

Bill No. SB 2646

Barcode 293586

CHAMBER ACTION

Senate

House

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Subsections (1), (2), (3), and (6) of section 11.045, Florida Statutes, are amended to read:

11.045 Lobbyists; registration and reporting; exemptions; penalties.--

(1) As used in this section, unless the context otherwise requires:

(a) "Committee" means the committee of each house charged by the presiding officer with responsibility for ethical conduct of lobbyists.

(b) "Compensation" means a payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbyist for the purpose of lobbying.

(c)~~(b)~~ "Division" means the Division of Legislative

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1 Information Services within the Office of Legislative  
2 Services.

3 ~~(d)(e)~~ "Expenditure" means a payment, distribution,  
4 loan, advance, reimbursement, deposit, or anything of value  
5 made by a lobbyist or principal for the purpose of lobbying.

6 ~~(e)(d)~~ "Legislative action" means introduction,  
7 sponsorship, testimony, debate, voting, or any other official  
8 action on any measure, resolution, amendment, nomination,  
9 appointment, or report of, or any matter which may be the  
10 subject of action by, either house of the Legislature or any  
11 committee thereof.

12 ~~(f)(e)~~ "Lobbying" means influencing or attempting to  
13 influence legislative action or nonaction through oral or  
14 written communication or an attempt to obtain the goodwill of  
15 a member or employee of the Legislature.

16 ~~(g)(f)~~ "Lobbyist" means a person who is employed and  
17 receives payment, or who contracts for economic consideration,  
18 for the purpose of lobbying, or a person who is principally  
19 employed for governmental affairs by another person or  
20 governmental entity to lobby on behalf of that other person or  
21 governmental entity.

22 ~~(h)(g)~~ "Principal" means the person, firm,  
23 corporation, or other entity which has employed or retained a  
24 lobbyist.

25 (2) Each house of the Legislature shall provide by  
26 rule, or may provide by a joint rule adopted by both houses,  
27 for the registration of lobbyists who lobby the Legislature.  
28 The rule may provide for the payment of a registration fee.  
29 The rule may provide for exemptions from registration or  
30 registration fees. The rule shall provide that:

31 (a) Registration is required for each principal

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1 represented.

2 (b) Registration shall include a statement signed by  
3 the principal or principal's representative that the  
4 registrant is authorized to represent the principal.

5 (c) A registrant shall promptly send a written  
6 statement to the division canceling the registration for a  
7 principal upon termination of the lobbyist's representation of  
8 that principal. Notwithstanding this requirement, the division  
9 may remove the name of a registrant from the list of  
10 registered lobbyists if the principal notifies the office that  
11 a person is no longer authorized to represent that principal.

12 (d) Every registrant shall be required to state the  
13 extent of any direct business association or partnership with  
14 any current member of the Legislature.

15 (e) Each registrant who is a designated lobbyist  
16 pursuant to this section shall identify the industry group  
17 classification that most accurately describes the principal.  
18 The industry group classification shall be selected from the  
19 categories of agriculture; banking and finance;  
20 communications; education; entertainment and recreation;  
21 environment and natural resources; health and health care;  
22 insurance; labor; law; lodging and restaurants; manufacturing  
23 and industrial (specify: \_\_\_\_\_); marketing and sales;  
24 merchandise and retail; political organizations; professional  
25 or trade (specify: \_\_\_\_\_); public employees; public and  
26 community interest; racing and wagering; real estate and  
27 construction; security; services (specify: \_\_\_\_\_); state  
28 and local government; technology; transportation; travel and  
29 tourism; utilities; or other (specify: \_\_\_\_\_). Industry,  
30 trade, or professional associations shall be indicated by the  
31 industry group that most accurately describes their members.

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1        (f)1. Each registrant shall designate all general  
2 areas of the principal's legislative interest. The general  
3 areas of legislative interest shall be selected from the  
4 categories of abortion; aeronautics; aging; agriculture;  
5 alcoholic beverage regulation; alcoholism and drug abuse;  
6 aliens; amusements, games, and sports; animals; arts and  
7 humanities; business and commerce; cemeteries; charitable and  
8 nonprofit organizations; city government; civil remedies and  
9 liabilities; coastal affairs and beaches; common carriers;  
10 communications and press; consumer protection; corporations  
11 and associations; corrections; county government; courts;  
12 crime; criminal procedures; day care; disaster preparedness  
13 and relief; economic and industrial development; education;  
14 elections; energy; environment; ethics; family issues; fees  
15 and other nontax revenue; financial institutions; fire  
16 fighters and police; gambling; handicapped persons; health and  
17 health care; highways and roads; historic preservation and  
18 museums; hospitals; housing; human services; insurance; labor;  
19 law enforcement; lawyers; libraries; malpractice and health  
20 care providers; mental health and mental retardation; military  
21 and veterans; mines and mineral resources; minors; nursing  
22 homes; occupational regulation; oil and gas; open records and  
23 open meetings; parks and wildlife; political subdivisions;  
24 probate; product liability; property interests; public lands;  
25 purchasing; redistricting; religion; retirement systems;  
26 safety; special districts and authorities; state agencies,  
27 state boards, and commissions; state employees, state  
28 officers, and symbols; state finances; taxation; tort reform;  
29 tourism; transportation; utilities; vehicles and traffic;  
30 water; weapons; women's issues; or other  
31 (specify: \_\_\_\_\_).

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1           2. For each general category of legislative interest  
 2 designated, the registrant shall provide a detailed written  
 3 description of all specific issues to be lobbied within the  
 4 general category, if known.

5           ~~(e) Each lobbyist and each principal shall preserve~~  
 6 ~~for a period of 4 years all accounts, bills, receipts,~~  
 7 ~~computer records, books, papers, and other documents and~~  
 8 ~~records necessary to substantiate lobbying expenditures. Any~~  
 9 ~~documents and records retained pursuant to this section may be~~  
 10 ~~inspected under reasonable circumstances by any authorized~~  
 11 ~~representative of the Legislature. The right of inspection may~~  
 12 ~~be enforced by appropriate writ issued by any court of~~  
 13 ~~competent jurisdiction.~~

14           ~~(g)(f)~~ All registrations shall be open to the public.

15           ~~(h)(g)~~ Any person who is exempt from registration  
 16 under the rule shall not be considered a lobbyist for any  
 17 purpose.

18           (3) Each house of the Legislature shall provide by  
 19 rule the following reporting requirements:

20           (a) Statements shall be filed by all registered  
 21 lobbyists four ~~two~~ times per year, which must disclose:

22           1. All lobbying compensation provided or owed to the  
 23 lobbyist.

24           2. All lobbying expenditures by the lobbyist and the  
 25 principal and the source of funds for such expenditures.

26  
 27 All compensation provided or owed to the lobbyist and all  
 28 expenditures made by the lobbyist and the principal for the  
 29 purpose of lobbying must be reported. Reporting of  
 30 expenditures shall be made on an accrual basis. The report of  
 31 such expenditures must identify whether the expenditure was

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1 made directly by the lobbyist, directly by the principal,  
2 initiated or expended by the lobbyist and paid for by the  
3 principal, or initiated or expended by the principal and paid  
4 for by the lobbyist. The principal is responsible for the  
5 accuracy of the expenditures reported as lobbying expenditures  
6 made by the principal. The lobbyist is responsible for the  
7 accuracy of the compensation reported and the expenditures  
8 reported as lobbying expenditures made by the lobbyist.  
9 Expenditures made must be reported by the category of the  
10 expenditure, including, but not limited to, the categories of  
11 food and beverages, entertainment, research, communication,  
12 media advertising, publications, travel, and lodging. For each  
13 expenditure that comprises part of the aggregate total  
14 reported in each category, the report must also include the  
15 full name and address of each person to whom the expenditure  
16 was made; the amount, date, and purpose of the expenditure;  
17 and the name and title of the legislator or other person for  
18 whom the expenditure was made, or, if the expenditure was made  
19 pursuant to an invitation to all Senators, all  
20 Representatives, all legislators, or all legislative staff of  
21 either or both houses, the designation "Open Invitation."  
22 Lobbying expenditures do not include a lobbyist's or  
23 principal's salary, office expenses, and personal expenses for  
24 lodging, meals, and travel.

