerk not meeting workload performance standards and provide
412 a copy of any corrective action plans. Such notifications shall
413 be submitted no later than 45 days after the end of the
414 preceding quarterly period. As used in this subsection, the
415 term:

416 1. "Workload measures" means the measurement of the



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417 activities and frequency of the work required for the clerk to
418 adequately perform the court-related duties of the office as
419 defined by the membership of the Florida Clerks of Court
420 Operations Corporation.

421 2. "Workload performance standards" means the standards
422 developed to measure the timeliness and effectiveness of the
423 activities that are accomplished by the clerk in the performance
424 of the court-related duties of the office as defined by the
425 membership of the Florida Clerks of Court Operations
426 Corporation.

427 Section 7. Present subsections (6) and (7) of section
428 43.16, Florida Statutes, are redesignated as subsections (7) and
429 (8), respectively, and a new subsection (6) is added to that
430 section, to read:

431 43.16 Justice Administrative Commission; membership, powers
432 and duties.—

433 (6) The commission, each state attorney, each public
434 defender, the criminal conflict and civil regional counsel, the
435 capital collateral regional counsel, and the Guardian Ad Litem
436 Program shall establish and maintain internal controls designed
437 to:

438 (a) Prevent and detect fraud, waste, and abuse.

439 (b) Promote and encourage compliance with applicable laws,
440 rules, contracts, grant agreements, and best practices.

441 (c) Support economical and efficient operations.

442 (d) Ensure reliability of financial records and reports.

443 (e) Safeguard assets.

444 Section 8. Section 112.3126, Florida Statutes, is created
445 to read:



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446 112.3126 Employment restrictions; legislators.-

447 (1) As used in this section, the term "private entity"
448 means any nongovernmental entity, such as a corporation,
449 partnership, company or nonprofit organization, any other legal
450 entity, or any natural person.

451 (2) A member of the Legislature may not accept employment
452 with a private entity that directly receives funding through
453 state revenues appropriated by the General Appropriations Act. A
454 member of the Legislature who is employed by such private entity
455 before his or her legislative service begins may continue his or
456 her employment. However, he or she may not accept promotion,
457 advancement, additional compensation, or anything of value that
458 he or she knows, or with the exercise of reasonable care should
459 know, is provided or given as a result of his or her election or
460 position, or that is otherwise inconsistent with the promotion,
461 advancement, additional compensation, or anything of value
462 provided or given an employee who is similarly situated.

463 Section 9. Subsection (7) of section 112.313, Florida
464 Statutes, is amended to read:

465 112.313 Standards of conduct for public officers, employees
466 of agencies, and local government attorneys.-

467 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.-

468 (a) A ~~Ne~~ public officer or employee of an agency may not
469 ~~shall~~ have or hold any employment or contractual relationship
470 with any business entity or any agency that ~~which~~ is subject to
471 the regulation of, or is doing business with, an agency of which
472 he or she is an officer or employee, excluding those
473 organizations and their officers who, when acting in their
474 official capacity, enter into or negotiate a collective



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475 bargaining contract with the state or any municipality, county,
476 or other political subdivision of the state; and ~~nor shall~~ an
477 officer or employee of an agency may not have or hold any
478 employment or contractual relationship that will create a
479 continuing or frequently recurring conflict between his or her
480 private interests and the performance of his or her public
481 duties or that would impede the full and faithful discharge of
482 his or her public duties. For purposes of this subsection, if a
483 public officer or employee of an agency holds a controlling
484 interest in a business entity or is an officer, a director, or a
485 member who manages such an entity, contractual relationships
486 held by the business entity are deemed to be held by the public
487 officer or employee.

488 1. When the agency referred to is a ~~that certain kind of~~
489 special tax district created by general or special law and is
490 limited specifically to constructing, maintaining, managing, and
491 financing improvements in the land area over which the agency
492 has jurisdiction, or when the agency has been organized pursuant
493 to chapter 298, ~~then~~ employment with, or entering into a
494 contractual relationship with, such a business entity by a
495 public officer or employee of such an agency is ~~shall not be~~
496 prohibited by this subsection or ~~be~~ deemed a conflict per se.
497 However, conduct by such officer or employee that is prohibited
498 by, or otherwise frustrates the intent of, this section must
499 ~~shall~~ be deemed a conflict of interest in violation of the
500 standards of conduct set forth by this section.

501 2. When the agency referred to is a legislative body and
502 the regulatory power over the business entity resides in another
503 agency, or when the regulatory power that ~~which~~ the legislative



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504 body exercises over the business entity or agency is strictly
505 through the enactment of laws or ordinances, ~~then~~ employment or
506 a contractual relationship with such a business entity by a
507 public officer or employee of a legislative body is ~~shall~~ not ~~be~~
508 prohibited by this subsection or ~~be~~ deemed a conflict.

509 (b) This subsection does ~~shall~~ not prohibit a public
510 officer or employee from practicing in a particular profession
511 or occupation when such practice by persons holding such public
512 office or employment is required or permitted by law or
513 ordinance.

514 Section 10. Subsections (1) and (2) of section 112.3144,
515 Florida Statutes, are amended to read:

516 112.3144 Full and public disclosure of financial
517 interests.-

518 (1) In addition to officers specified in s. 8, Art. II of
519 the State Constitution or other state law, all elected municipal
520 officers are required to file a full and public disclosure of
521 their financial interests. An officer who is required ~~by s. 8,~~
522 ~~Art. II of the State Constitution~~ to file a full and public
523 disclosure of ~~his or her~~ financial interests for any calendar or
524 fiscal year shall file that disclosure with the ~~Florida~~
525 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~
526 An officer who is required to complete annual ethics training
527 pursuant to s. 112.3142 must certify on his or her full and
528 public disclosure of financial interests that he or she has
529 completed the required training.

530 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~
531 ~~the State Constitution,~~ to file a full and public disclosure of
532 financial interests and who has filed a full and public



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533 disclosure of financial interests for any calendar or fiscal
534 year ~~is shall~~ not be required to file a statement of financial
535 interests pursuant to s. 112.3145(2) and (3) for the same year
536 or for any part thereof notwithstanding any requirement of this
537 part. If an incumbent in an elective office has filed the full
538 and public disclosure of financial interests to qualify for
539 election to the same office or if a candidate for office holds
540 another office subject to the annual filing requirement, the
541 qualifying officer shall forward an electronic copy of the full
542 and public disclosure of financial interests to the commission
543 no later than July 1. The electronic copy of the full and public
544 disclosure of financial interests satisfies the annual
545 disclosure requirement of this section. A candidate who does not
546 qualify until after the annual full and public disclosure of
547 financial interests has been filed pursuant to this section
548 shall file a copy of his or her disclosure with the officer
549 before whom he or she qualifies.

550 Section 11. The amendment made to s. 112.3144, Florida
551 Statutes, by this act applies to disclosures filed for the 2016
552 calendar year and all subsequent calendar years.

553 Section 12. Subsection (1) of section 112.31455, Florida
554 Statutes, is amended to read:

555 112.31455 Collection methods for unpaid automatic fines for
556 failure to timely file disclosure of financial interests.-

557 (1) Before referring any unpaid fine accrued pursuant to s.
558 112.3144(5) or s. 112.3145(7) to the Department of Financial
559 Services, the commission shall attempt to determine whether the
560 individual owing such a fine is a current public officer or
561 current public employee. If so, the commission may notify the



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562 Chief Financial Officer or the governing body of the appropriate
563 county, municipality, school district, or special district of
564 the total amount of any fine owed to the commission by such
565 individual.

566 (a) After receipt and verification of the notice from the
567 commission, the Chief Financial Officer or the governing body of
568 the county, municipality, school district, or special district
569 shall begin withholding the lesser of 10 percent or the maximum
570 amount allowed under federal law from any salary-related
571 payment. The withheld payments shall be remitted to the
572 commission until the fine is satisfied.

573 (b) The Chief Financial Officer or the governing body of
574 the county, municipality, school district, or special district
575 may retain an amount of each withheld payment, as provided in s.
576 77.0305, to cover the administrative costs incurred under this
577 section.

578 Section 13. Present subsections (7) through (15) of section
579 112.3215, Florida Statutes, are renumbered as subsections (8)
580 through (16), respectively, a new subsection (7) is added to
581 that section, and paragraph (a) of present subsection (8) and
582 present subsection (11) of that section are amended, to read:

583 112.3215 Lobbying before the executive branch or the
584 Constitution Revision Commission; registration and reporting;
585 investigation by commission.—

586 (7) If a lobbying firm lobbies the Governor to approve or
587 veto any bill passed by the Legislature or a specific
588 appropriation in the General Appropriations Act, the lobbying
589 firm must file a monthly report disclosing such activity with
590 the commission.



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591 (a) The monthly report must contain the same information
592 required under s. 11.045(5). The reports must be filed with the
593 commission no later than 7 business days after the end of the
594 preceding month. A lobbying firm may satisfy the filing
595 requirements of this subsection by using the form used under s.
596 11.045(5).

597 (b) The reports shall be filed even if the reporting
598 lobbying firm did not engage in any lobbying activities
599 requiring disclosure, in which the report shall be marked "not
600 applicable."

601 (c) The commission shall provide by rule the grounds for
602 waiving a fine, the procedures by which a lobbying firm that
603 fails to timely file a report shall be notified and assessed
604 fines, and the procedure for appealing the fines. The rule shall
605 provide for the following:

606 1. Upon determining that the report is late, the person
607 designated to review the timeliness of reports shall immediately
608 notify the lobbying firm as to the failure to timely file the
609 report and that a fine is being assessed for each late day. The
610 fine shall be \$50 per day per report for each late day up to a
611 maximum of \$5,000 per late report.

612 2. Upon receipt of the report, the person designated to
613 review the timeliness of reports shall determine the amount of
614 the fine due based upon when a report is actually received by
615 the commission.

616 3. Such fine shall be paid within 30 days after the notice
617 of payment due is transmitted by the commission, unless appeal
618 is made to the commission. The moneys shall be deposited into
619 the Executive Branch Lobby Registration Trust Fund.



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620 4. A fine may not be assessed against a lobbying firm the
621 first time any reports for which the lobbying firm is
622 responsible are not timely filed. However, to receive the one-
623 time fine waiver, all reports for which the lobbying firm is
624 responsible must be filed within 30 days after the notice that
625 any reports have not been timely filed is transmitted by the
626 commission. A fine shall be assessed for any subsequent late-
627 filed reports.

628 5. Any lobbying firm may appeal or dispute a fine, based
629 upon unusual circumstances surrounding the failure to file on
630 the designated due date, and may request and shall be entitled
631 to a hearing before the commission, which shall have the
632 authority to waive the fine in whole or in part for good cause
633 shown. Any such request shall be made within 30 days after the
634 notice of payment due is transmitted by the commission. In such
635 case, the lobbying firm shall, within the 30-day period, notify
636 the person designated to review the timeliness of reports in
637 writing of his or her intention to bring the matter before the
638 commission.

639 6. The person designated to review the timeliness of
640 reports shall notify the commission of the failure of a lobbying
641 firm to file a report after notice or of the failure of a
642 lobbying firm to pay the fine imposed. All lobbyist
643 registrations for lobbyists who are partners, owners, officers,
644 or employees of a lobbying firm that fails to timely pay a fine
645 are automatically suspended until the fine is paid or waived,
646 and the commission shall promptly notify all affected principals
647 of each suspension and each reinstatement.

648 7. Notwithstanding any provision of chapter 120, any fine



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649 imposed under this subsection that is not waived by final order
650 of the commission and that remains unpaid more than 60 days
651 after the notice of payment due or more than 60 days after the
652 commission renders a final order on the lobbying firm's appeal
653 shall be collected by the Department of Financial Services as a
654 claim, debt, or other obligation owed to the state, and the
655 department may assign the collection of such fine to a
656 collection agent as provided in s. 17.20.

657 (9) (a) ~~(8) (a)~~ The commission shall investigate every sworn
658 complaint that is filed with it alleging that a person covered
659 by this section has failed to register, has failed to submit a
660 compensation report, has made a prohibited expenditure, has
661 failed to file a report required by subsection (7), or has
662 knowingly submitted false information in any report or
663 registration required in this section.

664 (12) ~~(11)~~ Any person who is required to be registered or to
665 provide information under this section or under rules adopted
666 pursuant to this section and who knowingly fails to disclose any
667 material fact that is required by this section or by rules
668 adopted pursuant to this section, or who knowingly provides
669 false information on any report required by this section or by
670 rules adopted pursuant to this section, commits a noncriminal
671 infraction, punishable by a fine not to exceed \$5,000. Such
672 penalty is in addition to any other penalty assessed by the
673 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

674 Section 14. Section 112.324, Florida Statutes, is amended
675 to read:

676 112.324 Investigative procedures ~~on complaints of~~
677 ~~violations and referrals~~; public records and meeting



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678 exemptions.-

679 (1) The commission shall investigate an alleged violation
680 of this part or other alleged breach of the public trust within
681 the jurisdiction of the commission as provided in s. 8(f), Art.
682 II of the State Constitution:

683 (a) Upon a written complaint executed on a form prescribed
684 by the commission and signed under oath or affirmation by any
685 person; ~~or~~

686 (b) Upon receipt of a written referral of a possible
687 violation of this part or other possible breach of the public
688 trust from the Governor, the Department of Law Enforcement, a
689 state attorney, or a United States Attorney which at least six
690 members of the commission determine is sufficient to indicate a
691 violation of this part or any other breach of the public trust;
692 or

693 (c) Upon receipt of reliable and publicly disseminated
694 information that is determined by at least seven members of the
695 commission to be sufficient to indicate a violation of this part
696 or any other breach of the public trust, provided that
697 commission staff did not undertake any formal investigation of
698 the matter other than collecting publicly disseminated
699 information before a determination of legal sufficiency is made
700 by the commission.

701
702 Within 5 days after receipt of a complaint by the commission, ~~or~~
703 a determination by at least six members of the commission that
704 the referral received is deemed sufficient, or a determination
705 of legal sufficiency is made by at least seven members of the
706 commission in response to reliable and publicly disseminated



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707 information, a copy shall be transmitted to the alleged
708 violator.

709 (2) (a) The complaint and records relating to the complaint
710 or to any preliminary investigation held by the commission or
711 its agents, by a Commission on Ethics and Public Trust
712 established by any county defined in s. 125.011(1) or by any
713 municipality defined in s. 165.031, or by any county or
714 municipality that has established a local investigatory process
715 to enforce more stringent standards of conduct and disclosure
716 requirements as provided in s. 112.326 are confidential and
717 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
718 Constitution.

719 (b) Written referrals and records relating to such
720 referrals held by the commission or its agents, the Governor,
721 the Department of Law Enforcement, or a state attorney, and
722 records relating to any preliminary investigation of such
723 referrals held by the commission or its agents, are confidential
724 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
725 Constitution.

726 (c) Any portion of a proceeding conducted by the
727 commission, a Commission on Ethics and Public Trust, or a county
728 or municipality that has established such local investigatory
729 process, pursuant to a complaint or preliminary investigation,
730 is exempt from s. 286.011, s. 24(b), Art. I of the State
731 Constitution, and s. 120.525.

732 (d) Any portion of a proceeding of the commission in which
733 a determination regarding a referral is discussed or acted upon
734 is exempt from s. 286.011 and s. 24(b), Art. I of the State
735 Constitution, and s. 120.525.



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736 (e) The exemptions in paragraphs (a)-(d) apply until:
737 1. The complaint is dismissed as legally insufficient;
738 2. The alleged violator requests in writing that such
739 records and proceedings be made public;
740 3. The commission determines that it will not investigate
741 the referral; or
742 4. The commission, a Commission on Ethics and Public Trust,
743 or a county or municipality that has established such local
744 investigatory process determines, based on such investigation,
745 whether probable cause exists to believe that a violation has
746 occurred.

747 (f) A complaint or referral under this part against a
748 candidate in any general, special, or primary election may not
749 be filed nor may any intention of filing such a complaint or
750 referral be disclosed on the day of any such election or within
751 the 30 days immediately preceding the date of the election,
752 unless the complaint or referral is based upon personal
753 information or information other than hearsay.

754 (g) This subsection is subject to the Open Government
755 Sunset Review Act in accordance with s. 119.15 and shall stand
756 repealed on October 2, 2018, unless reviewed and saved from
757 repeal through reenactment by the Legislature.

758 (3) A preliminary investigation shall be undertaken by the
759 commission of each legally sufficient complaint, ~~or~~ referral, or
760 determination based on reliable and publicly disseminated
761 information over which the commission has jurisdiction to
762 determine whether there is probable cause to believe that a
763 violation has occurred. If, upon completion of the preliminary
764 investigation, the commission finds no probable cause to believe



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765 that this part has been violated or that any other breach of the
766 public trust has been committed, the commission shall dismiss
767 the matter ~~complaint or referral~~ with the issuance of a public
768 report to the complainant and the alleged violator, stating with
769 particularity its reasons for dismissal. At that time, ~~the~~
770 ~~complaint or referral and~~ all materials relating to the matter,
771 including any complaint or referral, shall become ~~a matter of~~
772 public record. If the commission finds from the preliminary
773 investigation probable cause to believe that this part has been
774 violated or that any other breach of the public trust has been
775 committed, it shall so notify the complainant and the alleged
776 violator in writing. Such notification and all documents made or
777 received in the disposition of the matter ~~complaint or referral~~
778 shall then become public records. Upon request submitted to the
779 commission in writing, any person who the commission finds
780 probable cause to believe has violated any provision of this
781 part or has committed any other breach of the public trust shall
782 be entitled to a public hearing. Such person shall be deemed to
783 have waived the right to a public hearing if the request is not
784 received within 14 days following the mailing of the probable
785 cause notification required by this subsection. However, the
786 commission may on its own motion, require a public hearing, may
787 conduct such further investigation as it deems necessary, and
788 may enter into such stipulations and settlements as it finds to
789 be just and in the best interest of the state. The commission is
790 without jurisdiction to, and no respondent may voluntarily or
791 involuntarily, enter into a stipulation or settlement which
792 imposes any penalty, including, but not limited to, a sanction
793 or admonition or any other penalty contained in s. 112.317.



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794 Penalties shall be imposed only by the appropriate disciplinary
795 authority as designated in this section.

796 (4) If, in cases pertaining to members of the Legislature,
797 upon completion of a full and final investigation by the
798 commission, the commission finds that there has been a violation
799 of this part or of any provision of s. 8, Art. II of the State
800 Constitution, the commission shall forward a copy of the
801 complaint, ~~or~~ referral, or information upon which the proceeding
802 was initiated, and its findings by certified mail to the
803 President of the Senate or the Speaker of the House of
804 Representatives, whichever is applicable, who shall refer the
805 matter ~~complaint or referral~~ to the appropriate committee for
806 investigation and action which shall be governed by the rules of
807 its respective house. It is the duty of the committee to report
808 its final action upon the matter to the commission within 90
809 days of the date of transmittal to the respective house. Upon
810 request of the committee, the commission shall submit a
811 recommendation as to what penalty, if any, should be imposed. In
812 the case of a member of the Legislature, the house in which the
813 member serves has the power to invoke the penalty provisions of
814 this part.

815 (5) If, in cases against impeachable officers, upon
816 completion of a full and final investigation by the commission,
817 the commission finds that there has been a violation of this
818 part or of any provision of s. 8, Art. II of the State
819 Constitution, and the commission finds that the violation may
820 constitute grounds for impeachment, the commission shall forward
821 a copy of the complaint, ~~or~~ referral, or information upon which
822 the proceeding was initiated, and its findings by certified mail



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823 to the Speaker of the House of Representatives, who shall refer
824 the matter ~~complaint or referral~~ to the appropriate committee
825 for investigation and action which shall be governed by the
826 rules of the House of Representatives. It is the duty of the
827 committee to report its final action upon the matter to the
828 commission within 90 days of the date of transmittal.

829 (6) If the commission finds that there has been a violation
830 of this part or of any provision of s. 8, Art. II of the State
831 Constitution by an impeachable officer other than the Governor,
832 and the commission recommends public censure and reprimand,
833 forfeiture of a portion of the officer's salary, a civil
834 penalty, or restitution, the commission shall report its
835 findings and recommendation of disciplinary action to the
836 Governor, who has the power to invoke the penalty provisions of
837 this part.

838 (7) If the commission finds that there has been a violation
839 of this part or of any provision of s. 8, Art. II of the State
840 Constitution by the Governor, and the commission recommends
841 public censure and reprimand, forfeiture of a portion of the
842 Governor's salary, a civil penalty, or restitution, the
843 commission shall report its findings and recommendation of
844 disciplinary action to the Attorney General, who shall have the
845 power to invoke the penalty provisions of this part.

846 (8) ~~If,~~ In cases other than those ~~complaints or referrals~~
847 against impeachable officers or members of the Legislature, if
848 the commission finds, upon completion of a full and final
849 investigation by the commission, ~~the commission finds~~ that there
850 has been a violation of this part or of s. 8, Art. II of the
851 State Constitution, it is the duty of the commission to report



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852 its findings and recommend appropriate action to the proper
853 disciplinary official or body as follows, and such official or
854 body has the power to invoke the penalty provisions of this
855 part, including the power to order the appropriate elections
856 official to remove a candidate from the ballot for a violation
857 of s. 112.3145 or s. 8(a) and (i), Art. II of the State
858 Constitution:

859 (a) The President of the Senate and the Speaker of the
860 House of Representatives, jointly, in any case concerning the
861 Public Counsel, members of the Public Service Commission,
862 members of the Public Service Commission Nominating Council, the
863 Auditor General, or the director of the Office of Program Policy
864 Analysis and Government Accountability.

865 (b) The Supreme Court, in any case concerning an employee
866 of the judicial branch.

867 (c) The President of the Senate, in any case concerning an
868 employee of the Senate; the Speaker of the House of
869 Representatives, in any case concerning an employee of the House
870 of Representatives; or the President and the Speaker, jointly,
871 in any case concerning an employee of a committee of the
872 Legislature whose members are appointed solely by the President
873 and the Speaker or in any case concerning an employee of the
874 Public Counsel, Public Service Commission, Auditor General, or
875 Office of Program Policy Analysis and Government Accountability.

876 (d) Except as otherwise provided by this part, the
877 Governor, in the case of any other public officer, public
878 employee, former public officer or public employee, candidate or
879 former candidate, or person who is not a public officer or
880 employee, other than lobbyists and lobbying firms under s.



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881 112.3215 for violations of s. 112.3215.

882 (e) The President of the Senate or the Speaker of the House
883 of Representatives, whichever is applicable, in any case
884 concerning a former member of the Legislature who has violated a
885 provision applicable to former members or whose violation
886 occurred while a member of the Legislature.

887 (9) In addition to reporting its findings to the proper
888 disciplinary body or official, the commission shall report these
889 findings to the state attorney or any other appropriate official
890 or agency having authority to initiate prosecution when
891 violation of criminal law is indicated.

892 (10) Notwithstanding the foregoing procedures of this
893 section, a sworn complaint against any member or employee of the
894 Commission on Ethics for violation of this part or of s. 8, Art.
895 II of the State Constitution shall be filed with the President
896 of the Senate and the Speaker of the House of Representatives.
897 Each presiding officer shall, after determining that there are
898 sufficient grounds for review, appoint three members of their
899 respective bodies to a special joint committee who shall
900 investigate the complaint. The members shall elect a chair from
901 among their number. If the special joint committee finds
902 insufficient evidence to establish probable cause to believe a
903 violation of this part or of s. 8, Art. II of the State
904 Constitution has occurred, it shall dismiss the complaint. If,
905 upon completion of its preliminary investigation, the committee
906 finds sufficient evidence to establish probable cause to believe
907 a violation has occurred, the chair thereof shall transmit such
908 findings to the Governor who shall convene a meeting of the
909 Governor, the President of the Senate, the Speaker of the House



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910 of Representatives, and the Chief Justice of the Supreme Court
911 to take such final action on the complaint as they shall deem
912 appropriate, consistent with the penalty provisions of this
913 part. Upon request of a majority of the Governor, the President
914 of the Senate, the Speaker of the House of Representatives, and
915 the Chief Justice of the Supreme Court, the special joint
916 committee shall submit a recommendation as to what penalty, if
917 any, should be imposed.

