

By Representative Melvin

1                                   A bill to be entitled  
2           An act relating to lobbying; amending s.  
3           11.062, F.S.; prohibiting the use of public or  
4           private funds by certain governmental entities  
5           for retaining a lobbyist; providing penalties;  
6           providing an effective date.

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

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10           Section 1. Subsection (2) of section 11.062, Florida  
11 Statutes, is amended to read:

12           11.062 Use of state and other funds for lobbying or to  
13 retain a lobbyist prohibited; penalties ~~penalty~~.--

14           (2)(a) A department of the executive branch, a state  
15 university, a community college, ~~or~~ a water management  
16 district, or an agency of the judicial branch may not use any  
17 ~~public~~ funds to retain a lobbyist to represent it before the  
18 legislative or executive branch. However, full-time employees  
19 of a department of the executive branch, a state university, a  
20 community college, ~~or~~ a water management district, or an  
21 agency of the judicial branch may register as lobbyists and  
22 represent that employer before the legislative or executive  
23 branch. Except as a full-time employee, a person may not  
24 accept any ~~public~~ funds from a department of the executive  
25 branch, a state university, a community college, ~~or~~ a water  
26 management district, or an agency of the judicial branch for  
27 lobbying.

28           (b) A department of the executive branch, a state  
29 university, a community college, ~~or~~ a water management  
30 district, or an agency of the judicial branch that violates  
31 this subsection may be prohibited from lobbying the

1 legislative or executive branch for a period not exceeding 2  
2 years.

3 (c) This subsection shall not be construed to prohibit  
4 a department of the executive branch, a state university, a  
5 community college, ~~or~~ a water management district, or an  
6 agency of the judicial branch from retaining a lobbyist for  
7 purposes of representing the entity before the executive or  
8 legislative branch of the Federal Government. Further, any  
9 person so retained is not subject to the prohibitions of this  
10 subsection.

11 (d) A person who accepts any ~~public~~ funds as  
12 compensation for lobbying in violation of this subsection may  
13 be prohibited from registering to lobby before the legislative  
14 or executive branch for a period not exceeding 2 years.

15 (e) A person may file a written complaint with the  
16 Commission on Ethics alleging a violation of this subsection.  
17 The commission shall investigate and report its finding to the  
18 President of the Senate, the Speaker of the House of  
19 Representatives, and the Governor and Cabinet. Based upon the  
20 report of the Commission on Ethics or upon its own finding  
21 that a violation of this subsection has occurred, a house of  
22 the Legislature may discipline the violator according to its  
23 rules, and the Governor or the Governor and Cabinet, as  
24 applicable, may prohibit the violator from lobbying before the  
25 executive branch for a period not exceeding 2 years after the  
26 date of the formal determination of a violation. The  
27 Commission on Ethics shall adopt rules necessary to conduct  
28 investigations under this paragraph.

29 Section 2. This act shall take effect January 1, 2002.  
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HOUSE SUMMARY

Extends to judicial branch agencies the prohibition against using public funds to retain a lobbyist.

Prohibits executive departments, state universities, community colleges, water management districts, and judicial branch agencies from using any funds, public or private, to retain a lobbyist.