25 (b) If a principal is represented by two or more  
26 lobbyists, the first lobbyist who registers to represent that  
27 principal shall be the designated lobbyist. The designated  
28 lobbyist's activity ~~expenditure~~ report shall include all  
29 lobbying expenditures made directly by the principal and those  
30 expenditures of the designated lobbyist on behalf of that  
31 principal as required by paragraph (a). All other lobbyists

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1 registered to represent that principal shall file a report  
2 pursuant to paragraph (a). The report of lobbying  
3 expenditures by the principal shall be made pursuant to the  
4 requirements of paragraph (a). The principal is responsible  
5 for the accuracy of figures reported by the designated  
6 lobbyist as lobbying expenditures made directly by the  
7 principal. The designated lobbyist is responsible for the  
8 accuracy of the figures reported as lobbying expenditures made  
9 by that lobbyist and for compensation reported by that  
10 lobbyist. Each lobbyist shall file an activity ~~expenditure~~  
11 report for each period during any portion of which he or she  
12 was registered, and each principal shall ensure that an  
13 activity ~~expenditure~~ report is filed for each period during  
14 any portion of which the principal was represented by a  
15 registered lobbyist.

16 (c)1. Each lobbyist, including a designated lobbyist,  
17 shall identify on the activity report all general areas of the  
18 principal's legislative interest which were lobbied during the  
19 reporting period. The general areas of legislative interest  
20 shall be selected from the categories of abortion;  
21 aeronautics; aging; agriculture; alcoholic beverage  
22 regulation; alcoholism and drug abuse; aliens; amusements,  
23 games, and sports; animals; arts and humanities; business and  
24 commerce; cemeteries; charitable and nonprofit organizations;  
25 city government; civil remedies and liabilities; coastal  
26 affairs and beaches; common carriers; communications and  
27 press; consumer protection; corporations and associations;  
28 corrections; county government; courts; crime; criminal  
29 procedures; day care; disaster preparedness and relief;  
30 economic and industrial development; education; elections;  
31 energy; environment; ethics; family issues; fees and other

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1 nontax revenue; financial institutions; fire fighters and  
2 police; gambling; handicapped persons; health and health care;  
3 highways and roads; historic preservation and museums;  
4 hospitals; housing; human services; insurance; labor; law  
5 enforcement; lawyers; libraries; malpractice and health care  
6 providers; mental health and mental retardation; military and  
7 veterans; mines and mineral resources; minors; nursing homes;  
8 occupational regulation; oil and gas; open records and open  
9 meetings; parks and wildlife; political subdivisions; probate;  
10 product liability; property interests; public lands;  
11 purchasing; redistricting; religion; retirement systems;  
12 safety; special districts and authorities; state agencies,  
13 state boards, and commissions; state employees, state  
14 officers, and symbols; state finances; taxation; tort reform;  
15 tourism; transportation; utilities; vehicles and traffic;  
16 water; weapons; women's issues; or other  
17 (specify: \_\_\_\_\_).

18       2. For each general category of legislative interest  
19 designated, the lobbyist shall make a good-faith effort to  
20 estimate the percentage of lobbying time spent on the  
21 category. The sum of time spent lobbying all designated  
22 categories must equal 100 percent.

23       3. For each general category of legislative interest  
24 designated, the lobbyist shall provide a detailed written  
25 description of all specific issues lobbied within the general  
26 category.

27       ~~(d)(c)~~ For each reporting period the division shall  
28 aggregate the compensation and expenditures reported by all of  
29 the lobbyists for a principal represented by more than one  
30 lobbyist. Further, the division shall aggregate figures that  
31 provide a cumulative total of compensation reported and



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1 expenditures reported as spent by and on behalf of each  
 2 principal for the calendar year.

3       ~~(e)(d)~~ The reporting statements shall be filed no  
 4 later than 45 days after the end of each ~~the~~ reporting period  
 5 ~~and. The first report shall include the legislative interests~~  
 6 ~~information, compensation, and~~ expenditures for the period  
 7 from January 1 through March 31, April 1 through June 30, July  
 8 1 through September 30, and October 1 through December 31,  
 9 ~~respectively June 30. The second report shall disclose~~  
 10 ~~expenditures for the period from July 1 through December 31.~~  
 11 The statements shall be rendered in the identical form  
 12 provided by the respective houses and shall be open to public  
 13 inspection. Reporting statements may be filed by electronic  
 14 means, when feasible.

15       ~~(f)(e)~~ Reports shall be filed not later than 5 p.m. of  
 16 the report due date. However, any report that is postmarked  
 17 by the United States Postal Service no later than midnight of  
 18 the due date shall be deemed to have been filed in a timely  
 19 manner, and a certificate of mailing obtained from and dated  
 20 by the United States Postal Service at the time of the  
 21 mailing, or a receipt from an established courier company  
 22 which bears a date on or before the due date, shall be proof  
 23 of mailing in a timely manner.

24       ~~(g)(f)~~ Each house of the Legislature shall provide by  
 25 rule, or both houses may provide by joint rule, a procedure by  
 26 which a lobbyist who fails to timely file a report shall be  
 27 notified and assessed fines. The rule shall provide for the  
 28 following:

- 29           1. Upon determining that the report is late, the
- 30 person designated to review the timeliness of reports shall
- 31 immediately notify the lobbyist as to the failure to timely

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1 file the report and that a fine is being assessed for each  
2 late day. The fine shall be \$50 per day per report for each  
3 late day, not to exceed \$5,000 per report.

4       2. Upon receipt of the report, the person designated  
5 to review the timeliness of reports shall determine the amount  
6 of the fine due based upon the earliest of the following:

7           a. When a report is actually received by the lobbyist  
8 registration and reporting office.

9           b. When the report is postmarked.

10          c. When the certificate of mailing is dated.

11          d. When the receipt from an established courier  
12 company is dated.

13       3. Such fine shall be paid within 30 days after the  
14 notice of payment due is transmitted by the Lobbyist  
15 Registration Office, unless appeal is made to the division.  
16 The moneys shall be deposited into the Legislative Lobbyist  
17 Registration Trust Fund.

18       4. A fine shall not be assessed against a lobbyist the  
19 first time any reports for which the lobbyist is responsible  
20 are not timely filed. However, to receive the one-time fine  
21 waiver, all reports for which the lobbyist is responsible must  
22 be filed within 30 days after notice that any reports have not  
23 been timely filed is transmitted by the Lobbyist Registration  
24 Office. A fine shall be assessed for any subsequent late-filed  
25 reports.

26       5. Any lobbyist may appeal or dispute a fine, based  
27 upon unusual circumstances surrounding the failure to file on  
28 the designated due date, and may request and shall be entitled  
29 to a hearing before the General Counsel of the Office of  
30 Legislative Services, who shall recommend to the President of  
31 the Senate and the Speaker of the House of Representatives, or

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1 their respective designees, that the fine be waived in whole  
 2 or in part for good cause shown. The President of the Senate  
 3 and the Speaker of the House of Representatives, or their  
 4 respective designees, may concur in the recommendation and  
 5 waive the fine in whole or in part. Any such request shall be  
 6 made within 30 days after the notice of payment due is  
 7 transmitted by the Lobbyist Registration Office. In such  
 8 case, the lobbyist shall, within the 30-day period, notify the  
 9 person designated to review the timeliness of reports in  
 10 writing of his or her intention to request a hearing.