918 (11) (a) Notwithstanding subsections (1)-(8), the commission
919 may dismiss any complaint, ~~or referral,~~ or matter based upon the
920 receipt of reliable and publicly disseminated information, at
921 any stage of disposition if it determines that the violation
922 that is alleged or has occurred is a de minimis violation
923 attributable to inadvertent or unintentional error. In
924 determining whether a violation was de minimis, the commission
925 shall consider whether the interests of the public were
926 protected despite the violation. This subsection does not apply
927 to complaints or referrals pursuant to ss. 112.3144 and
928 112.3145.

929 (b) For the purposes of this subsection, a de minimis
930 violation is any violation that is unintentional and not
931 material in nature.

932 (12) Notwithstanding the provisions of subsections (1)-(8),
933 the commission may, at its discretion, dismiss any matter
934 ~~complaint or referral~~ at any stage of disposition should it
935 determine that the public interest would not be served by
936 proceeding further, in which case the commission shall issue a
937 public report stating with particularity its reasons for the
938 dismissal.



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939 Section 15. Section 112.3261, Florida Statutes, is amended
940 to read:

941 112.3261 Lobbying before governmental entities ~~water~~
942 ~~management districts~~; registration and reporting.—

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

944 (a) "Governmental entity" or "entity" ~~"District"~~ means a
945 water management district created in s. 373.069 and operating
946 under the authority of chapter 373, a hospital district, a
947 children's services district, an expressway authority as the
948 term "authority" is defined in s. 348.0002, the term "port
949 authority" as defined in s. 315.02, a county or municipality
950 that has not adopted lobbyist registration and reporting
951 requirements, or an independent special district with annual
952 revenues of more than \$5 million which exercises ad valorem
953 taxing authority.

954 (b) "Lobbies" means seeking, on behalf of another person,
955 to influence a governmental entity ~~district~~ with respect to a
956 decision of the entity ~~district~~ in an area of policy or
957 procurement or an attempt to obtain the goodwill of an a
958 ~~district~~ official or employee of a governmental entity. The term
959 ~~"lobbies"~~ shall be interpreted and applied consistently with the
960 rules of the commission implementing s. 112.3215.

961 (c) "Lobbyist" has the same meaning as provided in s.
962 112.3215.

963 (d) "Principal" has the same meaning as provided in s.
964 112.3215.

965 (2) A person may not lobby a governmental entity ~~district~~
966 until such person has registered as a lobbyist with that entity
967 ~~district~~. Such registration shall be due upon initially being



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968 retained to lobby and is renewable on a calendar-year basis
969 thereafter. Upon registration, the person shall provide a
970 statement signed by the principal or principal's representative
971 stating that the registrant is authorized to represent the
972 principal. The principal shall also identify and designate its
973 main business on the statement authorizing that lobbyist
974 pursuant to a classification system approved by the governmental
975 entity ~~district~~. Any changes to the information required by this
976 section must be disclosed within 15 days by filing a new
977 registration form. The registration form must ~~shall~~ require each
978 lobbyist to disclose, under oath, the following:

979 (a) The lobbyist's name and business address.

980 (b) The name and business address of each principal
981 represented.

982 (c) The existence of any direct or indirect business
983 association, partnership, or financial relationship with an
984 official ~~any officer~~ or employee of a governmental entity
985 ~~district~~ with which he or she lobbies or intends to lobby.

986 (d) A governmental entity shall create a lobbyist
987 registration form modeled after the ~~In lieu of creating its own~~
988 ~~lobbyist registration forms, a district may accept a completed~~
989 legislative branch or executive branch lobbyist registration
990 form, which must be returned to the governmental entity.

991 (3) A governmental entity ~~district~~ shall make lobbyist
992 registrations available to the public. If a governmental entity
993 ~~district~~ maintains a website, a database of currently registered
994 lobbyists and principals must be available on the entity's
995 ~~district's~~ website.

996 (4) A lobbyist shall promptly send a written statement to



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997 the governmental entity ~~district~~ canceling the registration for
998 a principal upon termination of the lobbyist's representation of
999 that principal. A governmental entity ~~district~~ may remove the
1000 name of a lobbyist from the list of registered lobbyists if the
1001 principal notifies the entity ~~district~~ that a person is no
1002 longer authorized to represent that principal.

1003 (5) A governmental entity ~~district~~ may establish an annual
1004 lobbyist registration fee, not to exceed \$40, for each principal
1005 represented. The governmental entity ~~district~~ may use
1006 registration fees only to administer this section.

1007 (6) A governmental entity ~~district~~ shall be diligent to
1008 ascertain whether persons required to register pursuant to this
1009 section have complied. A governmental entity ~~district~~ may not
1010 knowingly authorize a person who is not registered pursuant to
1011 this section to lobby the entity ~~district~~.

1012 (7) Upon receipt of a sworn complaint alleging that a
1013 lobbyist or principal has failed to register with a governmental
1014 entity ~~district~~ or has knowingly submitted false information in
1015 a report or registration required under this section, the
1016 commission shall investigate a lobbyist or principal pursuant to
1017 the procedures established under s. 112.324. The commission
1018 shall provide the Governor with a report of its findings and
1019 recommendations in any investigation conducted pursuant to this
1020 subsection. The Governor is authorized to enforce the
1021 commission's findings and recommendations.

1022 (8) A governmental entity ~~Water management districts~~ may
1023 adopt rules to establish procedures to govern the registration
1024 of lobbyists, including the adoption of forms and the
1025 establishment of a lobbyist registration fee.



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1026 Section 16. Paragraph (c) of subsection (3) of section
1027 129.03, Florida Statutes, is amended to read:

1028 129.03 Preparation and adoption of budget.—

1029 (3) The county budget officer, after tentatively
1030 ascertaining the proposed fiscal policies of the board for the
1031 next fiscal year, shall prepare and present to the board a
1032 tentative budget for the next fiscal year for each of the funds
1033 provided in this chapter, including all estimated receipts,
1034 taxes to be levied, and balances expected to be brought forward
1035 and all estimated expenditures, reserves, and balances to be
1036 carried over at the end of the year.

1037 (c) The board shall hold public hearings to adopt tentative
1038 and final budgets pursuant to s. 200.065. The hearings shall be
1039 primarily for the purpose of hearing requests and complaints
1040 from the public regarding the budgets and the proposed tax
1041 levies and for explaining the budget and any proposed or adopted
1042 amendments. The tentative budget must be posted on the county's
1043 official website at least 2 days before the public hearing to
1044 consider such budget and must remain on the website for at least
1045 45 days. The final budget must be posted on the website within
1046 30 days after adoption and must remain on the website for at
1047 least 2 years. The tentative budgets, adopted tentative budgets,
1048 and final budgets shall be filed in the office of the county
1049 auditor as a public record. Sufficient reference in words and
1050 figures to identify the particular transactions must ~~shall~~ be
1051 made in the minutes of the board to record its actions with
1052 reference to the budgets.

1053 Section 17. Paragraph (f) of subsection (2) of section
1054 129.06, Florida Statutes, is amended to read:



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1055 129.06 Execution and amendment of budget.-

1056 (2) The board at any time within a fiscal year may amend a
1057 budget for that year, and may within the first 60 days of a
1058 fiscal year amend the budget for the prior fiscal year, as
1059 follows:

1060 (f) Unless otherwise prohibited by law, if an amendment to
1061 a budget is required for a purpose not specifically authorized
1062 in paragraphs (a)-(e), the amendment may be authorized by
1063 resolution or ordinance of the board of county commissioners
1064 adopted following a public hearing.

1065 1. The public hearing must be advertised at least 2 days,
1066 but not more than 5 days, before the date of the hearing. The
1067 advertisement must appear in a newspaper of paid general
1068 circulation and must identify the name of the taxing authority,
1069 the date, place, and time of the hearing, and the purpose of the
1070 hearing. The advertisement must also identify each budgetary
1071 fund to be amended, the source of the funds, the use of the
1072 funds, and the total amount of each fund's appropriations.

1073 2. If the board amends the budget pursuant to this
1074 paragraph, the adopted amendment must be posted on the county's
1075 official website within 5 days after adoption and must remain on
1076 the website for at least 2 years.

1077 Section 18. Subsections (3) and (5) of section 166.241,
1078 Florida Statutes, are amended to read:

1079 166.241 Fiscal years, budgets, and budget amendments.-

1080 (3) The tentative budget must be posted on the
1081 municipality's official website at least 2 days before the
1082 budget hearing, held pursuant to s. 200.065 or other law, to
1083 consider such budget, and must remain on the website for at



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1084 least 45 days. The final adopted budget must be posted on the
1085 municipality's official website within 30 days after adoption
1086 and must remain on the website for at least 2 years. If the
1087 municipality does not operate an official website, the
1088 municipality must, within a reasonable period of time as
1089 established by the county or counties in which the municipality
1090 is located, transmit the tentative budget and final budget to
1091 the manager or administrator of such county or counties who
1092 shall post the budgets on the county's website.

1093 (5) If the governing body of a municipality amends the
1094 budget pursuant to paragraph (4)(c), the adopted amendment must
1095 be posted on the official website of the municipality within 5
1096 days after adoption and must remain on the website for at least
1097 2 years. If the municipality does not operate an official
1098 website, the municipality must, within a reasonable period of
1099 time as established by the county or counties in which the
1100 municipality is located, transmit the adopted amendment to the
1101 manager or administrator of such county or counties who shall
1102 post the adopted amendment on the county's website.

1103 Section 19. Subsections (4) and (7) of section 189.016,
1104 Florida Statutes, are amended to read:

1105 189.016 Reports; budgets; audits.—

1106 (4) The tentative budget must be posted on the special
1107 district's official website at least 2 days before the budget
1108 hearing, held pursuant to s. 200.065 or other law, to consider
1109 such budget, and must remain on the website for at least 45
1110 days. The final adopted budget must be posted on the special
1111 district's official website within 30 days after adoption and
1112 must remain on the website for at least 2 years. If the special



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1113 district does not operate an official website, the special
1114 district must, within a reasonable period of time as established
1115 by the local general-purpose government or governments in which
1116 the special district is located or the local governing authority
1117 to which the district is dependent, transmit the tentative
1118 budget or final budget to the manager or administrator of the
1119 local general-purpose government or the local governing
1120 authority. The manager or administrator shall post the tentative
1121 budget or final budget on the website of the local general-
1122 purpose government or governing authority. This subsection and
1123 subsection (3) do not apply to water management districts as
1124 defined in s. 373.019.

1125 (7) If the governing body of a special district amends the
1126 budget pursuant to paragraph (6)(c), the adopted amendment must
1127 be posted on the official website of the special district within
1128 5 days after adoption and must remain on the website for at
1129 least 2 years. If the special district does not operate an
1130 official website, the special district must, within a reasonable
1131 period of time as established by the local general-purpose
1132 government or governments in which the special district is
1133 located or the local governing authority to which the district
1134 is dependent, transmit the adopted amendment to the manager or
1135 administrator of the local general-purpose government or
1136 governing authority. The manager or administrator shall post the
1137 adopted amendment on the website of the local general-purpose
1138 government or governing authority.

1139 Section 20. Present subsections (1) through (5) of section
1140 215.425, Florida Statutes, are renumbered as subsections (2)
1141 through (6), respectively, present subsection (2) and paragraph



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1142 (a) of present subsection (4) of that section are amended, and a
1143 new subsection (1) and subsections (7) through (13) are added to
1144 that section, to read:

1145 215.425 Extra compensation claims prohibited; bonuses;
1146 severance pay.-

1147 (1) As used in this section, the term "public funds" means
1148 any taxes, tuition, grants, fines, fees, or other charges or any
1149 other type of revenue collected by the state or any county,
1150 municipality, special district, school district, Florida College
1151 System institution, state university, or other separate unit of
1152 government created pursuant to law, including any office,
1153 department, agency, division, subdivision, political
1154 subdivision, board, bureau, or commission of such entities.

1155 (3)~~(2)~~ Notwithstanding subsection (2), if the payment and
1156 receipt does not otherwise violate part III of chapter 112, the
1157 following funds may be used to provide extra compensation:

1158 (a) Revenues received by state universities through or from
1159 faculty practice plans; health services support organizations;
1160 hospitals with which state universities are affiliated; direct-
1161 support organizations; or federal, auxiliary, or private
1162 sources, except for tuition.

1163 (b) Revenues received by Florida College System
1164 institutions through or from faculty practice plans; health
1165 services support organizations; direct-support organizations; or
1166 federal, auxiliary, or private sources, except for tuition.

1167 (c) Revenues that are received by a hospital licensed under
1168 chapter 395 which has entered into a Medicaid provider contract
1169 and that:

1170 1. Are not derived from the levy of an ad valorem tax;



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1171 2. Are not derived from patient services paid through the
1172 Medicaid or Medicare program;

1173 3. Are derived from patient services pursuant to contracts
1174 with private insurers or private managed care entities; or

1175 4. Are not appropriated by the Legislature or by any
1176 county, municipality, special district, school district, Florida
1177 College System institution, state university, or other separate
1178 unit of government created pursuant to law, including any
1179 office, department, agency, division, subdivision, political
1180 subdivision, board, bureau, commission, authority, or
1181 institution of such entities, except for revenues otherwise
1182 authorized to be used pursuant to subparagraphs 2. and 3. ~~This~~
1183 section does not apply to:

1184 ~~(a) a bonus or severance pay that is paid wholly from~~
1185 ~~nontax revenues and nonstate-appropriated funds, the payment and~~
1186 ~~receipt of which does not otherwise violate part III of chapter~~
1187 ~~112, and which is paid to an officer, agent, employee, or~~
1188 ~~contractor of a public hospital that is operated by a county or~~
1189 ~~a special district; or~~

1190 (d) ~~(b)~~ A clothing and maintenance allowance given to
1191 plainclothes deputies pursuant to s. 30.49.

1192 (e) Revenues or fees received by a seaport or airport from
1193 sources other than through the levy of a tax, or funds
1194 appropriated by any county or municipality or the Legislature.

1195 (5) ~~(a) ~~(4) (a)~~ On or after July 1, 2011, A unit of~~
1196 government, on or after July 1, 2011, or a state university, on
1197 or after July 1, 2012, that is a party to enters into a contract
1198 or employment agreement, or renewal or renegotiation of an
1199 existing contract or employment agreement, that contains a



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1200 provision for severance pay with an officer, agent, employee, or
1201 contractor must include the following provisions in the
1202 contract:

1203 1. A requirement that severance pay paid from public funds
1204 ~~provided~~ may not exceed an amount greater than 20 weeks of
1205 compensation.

1206 2. A prohibition of provision of severance pay paid from
1207 public funds when the officer, agent, employee, or contractor
1208 has been fired for misconduct, as defined in s. 443.036(29), by
1209 the unit of government.

1210 (7) Upon discovery or notification that a unit of
1211 government has provided prohibited compensation to any officer,
1212 agent, employee, or contractor in violation of this section,
1213 such unit of government shall investigate and take all necessary
1214 action to recover the prohibited compensation.

1215 (a) If the violation was unintentional, the unit of
1216 government shall recover the prohibited compensation from the
1217 individual receiving the prohibited compensation through normal
1218 recovery methods for overpayments.

1219 (b) If the violation was willful, the unit of government
1220 shall recover the prohibited compensation from either the
1221 individual receiving the prohibited compensation or the
1222 individual or individuals responsible for approving the
1223 prohibited compensation. Each individual determined to have
1224 willfully violated this section is jointly and severally liable
1225 for repayment of the prohibited compensation.

1226 (8) A person who willfully violates this section commits a
1227 misdemeanor of the first degree, punishable as provided in s.
1228 775.082 or s. 775.083.



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1229 (9) An officer who exercises the powers and duties of a
1230 state or county officer and willfully violates this section is
1231 subject to the Governor's power under s. 7(a), Art. IV of the
1232 State Constitution. An officer who exercises powers and duties
1233 other than those of a state or county officer and willfully
1234 violates this section is subject to the suspension and removal
1235 procedures under s. 112.51.

1236 (10) (a) A person who reports a violation of this section is
1237 eligible for a reward of at least \$500, or the lesser of 10
1238 percent of the funds recovered or \$10,000 per incident of a
1239 prohibited compensation payment recovered by the unit of
1240 government, depending upon the extent to which the person
1241 substantially contributed to the discovery, notification, and
1242 recovery of such prohibited payment.

1243 (b) In the event that the recovery of the prohibited
1244 compensation is based primarily on disclosures of specific
1245 information, other than information provided by such person,
1246 relating to allegations or transactions in a criminal, civil, or
1247 administrative hearing; in a legislative, administrative,
1248 inspector general, or other government report; in an auditor
1249 general report, hearing, audit, or investigation; or from the
1250 news media, such person is not eligible for a reward, or for an
1251 award of a portion of the proceeds or payment of attorney fees
1252 and costs pursuant to s. 68.085.

1253 (c) If it is determined that the person who reported a
1254 violation of this section was involved in the authorization,
1255 approval, or receipt of the prohibited compensation or is
1256 convicted of criminal conduct arising from his or her role in
1257 the authorization, approval, or receipt of the prohibited



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1258 compensation, such person is not eligible for a reward, or for
1259 an award of a portion of the proceeds or payment of attorney
1260 fees and costs pursuant to s. 68.085.

1261 (11) An employee who is discharged, demoted, suspended,
1262 threatened, harassed, or in any manner discriminated against in
1263 the terms and conditions of employment by his or her employer
1264 because of lawful acts done by the employee on behalf of the
1265 employee or others in furtherance of an action under this
1266 section, including investigation for initiation of, testimony
1267 for, or assistance in an action filed or to be filed under this
1268 section, has a cause of action under s. 112.3187.

1269 (12) If the unit of government fails to recover prohibited
1270 compensation for a willful violation of this section upon
1271 discovery and notification of such prohibited payment within 90
1272 days, a cause of action may be brought to:

1273 (a) Recover state funds in accordance with ss. 68.082 and
1274 68.083.

1275 (b) Recover other funds by the Department of Legal Affairs
1276 using the procedures set forth in ss. 68.082 and 68.083, except
1277 that venue shall lie in the circuit court of the county in which
1278 the unit of government is located.

1279 (c) Recover other funds by a person using the procedures
1280 set forth in ss. 68.082 and 68.083, except that venue shall lie
1281 in the circuit court of the county in which the unit of
1282 government is located.

1283 (13) Subsections (7)-(12) apply prospectively to contracts
1284 or employment agreements, or the renewal or renegotiation of an
1285 existing contract or employment agreement, effective on or after
1286 October 1, 2016.



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1287 Section 21. Section 215.86, Florida Statutes, is amended to
1288 read:

1289 215.86 Management systems and controls.—Each state agency
1290 and the judicial branch as defined in s. 216.011 shall establish
1291 and maintain management systems and internal controls designed
1292 to:

1293 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

1294 (2) Promote and encourage compliance with applicable laws,
1295 rules, contracts, grant agreements, and best practices.†

1296 (3) Support economical and ~~economic,~~ efficient, and
1297 effective operations.†

1298 (4) Ensure reliability of financial records and reports.†

1299 (5) Safeguard and ~~safeguarding of~~ assets. ~~Accounting~~
1300 systems and procedures shall be designed to fulfill the
1301 requirements of generally accepted accounting principles.

1302 Section 22. Paragraph (a) of subsection (2) of section
1303 215.97, Florida Statutes, is amended to read:

1304 215.97 Florida Single Audit Act.—

1305 (2) Definitions; as used in this section, the term:

1306 (a) "Audit threshold" means the threshold amount used to
1307 determine when a state single audit or project-specific audit of
1308 a nonstate entity shall be conducted in accordance with this
1309 section. Each nonstate entity that expends a total amount of
1310 state financial assistance equal to or in excess of \$750,000
1311 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be
1312 required to have a state single audit, or a project-specific
1313 audit, for such fiscal year in accordance with the requirements
1314 of this section. ~~Every 2 years the Auditor General,~~ After
1315 consulting with the Executive Office of the Governor, the



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1316 Department of Financial Services, and all state awarding
1317 agencies, the Auditor General shall periodically review the
1318 threshold amount for requiring audits under this section and may
1319 recommend any appropriate statutory change to revise the
1320 threshold amount in the annual report submitted pursuant to s.
1321 11.45(7) (h) to the Legislature ~~may adjust such threshold amount~~
1322 ~~consistent with the purposes of this section.~~

1323 Section 23. Subsection (11) of section 215.985, Florida
1324 Statutes, is amended to read:

1325 215.985 Transparency in government spending.—

1326 (11) Each water management district shall provide a monthly
1327 financial statement in the form and manner prescribed by the
1328 Department of Financial Services to the district's its governing
1329 board and make such monthly financial statement available for
1330 public access on its website.

1331 Section 24. Paragraph (d) of subsection (1) and subsection
1332 (2) of section 218.32, Florida Statutes, are amended to read:

1333 218.32 Annual financial reports; local governmental
1334 entities.—

1335 (1)

1336 (d) Each local governmental entity that is required to
1337 provide for an audit under s. 218.39(1) must submit a copy of
1338 the audit report and annual financial report to the department
1339 within 45 days after the completion of the audit report but no
1340 later than 9 months after the end of the fiscal year. In
1341 conducting an audit of a local governmental entity pursuant to
1342 s. 218.39, an independent certified public accountant shall
1343 determine whether the entity's annual financial report is in
1344 agreement with the audited financial statements. The



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1345 accountant's audit report must be supported by the same level of
1346 detail as required for the annual financial report. If the
1347 accountant's audit report is not in agreement with the annual
1348 financial report, the accountant shall specify and explain the
1349 significant differences that exist between the annual financial
1350 report and the audit report.

1351 (2) The department shall annually by December 1 file a
1352 verified report with the Governor, the Legislature, the Auditor
1353 General, and the Special District Accountability Program of the
1354 Department of Economic Opportunity showing the revenues, both
1355 locally derived and derived from intergovernmental transfers,
1356 and the expenditures of each local governmental entity, regional
1357 planning council, local government finance commission, and
1358 municipal power corporation that is required to submit an annual
1359 financial report. In preparing the verified report, the
1360 department may request additional information from the local
1361 governmental entity. The information requested must be provided
1362 to the department within 45 days after the request. If the local
1363 governmental entity does not comply with the request, the
1364 department shall notify the Legislative Auditing Committee,
1365 which may take action pursuant to s. 11.40(2). The report must
1366 include, but is not limited to:

1367 (a) The total revenues and expenditures of each local
1368 governmental entity that is a component unit included in the
1369 annual financial report of the reporting entity.

1370 (b) The amount of outstanding long-term debt by each local
1371 governmental entity. For purposes of this paragraph, the term
1372 "long-term debt" means any agreement or series of agreements to
1373 pay money, which, at inception, contemplate terms of payment



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1374 exceeding 1 year in duration.

1375 Section 25. Present subsection (3) of section 218.33,
1376 Florida Statutes, is redesignated as subsection (4), and a new
1377 subsection (3) is added to that section, to read:

1378 218.33 Local governmental entities; establishment of
1379 uniform fiscal years and accounting practices and procedures.—

1380 (3) Each local governmental entity shall establish and
1381 maintain internal controls designed to:

1382 (a) Prevent and detect fraud, waste, and abuse.

1383 (b) Promote and encourage compliance with applicable laws,
1384 rules, contracts, grant agreements, and best practices.

1385 (c) Support economical and efficient operations.

1386 (d) Ensure reliability of financial records and reports.

1387 (e) Safeguard assets.

1388 Section 26. Present subsections (8) through (12) of section
1389 218.39, Florida Statutes, are redesignated as subsections (9)
1390 through (13), respectively, and a new subsection (8) is added to
1391 that section, to read:

1392 218.39 Annual financial audit reports.—

1393 (8) If the audit report includes a recommendation that was
1394 included in the preceding financial audit report but remains
1395 unaddressed, the governing body of the audited entity, within 60
1396 days after the delivery of the audit report to the governing
1397 body, shall indicate during a regularly scheduled public meeting
1398 whether it intends to take corrective action, the intended
1399 corrective action, and the timeframe for the corrective action.

1400 If the governing body indicates that it does not intend to take
1401 corrective action, it shall explain its decision at the public
1402 meeting.



