

## Committee on Governmental Oversight and Accountability

### **CS/SB 108 — Administrative Procedures**

by Rules Committee and Senators Grall, Burgess, and Avila

The bill amends the Administrative Procedure Act’s rulemaking process to provide for additional public input and transparency. The bill also:

- Mandates that an agency conduct a review of all of its existing rules over the next five years. The review must examine the rule’s consistency with the powers and duties granted by the agency’s enabling statutes and for any need for update.
- Requires a review during the fifth year of each new rule adopted after July 1, 2025. This review mimics the existing rule review described above.
- Requires an agency to file a notice of rule development within 30 days of legislation mandating rulemaking, and to file a notice of proposed rule within 180 days thereafter. If the agency fails to meet this timeframe, and does not file an extension notice with the Joint Administrative Procedures Committee (JAPC), then it must withdraw the rule and begin rulemaking again.
- Requires at least seven days between the publications of a notice of rule development and a notice of proposed rule to allow for better public notice during rulemaking.
- Requires any material incorporated by reference to be published with the notice of proposed rule, made available in an electronic searchable format, and coded with underlining and strike-throughs to make it easier to determine changes made to its text.
- Requires that the full text of emergency rules be published in the Florida Administrative Code.
- Provides for additional public input in the statement of estimated regulatory cost (SERC) by allowing an individual to request a SERC workshop.
- Supplements the agency evaluation of transactional costs and market impacts in its creation of a SERC by providing specific examples of such costs and impacts.
- Prohibits the sunset or repeal of a rule by its own terms, unless specifically provided for in the underlying statute that provides authority to adopt the rule.
- Requires an agency to withdraw a rule that was not ratified by the Legislature within one regular legislative session after its referral to the body. If an underlying mandatory delegation of rulemaking authority persists at the time the agency withdraws the rule, then the agency must reinstitute rulemaking within 90 days of adjournment sine die.
- Requires each agency to publish specific licensing data in its annual agency regulatory plan.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

*Vote: Senate 37-0; House 111-0*

## Committee on Governmental Oversight and Accountability

### **HB 259 — Special Observances**

by Rep. Gerwig and others (SB 214 by Senator Polsky)

The bill designates August 21 of each year as “Fentanyl Awareness and Education Day” to increase awareness of the dangers of fentanyl and potential overdoses.

The bill encourages specific state agencies, local governments, public schools, and other agencies to sponsor events to promote awareness of fentanyl’s dangers, community resources for drug prevention, and substance use and abuse generally.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

*Vote: Senate 36-0; House 106-0*

## Committee on Governmental Oversight and Accountability

### **CS/CS/SB 268 — Public Records/Congressional Members and Public Officers**

by Community Affairs Committee; Governmental Oversight and Accountability Committee; and Senators Jones and Brodeur

The bill exempts from public records copying and inspection requirements the partial home addresses and telephone numbers of certain public officers, as well as their spouses and adult children; and the names, home addresses, telephone numbers, and dates of birth of their minor children, if any, as well as the names and locations of the school or day care facility said children attend. The exemption repeals on October 2, 2030, unless reviewed and saved by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

*Vote: Senate 34-2; House 113-2*

## Committee on Governmental Oversight and Accountability

### **CS/HB 549 — Gulf of America**

by Education & Employment Committee and Rep. Porras and others (CS/SB 1058 by Governmental Oversight and Accountability Committee and Senators Gruters and Avila)

The bill (Chapter 2025-7, L.O.F.) reflects the federal designation of the “Gulf of Mexico” as the “Gulf of America.” Under the bill, each state agency must change references to the “Gulf of Mexico” in geographic materials to the “Gulf of America.” Similarly, starting on July 1, 2025, public and charter schools may only acquire instructional and library materials using the term “Gulf of America,” as opposed to the “Gulf of Mexico.”

These provisions were approved by the Governor and take effect on July 1, 2025.

*Vote: Senate 28-9; House 78-29*

## Committee on Governmental Oversight and Accountability

### **CS/HB 677 — State Group Insurance Program Coverage of Standard Fertility Preservation Services**

by Health & Human Services Committee and Rep. Trabulsy (CS/CS/SB 924 by Banking and Insurance Committee; Governmental Oversight and Accountability Committee; and Senators Calatayud and Sharief)

The bill requires health insurance plans issued on or after January 1, 2026, for the State Group Insurance Program to cover standard fertility retrieval and preservation services for covered individuals undergoing medically necessary cancer treatments that may cause iatrogenic infertility. The bill prohibits a state group health insurance plan from imposing any preauthorization requirements but allows copayments, deductibles, and coinsurance.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

*Vote: Senate 32-4; House 115-0*

## Committee on Governmental Oversight and Accountability

### **CS/HB 751 — Law Enforcement, Correctional, and Correctional Probation Officer Benefits**

by State Affairs Committee and Reps. Sapp, Bartleman, and others (CS/SB 1160 by  
Governmental Oversight and Accountability Committee and Senators Leek and Pizzo)