11         6. A lobbyist, a lobbyist's legal representative, or  
 12 the principal of a lobbyist may request that the filing of an  
 13 activity expenditure report be waived upon good cause shown,  
 14 based on unusual circumstances. The request must be filed with  
 15 the General Counsel of the Office of Legislative Services, who  
 16 shall make a recommendation concerning the waiver request to  
 17 the President of the Senate and the Speaker of the House of  
 18 Representatives. The President of the Senate and the Speaker  
 19 of the House of Representatives may grant or deny the request.  
 20 The registration of a lobbyist who fails to timely pay a fine  
 21 is automatically suspended until the fine is paid or waived.

22         7. The person designated to review the timeliness of  
 23 reports shall notify the director of the division of the  
 24 failure of a lobbyist to file a report after notice or of the  
 25 failure of a lobbyist to pay the fine imposed.

26         (h) Each lobbyist and each principal shall preserve  
 27 for a period of 4 years all accounts, bills, receipts,  
 28 computer records, books, papers, e-mails, ledgers, federal tax  
 29 information, and other documents and records necessary to  
 30 substantiate lobbying compensation and expenditures.

31         1. Any expenditure-related documents and records

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1 retained pursuant to this subsection may be inspected under  
 2 reasonable circumstances by any authorized representative of  
 3 the Legislature. The right of inspection may be enforced by  
 4 appropriate writ issued by any court of competent  
 5 jurisdiction.

6 2. Any compensation-related documents and records  
 7 retained pursuant to this subsection may be audited by the  
 8 Auditor General pursuant to s. 11.45 and may be enforced by  
 9 appropriate writ issued by any court of competent  
 10 jurisdiction.

11 (6) The committee of either house shall investigate  
 12 any person engaged in legislative lobbying upon receipt of a  
 13 sworn complaint alleging a violation of this section, s.  
 14 112.3148, or s. 112.3149 by such person; also, the committee  
 15 of either house shall investigate any person engaged, or  
 16 formerly engaged, in lobbying pursuant to this section upon  
 17 receipt of compensation-reporting audit information indicating  
 18 a possible violation other than a late-filed report. Such  
 19 proceedings shall be conducted pursuant to the rules of the  
 20 respective houses. If the committee finds that there has been  
 21 a violation of this section, s. 112.3148, or s. 112.3149, it  
 22 shall report its findings to the President of the Senate or  
 23 the Speaker of the House of Representatives, as appropriate,  
 24 together with a recommended penalty, to include a fine of not  
 25 more than \$5,000, reprimand, censure, probation, or  
 26 prohibition from lobbying for a period of time not to exceed  
 27 24 months. Upon the receipt of such report, the President of  
 28 the Senate or the Speaker of the House of Representatives  
 29 shall cause the committee report and recommendations to be  
 30 brought before the respective house and a final determination  
 31 shall be made by a majority of said house.

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1 Section 2. Effective April 1, 2006, subsection (3) of  
2 section 11.045, as amended by this act, is amended to read:

3 11.045 Lobbyists; registration and reporting;  
4 exemptions; penalties.--

5 (3) Each house of the Legislature shall provide by  
6 rule the following reporting requirements:

7 (a) Statements shall be filed by all registered  
8 lobbyists four times per year, which must disclose:

9 1. All lobbying compensation provided or owed to the  
10 lobbyist.

11 2. All lobbying expenditures by the lobbyist and the  
12 principal and the source of funds for such expenditures.

13  
14 All compensation provided or owed to the lobbyist and all  
15 expenditures made by the lobbyist and the principal for the  
16 purpose of lobbying must be reported. Reporting of  
17 expenditures shall be made on an accrual basis. The report of  
18 such expenditures must identify whether the expenditure was  
19 made directly by the lobbyist, directly by the principal,  
20 initiated or expended by the lobbyist and paid for by the  
21 principal, or initiated or expended by the principal and paid  
22 for by the lobbyist. The principal is responsible for the  
23 accuracy of the expenditures reported as lobbying expenditures  
24 made by the principal. The lobbyist is responsible for the  
25 accuracy of the compensation reported and the expenditures  
26 reported as lobbying expenditures made by the lobbyist.  
27 Expenditures made must be reported by the category of the  
28 expenditure, including, but not limited to, the categories of  
29 food and beverages, entertainment, research, communication,  
30 media advertising, publications, travel, and lodging. For each  
31 expenditure that comprises part of the aggregate total

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1 reported in each category, the report must also include the  
2 full name and address of each person to whom the expenditure  
3 was made; the amount, date, and purpose of the expenditure;  
4 and the name and title of the person for whom the expenditure  
5 was made, or, if the expenditure was made pursuant to an  
6 invitation to all Senators, all Representatives, all  
7 legislators, or all legislative staff of either or both  
8 houses, the designation "Open Invitation." Lobbying  
9 expenditures do not include a lobbyist's or principal's  
10 salary, office expenses, and personal expenses for lodging,  
11 meals, and travel.

12 (b) If a principal is represented by two or more  
13 lobbyists, the first lobbyist who registers to represent that  
14 principal shall be the designated lobbyist. The designated  
15 lobbyist's activity report shall include all lobbying  
16 expenditures made directly by the principal and those  
17 expenditures of the designated lobbyist on behalf of that  
18 principal as required by paragraph (a). All other lobbyists  
19 registered to represent that principal shall file a report  
20 pursuant to paragraph (a). The report of lobbying  
21 expenditures by the principal shall be made pursuant to the  
22 requirements of paragraph (a). The principal is responsible  
23 for the accuracy of figures reported by the designated  
24 lobbyist as lobbying expenditures made directly by the  
25 principal. The designated lobbyist is responsible for the  
26 accuracy of the figures reported as lobbying expenditures made  
27 by that lobbyist and for compensation reported by that  
28 lobbyist. Each lobbyist shall file an activity report for each  
29 period during any portion of which he or she was registered,  
30 and each principal shall ensure that an activity report is  
31 filed for each period during any portion of which the

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1 principal was represented by a registered lobbyist.

2 (c)1. Each lobbyist, including a designated lobbyist,  
3 shall identify on the activity report all general areas of the  
4 principal's legislative interest which were lobbied during the  
5 reporting period. The general areas of legislative interest  
6 shall be selected from the categories of abortion;  
7 aeronautics; aging; agriculture; alcoholic beverage  
8 regulation; alcoholism and drug abuse; aliens; amusements,  
9 games, and sports; animals; arts and humanities; business and  
10 commerce; cemeteries; charitable and nonprofit organizations;  
11 city government; civil remedies and liabilities; coastal  
12 affairs and beaches; common carriers; communications and  
13 press; consumer protection; corporations and associations;  
14 corrections; county government; courts; crime; criminal  
15 procedures; day care; disaster preparedness and relief;  
16 economic and industrial development; education; elections;  
17 energy; environment; ethics; family issues; fees and other  
18 nontax revenue; financial institutions; fire fighters and  
19 police; gambling; handicapped persons; health and health care;  
20 highways and roads; historic preservation and museums;  
21 hospitals; housing; human services; insurance; labor; law  
22 enforcement; lawyers; libraries; malpractice and health care  
23 providers; mental health and mental retardation; military and  
24 veterans; mines and mineral resources; minors; nursing homes;  
25 occupational regulation; oil and gas; open records and open  
26 meetings; parks and wildlife; political subdivisions; probate;  
27 product liability; property interests; public lands;  
28 purchasing; redistricting; religion; retirement systems;  
29 safety; special districts and authorities; state agencies,  
30 state boards, and commissions; state employees, state  
31 officers, and symbols; state finances; taxation; tort reform;

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1 tourism; transportation; utilities; vehicles and traffic;  
2 water; weapons; women's issues; or other  
3 (specify:\_\_\_\_\_).