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1403 Section 27. Subsection (2) of section 218.391, Florida
1404 Statutes, is amended, and subsection (9) is added to that
1405 section, to read:

1406 218.391 Auditor selection procedures.-

1407 (2) The governing body of a ~~charter~~ county, municipality,
1408 special district, district school board, charter school, or
1409 charter technical career center shall establish an audit
1410 committee.

1411 (a) The audit committee for a county ~~Each noncharter county~~
1412 ~~shall establish an audit committee that,~~ at a minimum, shall
1413 consist of each of the county officers elected pursuant to the
1414 county charter or s. 1(d), Art. VIII of the State Constitution,
1415 or their respective designees ~~a designee,~~ and one member of the
1416 board of county commissioners or its designee.

1417 (b) The audit committee for a municipality, special
1418 district, district school board, charter school, or charter
1419 technical career center shall consist of at least three members.
1420 One member of the audit committee must be a member of the
1421 governing body of an entity specified in this paragraph, who
1422 shall also serve as the chair of the committee.

1423 (c) An employee, chief executive officer, or chief
1424 financial officer of the county, municipality, special district,
1425 district school board, charter school, or charter technical
1426 career center may not serve as a member of an audit committee
1427 established under this subsection.

1428 (d) The primary purpose of the audit committee is to assist
1429 the governing body in selecting an auditor to conduct the annual
1430 financial audit required in s. 218.39; however, the audit
1431 committee may serve other audit oversight purposes as determined



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1432 by the entity's governing body. The public may ~~shall~~ not be
1433 excluded from the proceedings under this section.

1434 (9) An audit report submitted pursuant to s. 218.39 must
1435 include an affidavit executed by the chair of the audit
1436 committee affirming that the committee complied with the
1437 requirements of subsections (3)-(6) in selecting an auditor. If
1438 the Auditor General determines that an entity failed to comply
1439 with the requirements of subsections (3)-(6) in selecting an
1440 auditor, the entity shall select a replacement auditor in
1441 accordance with this section to conduct audits for subsequent
1442 fiscal years if the original audit was performed under a
1443 multiyear contract. If the replacement of an auditor would
1444 preclude the entity from timely completing the annual financial
1445 audit required by s. 218.39, the entity shall replace an auditor
1446 in accordance with this section for the subsequent annual
1447 financial audit. A multiyear contract between an entity or an
1448 auditor may not prohibit or restrict an entity from complying
1449 with this subsection.

1450 Section 28. Subsection (2) of section 286.0114, Florida
1451 Statutes, is amended to read:

1452 286.0114 Public meetings; reasonable opportunity to be
1453 heard; attorney fees.—

1454 (2) Members of the public shall be given a reasonable
1455 opportunity to be heard on a proposition before a board or
1456 commission. The opportunity to be heard need not occur at the
1457 same meeting at which the board or commission takes official
1458 action on the proposition if the opportunity occurs at a meeting
1459 that is during the decisionmaking process and is within
1460 reasonable proximity in time before the meeting at which the



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1461 board or commission takes the official action. A board or
1462 commission may not require a member of the public to provide an
1463 advance written copy of his or her testimony or comments as a
1464 precondition of being given the opportunity to be heard at a
1465 meeting. This section does not prohibit a board or commission
1466 from maintaining orderly conduct or proper decorum in a public
1467 meeting. The opportunity to be heard is subject to rules or
1468 policies adopted by the board or commission, as provided in
1469 subsection (4).

1470 Section 29. Paragraph (b) of subsection (2) of section
1471 288.92, Florida Statutes, is amended to read:

1472 288.92 Divisions of Enterprise Florida, Inc.—

1473 (2)

1474 (b)1. The following officers and board members are subject
1475 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1476 112.3143(2):

1477 a. Officers and members of the board of directors of the
1478 divisions of Enterprise Florida, Inc.

1479 b. Officers and members of the board of directors of
1480 subsidiaries of Enterprise Florida, Inc.

1481 c. Officers and members of the board of directors of
1482 corporations created to carry out the missions of Enterprise
1483 Florida, Inc.

1484 d. Officers and members of the board of directors of
1485 corporations with which a division is required by law to
1486 contract to carry out its missions.

1487 2. For a period of 2 years after retirement from or
1488 termination of service to a division, or for a period of 10
1489 years if removed or terminated for cause or for misconduct, as



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1490 defined in s. 443.036(29), the officers and board members
1491 specified in subparagraph 1. may not represent another person or
1492 entity for compensation before:

1493 a. Enterprise Florida, Inc.;

1494 b. A division, a subsidiary, or the board of directors of
1495 corporations created to carry out the missions of Enterprise
1496 Florida, Inc.; or

1497 c. A division with which Enterprise Florida, Inc., is
1498 required by law to contract to carry out its missions.

1499 3.2- For purposes of applying ss. 112.313(1)-(8), (10),
1500 (12), and (15); 112.3135; and 112.3143(2) to activities of the
1501 officers and members of the board of directors specified in
1502 subparagraph 1., those persons shall be considered public
1503 officers or employees and the corporation shall be considered
1504 their agency.

1505 4.3- It is not a violation of s. 112.3143(2) or (4) for the
1506 officers or members of the board of directors of the Florida
1507 Tourism Industry Marketing Corporation to:

1508 a. Vote on the 4-year marketing plan required under s.
1509 288.923 or vote on any individual component of or amendment to
1510 the plan.

1511 b. Participate in the establishment or calculation of
1512 payments related to the private match requirements of s.
1513 288.904(3). The officer or member must file an annual disclosure
1514 describing the nature of his or her interests or the interests
1515 of his or her principals, including corporate parents and
1516 subsidiaries of his or her principal, in the private match
1517 requirements. This annual disclosure requirement satisfies the
1518 disclosure requirement of s. 112.3143(4). This disclosure must



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1519 be placed ~~either~~ on the Florida Tourism Industry Marketing
1520 Corporation's website or included in the minutes of each meeting
1521 of the Florida Tourism Industry Marketing Corporation's board of
1522 directors at which the private match requirements are discussed
1523 or voted upon.

1524 Section 30. Paragraph (a) of subsection (3) of section
1525 288.9604, Florida Statutes, is amended to read:

1526 288.9604 Creation of the authority.—

1527 (3) (a) 1. A director may not receive compensation for his or
1528 her services, but is entitled to necessary expenses, including
1529 travel expenses, incurred in the discharge of his or her duties.
1530 Each director shall hold office until his or her successor has
1531 been appointed.

1532 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),
1533 and (15); 112.3135; and 112.3143(2). For purposes of applying
1534 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1535 112.3143(2) to activities of directors, directors shall be
1536 considered public officers and the corporation shall be
1537 considered their agency.

1538 3. A director of the corporation may not represent another
1539 person or entity for compensation before the corporation for a
1540 period of 2 years following his or her service on the board of
1541 directors.

1542 Section 31. Paragraph (e) of subsection (4), paragraph (d)
1543 of subsection (5), and paragraph (d) of subsection (6) of
1544 section 373.536, Florida Statutes, are amended to read:

1545 373.536 District budget and hearing thereon.—

1546 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1547 (e) ~~By September 1, 2012,~~ Each district shall provide a



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1548 monthly financial statement in the form and manner prescribed by
1549 the Department of Financial Services to the district's governing
1550 board and make such monthly financial statement available for
1551 public access on its website.

1552 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
1553 APPROVAL.—

1554 (d) Each district shall, by August 1 of each year, submit
1555 for review a tentative budget and a description of any
1556 significant changes from the preliminary budget submitted to the
1557 Legislature pursuant to s. 373.535 to the Governor, the
1558 President of the Senate, the Speaker of the House of
1559 Representatives, the chairs of all legislative committees and
1560 subcommittees having substantive or fiscal jurisdiction over
1561 water management districts, as determined by the President of
1562 the Senate or the Speaker of the House of Representatives, as
1563 applicable, the secretary of the department, and the governing
1564 body of each county in which the district has jurisdiction or
1565 derives any funds for the operations of the district. The
1566 tentative budget must be posted on the district's official
1567 website at least 2 days before budget hearings held pursuant to
1568 s. 200.065 or other law and must remain on the website for at
1569 least 45 days.

1570 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
1571 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1572 (d) The final adopted budget must be posted on the water
1573 management district's official website within 30 days after
1574 adoption and must remain on the website for at least 2 years.

1575 Section 32. Section 838.014, Florida Statutes, is amended
1576 to read:



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- 1577 838.014 Definitions.—As used in this chapter, the term:
- 1578 (1) "Benefit" means gain or advantage, or anything regarded
- 1579 by the person to be benefited as a gain or advantage, including
- 1580 the doing of an act beneficial to any person in whose welfare he
- 1581 or she is interested, including any commission, gift, gratuity,
- 1582 property, commercial interest, or any other thing of economic
- 1583 value not authorized by law.
- 1584 (2) "Bid" includes a response to an "invitation to bid,"
- 1585 "invitation to negotiate," "request for a quote," or "request
- 1586 for proposals" as those terms are defined in s. 287.012.
- 1587 (3) "Commodity" means any goods, merchandise, wares,
- 1588 produce, chose in action, land, article of commerce, or other
- 1589 tangible or intangible property, real, personal, or mixed, for
- 1590 use, consumption, production, enjoyment, or resale.
- 1591 (4) "Governmental entity" means an agency or entity of the
- 1592 state, a county, a municipality, or a special district or any
- 1593 other public entity created or authorized by law ~~"Corruptly" or~~
- 1594 ~~"with corrupt intent" means acting knowingly and dishonestly for~~
- 1595 ~~a wrongful purpose.~~
- 1596 (5) "Harm" means pecuniary or other loss, disadvantage, or
- 1597 injury to the person affected.
- 1598 (6) "Public contractor" means:
- 1599 (a) Any person, as defined in s. 1.01, who has entered into
- 1600 a contract with a governmental entity; or
- 1601 (b) Any officer or employee of a person, as defined in s.
- 1602 1.01, who has entered into a contract with a governmental
- 1603 entity.
- 1604 (7) "Public servant" means:
- 1605 (a) Any officer or employee of a governmental state,



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1606 ~~county, municipal, or special district agency or entity,~~
1607 ~~including:~~
1608 ~~(b)~~ any executive, legislative, or judicial branch officer
1609 or employee;
1610 ~~(b)(e)~~ Any person, except a witness, who acts as a general
1611 or special magistrate, receiver, auditor, arbitrator, umpire,
1612 referee, consultant, or hearing officer while performing a
1613 governmental function; or
1614 ~~(c)(d)~~ A candidate for election or appointment to any of
1615 the positions listed in this subsection, or an individual who
1616 has been elected to, but has yet to officially assume the
1617 responsibilities of, public office.
1618 ~~(8)(7)~~ "Service" means any kind of activity performed in
1619 whole or in part for economic benefit.
1620 Section 33. Section 838.015, Florida Statutes, is amended
1621 to read:
1622 838.015 Bribery.—
1623 (1) For purposes of this section, "bribery" means:
1624 (a) ~~corruptly~~ To knowingly and intentionally give, offer,
1625 or promise any pecuniary or other benefit not authorized by law
1626 to any public servant, which is intended to influence the
1627 performance of any act or omission which the person believes to
1628 be, or the public servant represents as being, either within the
1629 official discretion of the public servant, in violation of a
1630 public duty, or in performance of a public duty; or
1631 (b) If a public servant, ~~corruptly~~ to knowingly and
1632 intentionally request, solicit, accept, or agree to accept for
1633 himself or herself or another, any pecuniary or other benefit
1634 not authorized by law which is given, offered, or promised with



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1635 an intent or a purpose to influence the performance of any act
1636 or omission which the person believes to be, or the public
1637 servant represents as being, either within the official
1638 discretion of a public servant, in violation of a public duty,
1639 or in performance of a public duty; or

1640 (c) If a public contractor, to knowingly and intentionally
1641 request, solicit, accept, or agree to accept for himself or
1642 herself or another any pecuniary or other benefit not authorized
1643 by law which is given, offered, or promised with an intent or a
1644 purpose to influence the performance of any act or omission
1645 which the person believes to be, or the public contractor
1646 represents as being, either within the official discretion of
1647 the public contractor as granted by the contract with the
1648 governmental entity, in violation of a duty required by the
1649 contract with the governmental entity, or in performance of a
1650 duty required by the contract with the governmental entity.

1651 (2) Prosecution under this section does ~~shall~~ not require
1652 any allegation or proof that the public servant or public
1653 contractor who ultimately sought to be unlawfully influenced was
1654 qualified to act in the desired way, that the public servant had
1655 assumed office, that the matter was properly pending before him
1656 or her or might by law properly be brought before him or her,
1657 that the public servant or public contractor possessed
1658 jurisdiction over the matter, or that his or her official action
1659 was necessary to achieve the person's purpose.

1660 (3) Any person who commits bribery commits a felony of the
1661 second degree, punishable as provided in s. 775.082, s. 775.083,
1662 or s. 775.084.

1663 Section 34. Section 838.016, Florida Statutes, is amended



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1664 to read:

1665 838.016 Unlawful compensation or reward for official
1666 behavior.—

1667 (1) It is unlawful for:

1668 (a) Any person ~~corruptly~~ to knowingly and intentionally
1669 give, offer, or promise to any public servant, ~~or, if a public~~
1670 ~~servant, corruptly to request, solicit, accept, or agree to~~
1671 ~~accept,~~ any pecuniary or other benefit not authorized by law,
1672 for the past, present, or future performance, nonperformance, or
1673 violation of any act or omission which the person believes to
1674 have been, or the public servant represents as having been,
1675 either within the official discretion of the public servant, in
1676 violation of a public duty, or in performance of a public duty.

1677 (b) Any public servant to knowingly and intentionally
1678 request, solicit, accept, or agree to accept any pecuniary or
1679 other benefit not authorized by law for the past, present, or
1680 future performance, nonperformance, or violation of any act or
1681 omission which the person believes to have been, or the public
1682 servant represents as having been, either within the official
1683 discretion of the public servant, in violation of a public duty,
1684 or in performance of a public duty.

1685 (c) Any public contractor to knowingly and intentionally
1686 request, solicit, accept, or agree to accept any pecuniary or
1687 other benefit not authorized by law for the past, present, or
1688 future performance, nonperformance, or violation of any act or
1689 omission which the person believes to have been, or the public
1690 contractor represents as having been, either within the official
1691 discretion of the public contractor as granted by the contract
1692 with the governmental entity, in violation of a duty required by



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1693 the contract with the governmental entity, or in performance of
1694 a duty required by the contract with the governmental entity.

1695
1696 This subsection may not ~~Nothing herein shall~~ be construed to
1697 preclude a public servant or public contractor from accepting
1698 rewards for services performed in apprehending any criminal.

1699 (2) It is unlawful for:

1700 (a) Any person ~~corruptly~~ to knowingly and intentionally
1701 give, offer, or promise to any public servant, ~~or, if a public~~
1702 ~~servant, corruptly to request, solicit, accept, or agree to~~
1703 ~~accept,~~ any pecuniary or other benefit not authorized by law for
1704 the past, present, or future exertion of any influence upon or
1705 with any other public servant regarding any act or omission
1706 which the person believes to have been, or which is represented
1707 to him or her as having been, either within the official
1708 discretion of the other public servant, in violation of a public
1709 duty, or in performance of a public duty.

1710 (b) Any public servant to request, solicit, accept, or
1711 agree to accept any pecuniary or other benefit not authorized by
1712 law for the past, present, or future exertion of any influence
1713 upon or with any other public servant regarding any act or
1714 omission which the person believes to have been, or which is
1715 represented to him or her as having been, either within the
1716 official discretion of the public servant, in violation of a
1717 public duty, or in performance of a public duty.

1718 (c) Any public contractor to request, solicit, accept, or
1719 agree to accept any pecuniary or other benefit not authorized by
1720 law for the past, present, or future exertion of any influence
1721 upon or with any other public contractor regarding any act or



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1722 omission which the person believes to have been, or which is
1723 represented to him or her as having been, either within the
1724 official discretion of the public contractor as granted by the
1725 contract with the governmental entity, in violation of a duty
1726 required by the contract with the governmental entity, or in
1727 performance of a duty required by the contract with the
1728 governmental entity.

1729 (3) Prosecution under this section does ~~shall~~ not require
1730 that the exercise of influence or official discretion, ~~or~~
1731 violation of a public duty or performance of a public duty, or a
1732 public contractor's violation of a duty required by a contract
1733 with a governmental entity or performance of a duty required by
1734 a contract with a governmental entity for which a pecuniary or
1735 other benefit was given, offered, promised, requested, or
1736 solicited was accomplished or was within the influence, official
1737 discretion, ~~or~~ public duty, or contractual duty of the public
1738 servant or public contractor whose action or omission was sought
1739 to be rewarded or compensated.

1740 (4) Whoever violates the provisions of this section commits
1741 a felony of the second degree, punishable as provided in s.
1742 775.082, s. 775.083, or s. 775.084.

1743 Section 35. Section 838.022, Florida Statutes, is amended
1744 to read:

1745 838.022 Official misconduct.—

1746 (1) It is unlawful for a public servant or a public
1747 contractor, with corrupt intent to knowingly and intentionally
1748 obtain a benefit for any person or to cause unlawful harm to
1749 another, by ~~to~~:

1750 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to



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1751 falsify, any official record or official document;

1752 (b) Concealing, covering up, destroying, mutilating, or
1753 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
1754 official record or official document except as authorized by law
1755 or contract or causing ~~cause~~ another person to perform such an
1756 act; or

1757 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~
1758 ~~or prevent~~ the communication of information relating to the
1759 commission of a felony that directly involves or affects the
1760 governmental ~~public agency or public~~ entity served by the public
1761 servant or public contractor.

1762 (2) For the purposes of this section:

1763 (a) The term "public servant" does not include a candidate
1764 who does not otherwise qualify as a public servant.

1765 (b) An official record or official document includes only
1766 public records.

1767 (3) Any person who violates this section commits a felony
1768 of the third degree, punishable as provided in s. 775.082, s.
1769 775.083, or s. 775.084.

1770 Section 36. Section 838.22, Florida Statutes, is amended to
1771 read:

1772 838.22 Unlawful influence of the competitive solicitation
1773 process ~~Bid tampering.~~-

1774 (1) It is unlawful for a public servant or a public
1775 contractor who has contracted with a governmental entity to
1776 assist in a competitive procurement, ~~with corrupt intent~~ to
1777 knowingly and intentionally influence or attempt to influence a
1778 the competitive solicitation ~~bidding process~~ undertaken by any
1779 governmental ~~state, county, municipal, or special district~~



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1780 ~~agency, or any other public entity,~~ for the procurement of
1781 commodities or services, ~~by~~ to:

1782 (a) Disclosing, except as authorized by law, Disclose
1783 material information concerning a vendor's response, any
1784 evaluation results, bid or other aspects of the competitive
1785 solicitation bidding process when such information is not
1786 publicly disclosed.

1787 (b) Altering or amending ~~Alter or amend~~ a submitted
1788 response bid, documents or other materials supporting a
1789 submitted response bid, or any evaluation bid results relating
1790 to the competitive solicitation for the purpose of intentionally
1791 providing a competitive advantage to any person who submits a
1792 response bid.

1793 (2) It is unlawful for a public servant or a public
1794 contractor who has contracted with a governmental entity to
1795 assist in a competitive procurement, ~~with corrupt intent to~~
1796 knowingly and intentionally obtain a benefit for any person or
1797 to cause unlawful harm to another by circumventing, ~~to~~
1798 ~~circumvent~~ a competitive solicitation bidding process required
1799 by law or rule through the use of ~~by using~~ a sole-source
1800 contract for commodities or services.

1801 (3) It is unlawful for any person to knowingly agree,
1802 conspire, combine, or confederate, directly or indirectly, with
1803 a public servant or a public contractor to violate subsection
1804 (1) or subsection (2).

1805 (4) It is unlawful for any person to knowingly enter into a
1806 contract for commodities or services which was secured by a
1807 public servant or a public contractor acting in violation of
1808 subsection (1) or subsection (2).



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1809 (5) Any person who violates this section commits a felony
1810 of the second degree, punishable as provided in s. 775.082, s.
1811 775.083, or s. 775.084.

1812 Section 37. Paragraph (1) of subsection (12) of section
1813 1001.42, Florida Statutes, is amended to read:

1814 1001.42 Powers and duties of district school board.—The
1815 district school board, acting as a board, shall exercise all
1816 powers and perform all duties listed below:

1817 (12) FINANCE.—Take steps to assure students adequate
1818 educational facilities through the financial procedure
1819 authorized in chapters 1010 and 1011 and as prescribed below:

1820 (1) *Internal auditor*.—May employ an internal auditor to
1821 perform ongoing financial verification of the financial records
1822 of the school district and such other audits and reviews as the
1823 district school board directs for the purpose of determining:

1824 1. The adequacy of internal controls designed to prevent
1825 and detect fraud, waste, and abuse.

1826 2. Compliance with applicable laws, rules, contracts, grant
1827 agreements, district school board-approved policies, and best
1828 practices.

1829 3. The efficiency of operations.

1830 4. The reliability of financial records and reports.

1831 5. The safeguarding of assets.

1832

1833 The internal auditor shall report directly to the district
1834 school board or its designee.

1835 Section 38. Paragraph (j) of subsection (9) of section
1836 1002.33, Florida Statutes, is amended to read:

1837 1002.33 Charter schools.—



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1838 (9) CHARTER SCHOOL REQUIREMENTS.—
1839 (j) The governing body of the charter school shall be
1840 responsible for:
1841 1. Establishing and maintaining internal controls designed
1842 to:
1843 a. Prevent and detect fraud, waste, and abuse.
1844 b. Promote and encourage compliance with applicable laws,
1845 rules, contracts, grant agreements, and best practices.
1846 c. Support economical and efficient operations.
1847 d. Ensure reliability of financial records and reports.
1848 e. Safeguard assets.
1849 ~~2.1-~~ Ensuring that the charter school has retained the
1850 services of a certified public accountant or auditor for the
1851 annual financial audit, pursuant to s. 1002.345(2), who shall
1852 submit the report to the governing body.
1853 ~~3.2-~~ Reviewing and approving the audit report, including
1854 audit findings and recommendations for the financial recovery
1855 plan.
1856 ~~4.a.3.a-~~ Performing the duties in s. 1002.345, including
1857 monitoring a corrective action plan.
1858 b. Monitoring a financial recovery plan in order to ensure
1859 compliance.
1860 ~~5.4-~~ Participating in governance training approved by the
1861 department which must include government in the sunshine,
1862 conflicts of interest, ethics, and financial responsibility.
1863 Section 39. Present subsections (6) through (10) of section
1864 1002.37, Florida Statutes, are redesignated as subsections (7)
1865 through (11), respectively, a new subsection (6) is added to
1866 that section, and present subsections (6) and (11) of that



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1867 section are amended, to read:

1868 1002.37 The Florida Virtual School.—

1869 (6) The Florida Virtual School shall have an annual
1870 financial audit of its accounts and records conducted by an
1871 independent auditor who is a certified public accountant
1872 licensed under chapter 473. The independent auditor shall
1873 conduct the audit in accordance with rules adopted by the
1874 Auditor General pursuant to s. 11.45 and, upon completion of the
1875 audit, shall prepare an audit report in accordance with such
1876 rules. The audit report must include a written statement of the
1877 board of trustees describing corrective action to be taken in
1878 response to each of the recommendations of the independent
1879 auditor included in the audit report. The independent auditor
1880 shall submit the audit report to the board of trustees and the
1881 Auditor General no later than 9 months after the end of the
1882 preceding fiscal year.

1883 (7) ~~(6)~~ The board of trustees shall annually submit to the
1884 Governor, the Legislature, the Commissioner of Education, and
1885 the State Board of Education the audit report prepared pursuant
1886 to subsection (6) and a complete and detailed report setting
1887 forth:

1888 (a) The operations and accomplishments of the Florida
1889 Virtual School within the state and those occurring outside the
1890 state as Florida Virtual School Global.

1891 (b) The marketing and operational plan for the Florida
1892 Virtual School and Florida Virtual School Global, including
1893 recommendations regarding methods for improving the delivery of
1894 education through the Internet and other distance learning
1895 technology.



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1896 (c) The assets and liabilities of the Florida Virtual
1897 School and Florida Virtual School Global at the end of the
1898 fiscal year.