The bill creates the “Deputy Andy Lehera Act,” to expand employer-paid health insurance benefits to a law enforcement, correction, or correctional probation officer catastrophically injured during an official training exercise or in the line of duty. The coverage includes the injured full-time officer and his or her spouse and dependent children.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

*Vote: Senate 36-0; House 111-0*

## Committee on Governmental Oversight and Accountability

### **CS/HB 1445 — Public Officers and Employees**

by State Affairs Committee and Rep. Mayfield and others (CS/CS/SB 1760 by Rules Committee; Appropriations Committee on Agriculture, Environment, and General Government; and Senator Grall)

The bill establishes specific U.S. citizenship and Florida residency requirements for state executive branch officers; prohibits the reimbursement of travel expenses for certain executive branch officers when travelling between the officer's headquarters and permanent residence; prohibits certain gifts being given to certain water management district officers; prohibits certain political activities of state, county and municipal officers and employees; establishes statutory criteria to consider when determining whether a position is an "office" subject to the constitutional dual office-holding restrictions; and enumerates certain positions that are deemed to be "offices."

Beginning October 1, 2025, the following state officers must maintain U.S. citizenship and Florida residency throughout the term of office:

- The secretary of a department (this includes most executive branch secretaries, except the departments of Legal Affairs; Financial Services; Agriculture and Consumer Services; and those departments noted below);
- The executive director of a department (this includes the executive directors of the departments of Revenue; Law Enforcement; Highway Safety and Motor Vehicles; Veterans' Affairs; Elderly Affairs; and Citrus; the executive director of the State Board of Administration; the Commissioner of Education; and the Adjutant General of the Department of Military Affairs);
- The chief administrative officer of any unit of state government housed under a department for administrative purposes but not subject to control by the department (this includes, but is not limited to, the executive directors of the Florida Gaming Control Commission; Florida Transportation Commission; Fish and Wildlife Conservation Commission; the director of the Agency for Persons with Disabilities; the Commissioner of Insurance Regulation; and the Commissioner of Financial Regulation, the Chief Judge of the Division of Administrative Hearings, the executive director of the Human Relations Commission, and the chair of the Public Employees Relations Commission);
- A member of a commission;
- A member of a licensing board;
- The chair of a governing board, or the chief executive of a statewide entity statutorily created for a public purpose or to carry out a government program, and that is not under the direct control of a governmental entity; and
- Any other appointee to state office in the executive branch.

Effective January 6, 2027, the bill requires:

- A member of a state university board of trustees to be a U.S. citizen and either a Florida resident or a graduate of the state university, the administration of which is overseen by such board of trustees.

- A member of the Board of Governors to be a U.S. citizen and either a Florida resident or a graduate of a [Florida] state university.

The office of an individual that does not meet the applicable residency and citizenship requirements under the bill is deemed vacant *automatically* (rather than upon the Governor filing an executive order with the Secretary of State).

The bill prohibits the payment of travel expenses for a department secretary, department executive director, or a chief administrative officer of another state entity when the person travels between the department's official headquarters (or assigned post) and the officer's permanent residence.

The bill prohibits an officer or employee of the state, a county or a municipality from using his or her official authority or influence to directly or indirectly coerce, or to attempt to coerce, command, solicit or advise any other person (rather than another officer or employee) to contribute anything of value to any political party, candidate for public office, political committee, organization, agency or person. The bill also eliminates the exemption that permitted officials appointed as the heads or directors of state administrative agencies, boards, commissions, or committees to engage in certain political activities. An employee of the state or any political subdivision, while on duty, is prohibited from participating in any political campaign (rather than only a campaign relating to an elective office).

The bill prohibits a lobbyist or principal of a lobbyist on matters before water management districts from providing, directly or indirectly, anything of value to a water management district governing board member, an executive director, or an employee who qualifies as a local officer for the purpose of lobbying. Likewise, a member of the governing board, the executive director, or any employee who qualifies as a local officer of a water management district is prohibited from knowingly accepting, directly or indirectly, anything of value made by a lobbyist or principal for the purpose of lobbying.

The bill statutorily defines the term "office" for purposes of the constitutional restriction on dual office-holding in Florida. The term "office" is defined to mean any position in state, county, or municipal government that:

- Delegates to the individual holding the position a portion of sovereign power of the government;
- Requires the exercise of independent governmental authority performed in an official capacity rather than solely based upon a contractual or employment relationship;
- Has a prescribed tenure; and
- Exists independently of the individual holding the position.

The following offices are enumerated as positions that meet the definition of "office":

- Governor, Lieutenant Governor, Cabinet officers;
- State senator and state representative;



- County commissioner, sheriff, tax collector, property appraiser, supervisor of elections, and clerk of circuit court;
- Member of the Board of Governors of the State University System;
- Member of a board of trustees for a state university;
- Member of a district school board;
- Member of a state, county, or municipal board or commission that exercises governmental authority and is not purely advisory in nature;
- Member of the Board of Governors for the Citizens Property Insurance Corporation;
- Member of the board of directors for the Florida Housing Finance Corporation;
- Member of the board of directors for the Florida Healthy Kids Corporation, other than the member nominated by the Florida Association of Counties and appointed by the Chief Financial Officer;
- Administrator or manager of a county, a municipality, certain state corporations or the director of a county or municipal emergency management agency who exercises in his or her own right any sovereign power or any prescribed independent authority of a government nature;
- State, county, or municipal law enforcement officer with the authority to arrest without a warrant; and
- Any position that meets all criteria enumerated above for determining an “office.”