4 2. For each general category of legislative interest  
5 designated, the lobbyist shall make a good-faith effort to  
6 estimate the percentage of lobbying time spent on the  
7 category. The sum of time spent lobbying all designated  
8 categories must equal 100 percent.

9 3. For each general category of legislative interest  
10 designated, the lobbyist shall provide a detailed written  
11 description of all specific issues lobbied within the general  
12 category.

13 (d) For each reporting period the division shall  
14 aggregate the compensation and expenditures reported by all of  
15 the lobbyists for a principal represented by more than one  
16 lobbyist. Further, the division shall aggregate figures that  
17 provide a cumulative total of compensation reported and  
18 expenditures reported as spent by and on behalf of each  
19 principal for the calendar year.

20 (e) The reporting statements shall be filed no later  
21 than 45 days after the end of each reporting period and shall  
22 include the legislative interests information, compensation,  
23 and expenditures for the period from January 1 through March  
24 31, April 1 through June 30, July 1 through September 30, and  
25 October 1 through December 31, respectively. The statements  
26 shall be rendered in the identical form provided by the  
27 respective houses and shall be open to public inspection.  
28 Reporting statements must ~~may~~ be filed by electronic means as  
29 provided in s. 11.0455, ~~when feasible.~~

30 ~~(f) Reports shall be filed not later than 5 p.m. of~~  
31 ~~the report due date. However, any report that is postmarked~~



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1 ~~by the United States Postal Service no later than midnight of~~  
 2 ~~the due date shall be deemed to have been filed in a timely~~  
 3 ~~manner, and a certificate of mailing obtained from and dated~~  
 4 ~~by the United States Postal Service at the time of the~~  
 5 ~~mailing, or a receipt from an established courier company~~  
 6 ~~which bears a date on or before the due date, shall be proof~~  
 7 ~~of mailing in a timely manner.~~

8       ~~(f)(g)~~ Each house of the Legislature shall provide by  
 9 rule, or both houses may provide by joint rule, a procedure by  
 10 which a lobbyist who fails to timely file a report shall be  
 11 notified and assessed fines. The rule shall provide for the  
 12 following:

13           1. Upon determining that the report is late, the  
 14 person designated to review the timeliness of reports shall  
 15 immediately notify the lobbyist as to the failure to timely  
 16 file the report and that a fine is being assessed for each  
 17 late day. The fine shall be \$50 per day per report for each  
 18 late day, not to exceed \$5,000 per report.

19           2. Upon receipt of the report, the person designated  
 20 to review the timeliness of reports shall determine the amount  
 21 of the fine due based upon the earliest of the following:

22           a. When a report is actually received by the lobbyist  
 23 registration and reporting office.

24           b. When the electronic receipt issued pursuant to s.  
 25 11.0455 is dated. ~~When the report is postmarked.~~

26           c. ~~When the certificate of mailing is dated.~~

27           d. ~~When the receipt from an established courier~~  
 28 ~~company is dated.~~

29           3. Such fine shall be paid within 30 days after the  
 30 notice of payment due is transmitted by the Lobbyist  
 31 Registration Office, unless appeal is made to the division.

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1 The moneys shall be deposited into the Legislative Lobbyist  
2 Registration Trust Fund.

3 4. A fine shall not be assessed against a lobbyist the  
4 first time any reports for which the lobbyist is responsible  
5 are not timely filed. However, to receive the one-time fine  
6 waiver, all reports for which the lobbyist is responsible must  
7 be filed within 30 days after notice that any reports have not  
8 been timely filed is transmitted by the Lobbyist Registration  
9 Office. A fine shall be assessed for any subsequent late-filed  
10 reports.

11 5. Any lobbyist may appeal or dispute a fine, based  
12 upon unusual circumstances surrounding the failure to file on  
13 the designated due date, and may request and shall be entitled  
14 to a hearing before the General Counsel of the Office of  
15 Legislative Services, who shall recommend to the President of  
16 the Senate and the Speaker of the House of Representatives, or  
17 their respective designees, that the fine be waived in whole  
18 or in part for good cause shown. The President of the Senate  
19 and the Speaker of the House of Representatives, or their  
20 respective designees, may concur in the recommendation and  
21 waive the fine in whole or in part. Any such request shall be  
22 made within 30 days after the notice of payment due is  
23 transmitted by the Lobbyist Registration Office. In such  
24 case, the lobbyist shall, within the 30-day period, notify the  
25 person designated to review the timeliness of reports in  
26 writing of his or her intention to request a hearing.

27 6. A lobbyist, a lobbyist's legal representative, or  
28 the principal of a lobbyist may request that the filing of an  
29 activity report be waived upon good cause shown, based on  
30 unusual circumstances. The request must be filed with the  
31 General Counsel of the Office of Legislative Services, who

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1 shall make a recommendation concerning the waiver request to  
 2 the President of the Senate and the Speaker of the House of  
 3 Representatives. The President of the Senate and the Speaker  
 4 of the House of Representatives may grant or deny the request.  
 5 The registration of a lobbyist who fails to timely pay a fine  
 6 is automatically suspended until the fine is paid or waived.

7           7. The person designated to review the timeliness of  
 8 reports shall notify the director of the division of the  
 9 failure of a lobbyist to file a report after notice or of the  
 10 failure of a lobbyist to pay the fine imposed.

11           ~~(g)(h)~~ Each lobbyist and each principal shall preserve  
 12 for a period of 4 years all accounts, bills, receipts,  
 13 computer records, books, papers, and other documents and  
 14 records necessary to substantiate lobbying compensation and  
 15 expenditures.

16           1. Any expenditure-related documents and records  
 17 retained pursuant to this subsection may be inspected under  
 18 reasonable circumstances by any authorized representative of  
 19 the Legislature. The right of inspection may be enforced by  
 20 appropriate writ issued by any court of competent  
 21 jurisdiction.

22           2. Any compensation-related documents and records  
 23 retained pursuant to this subsection may be inspected under  
 24 reasonable circumstances by the Auditor General pursuant to s.  
 25 11.45. The right of inspection may be enforced by appropriate  
 26 writ issued by any court of competent jurisdiction.

27           Section 3. Effective April 1, 2006, section 11.0455,  
 28 Florida Statutes, is created to read:

29           11.0455 Electronic filing of lobbying-activity  
 30 reports.--

31           (1) As used in this section, the term "electronic

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1 filing system" means an Internet system for recording and  
2 reporting lobbying compensation, expenditures, and other  
3 activity-report information by reporting period.

4 (2) Each lobbyist who is required to file reports with  
5 the Division of Legislative Information Services pursuant to  
6 s. 11.045 must file such reports with the division by means of  
7 the division's electronic filing system.

8 (3) A report filed pursuant to this section must be  
9 completed and filed through the electronic filing system not  
10 later than 11:59 p.m. of the day designated in s. 11.045. A  
11 report not filed by 11:59 p.m. of the day designated is a  
12 late-filed report and is subject to the penalties under s.  
13 11.045(3).