1899 ~~(d) A copy of an annual financial audit of the accounts and~~
1900 ~~records of the Florida Virtual School and Florida Virtual School~~
1901 ~~Global, conducted by an independent certified public accountant~~
1902 ~~and performed in accordance with rules adopted by the Auditor~~
1903 ~~General.~~

1904 ~~(e)~~ Recommendations regarding the unit cost of providing
1905 services to students through the Florida Virtual School and
1906 Florida Virtual School Global. In order to most effectively
1907 develop public policy regarding any future funding of the
1908 Florida Virtual School, it is imperative that the cost of the
1909 program is accurately identified. The identified cost of the
1910 program must be based on reliable data.

1911 ~~(e)~~~~(f)~~ Recommendations regarding an accountability
1912 mechanism to assess the effectiveness of the services provided
1913 by the Florida Virtual School and Florida Virtual School Global.

1914 ~~(11) The Auditor General shall conduct an operational audit~~
1915 ~~of the Florida Virtual School, including Florida Virtual School~~
1916 ~~Global. The scope of the audit shall include, but not be limited~~
1917 ~~to, the administration of responsibilities relating to~~
1918 ~~personnel; procurement and contracting; revenue production;~~
1919 ~~school funds, including internal funds; student enrollment~~
1920 ~~records; franchise agreements; information technology~~
1921 ~~utilization, assets, and security; performance measures and~~
1922 ~~standards; and accountability. The final report on the audit~~
1923 ~~shall be submitted to the President of the Senate and the~~
1924 ~~Speaker of the House of Representatives no later than January~~



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1925 ~~31, 2014.~~

1926 Section 40. Subsection (5) is added to section 1010.01,
1927 Florida Statutes, to read:

1928 1010.01 Uniform records and accounts.—

1929 (5) Each school district, Florida College System
1930 institution, and state university shall establish and maintain
1931 internal controls designed to:

1932 (a) Prevent and detect fraud, waste, and abuse.

1933 (b) Promote and encourage compliance with applicable laws,
1934 rules, contracts, grant agreements, and best practices.

1935 (c) Support economical and efficient operations.

1936 (d) Ensure reliability of financial records and reports.

1937 (e) Safeguard assets.

1938 Section 41. Subsection (2) of section 1010.30, Florida
1939 Statutes, is amended to read:

1940 1010.30 Audits required.—

1941 (2) If a school district, Florida College System
1942 institution, or university audit report includes a
1943 recommendation that was included in the preceding financial
1944 audit report but remains unaddressed, ~~an audit contains a~~
1945 ~~significant finding,~~ the district school board, the Florida
1946 College System institution board of trustees, or the university
1947 board of trustees, within 60 days after the delivery of the
1948 audit report to the school district, Florida College System
1949 institution, or university, shall indicate ~~conduct an audit~~
1950 ~~overview~~ during a regularly scheduled public meeting whether it
1951 intends to take corrective action, the intended corrective
1952 action, and the timeframe for the corrective action. If the
1953 district school board, Florida College System institution board



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1954 of trustees, or university board of trustees indicates that it
1955 does not intend to take corrective action, it shall explain its
1956 decision at the public meeting.

1957 Section 42. Subsection (4) of section 11.0455, Florida
1958 Statutes, is amended to read:

1959 11.0455 Electronic filing of compensation reports and other
1960 information.—

1961 (4) Each report filed pursuant to this section is deemed to
1962 meet the certification requirements of s. 11.045(3)(a)4., and as
1963 such subjects the person responsible for filing and the lobbying
1964 firm to the provisions of s. 11.045(8) and (9) ~~s. 11.045(7) and~~
1965 ~~(8)~~. Persons given a secure sign-on to the electronic filing
1966 system are responsible for protecting it from disclosure and are
1967 responsible for all filings using such credentials, unless they
1968 have notified the office that their credentials have been
1969 compromised.

1970 Section 43. Subsection (2) of section 68.082, Florida
1971 Statutes, is amended to read:

1972 68.082 False claims against the state; definitions;
1973 liability.—

1974 (2) Any person who:

1975 (a) Knowingly presents or causes to be presented a false or
1976 fraudulent claim for payment or approval;

1977 (b) Knowingly authorizes, approves, or receives payment of
1978 prohibited compensation in violation of s. 215.425;

1979 (c) ~~(b)~~ Knowingly makes, uses, or causes to be made or used
1980 a false record or statement material to a false or fraudulent
1981 claim;

1982 (d) ~~(e)~~ Conspires to commit a violation of this subsection;



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1983 (e)~~(d)~~ Has possession, custody, or control of property or
1984 money used or to be used by the state and knowingly delivers or
1985 causes to be delivered less than all of that money or property;

1986 (f)~~(e)~~ Is authorized to make or deliver a document
1987 certifying receipt of property used or to be used by the state
1988 and, intending to defraud the state, makes or delivers the
1989 receipt without knowing that the information on the receipt is
1990 true;

1991 (g)~~(f)~~ Knowingly buys or receives, as a pledge of an
1992 obligation or a debt, public property from an officer or
1993 employee of the state who may not sell or pledge the property;
1994 or

1995 (h)~~(g)~~ Knowingly makes, uses, or causes to be made or used
1996 a false record or statement material to an obligation to pay or
1997 transmit money or property to the state, or knowingly conceals
1998 or knowingly and improperly avoids or decreases an obligation to
1999 pay or transmit money or property to the state

2000
2001 is liable to the state for a civil penalty of not less than
2002 \$5,500 and not more than \$11,000 and for treble the amount of
2003 damages the state sustains because of the act of that person.

2004 Section 44. Subsection (1) of section 68.083, Florida
2005 Statutes, is amended to read:

2006 68.083 Civil actions for false claims.—

2007 (1) The department may diligently investigate a violation
2008 under s. 68.082. If the department finds that a person has
2009 violated or is violating s. 68.082, the department may bring a
2010 civil action under the Florida False Claims Act against the
2011 person. The Department of Financial Services may bring a civil



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2012 action under this section if the action arises from an
2013 investigation by that department and the Department of Legal
2014 Affairs has not filed an action under this act. For a violation
2015 of s. 68.082 regarding prohibited compensation paid from state
2016 funds, the Department of Financial Services may bring a civil
2017 action under this section if the action arises from an
2018 investigation by that department concerning a violation of s.
2019 215.425 by the state and the Department of Legal Affairs has not
2020 filed an action under this act.

2021 Section 45. Subsection (5) of section 99.061, Florida
2022 Statutes, is amended to read:

2023 99.061 Method of qualifying for nomination or election to
2024 federal, state, county, or district office.—

2025 (5) At the time of qualifying for office, each candidate
2026 for a constitutional office or an elected municipal office shall
2027 file a full and public disclosure of financial interests
2028 pursuant to s. 8, Art. II of the State Constitution, which must
2029 be verified under oath or affirmation pursuant to s.
2030 92.525(1)(a), and a candidate for any other office, ~~including~~
2031 ~~local elective office,~~ shall file a statement of financial
2032 interests pursuant to s. 112.3145.

2033 Section 46. Subsection (3) of section 218.503, Florida
2034 Statutes, is amended to read:

2035 218.503 Determination of financial emergency.—

2036 (3) Upon notification that one or more of the conditions in
2037 subsection (1) have occurred or will occur if action is not
2038 taken to assist the local governmental entity or district school
2039 board, the Governor or his or her designee shall contact the
2040 local governmental entity or the Commissioner of Education or



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2041 his or her designee shall contact the district school board, as
2042 appropriate, to determine what actions have been taken by the
2043 local governmental entity or the district school board to
2044 resolve or prevent the condition. The information requested must
2045 be provided within 45 days after the date of the request. If the
2046 local governmental entity or the district school board does not
2047 comply with the request, the Governor or his or her designee or
2048 the Commissioner of Education or his or her designee shall
2049 notify ~~the members of~~ the Legislative Auditing Committee, which
2050 ~~who~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The
2051 Governor or the Commissioner of Education, as appropriate, shall
2052 determine whether the local governmental entity or the district
2053 school board needs state assistance to resolve or prevent the
2054 condition. If state assistance is needed, the local governmental
2055 entity or district school board is considered to be in a state
2056 of financial emergency. The Governor or the Commissioner of
2057 Education, as appropriate, has the authority to implement
2058 measures as set forth in ss. 218.50-218.504 to assist the local
2059 governmental entity or district school board in resolving the
2060 financial emergency. Such measures may include, but are not
2061 limited to:

2062 (a) Requiring approval of the local governmental entity's
2063 budget by the Governor or approval of the district school
2064 board's budget by the Commissioner of Education.

2065 (b) Authorizing a state loan to a local governmental entity
2066 and providing for repayment of same.

2067 (c) Prohibiting a local governmental entity or district
2068 school board from issuing bonds, notes, certificates of
2069 indebtedness, or any other form of debt until such time as it is



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2070 no longer subject to this section.

2071 (d) Making such inspections and reviews of records,
2072 information, reports, and assets of the local governmental
2073 entity or district school board as are needed. The appropriate
2074 local officials shall cooperate in such inspections and reviews.

2075 (e) Consulting with officials and auditors of the local
2076 governmental entity or the district school board and the
2077 appropriate state officials regarding any steps necessary to
2078 bring the books of account, accounting systems, financial
2079 procedures, and reports into compliance with state requirements.

2080 (f) Providing technical assistance to the local
2081 governmental entity or the district school board.

2082 (g)1. Establishing a financial emergency board to oversee
2083 the activities of the local governmental entity or the district
2084 school board. If a financial emergency board is established for
2085 a local governmental entity, the Governor shall appoint board
2086 members and select a chair. If a financial emergency board is
2087 established for a district school board, the State Board of
2088 Education shall appoint board members and select a chair. The
2089 financial emergency board shall adopt such rules as are
2090 necessary for conducting board business. The board may:

2091 a. Make such reviews of records, reports, and assets of the
2092 local governmental entity or the district school board as are
2093 needed.

2094 b. Consult with officials and auditors of the local
2095 governmental entity or the district school board and the
2096 appropriate state officials regarding any steps necessary to
2097 bring the books of account, accounting systems, financial
2098 procedures, and reports of the local governmental entity or the



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2099 district school board into compliance with state requirements.

2100 c. Review the operations, management, efficiency,
2101 productivity, and financing of functions and operations of the
2102 local governmental entity or the district school board.

2103 d. Consult with other governmental entities for the
2104 consolidation of all administrative direction and support
2105 services, including, but not limited to, services for asset
2106 sales, economic and community development, building inspections,
2107 parks and recreation, facilities management, engineering and
2108 construction, insurance coverage, risk management, planning and
2109 zoning, information systems, fleet management, and purchasing.

2110 2. The recommendations and reports made by the financial
2111 emergency board must be submitted to the Governor for local
2112 governmental entities or to the Commissioner of Education and
2113 the State Board of Education for district school boards for
2114 appropriate action.

2115 (h) Requiring and approving a plan, to be prepared by
2116 officials of the local governmental entity or the district
2117 school board in consultation with the appropriate state
2118 officials, prescribing actions that will cause the local
2119 governmental entity or district school board to no longer be
2120 subject to this section. The plan must include, but need not be
2121 limited to:

2122 1. Provision for payment in full of obligations outlined in
2123 subsection (1), designated as priority items, which are
2124 currently due or will come due.

2125 2. Establishment of priority budgeting or zero-based
2126 budgeting in order to eliminate items that are not affordable.

2127 3. The prohibition of a level of operations which can be



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2128 sustained only with nonrecurring revenues.

2129 4. Provisions implementing the consolidation, sourcing, or
2130 discontinuance of all administrative direction and support
2131 services, including, but not limited to, services for asset
2132 sales, economic and community development, building inspections,
2133 parks and recreation, facilities management, engineering and
2134 construction, insurance coverage, risk management, planning and
2135 zoning, information systems, fleet management, and purchasing.

2136 Section 47. Paragraph (g) of subsection (3) of section
2137 921.0022, Florida Statutes, is amended to read:

2138 921.0022 Criminal Punishment Code; offense severity ranking
2139 chart.—

2140 (3) OFFENSE SEVERITY RANKING CHART

2141 (g) LEVEL 7

2142

Florida Statute	Felony Degree	Description
2143 316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
2144 316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
2145 316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton



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2146	327.35 (3) (c) 2.	3rd	disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2147	402.319 (2)	2nd	Vessel BUI resulting in serious bodily injury.
2148	409.920 (2) (b) 1.a.	3rd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2149	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; \$10,000 or less.
2150	456.065 (2)	3rd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2151	456.065 (2)	2nd	Practicing a health care profession without a license.
			Practicing a health care



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2152			profession without a license which results in serious bodily injury.
	458.327 (1)	3rd	Practicing medicine without a license.
2153			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2154			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2155			
	461.012 (1)	3rd	Practicing podiatric medicine without a license.
2156			
	462.17	3rd	Practicing naturopathy without a license.
2157			
	463.015 (1)	3rd	Practicing optometry without a license.
2158			
	464.016 (1)	3rd	Practicing nursing without a license.
2159			
	465.015 (2)	3rd	Practicing pharmacy



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2160			without a license.
	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
2161			
	467.201	3rd	Practicing midwifery without a license.
2162			
	468.366	3rd	Delivering respiratory care services without a license.
2163			
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
2164			
	483.901(9)	3rd	Practicing medical physics without a license.
2165			
	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
2166			
	484.053	3rd	Dispensing hearing aids without a license.
2167			
	494.0018(2)	1st	Conviction of any violation of chapter 494



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2168	560.123 (8) (b) 1.	3rd	in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2169	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2170	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2171	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
			Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.



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2172	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
2173	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2174	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2175	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2176	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
2177			



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2178	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2179	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2180	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2181	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2182	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
2183	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2184	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators



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2185			facility staff.
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2186			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
2187			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2188			
	784.083 (1)	1st	Aggravated battery on code inspector.
2189			
	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
2190			
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
2191			
	790.07 (4)	1st	Specified weapons



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2192			violation subsequent to previous conviction of s. 790.07(1) or (2).
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2193			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2194			
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2195			
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2196			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.



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2197	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2198	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
2199	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2200	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2201	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2202	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but



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2203			younger than 16 years of age; offender 18 years of age or older.
2203	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
2204	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
2205	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2206	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2207	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2208	810.02 (3) (e)	2nd	Burglary of authorized



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2209			emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
2210			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
2211			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
2212			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
2213			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
2214			



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2215	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
2216	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2217	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2218	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2219	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2220	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2221	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.



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2222	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
2223	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
2224	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
2225	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
2226	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.



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2227	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2228	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2229	838.015	2nd	Bribery.
2230	838.016	2nd	Unlawful compensation or reward for official behavior.
2231	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2232	838.22	2nd	<u>Unlawful influence of the competitive solicitation process</u> Bid tampering.
2233	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2234	843.0855 (3)	3rd	Unlawful simulation of legal process.



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2235	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2236	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2237	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2238	872.06	2nd	Abuse of a dead human body.
2239	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2240	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other



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			drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
2241	893.13(1) (e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4., within 1,000 feet of property used for religious services or a specified business site.
2242	893.13(4) (a)	1st	Deliver to minor cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4. drugs).
2243	893.135(1) (a)1.	1st	Trafficking in cannabis,



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2244	893.135 (1) (b) 1.a.	1st	more than 25 lbs., less than 2,000 lbs. Trafficking in cocaine, more than 28 grams, less than 200 grams.
2245	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2246	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2247	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2248	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2249	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2250	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than



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2251	893.135(1)(e)1.	1st	28 grams, less than 200 grams.
2252	893.135(1)(f)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2253	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2254	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2255	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2256	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200



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2257			grams.
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2258			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2259			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2260			
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2261			
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.



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2262	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2263	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2264	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2265	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
2266	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2267	944.607 (12)	3rd	Failure to report or providing false information about a sexual



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2268			offender; harbor or conceal a sexual offender.
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2269			
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2270			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2271			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2272			
2273			
2274			



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2275 Section 48. Subsection (2) of section 1002.455, Florida
2276 Statutes, is amended to read:

2277 1002.455 Student eligibility for K-12 virtual instruction.—

2278 (2) A student is eligible to participate in virtual
2279 instruction if:

2280 (a) The student spent the prior school year in attendance
2281 at a public school in the state and was enrolled and reported by
2282 the school district for funding during October and February for
2283 purposes of the Florida Education Finance Program surveys;

2284 (b) The student is a dependent child of a member of the
2285 United States Armed Forces who was transferred within the last
2286 12 months to this state from another state or from a foreign
2287 country pursuant to a permanent change of station order;

2288 (c) The student was enrolled during the prior school year
2289 in a virtual instruction program under s. 1002.45 or a full-time
2290 Florida Virtual School program under s. 1002.37(9)(a) ~~s.~~
2291 ~~1002.37(8)(a)~~;

2292 (d) The student has a sibling who is currently enrolled in
2293 a virtual instruction program and the sibling was enrolled in
2294 that program at the end of the prior school year;

2295 (e) The student is eligible to enter kindergarten or first
2296 grade; or

2297 (f) The student is eligible to enter grades 2 through 5 and
2298 is enrolled full-time in a school district virtual instruction
2299 program, virtual charter school, or the Florida Virtual School.

2300 Section 49. For the purpose of incorporating the amendment
2301 made by this act to section 838.014, Florida Statutes, in a
2302 reference thereto, subsection (11) of section 817.568, Florida
2303 Statutes, is reenacted to read:



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2304 817.568 Criminal use of personal identification
2305 information.—

2306 (11) A person who willfully and without authorization
2307 fraudulently uses personal identification information concerning
2308 an individual who is 60 years of age or older; a disabled adult
2309 as defined in s. 825.101; a public servant as defined in s.
2310 838.014; a veteran as defined in s. 1.01; a first responder as
2311 defined in s. 125.01045; an individual who is employed by the
2312 State of Florida; or an individual who is employed by the
2313 Federal Government without first obtaining the consent of that
2314 individual commits a felony of the second degree, punishable as
2315 provided in s. 775.082, s. 775.083, or s. 775.084.

2316 Section 50. The Legislature finds that a proper and
2317 legitimate state purpose is served when internal controls are
2318 established to prevent and detect fraud, waste, and abuse and to
2319 safeguard and account for government funds and property.
2320 Therefore, the Legislature determines and declares that this act
2321 fulfills an important state interest.

2322 Section 51. This act shall take effect October 1, 2016.

2323
2324 ===== T I T L E A M E N D M E N T =====

2325 And the title is amended as follows:

2326 Delete everything before the enacting clause
2327 and insert:

2328 A bill to be entitled
2329 An act relating to government accountability;
2330 providing a short title; amending s. 11.045, F.S.;
2331 defining terms; requiring each house of the
2332 Legislature to provide by rule reporting requirements



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2333 regarding lobbying firm's lobbying activities;
2334 specifying requirements regarding the content of
2335 reports and filing deadlines; requiring each house of
2336 the Legislature to establish procedures applicable to
2337 untimely filing of reports by rule; providing fines
2338 for late filing of reports; amending s. 11.40, F.S.;
2339 specifying that the Governor, the Commissioner of
2340 Education, or the designee of the Governor or of the
2341 Commissioner of Education may notify the Legislative
2342 Auditing Committee of an entity's failure to comply
2343 with certain auditing and financial reporting
2344 requirements; amending s. 11.45, F.S.; defining the
2345 terms "abuse," "fraud," and "waste"; revising the
2346 definition of the term "local governmental entity";
2347 excluding water management districts from certain
2348 audit requirements; removing a cross-reference;
2349 authorizing the Auditor General to conduct audits of
2350 tourist development councils and county tourism
2351 promotion agencies; revising reporting requirements
2352 applicable to the Auditor General; creating s. 20.602,
2353 F.S.; specifying the applicability of certain
2354 provisions of the Code of Ethics for Public Officers
2355 and Employees to officers and board members of
2356 corporate entities associated with the Department of
2357 Economic Opportunity; prohibiting such officers and
2358 board members from representing a person or an entity
2359 for compensation before certain bodies for a specified
2360 timeframe; providing for construction; amending s.
2361 28.35, F.S.; revising reporting requirements



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2362 applicable to the Florida Clerks of Court Operations
2363 Corporation; amending s. 43.16, F.S.; revising the
2364 responsibilities of the Justice Administrative
2365 Commission, each state attorney, each public defender,
2366 a criminal conflict and civil regional counsel, a
2367 capital collateral regional counsel, and the Guardian
2368 Ad Litem Program, to include the establishment and
2369 maintenance of certain internal controls; creating s.
2370 112.3126, F.S.; defining the term "private entity";
2371 prohibiting a member of the Legislature from accepting
2372 employment with a private entity that directly
2373 receives state funds; providing an exception; amending
2374 s. 112.313, F.S.; specifying that prohibitions on
2375 conflicting employment or contractual relationships
2376 for public officers or employees of an agency apply to
2377 contractual relationships held by certain business
2378 entities; amending s. 112.3144, F.S.; requiring
2379 elected municipal officers to file a full and public
2380 disclosure of financial interests, rather than a
2381 statement of financial interests; providing for
2382 applicability; amending s. 112.31455, F.S.; revising
2383 provisions governing collection methods for unpaid
2384 automatic fines for failure to timely file disclosure
2385 of financial interests to include school districts;
2386 amending s. 112.3215, F.S.; requiring a lobbying firm
2387 to file a report with the Commission on Ethics
2388 disclosing whether the firm lobbied the Governor to
2389 approve or veto a bill or an appropriation; requiring
2390 the commission to establish procedures applicable to



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2391 untimely filing of reports by rule; providing fines
2392 for late filing of reports; conforming provisions to
2393 changes made by the act; amending s. 112.324, F.S.;
2394 authorizing the commission to investigate certain
2395 violations of the public trust upon receipt of
2396 reliable and publicly disseminated information if
2397 certain conditions are met; conforming provisions to
2398 changes made by the act; amending s. 112.3261, F.S.;
2399 revising terms to conform to changes made by the act;
2400 expanding the types of governmental entities that are
2401 subject to lobbyist registration requirements;
2402 requiring a governmental entity to create a lobbyist
2403 registration form; amending ss. 129.03, 129.06,
2404 166.241, and 189.016, F.S.; requiring counties,
2405 municipalities, and special districts to maintain
2406 certain budget documents on the entities' websites for
2407 a specified period; amending s. 215.425, F.S.;
2408 defining the term "public funds"; revising exceptions
2409 to the prohibition on extra compensation claims;
2410 requiring certain contracts to which a unit of
2411 government or state university is a party during a
2412 specified period to contain certain prohibitions on
2413 severance pay; requiring a unit of government to
2414 investigate and take necessary action to recover
2415 prohibited compensation; specifying methods of
2416 recovery for unintentional and willful violations;
2417 providing a penalty; specifying applicability of
2418 procedures regarding suspension and removal of an
2419 officer who commits a willful violation; establishing



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2420 eligibility criteria and amounts for rewards;
2421 specifying circumstances under which an employee has a
2422 cause of action under the Whistle-blower's Act;
2423 establishing causes of action if a unit of government
2424 fails to recover prohibited compensation within a
2425 certain timeframe; providing for applicability;
2426 amending s. 215.86, F.S.; revising the purposes for
2427 which management systems and internal controls must be
2428 established and maintained by each state agency and
2429 the judicial branch; amending s. 215.97, F.S.;
2430 revising the definition of the term "audit threshold";
2431 amending s. 215.985, F.S.; revising the requirements
2432 for a monthly financial statement provided by a water
2433 management district; amending s. 218.32, F.S.;
2434 revising the requirements of the annual financial
2435 audit report of a local governmental entity;
2436 authorizing the Department of Financial Services to
2437 request additional information from a local
2438 governmental entity; requiring a local governmental
2439 entity to respond to such requests within a specified
2440 timeframe; requiring the department to notify the
2441 Legislative Auditing Committee of noncompliance;
2442 amending s. 218.33, F.S.; requiring local governmental
2443 entities to establish and maintain internal controls
2444 to achieve specified purposes; amending s. 218.39,
2445 F.S.; requiring an audited entity to respond to audit
2446 recommendations under specified circumstances;
2447 amending s. 218.391, F.S.; revising the composition of
2448 an audit committee; prohibiting an audit committee



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2449 member from being an employee, a chief executive
2450 officer, or a chief financial officer of the
2451 respective governmental entity; requiring the chair of
2452 an audit committee to sign and execute an affidavit
2453 affirming compliance with auditor selection
2454 procedures; prescribing procedures in the event of
2455 noncompliance with auditor selection procedures;
2456 amending s. 286.0114, F.S.; prohibiting a board or
2457 commission from requiring an advance copy of testimony
2458 or comments from a member of the public as a
2459 precondition to be given the opportunity to be heard
2460 at a public meeting; amending s. 288.92, F.S.;
2461 prohibiting specified officers and board members of
2462 Enterprise Florida, Inc., from representing a person
2463 or entity for compensation before Enterprise Florida,
2464 Inc., and associated entities thereof, for a specified
2465 timeframe; amending s. 288.9604, F.S.; prohibiting a
2466 director of the Florida Development Finance
2467 Corporation from representing a person or an entity
2468 for compensation before the corporation for a
2469 specified timeframe; amending s. 373.536, F.S.;
2470 deleting obsolete language; requiring water management
2471 districts to maintain certain budget documents on the
2472 districts' websites for a specified period; amending
2473 s. 838.014, F.S.; deleting, revising, and providing
2474 definitions; amending s. 838.015, F.S.; revising the
2475 definition of "bribery"; providing a penalty;
2476 conforming a provision to changes made by the act;
2477 amending s. 838.016, F.S.; prohibiting a person from



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2478 knowingly and intentionally giving, offering, or
2479 promising unlawful compensation or reward for official
2480 behavior to a public servant; prohibiting a public
2481 servant or public contractor from knowingly and
2482 intentionally procuring unlawful compensation or
2483 reward for official behavior; providing a penalty;
2484 conforming provisions to changes made by the act;
2485 amending s. 838.022, F.S.; prohibiting a public
2486 servant or public contractor from knowingly and
2487 intentionally engaging in specified activities
2488 constituting official misconduct; providing a penalty;
2489 amending s. 838.22, F.S.; prohibiting a public servant
2490 and certain public contractors from knowingly and
2491 intentionally influencing or attempting to influence
2492 the competitive solicitation process; prohibiting any
2493 person from committing specified acts to influence the
2494 competitive solicitation process; providing a penalty;
2495 revising terminology; amending s. 1001.42, F.S.;
2496 authorizing additional internal audits as directed by
2497 the district school board; amending s. 1002.33, F.S.;
2498 revising the responsibilities of the governing board
2499 of a charter school to include the establishment and
2500 maintenance of internal controls; amending s. 1002.37,
2501 F.S.; requiring completion of an annual financial
2502 audit of the Florida Virtual School; specifying audit
2503 requirements; requiring an audit report to be
2504 submitted to the board of trustees of the Florida
2505 Virtual School and the Auditor General; removing
2506 obsolete provisions; amending s. 1010.01, F.S.;



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2507 requiring each school district, Florida College System
2508 institution, and state university to establish and
2509 maintain certain internal controls; amending s.
2510 1010.30, F.S.; requiring a district school board,
2511 Florida College System institution board of trustees,
2512 or university board of trustees to respond to audit
2513 recommendations under certain circumstances; amending
2514 ss. 11.0455, 68.082, 68.083, 99.061, 218.503,
2515 921.0022, and 1002.455, F.S.; conforming provisions
2516 and cross-references to changes made by the act;
2517 reenacting s. 817.568(11), F.S., relating to criminal
2518 use of personal identification information, to
2519 incorporate the amendment made to s. 838.014, F.S., in
2520 a reference thereto; declaring that the act fulfills
2521 an important state interest; providing an effective
2522 date.