The bill exempts ex officio designations and employment positions from the definition of “office.” The bill defines “employment” to mean a relationship with a state, county, or municipal government where an individual *does not* exercise in his or her own right any sovereign power or any prescribed individual authority of a governmental nature.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

*Vote: Senate 37-0; House 97-1*

## Committee on Governmental Oversight and Accountability

### **CS/CS/SB 1678 — Entities that Boycott Israel**

by Appropriations Committee; Governmental Oversight and Accountability Committee; and  
Senators Leek, Martin, Ingoglia, and Rodriguez

The bill expands prohibitions on public entities' engagements with companies that boycott Israel. Specifically, it:

- Expands the definition of a “boycott of Israel” to include an academic boycott of Israel in which an educational institution (or any of its departments, centers, or other organs) enacts or implements restrictive policies or participates in activities that restrict an ongoing or a potential academic relationship on the basis of ties to Israel or its academic, educational, or research institutions.
- Requires that the State Board of Administration (SBA), on behalf of the Florida Retirement System Pension Plan, divest from companies *and other entities* (including educational institutions and foreign governments) that engage in a boycott of Israel.
- Requires the SBA to determine the companies and other entities that boycott Israel in which it has an ownership interest and which should be placed on the Scrutinized Companies or Other Entities that Boycott Israel List (List).
- Requires that the endowment and retirement funds of universities of the State University System divest from companies and other entities that engage in a boycott of Israel.
- Requires an applicant for the Department of State’s arts and culture grants to certify that it will comply with all relevant anti-discrimination laws and will not engage in antisemitic discrimination or speech in conjunction with its grant project and provides penalties for such a violation.
- Requires the Department of Management Services to work with the SBA to determine those companies or entities on the List that currently contract with the state pursuant to ch. 287, F.S., or that have a state arts and cultural grant agreement.
- Allows a company or entity that is on the List to contract with state agencies and local governments for up to \$100,000 per contract. Previously, such companies were totally barred.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

*Vote: Senate 34-2; House 111-3*

## Committee on Governmental Oversight and Accountability

### **SB 7020 — OGSR/Agency Cybersecurity Information**

by Governmental Oversight and Accountability Committee and Senator DiCeglie

The bill aligns the scheduled repeal dates for specified cybersecurity related public record and public meeting exemptions to allow for a simultaneous review. Specifically, the bill delays for one year (from October 2, 2025 to October 2, 2026) the repeal date of the exemption in s. 282.318(5), F.S., which makes confidential and exempt from public inspection and copying requirements the portions of risk assessments, evaluations, external audits, and other reports of a state agency cybersecurity program for the data, information, and state agency IT resources which are held by the state agency, if the disclosure of such portions of records would facilitate the unauthorized access to, or the unauthorized modification, disclosure, or destruction of:

- Data or information, whether physical or virtual; or
- IT resources, which include:
  - Information relating to the security of the agency's technologies, processes, and practices designed to protect networks, computers, data processing software, and data from attack, damage, or unauthorized access; or
  - Security information, whether physical or virtual, which relates to the agency's existing or proposed IT systems.

The bill also delays from repeal the current public meetings exemption for any portion of a meeting that would reveal the information described above.

The bill moves up by one year (from October 2, 2027 to October 2, 2026) the sunset review date for, and repeal of, the public record and public meeting exemption codified in s. 119.0725(2) and (3), F.S. This general cybersecurity public record and public meeting exemption makes confidential and exempt from public inspection and copying requirements the following information held by an agency before, on, or after July 1, 2022:

- Coverage limits and deductible or self-insurance amounts of insurance or other risk mitigation coverages acquired for the protection of IT systems, operational technology systems, or data of an agency.
- Information relating to critical infrastructure.
- Cybersecurity incident information that is reported by a state agency or local government pursuant to ss. 282.318 or 282.3185, F.S.
- Network schematics, hardware and software configurations, or encryption information or information that identifies detection, investigation, or response practices for suspected or confirmed cybersecurity incidents.

Any portion of a public meeting that would reveal the above confidential and exempt information is closed to the public and exempt from public meeting laws.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

*Vote: Senate 37-0; House 116-0*

## Committee on Governmental Oversight and Accountability

### **SB 7022 — Retirement**

by Governmental Oversight and Accountability Committee and Senators DiCeglie and Hooper

The bill establishes the contribution rates paid by employers that participate in the Florida Retirement System (FRS) beginning July 1, 2025. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liability of the FRS. The 3 percent employee contribution rate is not changed by this bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

*Vote: Senate 34-0; House 105-0*