14 (4) Each report filed pursuant to this section is  
15 considered to be under oath by the lobbyist, or the designated  
16 lobbyist and principal, whichever is applicable, and such  
17 persons are subject to the provisions of s. 11.045(6) and (7).  
18 Persons given a secure sign-on to the electronic filing system  
19 are responsible for protecting it from disclosure and are  
20 responsible for all filings using such credentials, unless  
21 they have notified the division that their credentials have  
22 been compromised.

23 (5) The electronic filing system developed by the  
24 division must:

25 (a) Be based on access by means of the Internet.

26 (b) Be accessible by anyone with Internet access using  
27 standard web-browsing software.

28 (c) Provide for direct entry of activity-report  
29 information as well as upload of such information from  
30 software authorized by the division.

31 (d) Provide a method that prevents unauthorized access

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1 to electronic filing system functions.

2 (6) Each house of the Legislature shall provide by  
3 rule, or may provide by a joint rule adopted by both houses,  
4 procedures to administer this section, including, but not  
5 limited to:

6 (a) Alternate filing procedures in case the division's  
7 electronic filing system is not operable.

8 (b) The issuance of an electronic receipt to the  
9 person submitting the report indicating and verifying the date  
10 and time that the report was filed.

11 (7) The division shall make all the data filed  
12 available on the Internet in an easily understood and  
13 accessible format. In addition, the division shall include  
14 each principal's current industry group classification  
15 pursuant to s. 11.045(2).

16 Section 4. Effective April 1, 2007, subsection (2) of  
17 section 11.45, Florida Statutes, is amended to read:

18 11.45 Definitions; duties; authorities; reports;  
19 rules.--

20 (2) DUTIES.--The Auditor General shall:

21 (a) Conduct audits of records and perform related  
22 duties as prescribed by law, concurrent resolution of the  
23 Legislature, or as directed by the Legislative Auditing  
24 Committee.

25 (b) Annually conduct a financial audit of state  
26 government.

27 (c) Annually conduct financial audits of all  
28 universities and district boards of trustees of community  
29 colleges.

30 (d) Annually conduct financial audits of the accounts  
31 and records of all district school boards in counties with

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1 populations of fewer than 150,000, according to the most  
2 recent federal decennial statewide census.

3 (e) Annually conduct an audit of the Wireless  
4 Emergency Telephone System Fund as described in s. 365.173.

5 (f) Annually conduct audits of the accounts and  
6 records of the Florida School for the Deaf and the Blind.

7 (g) At least every 2 years, conduct operational audits  
8 of the accounts and records of state agencies and  
9 universities. In connection with these audits, the Auditor  
10 General shall give appropriate consideration to reports issued  
11 by state agencies' inspectors general or universities'  
12 inspectors general and the resolution of findings therein.

13 (h) At least every 2 years, conduct a performance  
14 audit of the local government financial reporting system,  
15 which, for the purpose of this chapter, means any statutory  
16 provisions related to local government financial reporting.  
17 The purpose of such an audit is to determine the accuracy,  
18 efficiency, and effectiveness of the reporting system in  
19 achieving its goals and to make recommendations to the local  
20 governments, the Governor, and the Legislature as to how the  
21 reporting system can be improved and how program costs can be  
22 reduced. The Auditor General shall determine the scope of such  
23 audits. The local government financial reporting system should  
24 provide for the timely, accurate, uniform, and cost-effective  
25 accumulation of financial and other information that can be  
26 used by the members of the Legislature and other appropriate  
27 officials to accomplish the following goals:

- 28 1. Enhance citizen participation in local government;
- 29 2. Improve the financial condition of local  
30 governments;

- 31 3. Provide essential government services in an

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1 efficient and effective manner; and

2           4. Improve decisionmaking on the part of the  
3 Legislature, state agencies, and local government officials on  
4 matters relating to local government.

5           (i) Once every 3 years, conduct performance audits of  
6 the Department of Revenue's administration of the ad valorem  
7 tax laws as described in s. 195.096.

8           (j) Once every 3 years, conduct financial audits of  
9 the accounts and records of all district school boards in  
10 counties with populations of 125,000 or more, according to the  
11 most recent federal decennial statewide census.

12           (k) Once every 3 years, review a sample of each state  
13 agency's internal audit reports to determine compliance with  
14 current Standards for the Professional Practice of Internal  
15 Auditing or, if appropriate, government auditing standards.

16           (l) Conduct audits of local governmental entities when  
17 determined to be necessary by the Auditor General, when  
18 directed by the Legislative Auditing Committee, or when  
19 otherwise required by law. No later than 18 months after the  
20 release of the audit report, the Auditor General shall perform  
21 such appropriate followup procedures as he or she deems  
22 necessary to determine the audited entity's progress in  
23 addressing the findings and recommendations contained within  
24 the Auditor General's previous report. The Auditor General  
25 shall provide a copy of his or her determination to each  
26 member of the audited entity's governing body and to the  
27 Legislative Auditing Committee.

28           (m) For a random sample of 1 percent of all  
29 legislative lobbying registrations and 1 percent of all  
30 executive lobbying registrations for the previous calendar  
31 year, annually conduct audits of all registration-related

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1 quarterly activity reports filed pursuant to s. 11.045 and s.  
2 11.0455, or s. 112.3215 and s. 112.32155, respectively. The  
3 audit shall be limited to determining compliance with the  
4 lobbying compensation reporting requirements of s. 11.045 or  
5 s. 112.3215, whichever is applicable, except that the audit  
6 scope may not include the timeliness of the filing. The  
7 Auditor General shall forward all legislative lobbying final  
8 audit reports to the legislative committees designated in s.  
9 11.045, and shall forward all executive lobbying final audit  
10 reports to the Florida Commission on Ethics.

11  
12 The Auditor General shall perform his or her duties  
13 independently but under the general policies established by  
14 the Legislative Auditing Committee. This subsection does not  
15 limit the Auditor General's discretionary authority to conduct  
16 other audits or engagements of governmental entities as  
17 authorized in subsection (3).

18 Section 5. Effective April 1, 2006, subsection (3) of  
19 section 11.45, Florida Statutes, is amended to read:

20 11.45 Definitions; duties; authorities; reports;  
21 rules.--

22 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--The  
23 Auditor General may, pursuant to his or her own authority, or  
24 at the direction of the Legislative Auditing Committee,  
25 conduct audits or other engagements as determined appropriate  
26 by the Auditor General of:

27 (a) The accounts and records of any governmental  
28 entity created or established by law.

29 (b) The information technology programs, activities,  
30 functions, or systems of any governmental entity created or  
31 established by law.



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1 (c) The accounts and records of any charter school  
2 created or established by law.

3 (d) The accounts and records of any direct-support  
4 organization or citizen support organization created or  
5 established by law. The Auditor General is authorized to  
6 require and receive any records from the direct-support  
7 organization or citizen support organization, or from its  
8 independent auditor.

9 (e) The public records associated with any  
10 appropriation made by the Legislature to a nongovernmental  
11 agency, corporation, or person. All records of a  
12 nongovernmental agency, corporation, or person with respect to  
13 the receipt and expenditure of such an appropriation shall be  
14 public records and shall be treated in the same manner as  
15 other public records are under general law.

16 (f) State financial assistance provided to any  
17 nonstate entity as defined by s. 215.97.

18 (g) The Tobacco Settlement Financing Corporation  
19 created pursuant to s. 215.56005.

20 (h) Any purchases of federal surplus lands for use as  
21 sites for correctional facilities as described in s. 253.037.

22 (i) Enterprise Florida, Inc., including any of its  
23 boards, advisory committees, or similar groups created by  
24 Enterprise Florida, Inc., and programs. The audit report may  
25 not reveal the identity of any person who has anonymously made  
26 a donation to Enterprise Florida, Inc., pursuant to this  
27 paragraph. The identity of a donor or prospective donor to  
28 Enterprise Florida, Inc., who desires to remain anonymous and  
29 all information identifying such donor or prospective donor  
30 are confidential and exempt from the provisions of s.