632244

LEGISLATIVE ACTION

Senate

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. .
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. .
. .

House

The Committee on Ethics and Elections (Gaetz) recommended the following:

Senate Amendment to Amendment (758354)

Delete line 1157

and insert:

following funds may be used to provide extra compensation or
severance pay in excess of the amount specified in subparagraph
(5) (a)1.:

By Senator Gaetz

1-00097D-16

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1 A bill to be entitled
 2 An act relating to government accountability;
 3 providing a short title; amending s. 11.40, F.S.;
 4 specifying that the Governor, the Commissioner of
 5 Education, or the designee of the Governor or of the
 6 Commissioner of Education may notify the Legislative
 7 Auditing Committee of an entity's failure to comply
 8 with certain auditing and financial reporting
 9 requirements; amending s. 11.45, F.S.; defining the
 10 terms "abuse," "fraud," and "waste"; revising the
 11 definition of the term "local governmental entity";
 12 excluding water management districts from certain
 13 audit requirements; removing a cross-reference;
 14 authorizing the Auditor General to conduct audits of
 15 tourist development councils and county tourism
 16 promotion agencies; revising reporting requirements
 17 applicable to the Auditor General; creating s. 20.602,
 18 F.S.; specifying the applicability of certain
 19 provisions of the Code of Ethics for Public Officers
 20 and Employees to officers and board members of
 21 corporate entities associated with the Department of
 22 Economic Opportunity; prohibiting such officers and
 23 board members from representing a person or an entity
 24 for compensation before certain bodies for a specified
 25 timeframe; providing for construction; amending s.
 26 28.35, F.S.; revising reporting requirements
 27 applicable to the Florida Clerks of Court Operations
 28 Corporation; amending s. 43.16, F.S.; revising the
 29 responsibilities of the Justice Administrative

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30 Commission, each state attorney, each public defender,
 31 a criminal conflict and civil regional counsel, a
 32 capital collateral regional counsel, and the Guardian
 33 Ad Litem Program, to include the establishment and
 34 maintenance of certain internal controls; amending s.
 35 112.313, F.S.; specifying that prohibitions on
 36 conflicting employment or contractual relationships
 37 for public officers or employees of an agency apply to
 38 contractual relationships held by certain business
 39 entities; making technical changes; amending s.
 40 112.3144, F.S.; requiring elected municipal officers
 41 to file a full and public disclosure of financial
 42 interests, rather than a statement of financial
 43 interests; providing for applicability; amending s.
 44 112.31455, F.S.; revising provisions governing
 45 collection methods for unpaid automatic fines for
 46 failure to timely file disclosure of financial
 47 interests to include school districts; amending s.
 48 112.3261, F.S.; revising terms to conform to changes
 49 made by the act; expanding the types of governmental
 50 entities that are subject to lobbyist registration
 51 requirements; requiring a governmental entity to
 52 create a lobbyist registration form; amending ss.
 53 129.03, 129.06, 166.241, and 189.016, F.S.; requiring
 54 counties, municipalities, and special districts to
 55 maintain certain budget documents on the entities'
 56 websites for a specified period; amending s. 215.425,
 57 F.S.; defining the term "public funds"; revising
 58 exceptions to the prohibition on extra compensation

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59 claims; requiring certain contracts to which a unit of
 60 government or state university is a party during a
 61 specified period to contain certain prohibitions on
 62 severance pay; requiring a unit of government to
 63 investigate and take necessary action to recover
 64 prohibited compensation; specifying methods of
 65 recovery for unintentional and willful violations;
 66 providing a penalty; specifying applicability of
 67 procedures regarding suspension and removal of an
 68 officer who commits a willful violation; establishing
 69 eligibility criteria and amounts for rewards;
 70 specifying circumstances under which an employee has a
 71 cause of action under the Whistle-blower's Act;
 72 establishing causes of action if a unit of government
 73 fails to recover prohibited compensation within a
 74 certain timeframe; providing for applicability;
 75 amending s. 215.86, F.S.; revising the purposes for
 76 which management systems and internal controls must be
 77 established and maintained by each state agency and
 78 the judicial branch; amending s. 215.97, F.S.;
 79 revising the definition of the term "audit threshold";
 80 amending s. 215.985, F.S.; revising the requirements
 81 for a monthly financial statement provided by a water
 82 management district; amending s. 218.32, F.S.;
 83 revising the requirements of the annual financial
 84 audit report of a local governmental entity;
 85 authorizing the Department of Financial Services to
 86 request additional information from a local
 87 governmental entity; requiring a local governmental

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88 entity to respond to such requests within a specified
 89 timeframe; requiring the department to notify the
 90 Legislative Auditing Committee of noncompliance;
 91 amending s. 218.33, F.S.; requiring local governmental
 92 entities to establish and maintain internal controls
 93 to achieve specified purposes; amending s. 218.39,
 94 F.S.; requiring an audited entity to respond to audit
 95 recommendations under specified circumstances;
 96 amending s. 218.391, F.S.; revising the composition of
 97 an audit committee; prohibiting an audit committee
 98 member from being an employee, chief executive
 99 officer, or chief financial officer of the respective
 100 governmental entity; requiring the chair of an audit
 101 committee to sign and execute an affidavit affirming
 102 compliance with auditor selection procedures;
 103 prescribing procedures in the event of noncompliance
 104 with auditor selection procedures; amending s.
 105 286.0114, F.S.; prohibiting a board or commission from
 106 requiring an advance copy of testimony or comments
 107 from a member of the public as a precondition to be
 108 given the opportunity to be heard at a public meeting;
 109 amending s. 288.92, F.S.; prohibiting specified
 110 officers and board members of Enterprise Florida,
 111 Inc., from representing a person or entity for
 112 compensation before Enterprise Florida, Inc., and
 113 associated entities thereof, for a specified
 114 timeframe; amending s. 288.9604, F.S.; prohibiting a
 115 director of the Florida Development Finance
 116 Corporation from representing a person or entity for

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117 compensation before the corporation for a specified
 118 timeframe; amending s. 373.536, F.S.; deleting
 119 obsolete language; requiring water management
 120 districts to maintain certain budget documents on the
 121 districts' websites for a specified period; amending
 122 s. 838.014, F.S.; deleting the definition of the term
 123 "corruptly" or "with corrupt intent"; defining the
 124 term "governmental entity"; expanding the definition
 125 of the term "public servant" to include certain
 126 persons who are acting on behalf of a governmental
 127 entity; amending s. 838.015, F.S.; redefining the term
 128 "bribery" to include knowing and intentional, rather
 129 than corrupt, acts; amending s. 838.016, F.S.;
 130 revising the prohibition against unlawful compensation
 131 or reward for official behavior to conform to changes
 132 made by the act; amending s. 838.022, F.S.; revising
 133 the prohibition against official misconduct to conform
 134 to changes made by the act; amending s. 838.22, F.S.;
 135 revising the prohibition against bid tampering to
 136 conform to changes made by the act; amending s.
 137 1001.42, F.S.; authorizing additional internal audits
 138 as directed by the district school board; amending s.
 139 1002.33, F.S.; revising the responsibilities of the
 140 governing board of a charter school to include the
 141 establishment and maintenance of internal controls;
 142 amending s. 1002.37, F.S.; requiring completion of an
 143 annual financial audit of the Florida Virtual School;
 144 specifying audit requirements; requiring an audit
 145 report to be submitted to the board of trustees of the

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146 Florida Virtual School and the Auditor General;
 147 removing obsolete provisions; amending s. 1010.01,
 148 F.S.; requiring each school district, Florida College
 149 System institution, and state university to establish
 150 and maintain certain internal controls; amending s.
 151 1010.30, F.S.; requiring a district school board,
 152 Florida College System institution board of trustees,
 153 or university board of trustees to respond to audit
 154 recommendations under certain circumstances; amending
 155 ss. 68.082, 68.083, 99.061, 218.503, and 1002.455,
 156 F.S.; conforming provisions and cross-references to
 157 changes made by the act; reenacting s. 817.568(11),
 158 F.S., relating to criminal use of personal
 159 identification information, to incorporate the
 160 amendment made to s. 838.014, F.S., in a reference
 161 thereto; declaring that the act fulfills an important
 162 state interest; providing an effective date.
 163
 164 Be It Enacted by the Legislature of the State of Florida:
 165
 166 Section 1. This act may be cited as the "Florida Anti-
 167 Corruption Act of 2016."
 168 Section 2. Subsection (2) of section 11.40, Florida
 169 Statutes, is amended to read:
 170 11.40 Legislative Auditing Committee.—
 171 (2) Following notification by the Auditor General, the
 172 Department of Financial Services, ~~or~~ the Division of Bond
 173 Finance of the State Board of Administration, the Governor or
 174 his or her designee, or the Commissioner of Education or his or

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175 her desig~~ne~~e of the failure of a local governmental entity,
 176 district school board, charter school, or charter technical
 177 career center to comply with the applicable provisions within s.
 178 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the
 179 Legislative Auditing Committee may schedule a hearing to
 180 determine if the entity should be subject to further state
 181 action. If the committee determines that the entity should be
 182 subject to further state action, the committee shall:

183 (a) In the case of a local governmental entity or district
 184 school board, direct the Department of Revenue and the
 185 Department of Financial Services to withhold any funds not
 186 pledged for bond debt service satisfaction which are payable to
 187 such entity until the entity complies with the law. The
 188 committee shall specify the date that such action must ~~shall~~
 189 begin, and the directive must be received by the Department of
 190 Revenue and the Department of Financial Services 30 days before
 191 the date of the distribution mandated by law. The Department of
 192 Revenue and the Department of Financial Services may implement
 193 ~~the provisions of~~ this paragraph.

194 (b) In the case of a special district created by:

195 1. A special act, notify the President of the Senate, the
 196 Speaker of the House of Representatives, the standing committees
 197 of the Senate and the House of Representatives charged with
 198 special district oversight as determined by the presiding
 199 officers of each respective chamber, the legislators who
 200 represent a portion of the geographical jurisdiction of the
 201 special district pursuant to s. 189.034(2), and the Department
 202 of Economic Opportunity that the special district has failed to
 203 comply with the law. Upon receipt of notification, the

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204 Department of Economic Opportunity shall proceed pursuant to s.
 205 189.062 or s. 189.067. If the special district remains in
 206 noncompliance after the process set forth in s. 189.034(3), or
 207 if a public hearing is not held, the Legislative Auditing
 208 Committee may request the department to proceed pursuant to s.
 209 189.067(3).

210 2. A local ordinance, notify the chair or equivalent of the
 211 local general-purpose government pursuant to s. 189.035(2) and
 212 the Department of Economic Opportunity that the special district
 213 has failed to comply with the law. Upon receipt of notification,
 214 the department shall proceed pursuant to s. 189.062 or s.
 215 189.067. If the special district remains in noncompliance after
 216 the process set forth in s. 189.034(3), or if a public hearing
 217 is not held, the Legislative Auditing Committee may request the
 218 department to proceed pursuant to s. 189.067(3).

219 3. Any manner other than a special act or local ordinance,
 220 notify the Department of Economic Opportunity that the special
 221 district has failed to comply with the law. Upon receipt of
 222 notification, the department shall proceed pursuant to s.
 223 189.062 or s. 189.067(3).

224 (c) In the case of a charter school or charter technical
 225 career center, notify the appropriate sponsoring entity, which
 226 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

227 Section 3. Subsection (1), paragraph (j) of subsection (2),
 228 paragraph (u) of subsection (3), and paragraph (i) of subsection
 229 (7) of section 11.45, Florida Statutes, are amended, and
 230 paragraph (x) is added to subsection (3) of that section, to
 231 read:

232 11.45 Definitions; duties; authorities; reports; rules.-

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233 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:
 234 (a) "Abuse" means behavior that is deficient or improper
 235 when compared with behavior that a prudent person would consider
 236 a reasonable and necessary operational practice given the facts
 237 and circumstances. The term includes the misuse of authority or
 238 position for personal gain.
 239 (b)-(a) "Audit" means a financial audit, operational audit,
 240 or performance audit.
 241 (c)-(b) "County agency" means a board of county
 242 commissioners or other legislative and governing body of a
 243 county, however styled, including that of a consolidated or
 244 metropolitan government, a clerk of the circuit court, a
 245 separate or ex officio clerk of the county court, a sheriff, a
 246 property appraiser, a tax collector, a supervisor of elections,
 247 or any other officer in whom any portion of the fiscal duties of
 248 a body or officer expressly stated in this paragraph are the
 249 above are under law separately placed by law.
 250 (d)-(e) "Financial audit" means an examination of financial
 251 statements in order to express an opinion on the fairness with
 252 which they are presented in conformity with generally accepted
 253 accounting principles and an examination to determine whether
 254 operations are properly conducted in accordance with legal and
 255 regulatory requirements. Financial audits must be conducted in
 256 accordance with auditing standards generally accepted in the
 257 United States and government auditing standards as adopted by
 258 the Board of Accountancy. When applicable, the scope of
 259 financial audits ~~must~~ shall encompass the additional activities
 260 necessary to establish compliance with the Single Audit Act
 261 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other

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262 applicable federal law.
 263 (e) "Fraud" means obtaining something of value through
 264 willful misrepresentation, including, but not limited to, the
 265 intentional misstatements or omissions of amounts or disclosures
 266 in financial statements to deceive users of financial
 267 statements, theft of an entity's assets, bribery, or the use of
 268 one's position for personal enrichment through the deliberate
 269 misuse or misapplication of an organization's resources.
 270 (f)-(d) "Governmental entity" means a state agency, a county
 271 agency, or any other entity, however styled, that independently
 272 exercises any type of state or local governmental function.
 273 (g)-(e) "Local governmental entity" means a county agency,
 274 municipality, tourist development council, county tourism
 275 promotion agency, or special district as defined in s. 189.012.
 276 The term, ~~but~~ does not include any housing authority established
 277 under chapter 421.
 278 (h)-(f) "Management letter" means a statement of the
 279 auditor's comments and recommendations.
 280 (i)-(g) "Operational audit" means an audit whose purpose is
 281 to evaluate management's performance in establishing and
 282 maintaining internal controls, including controls designed to
 283 prevent and detect fraud, waste, and abuse, and in administering
 284 assigned responsibilities in accordance with applicable laws,
 285 administrative rules, contracts, grant agreements, and other
 286 guidelines. Operational audits must be conducted in accordance
 287 with government auditing standards. Such audits examine internal
 288 controls that are designed and placed in operation to promote
 289 and encourage the achievement of management's control objectives
 290 in the categories of compliance, economic and efficient

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291 operations, reliability of financial records and reports, and
 292 safeguarding of assets, and identify weaknesses in those
 293 internal controls.

294 ~~(j)(h)~~ "Performance audit" means an examination of a
 295 program, activity, or function of a governmental entity,
 296 conducted in accordance with applicable government auditing
 297 standards or auditing and evaluation standards of other
 298 appropriate authoritative bodies. The term includes an
 299 examination of issues related to:

- 300 1. Economy, efficiency, or effectiveness of the program.
 - 301 2. Structure or design of the program to accomplish its
 302 goals and objectives.
 - 303 3. Adequacy of the program to meet the needs identified by
 304 the Legislature or governing body.
 - 305 4. Alternative methods of providing program services or
 306 products.
 - 307 5. Goals, objectives, and performance measures used by the
 308 agency to monitor and report program accomplishments.
 - 309 6. The accuracy or adequacy of public documents, reports,
 310 or requests prepared under the program by state agencies.
 - 311 7. Compliance of the program with appropriate policies,
 312 rules, or laws.
 - 313 8. Any other issues related to governmental entities as
 314 directed by the Legislative Auditing Committee.
- 315 ~~(k)(i)~~ "Political subdivision" means a separate agency or
 316 unit of local government created or established by law and
 317 includes, but is not limited to, the following and the officers
 318 thereof: authority, board, branch, bureau, city, commission,
 319 consolidated government, county, department, district,

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320 institution, metropolitan government, municipality, office,
 321 officer, public corporation, town, or village.

322 ~~(l)(j)~~ "State agency" means a separate agency or unit of
 323 state government created or established by law and includes, but
 324 is not limited to, the following and the officers thereof:
 325 authority, board, branch, bureau, commission, department,
 326 division, institution, office, officer, or public corporation,
 327 as the case may be, except any such agency or unit within the
 328 legislative branch of state government other than the Florida
 329 Public Service Commission.

330 (m) "Waste" means the act of using or expending resources
 331 unreasonably, carelessly, extravagantly, or for no useful
 332 purpose.

333 (2) DUTIES.—The Auditor General shall:

334 (j) Conduct audits of local governmental entities when
 335 determined to be necessary by the Auditor General, when directed
 336 by the Legislative Auditing Committee, or when otherwise
 337 required by law. No later than 18 months after the release of
 338 the audit report, the Auditor General shall perform such
 339 appropriate followup procedures as he or she deems necessary to
 340 determine the audited entity's progress in addressing the
 341 findings and recommendations contained within the Auditor
 342 General's previous report. The Auditor General shall notify each
 343 member of the audited entity's governing body and the
 344 Legislative Auditing Committee of the results of his or her
 345 determination. For purposes of this paragraph, local
 346 governmental entities do not include water management districts.

347
 348 The Auditor General shall perform his or her duties

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349 independently but under the general policies established by the
350 Legislative Auditing Committee. This subsection does not limit
351 the Auditor General's discretionary authority to conduct other
352 audits or engagements of governmental entities as authorized in
353 subsection (3).

354 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
355 General may, pursuant to his or her own authority, or at the
356 direction of the Legislative Auditing Committee, conduct audits
357 or other engagements as determined appropriate by the Auditor
358 General of:

359 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

360 (x) Tourist development councils and county tourism
361 promotion agencies.

362 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

363 (i) The Auditor General shall annually transmit by July 15,
364 to the President of the Senate, the Speaker of the House of
365 Representatives, and the Department of Financial Services, a
366 list of all school districts, charter schools, charter technical
367 career centers, Florida College System institutions, state
368 universities, and local governmental entities ~~water management~~
369 ~~districts~~ that have failed to comply with the transparency
370 requirements as identified in the audit reports reviewed
371 pursuant to paragraph (b) and those conducted pursuant to
372 subsection (2).

373 Section 4. Section 20.602, Florida Statutes, is created to
374 read:

375 20.602 Standards of conduct; officers and board members of
376 Department of Economic Opportunity corporate entities.—

377 (1) The following officers and board members are subject to

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378 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
379 112.3143(2):

380 (a) Officers and members of the board of directors of:

381 1. Any corporation created under chapter 288;

382 2. Space Florida;

383 3. CareerSource Florida, Inc., or the programs or entities
384 created by CareerSource Florida, Inc., pursuant to s. 445.004;

385 4. The Florida Housing Finance Corporation; or

386 5. Any other corporation created by the Department of
387 Economic Opportunity in accordance with its powers and duties
388 under s. 20.60.

389 (b) Officers and members of the board of directors of a
390 corporate parent or subsidiary corporation of a corporation
391 described in paragraph (a).

392 (c) Officers and members of the board of directors of a
393 corporation created to carry out the missions of a corporation
394 described in paragraph (a).

395 (d) Officers and members of the board of directors of a
396 corporation with which a corporation described in paragraph (a)
397 is required by law to contract with to carry out its missions.

398 (2) For purposes of applying ss. 112.313(1)-(8), (10),
399 (12), and (15); 112.3135; and 112.3143(2) to activities of the
400 officers and members of the board of directors specified in
401 subsection (1), those persons shall be considered public
402 officers or employees and the corporation shall be considered
403 their agency.

404 (3) For a period of 6 years after retirement from or
405 termination of service, or for a period of 10 years if removed
406 or terminated for cause or for misconduct, as defined in s.

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407 443.036(29), an officer or a member of the board of directors
 408 specified in subsection (1) may not represent another person or
 409 entity for compensation before:

410 (a) His or her corporation;

411 (b) A division, a subsidiary, or the board of directors of
 412 a corporation created to carry out the mission of his or her
 413 corporation; or

414 (c) A corporation with which the corporation is required by
 415 law to contract to carry out its missions.

416 (4) This section does not supersede any additional or more
 417 stringent standards of conduct applicable to an officer or a
 418 member of the board of directors of an entity specified in
 419 subsection (1) prescribed by any other provision of law.

420 Section 5. Paragraph (d) of subsection (2) of section
 421 28.35, Florida Statutes, is amended to read:

422 28.35 Florida Clerks of Court Operations Corporation.—

423 (2) The duties of the corporation shall include the
 424 following:

425 (d) Developing and certifying a uniform system of workload
 426 measures and applicable workload standards for court-related
 427 functions as developed by the corporation and clerk workload
 428 performance in meeting the workload performance standards. These
 429 workload measures and workload performance standards shall be
 430 designed to facilitate an objective determination of the
 431 performance of each clerk in accordance with minimum standards
 432 for fiscal management, operational efficiency, and effective
 433 collection of fines, fees, service charges, and court costs. The
 434 corporation shall develop the workload measures and workload
 435 performance standards in consultation with the Legislature. When

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436 the corporation finds a clerk has not met the workload
 437 performance standards, the corporation shall identify the nature
 438 of each deficiency and any corrective action recommended and
 439 taken by the affected clerk of the court. For quarterly periods
 440 ending on the last day of March, June, September, and December
 441 of each year, the corporation shall notify the Legislature of
 442 any clerk not meeting workload performance standards and provide
 443 a copy of any corrective action plans. Such notifications shall
 444 be submitted no later than 45 days after the end of the
 445 preceding quarterly period. As used in this subsection, the
 446 term:

447 1. "Workload measures" means the measurement of the
 448 activities and frequency of the work required for the clerk to
 449 adequately perform the court-related duties of the office as
 450 defined by the membership of the Florida Clerks of Court
 451 Operations Corporation.

452 2. "Workload performance standards" means the standards
 453 developed to measure the timeliness and effectiveness of the
 454 activities that are accomplished by the clerk in the performance
 455 of the court-related duties of the office as defined by the
 456 membership of the Florida Clerks of Court Operations
 457 Corporation.

458 Section 6. Present subsections (6) and (7) of section
 459 43.16, Florida Statutes, are redesignated as subsections (7) and
 460 (8), respectively, and a new subsection (6) is added to that
 461 section, to read:

462 43.16 Justice Administrative Commission; membership, powers
 463 and duties.—

464 (6) The commission, each state attorney, each public

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465 defender, the criminal conflict and civil regional counsel, the
 466 capital collateral regional counsel, and the Guardian Ad Litem
 467 Program shall establish and maintain internal controls designed
 468 to:

- 469 (a) Prevent and detect fraud, waste, and abuse.
 470 (b) Promote and encourage compliance with applicable laws,
 471 rules, contracts, grant agreements, and best practices.
 472 (c) Support economical and efficient operations.
 473 (d) Ensure reliability of financial records and reports.
 474 (e) Safeguard assets.

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

477 112.313 Standards of conduct for public officers, employees
 478 of agencies, and local government attorneys.-

479 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.-

480 (a) A ~~No~~ public officer or employee of an agency may not
 481 ~~shall~~ have or hold any employment or contractual relationship
 482 with any business entity or any agency that ~~which~~ is subject to
 483 the regulation of, or is doing business with, an agency of which
 484 he or she is an officer or employee, excluding those
 485 organizations and their officers who, when acting in their
 486 official capacity, enter into or negotiate a collective
 487 bargaining contract with the state or any municipality, county,
 488 or other political subdivision of the state; ~~and nor shall~~ an
 489 officer or employee of an agency may not have or hold any
 490 employment or contractual relationship that will create a
 491 continuing or frequently recurring conflict between his or her
 492 private interests and the performance of his or her public
 493 duties or that would impede the full and faithful discharge of

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494 his or her public duties. For purposes of this subsection, if a
 495 public officer or employee of an agency holds a controlling
 496 interest in a business entity or is an officer, a director, or a
 497 member who manages such an entity, contractual relationships
 498 held by the business entity are deemed to be held by the public
 499 officer or employee.

500 1. When the agency referred to is ~~a that certain kind of~~
 501 special tax district created by general or special law and is
 502 limited specifically to constructing, maintaining, managing, and
 503 financing improvements in the land area over which the agency
 504 has jurisdiction, or when the agency has been organized pursuant
 505 to chapter 298, ~~then~~ employment with, or entering into a
 506 contractual relationship with, such a business entity by a
 507 public officer or employee of such an agency ~~is shall~~ not ~~be~~
 508 prohibited by this subsection or ~~be~~ deemed a conflict per se.
 509 However, conduct by such officer or employee that is prohibited
 510 by, or otherwise frustrates the intent of, this section must
 511 ~~shall~~ be deemed a conflict of interest in violation of the
 512 standards of conduct set forth by this section.

513 2. When the agency referred to is a legislative body and
 514 the regulatory power over the business entity resides in another
 515 agency, or when the regulatory power ~~that which~~ the legislative
 516 body exercises over the business entity or agency is strictly
 517 through the enactment of laws or ordinances, ~~then~~ employment or
 518 a contractual relationship with such a business entity by a
 519 public officer or employee of a legislative body ~~is shall~~ not ~~be~~
 520 prohibited by this subsection or ~~be~~ deemed a conflict.

521 (b) This subsection does shall not prohibit a public
 522 officer or employee from practicing in a particular profession

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523 or occupation when such practice by persons holding such public
524 office or employment is required or permitted by law or
525 ordinance.

526 Section 8. Subsections (1) and (2) of section 112.3144,
527 Florida Statutes, are amended to read:

528 112.3144 Full and public disclosure of financial
529 interests.-

530 (1) In addition to officers specified in s. 8, Art. II of
531 the State Constitution or other state law, all elected municipal
532 officers are required to file a full and public disclosure of
533 their financial interests. An officer who is required ~~by s. 8,~~
534 ~~Art. II of the State Constitution~~ to file a full and public
535 disclosure of ~~his or her~~ financial interests for any calendar or
536 fiscal year shall file that disclosure with the Florida
537 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~
538 An officer who is required to complete annual ethics training
539 pursuant to s. 112.3142 must certify on his or her full and
540 public disclosure of financial interests that he or she has
541 completed the required training.

542 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~
543 ~~the State Constitution,~~ to file a full and public disclosure of
544 financial interests and who has filed a full and public
545 disclosure of financial interests for any calendar or fiscal
546 year ~~is shall~~ not be required to file a statement of financial
547 interests pursuant to s. 112.3145(2) and (3) for the same year
548 or for any part thereof notwithstanding any requirement of this
549 part. If an incumbent in an elective office has filed the full
550 and public disclosure of financial interests to qualify for
551 election to the same office or if a candidate for office holds

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552 another office subject to the annual filing requirement, the
553 qualifying officer shall forward an electronic copy of the full
554 and public disclosure of financial interests to the commission
555 no later than July 1. The electronic copy of the full and public
556 disclosure of financial interests satisfies the annual
557 disclosure requirement of this section. A candidate who does not
558 qualify until after the annual full and public disclosure of
559 financial interests has been filed pursuant to this section
560 shall file a copy of his or her disclosure with the officer
561 before whom he or she qualifies.

562 Section 9. The amendment made to s. 112.3144, Florida
563 Statutes, by this act applies to disclosures filed for the 2016
564 calendar year and all subsequent calendar years.

565 Section 10. Subsection (1) of section 112.31455, Florida
566 Statutes, is amended to read:

567 112.31455 Collection methods for unpaid automatic fines for
568 failure to timely file disclosure of financial interests.-

569 (1) Before referring any unpaid fine accrued pursuant to s.
570 112.3144(5) or s. 112.3145(7) to the Department of Financial
571 Services, the commission shall attempt to determine whether the
572 individual owing such a fine is a current public officer or
573 current public employee. If so, the commission may notify the
574 Chief Financial Officer or the governing body of the appropriate
575 county, municipality, school district, or special district of
576 the total amount of any fine owed to the commission by such
577 individual.

578 (a) After receipt and verification of the notice from the
579 commission, the Chief Financial Officer or the governing body of
580 the county, municipality, school district, or special district

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581 shall begin withholding the lesser of 10 percent or the maximum
582 amount allowed under federal law from any salary-related
583 payment. The withheld payments shall be remitted to the
584 commission until the fine is satisfied.

585 (b) The Chief Financial Officer or the governing body of
586 the county, municipality, school district, or special district
587 may retain an amount of each withheld payment, as provided in s.
588 77.0305, to cover the administrative costs incurred under this
589 section.

590 Section 11. Section 112.3261, Florida Statutes, is amended
591 to read:

592 112.3261 Lobbying before governmental entities ~~water~~
593 ~~management districts~~; registration and reporting.—

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

595 (a) "Governmental entity" or "entity" "District" means a
596 water management district created in s. 373.069 and operating
597 under the authority of chapter 373, a hospital district, a
598 children's services district, an expressway authority as the
599 term "authority" is defined in s. 348.0002, the term "port
600 authority" as defined in s. 315.02, a county or municipality
601 that has not adopted lobbyist registration and reporting
602 requirements, or an independent special district with annual
603 revenues of more than \$5 million which exercises ad valorem
604 taxing authority.

605 (b) "Lobbies" means seeking, on behalf of another person,
606 to influence a governmental entity ~~district~~ with respect to a
607 decision of the entity ~~district~~ in an area of policy or
608 procurement or an attempt to obtain the goodwill of an a
609 district official or employee of a governmental entity. The term

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610 ~~"lobbies"~~ shall be interpreted and applied consistently with the
611 rules of the commission implementing s. 112.3215.

612 (c) "Lobbyist" has the same meaning as provided in s.
613 112.3215.

614 (d) "Principal" has the same meaning as provided in s.
615 112.3215.

616 (2) A person may not lobby a governmental entity ~~district~~
617 until such person has registered as a lobbyist with that entity
618 ~~district~~. Such registration shall be due upon initially being
619 retained to lobby and is renewable on a calendar-year basis
620 thereafter. Upon registration, the person shall provide a
621 statement signed by the principal or principal's representative
622 stating that the registrant is authorized to represent the
623 principal. The principal shall also identify and designate its
624 main business on the statement authorizing that lobbyist
625 pursuant to a classification system approved by the governmental
626 entity ~~district~~. Any changes to the information required by this
627 section must be disclosed within 15 days by filing a new
628 registration form. The registration form must ~~shall~~ require each
629 lobbyist to disclose, under oath, the following:

630 (a) The lobbyist's name and business address.

631 (b) The name and business address of each principal
632 represented.

633 (c) The existence of any direct or indirect business
634 association, partnership, or financial relationship with an
635 official ~~any officer~~ or employee of a governmental entity
636 ~~district~~ with which he or she lobbies or intends to lobby.

637 (d) A governmental entity shall create a lobbyist
638 registration form modeled after the ~~In lieu of creating its own~~

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639 ~~lobbyist registration forms, a district may accept a completed~~
 640 legislative branch or executive branch lobbyist registration
 641 form, which must be returned to the governmental entity.

642 (3) A governmental entity ~~district~~ shall make lobbyist
 643 registrations available to the public. If a governmental entity
 644 ~~district~~ maintains a website, a database of currently registered
 645 lobbyists and principals must be available on the entity's
 646 ~~district's~~ website.

647 (4) A lobbyist shall promptly send a written statement to
 648 the governmental entity ~~district~~ canceling the registration for
 649 a principal upon termination of the lobbyist's representation of
 650 that principal. A governmental entity ~~district~~ may remove the
 651 name of a lobbyist from the list of registered lobbyists if the
 652 principal notifies the entity ~~district~~ that a person is no
 653 longer authorized to represent that principal.

654 (5) A governmental entity ~~district~~ may establish an annual
 655 lobbyist registration fee, not to exceed \$40, for each principal
 656 represented. The governmental entity ~~district~~ may use
 657 registration fees only to administer this section.

658 (6) A governmental entity ~~district~~ shall be diligent to
 659 ascertain whether persons required to register pursuant to this
 660 section have complied. A governmental entity ~~district~~ may not
 661 knowingly authorize a person who is not registered pursuant to
 662 this section to lobby the entity ~~district~~.

663 (7) Upon receipt of a sworn complaint alleging that a
 664 lobbyist or principal has failed to register with a governmental
 665 entity ~~district~~ or has knowingly submitted false information in
 666 a report or registration required under this section, the
 667 commission shall investigate a lobbyist or principal pursuant to

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668 the procedures established under s. 112.324. The commission
 669 shall provide the Governor with a report of its findings and
 670 recommendations in any investigation conducted pursuant to this
 671 subsection. The Governor is authorized to enforce the
 672 commission's findings and recommendations.

673 (8) A governmental entity ~~water management districts~~ may
 674 adopt rules to establish procedures to govern the registration
 675 of lobbyists, including the adoption of forms and the
 676 establishment of a lobbyist registration fee.

677 Section 12. Paragraph (c) of subsection (3) of section
 678 129.03, Florida Statutes, is amended to read:

679 129.03 Preparation and adoption of budget.—

680 (3) The county budget officer, after tentatively
 681 ascertaining the proposed fiscal policies of the board for the
 682 next fiscal year, shall prepare and present to the board a
 683 tentative budget for the next fiscal year for each of the funds
 684 provided in this chapter, including all estimated receipts,
 685 taxes to be levied, and balances expected to be brought forward
 686 and all estimated expenditures, reserves, and balances to be
 687 carried over at the end of the year.

688 (c) The board shall hold public hearings to adopt tentative
 689 and final budgets pursuant to s. 200.065. The hearings shall be
 690 primarily for the purpose of hearing requests and complaints
 691 from the public regarding the budgets and the proposed tax
 692 levies and for explaining the budget and any proposed or adopted
 693 amendments. The tentative budget must be posted on the county's
 694 official website at least 2 days before the public hearing to
 695 consider such budget and must remain on the website for at least
 696 45 days. The final budget must be posted on the website within

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 697 30 days after adoption and must remain on the website for at
 698 least 2 years. The tentative budgets, adopted tentative budgets,
 699 and final budgets shall be filed in the office of the county
 700 auditor as a public record. Sufficient reference in words and
 701 figures to identify the particular transactions ~~must shall~~ be
 702 made in the minutes of the board to record its actions with
 703 reference to the budgets.

704 Section 13. Paragraph (f) of subsection (2) of section
 705 129.06, Florida Statutes, is amended to read:

706 129.06 Execution and amendment of budget.—

707 (2) The board at any time within a fiscal year may amend a
 708 budget for that year, and may within the first 60 days of a
 709 fiscal year amend the budget for the prior fiscal year, as
 710 follows:

711 (f) Unless otherwise prohibited by law, if an amendment to
 712 a budget is required for a purpose not specifically authorized
 713 in paragraphs (a)-(e), the amendment may be authorized by
 714 resolution or ordinance of the board of county commissioners
 715 adopted following a public hearing.

716 1. The public hearing must be advertised at least 2 days,
 717 but not more than 5 days, before the date of the hearing. The
 718 advertisement must appear in a newspaper of paid general
 719 circulation and must identify the name of the taxing authority,
 720 the date, place, and time of the hearing, and the purpose of the
 721 hearing. The advertisement must also identify each budgetary
 722 fund to be amended, the source of the funds, the use of the
 723 funds, and the total amount of each fund's appropriations.

724 2. If the board amends the budget pursuant to this
 725 paragraph, the adopted amendment must be posted on the county's

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 726 official website within 5 days after adoption and must remain on
 727 the website for at least 2 years.

728 Section 14. Subsections (3) and (5) of section 166.241,
 729 Florida Statutes, are amended to read:

730 166.241 Fiscal years, budgets, and budget amendments.—

731 (3) The tentative budget must be posted on the
 732 municipality's official website at least 2 days before the
 733 budget hearing, held pursuant to s. 200.065 or other law, to
 734 consider such budget, and must remain on the website for at
 735 least 45 days. The final adopted budget must be posted on the
 736 municipality's official website within 30 days after adoption
 737 and must remain on the website for at least 2 years. If the
 738 municipality does not operate an official website, the
 739 municipality must, within a reasonable period of time as
 740 established by the county or counties in which the municipality
 741 is located, transmit the tentative budget and final budget to
 742 the manager or administrator of such county or counties who
 743 shall post the budgets on the county's website.

744 (5) If the governing body of a municipality amends the
 745 budget pursuant to paragraph (4)(c), the adopted amendment must
 746 be posted on the official website of the municipality within 5
 747 days after adoption and must remain on the website for at least
 748 2 years. If the municipality does not operate an official
 749 website, the municipality must, within a reasonable period of
 750 time as established by the county or counties in which the
 751 municipality is located, transmit the adopted amendment to the
 752 manager or administrator of such county or counties who shall
 753 post the adopted amendment on the county's website.

754 Section 15. Subsections (4) and (7) of section 189.016,

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755 Florida Statutes, are amended to read:

756 189.016 Reports; budgets; audits.-

757 (4) The tentative budget must be posted on the special
758 district's official website at least 2 days before the budget
759 hearing, held pursuant to s. 200.065 or other law, to consider
760 such budget, and must remain on the website for at least 45
761 days. The final adopted budget must be posted on the special
762 district's official website within 30 days after adoption and
763 must remain on the website for at least 2 years. If the special
764 district does not operate an official website, the special
765 district must, within a reasonable period of time as established
766 by the local general-purpose government or governments in which
767 the special district is located or the local governing authority
768 to which the district is dependent, transmit the tentative
769 budget or final budget to the manager or administrator of the
770 local general-purpose government or the local governing
771 authority. The manager or administrator shall post the tentative
772 budget or final budget on the website of the local general-
773 purpose government or governing authority. This subsection and
774 subsection (3) do not apply to water management districts as
775 defined in s. 373.019.

776 (7) If the governing body of a special district amends the
777 budget pursuant to paragraph (6)(c), the adopted amendment must
778 be posted on the official website of the special district within
779 5 days after adoption and must remain on the website for at
780 least 2 years. If the special district does not operate an
781 official website, the special district must, within a reasonable
782 period of time as established by the local general-purpose
783 government or governments in which the special district is

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784 located or the local governing authority to which the district
785 is dependent, transmit the adopted amendment to the manager or
786 administrator of the local general-purpose government or
787 governing authority. The manager or administrator shall post the
788 adopted amendment on the website of the local general-purpose
789 government or governing authority.

790 Section 16. Present subsections (1) through (5) of section
791 215.425, Florida Statutes, are redesignated as subsections (2)
792 through (6), respectively, present subsection (2) and paragraph
793 (a) of present subsection (4) of that section are amended, and a
794 new subsection (1) and subsections (7) through (13) are added to
795 that section, to read:

796 215.425 Extra compensation claims prohibited; bonuses;
797 severance pay.-

798 (1) As used in this section, the term "public funds" means
799 any taxes, tuition, grants, fines, fees, or other charges or any
800 other type of revenue collected by the state or any county,
801 municipality, special district, school district, Florida College
802 System institution, state university, or other separate unit of
803 government created pursuant to law, including any office,
804 department, agency, division, subdivision, political
805 subdivision, board, bureau, or commission of such entities.

806 ~~(3)(2)~~ Notwithstanding subsection (2), if the payment and
807 receipt does not otherwise violate part III of chapter 112, the
808 following funds may be used to provide extra compensation:

809 (a) Revenues received by state universities through or from
810 faculty practice plans, health services support organizations,
811 hospitals with which state universities are affiliated, direct-
812 support organizations, or private donations, so long as such

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813 extra compensation is paid to individuals who are primarily
 814 clinical practitioners;

815 (b) Revenues received by Florida College System
 816 institutions through or from faculty practice plans, health
 817 services support organizations, direct-support organizations, or
 818 private donations, so long as such extra compensation is paid to
 819 individuals who are primarily clinical practitioners;

820 (c) Revenues that are received by a hospital licensed under
 821 chapter 395 which has entered into a Medicaid Provider Contract,
 822 so long as such extra compensation is paid to individuals who
 823 are primarily clinical practitioners, and such revenues that:

- 824 1. Are not derived from the levy of an ad valorem tax;
- 825 2. Are not derived from patient services paid through the
 826 Medicaid or Medicare program;
- 827 3. Are derived from patient services pursuant to contracts
 828 with private insurers or private managed care entities; or
- 829 4. Are not appropriated by the Legislature or by any
 830 county, municipality, special district, school district, Florida
 831 College System institution, state university, or other separate
 832 unit of government created pursuant to law, including any
 833 office, department, agency, division, subdivision, political
 834 subdivision, board, bureau, commission, authority, or
 835 institution of such entities, except for revenues otherwise
 836 authorized to be used pursuant to subparagraphs 2. and 3.

837 ~~This section does not apply to:~~

838 ~~(a) a bonus or severance pay that is paid wholly from~~
 839 ~~nontax revenues and nonstate appropriated funds, the payment and~~
 840 ~~receipt of which does not otherwise violate part III of chapter~~
 841 ~~112, and which is paid to an officer, agent, employee, or~~

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842 ~~contractor of a public hospital that is operated by a county or~~
 843 ~~a special district; or~~

844 ~~(d)(b)~~ A clothing and maintenance allowance given to
 845 plainclothes deputies pursuant to s. 30.49.

846 (e) Revenues or fees received by a seaport or airport from
 847 sources other than through the levy of a tax or funds
 848 appropriated by any county or municipality or the Legislature.

849 ~~(5) (a) (4) (a) On or after July 1, 2011,~~ A unit of
 850 government, on or after July 1, 2011, or a state university, on
 851 or after July 1, 2012, which is a party to that enters into a
 852 contract or employment agreement, or renewal or renegotiation of
 853 an existing contract or employment agreement, that contains a
 854 provision for severance pay with an officer, agent, employee, or
 855 contractor must include the following provisions in the
 856 contract:

857 1. A requirement that severance pay paid from public funds
 858 ~~provided may~~ not exceed an amount greater than 20 weeks of
 859 compensation.

860 2. A prohibition of provision of severance pay paid from
 861 any source of revenue when the officer, agent, employee, or
 862 contractor has been fired by the unit of government for
 863 misconduct, as defined in s. 443.036(29), by the unit of
 864 government.

865 (7) Upon discovery or notification that a unit of
 866 government has provided prohibited compensation to any officer,
 867 agent, employee, or contractor in violation of this section,
 868 such unit of government shall investigate and take all necessary
 869 action to recover the prohibited compensation.

870 (a) If the violation was unintentional, the unit of

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871 government shall recover the prohibited compensation from the
 872 individual receiving the prohibited compensation through normal
 873 recovery methods for overpayments.

874 (b) If the violation was willful, the unit of government
 875 shall recover the prohibited compensation from either the
 876 individual receiving the prohibited compensation or the
 877 individual or individuals responsible for approving the
 878 prohibited compensation.

879 (8) A person who willfully violates this section commits a
 880 misdemeanor of the first degree, punishable as provided in s.
 881 775.082 or s. 775.083, and is jointly and severally liable for
 882 repayment of the prohibited compensation.

883 (9) An officer who exercises the powers and duties of a
 884 state or county officer and willfully violates this section is
 885 subject to the Governor's power under s. 7(a), Art. IV of the
 886 State Constitution. An officer who exercises powers and duties
 887 other than those of a state or county officer and willfully
 888 violates this section is subject to the suspension and removal
 889 procedures under s. 112.51.

890 (10) (a) A person who reports a violation of this section is
 891 eligible for a reward of at least \$500, or the lesser of 10
 892 percent of the funds recovered or \$10,000 per incident of a
 893 prohibited compensation payment recovered by the unit of
 894 government, depending upon the extent to which the person
 895 substantially contributed to the discovery, notification, and
 896 recovery of such prohibited payment.

897 (b) In the event that the recovery of the prohibited
 898 compensation is based primarily on disclosures of specific
 899 information, other than information provided by such person,

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900 relating to allegations or transactions in a criminal, civil, or
 901 administrative hearing; in a legislative, administrative,
 902 inspector general's, or other governmental report; in an Auditor
 903 General's report, hearing, audit, or investigation; or reported
 904 in the news media, such person is not eligible for a reward or
 905 for an award of a portion of the proceeds or the payment of
 906 attorney fees and costs pursuant to s. 68.085.

907 (c) If it is determined that the person who reported a
 908 violation of this section was involved in the authorization,
 909 approval, or receipt of the prohibited compensation, or if that
 910 person is convicted of criminal conduct arising from his or her
 911 role in the authorization, approval, or receipt of the
 912 prohibited compensation, he or she is not eligible for a reward
 913 or for an award of a portion of the proceeds or payment of
 914 attorney fees and costs pursuant to s. 68.085.

915 (11) A cause of action under s. 112.3187 exists for an
 916 employee who is discharged, demoted, suspended, threatened,
 917 harassed, or in any manner discriminated against by his or her
 918 employer in the terms and conditions of employment for lawful
 919 acts performed on his or her behalf or on behalf of others in
 920 furtherance of bringing an action under this section, including
 921 investigation for initiation of, testimony for, or assistance in
 922 an action filed or to be filed under this section.