31 119.07(1) and s. 24(a), Art. I of the State Constitution. Such

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1 anonymity shall be maintained in the auditor's report.

2 (j) The Florida Development Finance Corporation or the  
3 capital development board or the programs or entities created  
4 by the board. The audit or report may not reveal the identity  
5 of any person who has anonymously made a donation to the board  
6 pursuant to this paragraph. The identity of a donor or  
7 prospective donor to the board who desires to remain anonymous  
8 and all information identifying such donor or prospective  
9 donor are confidential and exempt from the provisions of s.  
10 119.07(1) and s. 24(a), Art. I of the State Constitution. Such  
11 anonymity shall be maintained in the auditor's report.

12 (k) The records pertaining to the use of funds from  
13 voluntary contributions on a motor vehicle registration  
14 application or on a driver's license application authorized  
15 pursuant to ss. 320.023 and 322.081.

16 (l) The records pertaining to the use of funds from  
17 the sale of specialty license plates described in chapter 320.

18 (m) The transportation corporations under contract  
19 with the Department of Transportation that are acting on  
20 behalf of the state to secure and obtain rights-of-way for  
21 urgently needed transportation systems and to assist in the  
22 planning and design of such systems pursuant to ss.  
23 339.401-339.421.

24 (n) The acquisitions and divestitures related to the  
25 Florida Communities Trust Program created pursuant to chapter  
26 380.

27 (o) The Florida Water Pollution Control Financing  
28 Corporation created pursuant to s. 403.1837.

29 (p) The Florida Partnership for School Readiness  
30 created pursuant to s. 411.01.

31 (q) The Florida Special Disability Trust Fund

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1 Financing Corporation created pursuant to s. 440.49.

2 (r) Workforce Florida, Inc., or the programs or  
3 entities created by Workforce Florida, Inc., created pursuant  
4 to s. 445.004.

5 (s) The corporation defined in s. 455.32 that is under  
6 contract with the Department of Business and Professional  
7 Regulation to provide administrative, investigative,  
8 examination, licensing, and prosecutorial support services in  
9 accordance with the provisions of s. 455.32 and the practice  
10 act of the relevant profession.

11 (t) The Florida Engineers Management Corporation  
12 created pursuant to chapter 471.

13 (u) The Investment Fraud Restoration Financing  
14 Corporation created pursuant to chapter 517.

15 (v) The books and records of any permitholder that  
16 conducts race meetings or jai alai exhibitions under chapter  
17 550.

18 (w) The corporation defined in part II of chapter 946,  
19 known as the Prison Rehabilitative Industries and Diversified  
20 Enterprises, Inc., or PRIDE Enterprises.

21 (x) The Florida Virtual School pursuant to s. 1002.37.

22 (y) The accounts and records of any principal or  
23 lobbyist relating to compliance with the  
24 compensation-reporting provisions of s. 11.045 or s. 112.3215,  
25 whichever is applicable, except that the audit scope may not  
26 include the timeliness of the filing. The Auditor General  
27 shall forward all legislative lobbying final audit reports to  
28 the legislative committees designated in s. 11.045, and shall  
29 forward all executive lobbying final audit reports to the  
30 Florida Commission on Ethics.

31 Section 6. Section 112.3215, Florida Statutes, is

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1 amended to read:

2 112.3215 Lobbyists before the executive branch or the  
3 Constitution Revision Commission; registration and reporting;  
4 investigation by commission.--

5 (1) For the purposes of this section:

6 (a) "Agency" means the Governor, Governor and Cabinet,  
7 or any department, division, bureau, board, commission, or  
8 authority of the executive branch. In addition, "agency"  
9 shall mean the Constitution Revision Commission as provided by  
10 s. 2, Art. XI of the State Constitution.

11 (b) "Compensation" means a payment, distribution,  
12 loan, advance, reimbursement, deposit, salary, fee, retainer,  
13 or anything of value provided or owed to a lobbyist for the  
14 purpose of lobbying.

15 (c)(b) "Expenditure" means a payment, distribution,  
16 loan, advance, reimbursement, deposit, or anything of value  
17 made by a lobbyist or principal for the purpose of lobbying.

18 (d)(c) "Fund" means the Executive Branch Lobby  
19 Registration Trust Fund.

20 (e)(d) "Lobbies" means seeking, on behalf of another  
21 person, to influence an agency with respect to a decision of  
22 the agency in the area of policy or procurement or an attempt  
23 to obtain the goodwill of an agency official or employee.

24 "Lobbies" also means influencing or attempting to influence,  
25 on behalf of another, the Constitution Revision Commission's  
26 action or nonaction through oral or written communication or  
27 an attempt to obtain the goodwill of a member or employee of  
28 the Constitution Revision Commission.

29 (f)(e) "Lobbyist" means a person who is employed and  
30 receives payment, or who contracts for economic consideration,  
31 for the purpose of lobbying, or a person who is principally

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1 employed for governmental affairs by another person or  
2 governmental entity to lobby on behalf of that other person or  
3 governmental entity. "Lobbyist" does not include a person who  
4 is:

5           1. An attorney, or any person, who represents a client  
6 in a judicial proceeding or in a formal administrative  
7 proceeding conducted pursuant to chapter 120 or any other  
8 formal hearing before an agency, board, commission, or  
9 authority of this state.

10           2. An employee of an agency or of a legislative or  
11 judicial branch entity acting in the normal course of his or  
12 her duties.

13           3. A confidential informant who is providing, or  
14 wishes to provide, confidential information to be used for law  
15 enforcement purposes.

16           4. A person who lobbies to procure a contract pursuant  
17 to chapter 287 which contract is less than the threshold for  
18 CATEGORY ONE as provided in s. 287.017(1)(a).

19           ~~(g)(f)~~ "Principal" means the person, firm,  
20 corporation, or other entity which has employed or retained a  
21 lobbyist.

22           (2) The Executive Branch Lobby Registration Trust Fund  
23 is hereby created within the commission to be used for the  
24 purpose of funding any office established to administer the  
25 registration of lobbyists lobbying an agency, including the  
26 payment of salaries and other expenses. The trust fund is not  
27 subject to the service charge to General Revenue provisions of  
28 chapter 215. All annual registration fees collected pursuant  
29 to this section shall be deposited into such fund.

30           (3) A person may not lobby an agency until such person  
31 has registered as a lobbyist with the commission. Such

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1 registration shall be due upon initially being retained to  
 2 lobby and is renewable on a calendar year basis thereafter.  
 3 Upon registration the person shall provide a statement signed  
 4 by the principal or principal's representative that the  
 5 registrant is authorized to represent the principal. The  
 6 registration shall require the lobbyist to disclose, under  
 7 oath, the following information:

8 (a) Name and business address;

9 (b) The name and business address of each principal  
 10 represented;

11 (c) If the lobbyist is a designated lobbyist, the  
 12 industry group classification that most accurately describes  
 13 the principal. The industry group classification shall be  
 14 selected from the categories of agriculture; banking and  
 15 finance; communications; education; entertainment and  
 16 recreation; environment and natural resources; health and  
 17 health care; insurance; labor; law; lodging and restaurants;  
 18 manufacturing and industrial (specify: \_\_\_\_\_); marketing  
 19 and sales; merchandise and retail; political organizations;  
 20 professional or trade (specify: \_\_\_\_\_); public  
 21 employees; public and community interest; racing and wagering;  
 22 real estate and construction; security; services  
 23 (specify: \_\_\_\_\_); state and local government; technology;  
 24 transportation; travel and tourism; utilities; or other  
 25 (specify: \_\_\_\_\_). Industry, trade, or professional  
 26 associations shall be indicated by the industry group that  
 27 most accurately describes their members;