923 (12) In the case of a willful violation of this section, if
 924 the unit of government fails to recover prohibited compensation
 925 within 90 days after discovering or being notified that such
 926 compensation occurred, a cause of action may be brought to
 927 recover state funds in accordance with ss. 68.082 and 68.083.
 928 Other funds may be recovered by:

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929 (a) The Department of Legal Affairs using the procedures
 930 set forth in ss. 68.082 and 68.083, except that venue shall lie
 931 in the circuit court of the county in which the unit of
 932 government is located.

933 (b) A person using the procedures set forth in ss. 68.082
 934 and 68.083, except that venue shall lie in the circuit court of
 935 the county in which the unit of government is located.

936 (13) Subsections (7)-(12) apply prospectively to contracts
 937 or employment agreements, or the renewal or renegotiation of an
 938 existing contract or employment agreement, effective on or after
 939 October 1, 2016.

940 Section 17. Section 215.86, Florida Statutes, is amended to
 941 read:

942 215.86 Management systems and controls.—Each state agency
 943 and the judicial branch as defined in s. 216.011 shall establish
 944 and maintain management systems and internal controls designed
 945 to:

946 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

947 (2) Promote and encourage compliance with applicable laws,
 948 rules, contracts, grant agreements, and best practices.

949 (3) Support economical and ~~economic,~~ efficient, ~~and~~
 950 effective operations.

951 (4) Ensure reliability of financial records and reports.

952 (5) Safeguard ~~and safeguarding of~~ assets. ~~Accounting~~
 953 systems and procedures shall be designed to fulfill the
 954 requirements of generally accepted accounting principles.

955 Section 18. Paragraph (a) of subsection (2) of section
 956 215.97, Florida Statutes, is amended to read:

957 215.97 Florida Single Audit Act.—

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958 (2) Definitions; as used in this section, the term:

959 (a) "Audit threshold" means the threshold amount used to
 960 determine when a state single audit or project-specific audit of
 961 a nonstate entity shall be conducted in accordance with this
 962 section. Each nonstate entity that expends a total amount of
 963 state financial assistance equal to or in excess of \$750,000
 964 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be
 965 required to have a state single audit, or a project-specific
 966 audit, for such fiscal year in accordance with the requirements
 967 of this section. ~~Every 2 years the Auditor General, After~~
 968 ~~consulting with the Executive Office of the Governor, the~~
 969 ~~Department of Financial Services, and all state awarding~~
 970 ~~agencies, the Auditor General shall periodically review the~~
 971 ~~threshold amount for requiring audits under this section and may~~
 972 ~~recommend any appropriate statutory change to revise the~~
 973 ~~threshold amount in the annual report submitted pursuant to s.~~
 974 ~~11.45(7)(h) to the Legislature may adjust such threshold amount~~
 975 ~~consistent with the purposes of this section.~~

976 Section 19. Subsection (11) of section 215.985, Florida
 977 Statutes, is amended to read:

978 215.985 Transparency in government spending.—

979 (11) Each water management district shall provide a monthly
 980 financial statement in the form and manner prescribed by the
 981 Department of Financial Services to the district's ~~its~~ governing
 982 board and make such monthly financial statement available for
 983 public access on its website.

984 Section 20. Paragraph (d) of subsection (1) and subsection
 985 (2) of section 218.32, Florida Statutes, are amended to read:

986 218.32 Annual financial reports; local governmental

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987 entities.-

988 (1)

989 (d) Each local governmental entity that is required to
 990 provide for an audit under s. 218.39(1) must submit a copy of
 991 the audit report and annual financial report to the department
 992 within 45 days after the completion of the audit report but no
 993 later than 9 months after the end of the fiscal year. In
 994 conducting an audit of a local governmental entity pursuant to
 995 s. 218.39, an independent certified public accountant shall
 996 determine whether the entity's annual financial report is in
 997 agreement with the audited financial statements. The
 998 accountant's audit report must be supported by the same level of
 999 detail as required for the annual financial report. If the
 1000 accountant's audit report is not in agreement with the annual
 1001 financial report, the accountant shall specify and explain the
 1002 significant differences that exist between the annual financial
 1003 report and the audit report.

1004 (2) The department shall annually by December 1 file a
 1005 verified report with the Governor, the Legislature, the Auditor
 1006 General, and the Special District Accountability Program of the
 1007 Department of Economic Opportunity showing the revenues, both
 1008 locally derived and derived from intergovernmental transfers,
 1009 and the expenditures of each local governmental entity, regional
 1010 planning council, local government finance commission, and
 1011 municipal power corporation that is required to submit an annual
 1012 financial report. In preparing the verified report, the
 1013 department may request additional information from the local
 1014 governmental entity. The information requested must be provided
 1015 to the department within 45 days after the request. If the local

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1016 governmental entity does not comply with the request, the
 1017 department shall notify the Legislative Auditing Committee,
 1018 which may take action pursuant to s. 11.40(2). The report must
 1019 include, but is not limited to:

1020 (a) The total revenues and expenditures of each local
 1021 governmental entity that is a component unit included in the
 1022 annual financial report of the reporting entity.

1023 (b) The amount of outstanding long-term debt by each local
 1024 governmental entity. For purposes of this paragraph, the term
 1025 "long-term debt" means any agreement or series of agreements to
 1026 pay money, which, at inception, contemplate terms of payment
 1027 exceeding 1 year in duration.

1028 Section 21. Present subsection (3) of section 218.33,
 1029 Florida Statutes, is redesignated as subsection (4), and a new
 1030 subsection (3) is added to that section, to read:

1031 218.33 Local governmental entities; establishment of
 1032 uniform fiscal years and accounting practices and procedures.-

1033 (3) Each local governmental entity shall establish and
 1034 maintain internal controls designed to:

1035 (a) Prevent and detect fraud, waste, and abuse.

1036 (b) Promote and encourage compliance with applicable laws,
 1037 rules, contracts, grant agreements, and best practices.

1038 (c) Support economical and efficient operations.

1039 (d) Ensure reliability of financial records and reports.

1040 (e) Safeguard assets.

1041 Section 22. Present subsections (8) through (12) of section
 1042 218.39, Florida Statutes, are redesignated as subsections (9)
 1043 through (13), respectively, and a new subsection (8) is added to
 1044 that section, to read:

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1045 218.39 Annual financial audit reports.-

1046 (8) If the audit report includes a recommendation that was
 1047 included in the preceding financial audit report but remains
 1048 unaddressed, the governing body of the audited entity, within 60
 1049 days after the delivery of the audit report to the governing
 1050 body, shall indicate during a regularly scheduled public meeting
 1051 whether it intends to take corrective action, the intended
 1052 corrective action, and the timeframe for the corrective action.
 1053 If the governing body indicates that it does not intend to take
 1054 corrective action, it shall explain its decision at the public
 1055 meeting.

1056 Section 23. Subsection (2) of section 218.391, Florida
 1057 Statutes, is amended, and subsection (9) is added to that
 1058 section, to read:

1059 218.391 Auditor selection procedures.-

1060 (2) The governing body of a ~~charter~~ county, municipality,
 1061 special district, district school board, charter school, or
 1062 charter technical career center shall establish an audit
 1063 committee.

1064 (a) The audit committee for a county ~~Each noncharter county~~
 1065 ~~shall establish an audit committee that,~~ at a minimum, shall
 1066 consist of each of the county officers elected pursuant to the
 1067 county charter or s. 1(d), Art. VIII of the State Constitution,
 1068 or their respective designees a designee, and one member of the
 1069 board of county commissioners or its designee.

1070 (b) The audit committee for a municipality, special
 1071 district, district school board, charter school, or charter
 1072 technical career center shall consist of at least three members.
 1073 One member of the audit committee must be a member of the

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1074 governing body of an entity specified in this paragraph, who
 1075 shall also serve as the chair of the committee.

1076 (c) An employee, chief executive officer, or chief
 1077 financial officer of the county, municipality, special district,
 1078 district school board, charter school, or charter technical
 1079 career center may not serve as a member of an audit committee
 1080 established under this subsection.

1081 (d) The primary purpose of the audit committee is to assist
 1082 the governing body in selecting an auditor to conduct the annual
 1083 financial audit required in s. 218.39; however, the audit
 1084 committee may serve other audit oversight purposes as determined
 1085 by the entity's governing body. The public ~~may~~ shall not be
 1086 excluded from the proceedings under this section.

1087 (9) An audit report submitted pursuant to s. 218.39 must
 1088 include an affidavit executed by the chair of the audit
 1089 committee affirming that the committee complied with the
 1090 requirements of subsections (3)-(6) in selecting an auditor. If
 1091 the Auditor General determines that an entity failed to comply
 1092 with the requirements of subsections (3)-(6) in selecting an
 1093 auditor, the entity shall select a replacement auditor in
 1094 accordance with this section to conduct audits for subsequent
 1095 fiscal years if the original audit was performed under a
 1096 multiyear contract. If the replacement of an auditor would
 1097 preclude the entity from timely completing the annual financial
 1098 audit required by s. 218.39, the entity shall replace an auditor
 1099 in accordance with this section for the subsequent annual
 1100 financial audit. A multiyear contract between an entity or an
 1101 auditor may not prohibit or restrict an entity from complying
 1102 with this subsection.

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1103 Section 24. Subsection (2) of section 286.0114, Florida
1104 Statutes, is amended to read:

1105 286.0114 Public meetings; reasonable opportunity to be
1106 heard; attorney fees.-

1107 (2) Members of the public shall be given a reasonable
1108 opportunity to be heard on a proposition before a board or
1109 commission. The opportunity to be heard need not occur at the
1110 same meeting at which the board or commission takes official
1111 action on the proposition if the opportunity occurs at a meeting
1112 that is during the decisionmaking process and is within
1113 reasonable proximity in time before the meeting at which the
1114 board or commission takes the official action. A board or
1115 commission may not require a member of the public to provide an
1116 advance written copy of his or her testimony or comments as a
1117 precondition of being given the opportunity to be heard at a
1118 meeting. This section does not prohibit a board or commission
1119 from maintaining orderly conduct or proper decorum in a public
1120 meeting. The opportunity to be heard is subject to rules or
1121 policies adopted by the board or commission, as provided in
1122 subsection (4).

1123 Section 25. Paragraph (b) of subsection (2) of section
1124 288.92, Florida Statutes, is amended to read:

1125 288.92 Divisions of Enterprise Florida, Inc.-

1126 (2)

1127 (b)1. The following officers and board members are subject
1128 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1129 112.3143(2):

1130 a. Officers and members of the board of directors of the
1131 divisions of Enterprise Florida, Inc.

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1132 b. Officers and members of the board of directors of
1133 subsidiaries of Enterprise Florida, Inc.

1134 c. Officers and members of the board of directors of
1135 corporations created to carry out the missions of Enterprise
1136 Florida, Inc.

1137 d. Officers and members of the board of directors of
1138 corporations with which a division is required by law to
1139 contract to carry out its missions.

1140 2. For a period of 6 years after retirement from or
1141 termination of service to a division, or for a period of 10
1142 years if removed or terminated for cause or for misconduct, as
1143 defined in s. 443.036(29), the officers and board members
1144 specified in subparagraph 1. may not represent another person or
1145 entity for compensation before:

1146 a. Enterprise Florida, Inc.;

1147 b. A division, a subsidiary, or the board of directors of
1148 corporations created to carry out the missions of Enterprise
1149 Florida, Inc.; or

1150 c. A division with which Enterprise Florida, Inc., is
1151 required by law to contract to carry out its missions.

1152 ~~3.2-~~ For purposes of applying ss. 112.313(1)-(8), (10),
1153 (12), and (15); 112.3135; and 112.3143(2) to activities of the
1154 officers and members of the board of directors specified in
1155 subparagraph 1., those persons shall be considered public
1156 officers or employees and the corporation shall be considered
1157 their agency.

1158 ~~4.3-~~ It is not a violation of s. 112.3143(2) or (4) for the
1159 officers or members of the board of directors of the Florida
1160 Tourism Industry Marketing Corporation to:

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1161 a. Vote on the 4-year marketing plan required under s.
 1162 288.923 or vote on any individual component of or amendment to
 1163 the plan.

1164 b. Participate in the establishment or calculation of
 1165 payments related to the private match requirements of s.
 1166 288.904(3). The officer or member must file an annual disclosure
 1167 describing the nature of his or her interests or the interests
 1168 of his or her principals, including corporate parents and
 1169 subsidiaries of his or her principal, in the private match
 1170 requirements. This annual disclosure requirement satisfies the
 1171 disclosure requirement of s. 112.3143(4). This disclosure must
 1172 be placed ~~either~~ on the Florida Tourism Industry Marketing
 1173 Corporation's website or included in the minutes of each meeting
 1174 of the Florida Tourism Industry Marketing Corporation's board of
 1175 directors at which the private match requirements are discussed
 1176 or voted upon.

1177 Section 26. Paragraph (a) of subsection (3) of section
 1178 288.9604, Florida Statutes, is amended to read:
 1179 288.9604 Creation of the authority.—
 1180 (3)(a)1. A director may not receive compensation for his or
 1181 her services, but is entitled to necessary expenses, including
 1182 travel expenses, incurred in the discharge of his or her duties.
 1183 Each director shall hold office until his or her successor has
 1184 been appointed.

1185 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),
 1186 and (15); 112.3135; and 112.3143(2). For purposes of applying
 1187 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
 1188 112.3143(2) to activities of directors, directors shall be
 1189 considered public officers and the corporation shall be

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1190 considered their agency.

1191 3. A director of the corporation may not represent another
 1192 person or entity for compensation before the corporation for a
 1193 period of 6 years following his or her service on the board of
 1194 directors.

1195 Section 27. Paragraph (e) of subsection (4), paragraph (d)
 1196 of subsection (5), and paragraph (d) of subsection (6) of
 1197 section 373.536, Florida Statutes, are amended to read:
 1198 373.536 District budget and hearing thereon.—
 1199 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—
 1200 (e) ~~By September 1, 2012,~~ Each district shall provide a
 1201 monthly financial statement in the form and manner prescribed by
 1202 the Department of Financial Services to the district's governing
 1203 board and make such monthly financial statement available for
 1204 public access on its website.

1205 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
 1206 APPROVAL.—
 1207 (d) Each district shall, by August 1 of each year, submit
 1208 for review a tentative budget and a description of any
 1209 significant changes from the preliminary budget submitted to the
 1210 Legislature pursuant to s. 373.535 to the Governor, the
 1211 President of the Senate, the Speaker of the House of
 1212 Representatives, the chairs of all legislative committees and
 1213 subcommittees having substantive or fiscal jurisdiction over
 1214 water management districts, as determined by the President of
 1215 the Senate or the Speaker of the House of Representatives, as
 1216 applicable, the secretary of the department, and the governing
 1217 body of each county in which the district has jurisdiction or
 1218 derives any funds for the operations of the district. The

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1219 tentative budget must be posted on the district's official
 1220 website at least 2 days before budget hearings held pursuant to
 1221 s. 200.065 or other law and must remain on the website for at
 1222 least 45 days.

1223 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
 1224 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1225 (d) The final adopted budget must be posted on the water
 1226 management district's official website within 30 days after
 1227 adoption and must remain on the website for at least 2 years.

1228 Section 28. Section 838.014, Florida Statutes, is amended
 1229 to read:

1230 838.014 Definitions.—As used in this chapter, the term:

1231 (1) "Benefit" means gain or advantage, or anything regarded
 1232 by the person to be benefited as a gain or advantage, including
 1233 the doing of an act beneficial to any person in whose welfare he
 1234 or she is interested, including any commission, gift, gratuity,
 1235 property, commercial interest, or any other thing of economic
 1236 value not authorized by law.

1237 (2) "Bid" includes a response to an "invitation to bid,"
 1238 "invitation to negotiate," "request for a quote," or "request
 1239 for proposals" as those terms are defined in s. 287.012.

1240 (3) "Commodity" means any goods, merchandise, wares,
 1241 produce, chose in action, land, article of commerce, or other
 1242 tangible or intangible property, real, personal, or mixed, for
 1243 use, consumption, production, enjoyment, or resale.

1244 (4) "Governmental entity" means the state, including any
 1245 unit of the executive, legislative, and judicial branches of
 1246 government, political subdivisions and any agency or office
 1247 thereof, or any other public entity that independently exercises

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1248 any type of governmental function ~~"Corruptly"~~ or ~~"with corrupt~~
 1249 ~~intent"~~ means acting knowingly and dishonestly for a wrongful
 1250 purpose.

1251 (5) "Harm" means pecuniary or other loss, disadvantage, or
 1252 injury to the person affected.

1253 (6) "Public servant" means:

1254 (a) Any officer or employee of a governmental state,
 1255 ~~county, municipal, or special district agency or entity;~~

1256 (b) Any legislative or judicial officer or employee;

1257 (c) Any person, except a witness, who acts as a general or
 1258 special magistrate, receiver, auditor, arbitrator, umpire,
 1259 referee, consultant, or hearing officer while performing a
 1260 governmental function; ~~or~~

1261 (d) A candidate for election or appointment to any of the
 1262 positions listed in this subsection, or an individual who has
 1263 been elected to, but has yet to officially assume the
 1264 responsibilities of, public office; or

1265 (e) To the extent that the individual's conduct relates to
 1266 the performance of a public duty of a governmental entity, any
 1267 officer, director, partner, manager, representative, or employee
 1268 of a nongovernmental entity, private corporation, quasi-public
 1269 corporation, or quasi-public entity, or any person subject to
 1270 chapter 119 who is acting on behalf of a governmental entity.
 1271 For purposes of this paragraph, "nongovernmental entity" means a
 1272 person, an association, a cooperative, a corporation, a
 1273 partnership, an organization, or any other entity, whether
 1274 operating for profit or not for profit, which is not a
 1275 governmental entity.

1276 (7) "Service" means any kind of activity performed in whole

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1277 or in part for economic benefit.

1278 Section 29. Subsection (1) of section 838.015, Florida
1279 Statutes, is amended to read:

1280 838.015 Bribery.—

1281 (1) For purposes of this section, "bribery" means ~~corruptly~~
1282 to knowingly and intentionally give, offer, or promise to any
1283 public servant, or, if a public servant, ~~corruptly~~ to knowingly
1284 and intentionally request, solicit, accept, or agree to accept
1285 for himself or herself or another, any pecuniary or other
1286 benefit not authorized by law with an intent or purpose to
1287 influence the performance of any act or omission which the
1288 person believes to be, or the public servant represents as
1289 being, within the official discretion of a public servant, in
1290 violation of a public duty, or in performance of a public duty.

1291 Section 30. Subsections (1) and (2) of section 838.016,
1292 Florida Statutes, are amended to read:

1293 838.016 Unlawful compensation or reward for official
1294 behavior.—

1295 (1) It is unlawful for any person ~~corruptly~~ to knowingly
1296 and intentionally give, offer, or promise to any public servant,
1297 or, if a public servant, ~~corruptly~~ to knowingly and
1298 intentionally request, solicit, accept, or agree to accept, any
1299 pecuniary or other benefit not authorized by law, for the past,
1300 present, or future performance, nonperformance, or violation of
1301 any act or omission which the person believes to have been, or
1302 the public servant represents as having been, either within the
1303 official discretion of the public servant, in violation of a
1304 public duty, or in performance of a public duty. This section
1305 may not ~~Nothing herein shall~~ be construed to preclude a public

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1306 servant from accepting rewards for services performed in
1307 apprehending any criminal.

1308 (2) It is unlawful for any person ~~corruptly~~ to knowingly
1309 and intentionally give, offer, or promise to any public servant,
1310 or, if a public servant, ~~corruptly~~ to knowingly and
1311 intentionally request, solicit, accept, or agree to accept, any
1312 pecuniary or other benefit not authorized by law for the past,
1313 present, or future exertion of any influence upon or with any
1314 other public servant regarding any act or omission which the
1315 person believes to have been, or which is represented to him or
1316 her as having been, either within the official discretion of the
1317 other public servant, in violation of a public duty, or in
1318 performance of a public duty.

1319 Section 31. Subsection (1) of section 838.022, Florida
1320 Statutes, is amended, and subsection (2) of that section is
1321 republished, to read:

1322 838.022 Official misconduct.—

1323 (1) It is unlawful for a public servant, ~~with corrupt~~
1324 ~~intent~~ to knowingly and intentionally obtain an improper a
1325 benefit for any person or to cause unlawful harm to another, by
1326 ~~to~~:

1327 (a) ~~Falsifying~~ Falsify, or causing ~~cause~~ another person to
1328 falsify, any official record or official document;

1329 (b) Concealing, covering up, destroying, mutilating, or
1330 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
1331 official record or official document or causing ~~cause~~ another
1332 person to perform such an act; or

1333 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~
1334 ~~or prevent~~ the communication of information relating to the

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1335 commission of a felony that directly involves or affects the
 1336 ~~governmental public agency or public~~ entity served by the public
 1337 servant.

1338 (2) For the purposes of this section:

1339 (a) The term "public servant" does not include a candidate
 1340 who does not otherwise qualify as a public servant.

1341 (b) An official record or official document includes only
 1342 public records.

1343 Section 32. Subsections (1) and (2) of section 838.22,
 1344 Florida Statutes, are amended to read:

1345 838.22 Bid tampering.—

1346 (1) It is unlawful for a public servant, ~~with corrupt~~
 1347 ~~intent~~ to knowingly and intentionally influence or attempt to
 1348 influence, in an improper manner, the competitive bidding
 1349 process undertaken by any governmental state, county, municipal,
 1350 ~~or special district agency, or any other public entity,~~ for the
 1351 procurement of commodities or services, by ~~te~~:

1352 (a) Disclosing ~~Disclose~~ material information concerning a
 1353 bid or other aspects of the competitive bidding process when
 1354 such information is not publicly disclosed.

1355 (b) Altering or amending ~~Alter or amend~~ a submitted bid,
 1356 documents or other materials supporting a submitted bid, or bid
 1357 results for the purpose of intentionally providing a competitive
 1358 advantage to any person who submits a bid.

1359 (2) It is unlawful for a public servant, ~~with corrupt~~
 1360 ~~intent~~ to knowingly and intentionally obtain an improper a
 1361 benefit for any person or to cause unlawful harm to another, to
 1362 circumvent a competitive bidding process required by law or rule
 1363 by using a sole-source contract for commodities or services.

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1364 Section 33. Paragraph (1) of subsection (12) of section
 1365 1001.42, Florida Statutes, is amended to read:

1366 1001.42 Powers and duties of district school board.—The
 1367 district school board, acting as a board, shall exercise all
 1368 powers and perform all duties listed below:

1369 (12) FINANCE.—Take steps to assure students adequate
 1370 educational facilities through the financial procedure
 1371 authorized in chapters 1010 and 1011 and as prescribed below:

1372 (1) Internal auditor.—May employ an internal auditor to
 1373 perform ongoing financial verification of the financial records
 1374 of the school district and such other audits and reviews as the
 1375 district school board directs for the purpose of determining:

1376 1. The adequacy of internal controls designed to prevent
 1377 and detect fraud, waste, and abuse.

1378 2. Compliance with applicable laws, rules, contracts, grant
 1379 agreements, district school board-approved policies, and best
 1380 practices.

1381 3. The efficiency of operations.

1382 4. The reliability of financial records and reports.

1383 5. The safeguarding of assets.