28 (d)1. All general areas of the principal's lobbying  
 29 interest. The general areas of interest shall be selected from  
 30 the categories of abortion; aeronautics; aging; agriculture;  
 31 alcoholic beverage regulation; alcoholism and drug abuse;

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1 aliens; amusements, games, and sports; animals; arts and  
2 humanities; business and commerce; cemeteries; charitable and  
3 nonprofit organizations; city government; civil remedies and  
4 liabilities; coastal affairs and beaches; common carriers;  
5 communications and press; consumer protection; corporations  
6 and associations; corrections; county government; courts;  
7 crime; criminal procedures; day care; disaster preparedness  
8 and relief; economic and industrial development; education;  
9 elections; energy; environment; ethics; family issues; fees  
10 and other nontax revenue; financial institutions; fire  
11 fighters and police; gambling; handicapped persons; health and  
12 health care; highways and roads; historic preservation and  
13 museums; hospitals; housing; human services; insurance; labor;  
14 law enforcement; lawyers; libraries; malpractice and health  
15 care providers; mental health and mental retardation; military  
16 and veterans; mines and mineral resources; minors; nursing  
17 homes; occupational regulation; oil and gas; open records and  
18 open meetings; parks and wildlife; political subdivisions;  
19 probate; product liability; property interests; public lands;  
20 purchasing; redistricting; religion; retirement systems;  
21 safety; special districts and authorities; state agencies,  
22 state boards, and commissions; state employees, state  
23 officers, and symbols; state finances; taxation; tort reform;  
24 tourism; transportation; utilities; vehicles and traffic;  
25 water; weapons; women's issues; or other

26 (specify: \_\_\_\_\_).

27 2. For each general category of lobbying interest  
28 designated, a detailed written description of all specific  
29 issues to be lobbied within the general category, if known;  
30 His or her area of interest;

31 (e)(d) The agencies before which he or she will

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1 appear; and

2        ~~(f)(e)~~ The existence of any direct or indirect  
3 business association, partnership, or financial relationship  
4 with any employee of an agency with which he or she lobbies,  
5 or intends to lobby, as disclosed in the registration.

6           (4) The annual lobbyist registration fee shall be set  
7 by the commission by rule, not to exceed \$40 for each  
8 principal represented.

9           (5)(a) A registered lobbyist must also submit to the  
10 commission, quarterly ~~biannually~~, a signed activity  
11 ~~expenditure~~ report summarizing all compensation provided or  
12 owed to the lobbyist and all lobbying expenditures by the  
13 lobbyist and the principal for each 3-month ~~6-month~~ period  
14 during any portion of which the lobbyist is registered. All  
15 compensation provided or owed to the lobbyist and all  
16 expenditures made by the lobbyist and the principal for the  
17 purpose of lobbying must be reported. Reporting of  
18 expenditures shall be on an accrual basis. The report of such  
19 expenditures must identify whether the expenditure was made  
20 directly by the lobbyist, directly by the principal, initiated  
21 or expended by the lobbyist and paid for by the principal, or  
22 initiated or expended by the principal and paid for by the  
23 lobbyist. The principal is responsible for the accuracy of the  
24 expenditures reported as lobbying expenditures made by the  
25 principal. The lobbyist is responsible for the accuracy of the  
26 compensation reported and the expenditures reported as  
27 lobbying expenditures made by the lobbyist. Expenditures made  
28 must be reported by the category of the expenditure,  
29 including, but not limited to, the categories of food and  
30 beverages, entertainment, research, communication, media  
31 advertising, publications, travel, and lodging. For each



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1 expenditure that comprises part of the aggregate total  
2 reported in each category, the report must also include the  
3 full name and address of each person to whom the expenditure  
4 was made; the amount, date, and purpose of the expenditure;  
5 and the name, title, and agency of the person for whom the  
6 expenditure was made. Lobby expenditures do not include a  
7 lobbyist's or principal's salary, office expenses, and  
8 personal expenses for lodging, meals, and travel.

9 (b) A principal who is represented by two or more  
10 lobbyists shall designate one lobbyist whose activity  
11 ~~expenditure~~ report shall include all lobbying expenditures  
12 made directly by the principal and those expenditures of the  
13 designated lobbyist on behalf of that principal as required by  
14 paragraph (a). All other lobbyists registered to represent  
15 that principal shall file a report pursuant to paragraph (a).  
16 The report of lobbying expenditures by the principal shall be  
17 made pursuant to the requirements of paragraph (a). The  
18 principal is responsible for the accuracy of figures reported  
19 by the designated lobbyist as lobbying expenditures made  
20 directly by the principal. The designated lobbyist is  
21 responsible for the accuracy of the figures reported as  
22 lobbying expenditures made by that lobbyist and for  
23 compensation reported by that lobbyist.

24 (c)1. Each lobbyist, including a designated lobbyist,  
25 shall identify on the activity report all general areas of the  
26 principal's lobbying interest which were lobbied during the  
27 reporting period. The general areas of lobbying interest shall  
28 be selected from the categories of abortion; aeronautics;  
29 aging; agriculture; alcoholic beverage regulation; alcoholism  
30 and drug abuse; aliens; amusements, games, and sports;  
31 animals; arts and humanities; business and commerce;

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1 cemeteries; charitable and nonprofit organizations; city  
2 government; civil remedies and liabilities; coastal affairs  
3 and beaches; common carriers; communications and press;  
4 consumer protection; corporations and associations;  
5 corrections; county government; courts; crime; criminal  
6 procedures; day care; disaster preparedness and relief;  
7 economic and industrial development; education; elections;  
8 energy; environment; ethics; family issues; fees and other  
9 nontax revenue; financial institutions; fire fighters and  
10 police; gambling; handicapped persons; health and health care;  
11 highways and roads; historic preservation and museums;  
12 hospitals; housing; human services; insurance; labor; law  
13 enforcement; lawyers; libraries; malpractice and health care  
14 providers; mental health and mental retardation; military and  
15 veterans; mines and mineral resources; minors; nursing homes;  
16 occupational regulation; oil and gas; open records and open  
17 meetings; parks and wildlife; political subdivisions; probate;  
18 product liability; property interests; public lands;  
19 purchasing; redistricting; religion; retirement systems;  
20 safety; special districts and authorities; state agencies,  
21 state boards, and commissions; state employees, state  
22 officers, and symbols; state finances; taxation; tort reform;  
23 tourism; transportation; utilities; vehicles and traffic;  
24 water; weapons; women's issues; or other  
25 (specify: \_\_\_\_\_).

26           2. For each general category of lobbying interest  
27 designated, the lobbyist shall make a good-faith effort to  
28 estimate the percentage of lobbying time spent on the  
29 category. The sum of time spent lobbying all designated  
30 categories must equal 100 percent.

31           3. For each general category of lobbying interest

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1 designated, the lobbyist shall provide a detailed written  
2 description of all specific issues lobbied within the general  
3 category.

4 (d)(e) For each reporting period the commission shall  
5 aggregate the expenditures of all lobbyists for a principal  
6 represented by more than one lobbyist. Further, the commission  
7 shall aggregate figures that provide a cumulative total of  
8 compensation reported and expenditures reported as spent by  
9 and on behalf of each principal for the calendar year.