1384 The internal auditor shall report directly to the district
 1385 school board or its designee.

1387 Section 34. Paragraph (j) of subsection (9) of section
 1388 1002.33, Florida Statutes, is amended to read:

1389 1002.33 Charter schools.—

1390 (9) CHARTER SCHOOL REQUIREMENTS.—

1391 (j) The governing body of the charter school shall be
 1392 responsible for:

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1393 1. Establishing and maintaining internal controls designed
 1394 to:
 1395 a. Prevent and detect fraud, waste, and abuse.
 1396 b. Promote and encourage compliance with applicable laws,
 1397 rules, contracts, grant agreements, and best practices.
 1398 c. Support economical and efficient operations.
 1399 d. Ensure reliability of financial records and reports.
 1400 e. Safeguard assets.
 1401 ~~2.1-~~ Ensuring that the charter school has retained the
 1402 services of a certified public accountant or auditor for the
 1403 annual financial audit, pursuant to s. 1002.345(2), who shall
 1404 submit the report to the governing body.
 1405 ~~3.2-~~ Reviewing and approving the audit report, including
 1406 audit findings and recommendations for the financial recovery
 1407 plan.
 1408 ~~4.a.3.a-~~ Performing the duties in s. 1002.345, including
 1409 monitoring a corrective action plan.
 1410 b. Monitoring a financial recovery plan in order to ensure
 1411 compliance.
 1412 ~~5.4-~~ Participating in governance training approved by the
 1413 department which must include government in the sunshine,
 1414 conflicts of interest, ethics, and financial responsibility.
 1415 Section 35. Present subsections (6) through (10) of section
 1416 1002.37, Florida Statutes, are redesignated as subsections (7)
 1417 through (11), respectively, a new subsection (6) is added to
 1418 that section, and present subsections (6) and (11) of that
 1419 section are amended, to read:
 1420 1002.37 The Florida Virtual School.-
 1421 (6) The Florida Virtual School shall have an annual

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1422 financial audit of its accounts and records conducted by an
 1423 independent auditor who is a certified public accountant
 1424 licensed under chapter 473. The independent auditor shall
 1425 conduct the audit in accordance with rules adopted by the
 1426 Auditor General pursuant to s. 11.45 and, upon completion of the
 1427 audit, shall prepare an audit report in accordance with such
 1428 rules. The audit report must include a written statement of the
 1429 board of trustees describing corrective action to be taken in
 1430 response to each of the recommendations of the independent
 1431 auditor included in the audit report. The independent auditor
 1432 shall submit the audit report to the board of trustees and the
 1433 Auditor General no later than 9 months after the end of the
 1434 preceding fiscal year.
 1435 ~~(7)(6)~~ The board of trustees shall annually submit to the
 1436 Governor, the Legislature, the Commissioner of Education, and
 1437 the State Board of Education the audit report prepared pursuant
 1438 to subsection (6) and a complete and detailed report setting
 1439 forth:
 1440 (a) The operations and accomplishments of the Florida
 1441 Virtual School within the state and those occurring outside the
 1442 state as Florida Virtual School Global.
 1443 (b) The marketing and operational plan for the Florida
 1444 Virtual School and Florida Virtual School Global, including
 1445 recommendations regarding methods for improving the delivery of
 1446 education through the Internet and other distance learning
 1447 technology.
 1448 (c) The assets and liabilities of the Florida Virtual
 1449 School and Florida Virtual School Global at the end of the
 1450 fiscal year.

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1451 (d) ~~A copy of an annual financial audit of the accounts and~~
 1452 ~~records of the Florida Virtual School and Florida Virtual School~~
 1453 ~~Global, conducted by an independent certified public accountant~~
 1454 ~~and performed in accordance with rules adopted by the Auditor~~
 1455 ~~General.~~

1456 ~~(e)~~ Recommendations regarding the unit cost of providing
 1457 services to students through the Florida Virtual School and
 1458 Florida Virtual School Global. In order to most effectively
 1459 develop public policy regarding any future funding of the
 1460 Florida Virtual School, it is imperative that the cost of the
 1461 program is accurately identified. The identified cost of the
 1462 program must be based on reliable data.

1463 ~~(e)~~ Recommendations regarding an accountability
 1464 mechanism to assess the effectiveness of the services provided
 1465 by the Florida Virtual School and Florida Virtual School Global.

1466 ~~(11) The Auditor General shall conduct an operational audit~~
 1467 ~~of the Florida Virtual School, including Florida Virtual School~~
 1468 ~~Global. The scope of the audit shall include, but not be limited~~
 1469 ~~to, the administration of responsibilities relating to~~
 1470 ~~personnel, procurement and contracting, revenue production,~~
 1471 ~~school funds, including internal funds, student enrollment~~
 1472 ~~records, franchise agreements, information technology~~
 1473 ~~utilization, assets, and security, performance measures and~~
 1474 ~~standards, and accountability. The final report on the audit~~
 1475 ~~shall be submitted to the President of the Senate and the~~
 1476 ~~Speaker of the House of Representatives no later than January~~
 1477 ~~31, 2014.~~

1478 Section 36. Subsection (5) is added to section 1010.01,
 1479 Florida Statutes, to read:

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1480 1010.01 Uniform records and accounts.-

1481 (5) Each school district, Florida College System
 1482 institution, and state university shall establish and maintain
 1483 internal controls designed to:

1484 (a) Prevent and detect fraud, waste, and abuse.

1485 (b) Promote and encourage compliance with applicable laws,
 1486 rules, contracts, grant agreements, and best practices.

1487 (c) Support economical and efficient operations.

1488 (d) Ensure reliability of financial records and reports.

1489 (e) Safeguard assets.

1490 Section 37. Subsection (2) of section 1010.30, Florida
 1491 Statutes, is amended to read:

1492 1010.30 Audits required.-

1493 (2) If a school district, Florida College System
 1494 institution, or university audit report includes a
 1495 recommendation that was included in the preceding financial
 1496 audit report but remains unaddressed, an audit contains a
 1497 significant finding, the district school board, the Florida
 1498 College System institution board of trustees, or the university
 1499 board of trustees, within 60 days after the delivery of the
 1500 audit report to the school district, Florida College System
 1501 institution, or university, shall indicate conduct an audit
 1502 overview during a regularly scheduled public meeting whether it
 1503 intends to take corrective action, the intended corrective
 1504 action, and the timeframe for the corrective action. If the
 1505 district school board, Florida College System institution board
 1506 of trustees, or university board of trustees indicates that it
 1507 does not intend to take corrective action, it shall explain its
 1508 decision at the public meeting.

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1509 Section 38. Subsection (2) of section 68.082, Florida
 1510 Statutes, is amended to read:
 1511 68.082 False claims against the state; definitions;
 1512 liability.—
 1513 (2) Any person who:
 1514 (a) Knowingly presents or causes to be presented a false or
 1515 fraudulent claim for payment or approval;
 1516 (b) Knowingly authorizes, approves, or receives payment of
 1517 prohibited compensation in violation of s. 215.425;
 1518 ~~(c)~~ ~~(b)~~ Knowingly makes, uses, or causes to be made or used
 1519 a false record or statement material to a false or fraudulent
 1520 claim;
 1521 ~~(d)~~ ~~(e)~~ Conspires to commit a violation of this subsection;
 1522 ~~(e)~~ ~~(d)~~ Has possession, custody, or control of property or
 1523 money used or to be used by the state and knowingly delivers or
 1524 causes to be delivered less than all of that money or property;
 1525 ~~(f)~~ ~~(e)~~ Is authorized to make or deliver a document
 1526 certifying receipt of property used or to be used by the state
 1527 and, intending to defraud the state, makes or delivers the
 1528 receipt without knowing that the information on the receipt is
 1529 true;
 1530 ~~(g)~~ ~~(f)~~ Knowingly buys or receives, as a pledge of an
 1531 obligation or a debt, public property from an officer or
 1532 employee of the state who may not sell or pledge the property;
 1533 or
 1534 ~~(h)~~ ~~(g)~~ Knowingly makes, uses, or causes to be made or used
 1535 a false record or statement material to an obligation to pay or
 1536 transmit money or property to the state, or knowingly conceals
 1537 or knowingly and improperly avoids or decreases an obligation to

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1538 pay or transmit money or property to the state
 1539
 1540 is liable to the state for a civil penalty of not less than
 1541 \$5,500 and not more than \$11,000 and for treble the amount of
 1542 damages the state sustains because of the act of that person.
 1543 Section 39. Subsection (1) of section 68.083, Florida
 1544 Statutes, is amended to read:
 1545 68.083 Civil actions for false claims.—
 1546 (1) The department may diligently investigate a violation
 1547 under s. 68.082. If the department finds that a person has
 1548 violated or is violating s. 68.082, the department may bring a
 1549 civil action under the Florida False Claims Act against the
 1550 person. The Department of Financial Services may bring a civil
 1551 action under this section if the action arises from an
 1552 investigation by that department and the Department of Legal
 1553 Affairs has not filed an action under this act. For a violation
 1554 of s. 68.082 regarding prohibited compensation paid from state
 1555 funds, the Department of Financial Services may bring a civil
 1556 action under this section if the action arises from an
 1557 investigation by that department concerning a violation of s.
 1558 215.425 by the state and the Department of Legal Affairs has not
 1559 filed an action under this act.
 1560 Section 40. Subsection (5) of section 99.061, Florida
 1561 Statutes, is amended to read:
 1562 99.061 Method of qualifying for nomination or election to
 1563 federal, state, county, or district office.—
 1564 (5) At the time of qualifying for office, each candidate
 1565 for a constitutional office or an elected municipal office shall
 1566 file a full and public disclosure of financial interests

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1567 pursuant to s. 8, Art. II of the State Constitution, which must
 1568 be verified under oath or affirmation pursuant to s.
 1569 92.525(1) (a), and a candidate for any other office, ~~including~~
 1570 ~~local elective office~~, shall file a statement of financial
 1571 interests pursuant to s. 112.3145.

1572 Section 41. Subsection (3) of section 218.503, Florida
 1573 Statutes, is amended to read:

1574 218.503 Determination of financial emergency.—

1575 (3) Upon notification that one or more of the conditions in
 1576 subsection (1) have occurred or will occur if action is not
 1577 taken to assist the local governmental entity or district school
 1578 board, the Governor or his or her designee shall contact the
 1579 local governmental entity or the Commissioner of Education or
 1580 his or her designee shall contact the district school board, as
 1581 appropriate, to determine what actions have been taken by the
 1582 local governmental entity or the district school board to
 1583 resolve or prevent the condition. The information requested must
 1584 be provided within 45 days after the date of the request. If the
 1585 local governmental entity or the district school board does not
 1586 comply with the request, the Governor or his or her designee or
 1587 the Commissioner of Education or his or her designee shall
 1588 notify ~~the members of~~ the Legislative Auditing Committee, which
 1589 ~~he~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The
 1590 Governor or the Commissioner of Education, as appropriate, shall
 1591 determine whether the local governmental entity or the district
 1592 school board needs state assistance to resolve or prevent the
 1593 condition. If state assistance is needed, the local governmental
 1594 entity or district school board is considered to be in a state
 1595 of financial emergency. The Governor or the Commissioner of

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1596 Education, as appropriate, has the authority to implement
 1597 measures as set forth in ss. 218.50-218.504 to assist the local
 1598 governmental entity or district school board in resolving the
 1599 financial emergency. Such measures may include, but are not
 1600 limited to:

1601 (a) Requiring approval of the local governmental entity's
 1602 budget by the Governor or approval of the district school
 1603 board's budget by the Commissioner of Education.

1604 (b) Authorizing a state loan to a local governmental entity
 1605 and providing for repayment of same.

1606 (c) Prohibiting a local governmental entity or district
 1607 school board from issuing bonds, notes, certificates of
 1608 indebtedness, or any other form of debt until such time as it is
 1609 no longer subject to this section.

1610 (d) Making such inspections and reviews of records,
 1611 information, reports, and assets of the local governmental
 1612 entity or district school board as are needed. The appropriate
 1613 local officials shall cooperate in such inspections and reviews.

1614 (e) Consulting with officials and auditors of the local
 1615 governmental entity or the district school board and the
 1616 appropriate state officials regarding any steps necessary to
 1617 bring the books of account, accounting systems, financial
 1618 procedures, and reports into compliance with state requirements.

1619 (f) Providing technical assistance to the local
 1620 governmental entity or the district school board.

1621 (g)1. Establishing a financial emergency board to oversee
 1622 the activities of the local governmental entity or the district
 1623 school board. If a financial emergency board is established for
 1624 a local governmental entity, the Governor shall appoint board

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1625 members and select a chair. If a financial emergency board is
 1626 established for a district school board, the State Board of
 1627 Education shall appoint board members and select a chair. The
 1628 financial emergency board shall adopt such rules as are
 1629 necessary for conducting board business. The board may:

1630 a. Make such reviews of records, reports, and assets of the
 1631 local governmental entity or the district school board as are
 1632 needed.

1633 b. Consult with officials and auditors of the local
 1634 governmental entity or the district school board and the
 1635 appropriate state officials regarding any steps necessary to
 1636 bring the books of account, accounting systems, financial
 1637 procedures, and reports of the local governmental entity or the
 1638 district school board into compliance with state requirements.

1639 c. Review the operations, management, efficiency,
 1640 productivity, and financing of functions and operations of the
 1641 local governmental entity or the district school board.

1642 d. Consult with other governmental entities for the
 1643 consolidation of all administrative direction and support
 1644 services, including, but not limited to, services for asset
 1645 sales, economic and community development, building inspections,
 1646 parks and recreation, facilities management, engineering and
 1647 construction, insurance coverage, risk management, planning and
 1648 zoning, information systems, fleet management, and purchasing.

1649 2. The recommendations and reports made by the financial
 1650 emergency board must be submitted to the Governor for local
 1651 governmental entities or to the Commissioner of Education and
 1652 the State Board of Education for district school boards for
 1653 appropriate action.

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1654 (h) Requiring and approving a plan, to be prepared by
 1655 officials of the local governmental entity or the district
 1656 school board in consultation with the appropriate state
 1657 officials, prescribing actions that will cause the local
 1658 governmental entity or district school board to no longer be
 1659 subject to this section. The plan must include, but need not be
 1660 limited to:

1661 1. Provision for payment in full of obligations outlined in
 1662 subsection (1), designated as priority items, which are
 1663 currently due or will come due.

1664 2. Establishment of priority budgeting or zero-based
 1665 budgeting in order to eliminate items that are not affordable.

1666 3. The prohibition of a level of operations which can be
 1667 sustained only with nonrecurring revenues.

1668 4. Provisions implementing the consolidation, sourcing, or
 1669 discontinuance of all administrative direction and support
 1670 services, including, but not limited to, services for asset
 1671 sales, economic and community development, building inspections,
 1672 parks and recreation, facilities management, engineering and
 1673 construction, insurance coverage, risk management, planning and
 1674 zoning, information systems, fleet management, and purchasing.

1675 Section 42. Subsection (2) of section 1002.455, Florida
 1676 Statutes, is amended to read:

1677 1002.455 Student eligibility for K-12 virtual instruction.-

1678 (2) A student is eligible to participate in virtual
 1679 instruction if:

1680 (a) The student spent the prior school year in attendance
 1681 at a public school in the state and was enrolled and reported by
 1682 the school district for funding during October and February for

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1683 purposes of the Florida Education Finance Program surveys;

1684 (b) The student is a dependent child of a member of the
1685 United States Armed Forces who was transferred within the last
1686 12 months to this state from another state or from a foreign
1687 country pursuant to a permanent change of station order;

1688 (c) The student was enrolled during the prior school year
1689 in a virtual instruction program under s. 1002.45 or a full-time
1690 Florida Virtual School program under s. 1002.37(9)(a) ~~s-~~
1691 ~~1002.37(8)(a)~~;

1692 (d) The student has a sibling who is currently enrolled in
1693 a virtual instruction program and the sibling was enrolled in
1694 that program at the end of the prior school year;

1695 (e) The student is eligible to enter kindergarten or first
1696 grade; or

1697 (f) The student is eligible to enter grades 2 through 5 and
1698 is enrolled full-time in a school district virtual instruction
1699 program, virtual charter school, or the Florida Virtual School.

1700 Section 43. For the purpose of incorporating the amendment
1701 made by this act to section 838.014, Florida Statutes, in a
1702 reference thereto, subsection (11) of section 817.568, Florida
1703 Statutes, is reenacted to read:

1704 817.568 Criminal use of personal identification
1705 information.—

1706 (11) A person who willfully and without authorization
1707 fraudulently uses personal identification information concerning
1708 an individual who is 60 years of age or older; a disabled adult
1709 as defined in s. 825.101; a public servant as defined in s.
1710 838.014; a veteran as defined in s. 1.01; a first responder as
1711 defined in s. 125.01045; an individual who is employed by the

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1712 State of Florida; or an individual who is employed by the
1713 Federal Government without first obtaining the consent of that
1714 individual commits a felony of the second degree, punishable as
1715 provided in s. 775.082, s. 775.083, or s. 775.084.

1716 Section 44. The Legislature finds that a proper and
1717 legitimate state purpose is served when internal controls are
1718 established to prevent and detect fraud, waste, and abuse and to
1719 safeguard and account for government funds and property.
1720 Therefore, the Legislature determines and declares that this act
1721 fulfills an important state interest.

1722 Section 45. This act shall take effect October 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-12-16
Meeting Date

SB686
Bill Number (if applicable)

* 758354 AM
Amendment Barcode (if applicable)

Topic Ethics

Name Wiley Horton

Job Title Commission, FL Commission on Ethics

Address 325 John Knox Rd, Bldg E, Ste 200 Phone 850-488-7864
Street

Tallahassee FL 32303 Email _____
City State Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Commission on Ethics

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

THE FLORIDA SENATE
APPEARANCE RECORD


(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

01/12/2016

686

Meeting Date

Bill Number (if applicable)

 758354

Amendment Barcode (if applicable)

Topic Government Accountability

Name Warren Husband

Job Title _____

Address PO Box 10909

Phone 8502059000

Street

Tallahassee

FL

32302

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Associated General Contractors Council

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

W

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/12/16
Meeting Date

SB 686
Bill Number (if applicable)

Topic Public Corruption

* Amendment 75-8-354
Amendment Barcode (if applicable)

Name Buddy Jacobs

Job Title General Counsel Fla. Prosecuting Attorneys Assoc.

Address 961687 Gateway Blvd.
Street
Fernandina Bch FL 32034
City State Zip

Phone 904-261-3693

Email ajacobs@comcast.net

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing State Attorneys of Fla

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-12-16
Meeting Date

SB686
Bill Number (if applicable)

Topic Ethics

Amendment Barcode (if applicable)

Name Wiley Horton

Job Title Commissioner, FL Commission on Ethics

Address 325 John Knox Rd, Bldg E, Ste 200 Phone 850-488-7864

Tallahassee FL 32303
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Commission on Ethics

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

W

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-12-16
Meeting Date

SB 686
Bill Number (if applicable)

Topic GOVERNMENT ACCOUNTABILITY

Amendment Barcode (if applicable)

Name JOHN HALLMAN

Job Title LEGISLATIVE AFFAIRS

Address PO BOX 2349
Street

Phone 352-200-1530

BUSHWELL FL 33513
City State Zip

Email JOHN.HALLMAN@JOHN.HALLMAN.ORG

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing LIBERTY FIRST NETWORK

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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

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1-12-16
Meeting Date

SB 686
Bill Number (if applicable)

Topic Govt Accountability

Amendment Barcode (if applicable)

Name Catherine Baer

Job Title Chair

Address 1421 Woodgate Way
Street

Phone 345-1114

Tx State 32308 Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Tea Party Network

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/12/15
Meeting Date

686
Bill Number (if applicable)

Topic Government Accountability

Amendment Barcode (if applicable)

Name Ben Wilcox

Job Title _____

Address 1719 Old Fort Dr.
Street

Phone 544-4448

Tallahassee Fl. 32301
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Common Cause Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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1/12/16
Meeting Date

SB 686
Bill Number (if applicable)

Topic Government Accountability

Amendment Barcode (if applicable)

Name David Cruz

Job Title Assistant General Counsel

Address P.O. Box 1757

Phone 701-3676

Street

Tallahassee

City

FL

State

32302

Zip

Email DCRUZ@FLcities.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida League of Cities

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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1/12/16
Meeting Date

686
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Nick Jarossi

Job Title _____

Address _____
Street

Phone _____

City _____ State _____ Zip _____

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Safety Nets

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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CourtSmart Tag Report

Room: KN 412
Caption: Senate Ethics and Elections Committee

Type:
Judge:

Started: 1/12/2016 2:03:46 PM
Ends: 1/12/2016 2:54:04 PM Length: 00:50:19

2:03:45 PM Meeting called to order
2:03:49 PM Roll call
2:04:00 PM Quorum present
2:04:19 PM SB 648- TP'd at Request of Sponsor (Sen. Hutson)
2:04:45 PM Tab 1- 20-- Confirmation Hearings
2:05:18 PM Sen. Gaetz moves to confirm
2:05:42 PM Roll call for confirmation of appointees Tabs 1-20
2:06:03 PM By vote, appointees recommended for confirmation
2:06:12 PM Tab 21- CS/SJR 648 TP'd
2:06:27 PM Tab 22- SB 686 "Government Accountability" by Sen. Gaetz
2:06:34 PM Sen. Gaetz to explain SB 686
2:06:42 PM Amendment 758354 (strike all) explained by Sen. Gaetz
2:06:54 PM Amendment 758354
2:07:00 PM Sen Gaetz explains Amendment 758354
2:12:38 PM AM 632244 to AM 758354
2:13:38 PM AM 632244 to AM 758354 explained by Sen Gaetz
2:14:05 PM Amendment 632244 (amendment to 758354) adopted without objected
2:14:28 PM Questions on Amendment 758354- as amended
2:14:36 PM Sen Smith question
2:14:55 PM Sen Gaetz
2:16:09 PM Sen Smith follow up
2:17:10 PM Sen Gaetz
2:17:35 PM Sen Braynon question
2:18:09 PM Sen Gaetz
2:18:15 PM Sen Legg question
2:19:07 PM Sen Gaetz
2:19:18 PM Sen Legg follow up
2:19:23 PM Sen Gaetz
2:19:29 PM Sen Legg follow up
2:20:27 PM Sen Gaetz
2:20:46 PM Sen Legg follow up
2:20:59 PM Sen Gaetz
2:21:20 PM Sen Clemens question
2:22:16 PM Sen Gaetz
2:22:49 PM Sen Hays question
2:24:15 PM Sen Gaetz
2:24:46 PM Sen Thompson question
2:25:19 PM Sen Gaetz
2:26:49 PM Sen Smith question
2:27:03 PM Sen Gaetz
2:27:55 PM No further questions on Amendment 758354
2:28:11 PM Public Appearances on Amendment 758354
2:28:21 PM Wiley Horton- FL Commission on Ethics- Speaking for amendment
2:29:03 PM Sen Clemens question
2:29:25 PM Wiley Horton- Ethics Commission
2:30:04 PM Sen Clemens follow up
2:31:04 PM Wiley Horton- Ethics Commission
2:31:27 PM Sen Clemens follow up
2:31:59 PM Wiley Horton- Ethics Commission - follow up
2:32:14 PM Wiley Horton- comments on amendment
2:33:38 PM Sen Smith question
2:34:22 PM Wiley Horton- follow up

2:34:46 PM Sen Smith follow up
2:36:03 PM Wiley Horton follow up
2:36:10 PM Sen Smith
2:36:47 PM Wiley Horton follow up
2:37:56 PM Warren Husband - FL Assoc General Contractors Council - Speaking on amendment
2:39:49 PM Buddy Jacobs - State Attorneys of FL- Waive in support of amendment
2:41:06 PM Chair-- no questions to amendment
2:41:12 PM Sen Legg debate on amendment
2:42:17 PM No further objections (objection by Sen Legg)
2:42:32 PM Amendment 758354 adopted
2:42:36 PM Back on bill as amended -- SB 686
2:42:44 PM Sen Hays question on bill
2:44:05 PM Sen Gaetz
2:44:32 PM No further questions for bill sponsor (Gaetz)
2:45:32 PM Public appearances
2:45:35 PM Wiley Horton- FL Commission on Ethics- Waive in support of bill
2:45:45 PM John Hallman- Liberty First Network- Waive in support
2:45:56 PM Catherine Baer- The Tea Party Network- Waive in support
2:46:05 PM Ben Wilcox- Common Cause Florida- Speaking in favor
2:47:42 PM David Cruz - FL League of Cities- Speaking against
2:48:29 PM Nick Iarossi- FL Safety Net Hospital- Speaking in favor
2:49:27 PM Debate on bill
2:49:40 PM Sen Smith in debate
2:49:59 PM Sen Gaetz -close on bill as amended
2:51:47 PM Roll call for vote on CS SB 686
2:52:48 PM CS SB 686 Reported favorably
2:53:21 PM Sen Flores, Sen Hays, motion to vote yea after roll call on Exec. Appts., Tabs 1-20
2:53:45 PM Sen Gaetz motion for SB 686 as CS
2:53:51 PM Sen Hays move to adjourn