10 (e)(d) The reporting statements shall be filed no  
11 later than 45 days after the end of each reporting period and  
12 shall include the lobbying interests information,  
13 compensation, and expenditures for the period from January 1  
14 through March 31 ~~June 30~~, April 1 through June 30, and July 1  
15 through September 30, and October 1 through December 31,  
16 respectively.

17 (f)(e) Reports shall be filed not later than 5 p.m. of  
18 the report due date. However, any report that is postmarked  
19 by the United States Postal Service no later than midnight of  
20 the due date shall be deemed to have been filed in a timely  
21 manner, and a certificate of mailing obtained from and dated  
22 by the United States Postal Service at the time of the  
23 mailing, or a receipt from an established courier company  
24 which bears a date on or before the due date, shall be proof  
25 of mailing in a timely manner.

26 (g)(f) The commission shall provide by rule a  
27 procedure by which a lobbyist who fails to timely file a  
28 report shall be notified and assessed fines. The rule shall  
29 provide for the following:

- 30 1. Upon determining that the report is late, the  
31 person designated to review the timeliness of reports shall

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1 immediately notify the lobbyist as to the failure to timely  
2 file the report and that a fine is being assessed for each  
3 late day. The fine shall be \$50 per day per report for each  
4 late day up to a maximum of \$5,000 per late report.

5         2. Upon receipt of the report, the person designated  
6 to review the timeliness of reports shall determine the amount  
7 of the fine due based upon the earliest of the following:

8             a. When a report is actually received by the lobbyist  
9 registration and reporting office.

10            b. When the report is postmarked.

11            c. When the certificate of mailing is dated.

12            d. When the receipt from an established courier  
13 company is dated.

14         3. Such fine shall be paid within 30 days after the  
15 notice of payment due is transmitted by the Lobbyist  
16 Registration Office, unless appeal is made to the commission.  
17 The moneys shall be deposited into the Executive Branch Lobby  
18 Registration Trust Fund.

19         4. A fine shall not be assessed against a lobbyist the  
20 first time any reports for which the lobbyist is responsible  
21 are not timely filed. However, to receive the one-time fine  
22 waiver, all reports for which the lobbyist is responsible must  
23 be filed within 30 days after the notice that any reports have  
24 not been timely filed is transmitted by the Lobbyist  
25 Registration Office. A fine shall be assessed for any  
26 subsequent late-filed reports.

27         5. Any lobbyist may appeal or dispute a fine, based  
28 upon unusual circumstances surrounding the failure to file on  
29 the designated due date, and may request and shall be entitled  
30 to a hearing before the commission, which shall have the  
31 authority to waive the fine in whole or in part for good cause

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1 shown. Any such request shall be made within 30 days after  
 2 the notice of payment due is transmitted by the Lobbyist  
 3 Registration Office. In such case, the lobbyist shall, within  
 4 the 30-day period, notify the person designated to review the  
 5 timeliness of reports in writing of his or her intention to  
 6 bring the matter before the commission.

7           6. The person designated to review the timeliness of  
 8 reports shall notify the commission of the failure of a  
 9 lobbyist to file a report after notice or of the failure of a  
 10 lobbyist to pay the fine imposed.

11           7. Notwithstanding any provision of chapter 120, any  
 12 fine imposed under this subsection that is not waived by final  
 13 order of the commission and that remains unpaid more than 60  
 14 days after the notice of payment due or more than 60 days  
 15 after the commission renders a final order on the lobbyist's  
 16 appeal shall be collected by the Department of Financial  
 17 Services as a claim, debt, or other obligation owed to the  
 18 state, and the department may assign the collection of such  
 19 fine to a collection agent as provided in s. 17.20.

20           ~~(h)(g)~~ The commission shall adopt a rule which allows  
 21 reporting statements to be filed by electronic means, when  
 22 feasible.

23           ~~(i)(h)~~ Each lobbyist and each principal shall preserve  
 24 for a period of 4 years all accounts, bills, receipts,  
 25 computer records, books, papers, e-mails, ledgers, federal tax  
 26 information, and other documents and records necessary to  
 27 substantiate lobbying compensation and expenditures.

28           1. Any expenditure-related documents and records  
 29 retained pursuant to this subsection ~~section~~ may be inspected  
 30 under reasonable circumstances by any authorized  
 31 representative of the commission. The right of inspection may

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1 be enforced by appropriate writ issued by any court of  
2 competent jurisdiction.

3 2. Any compensation-related documents and records  
4 retained pursuant to this subsection may be audited by the  
5 Auditor General pursuant to s. 11.45 and may be enforced by  
6 appropriate writ issued by any court of competent  
7 jurisdiction.

8 (6) A lobbyist shall promptly send a written statement  
9 to the commission canceling the registration for a principal  
10 upon termination of the lobbyist's representation of that  
11 principal. Notwithstanding this requirement, the commission  
12 may remove the name of a lobbyist from the list of registered  
13 lobbyists if the principal notifies the office that a person  
14 is no longer authorized to represent that principal. Each  
15 lobbyist is responsible for filing an expenditure report for  
16 each period during any portion of which he or she was  
17 registered, and each principal is responsible for seeing that  
18 an expenditure report is filed for each period during any  
19 portion of which the principal was represented by a registered  
20 lobbyist.

21 (7)(a) The commission shall investigate every sworn  
22 complaint that is filed with it alleging that a person covered  
23 by this section has failed to register, has failed to submit  
24 an activity ~~expenditure~~ report, or has knowingly submitted  
25 false information in any report or registration required in  
26 this section.

27 (b) All proceedings, the complaint, and other records  
28 relating to the investigation are confidential and exempt from  
29 the provisions of s. 119.07(1) and s. 24(a), Art. I of the  
30 State Constitution, and any meetings held pursuant to an  
31 investigation are exempt from the provisions of s. 286.011(1)

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1 and s. 24(b), Art. I of the State Constitution either until  
 2 the alleged violator requests in writing that such  
 3 investigation and associated records and meetings be made  
 4 public or until the commission determines, based on the  
 5 investigation, whether probable cause exists to believe that a  
 6 violation has occurred.

7 (c) The commission shall investigate any person  
 8 engaged, or formerly engaged, in lobbying pursuant to this  
 9 section upon receipt of compensation-reporting audit  
 10 information indicating a possible violation other than a  
 11 late-filed report.

12 (8) If the commission finds no probable cause to  
 13 believe that a violation of this section occurred, it shall  
 14 dismiss the complaint, whereupon the complaint, together with  
 15 a written statement of the findings of the investigation and a  
 16 summary of the facts, shall become a matter of public record,  
 17 and the commission shall send a copy of the complaint,  
 18 findings, and summary to the complainant and the alleged  
 19 violator. If, after investigating compensation-reporting  
 20 audit information, the commission finds no probable cause to  
 21 believe that a violation of this section occurred, a written  
 22 statement of the findings of the investigation and a summary  
 23 of the facts shall become a matter of public record, and the  
 24 commission shall send a copy of the findings and summary to  
 25 the alleged violator. If the commission finds probable cause  
 26 to believe that a violation occurred, it shall report the  
 27 results of its investigation to the Governor and Cabinet and  
 28 send a copy of the report to the alleged violator by certified  
 29 mail. Such notification and all documents made or received in  
 30 the disposition of the complaint or the compensation-reporting  
 31 audit information shall then become public records. Upon

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1 request submitted to the Governor and Cabinet in writing, any  
 2 person whom the commission finds probable cause to believe has  
 3 violated any provision of this section shall be entitled to a  
 4 public hearing. Such person shall be deemed to have waived the  
 5 right to a public hearing if the request is not received  
 6 within 14 days following the mailing of the probable cause  
 7 notification. However, the Governor and Cabinet may on its own  
 8 motion require a public hearing and may conduct such further  
 9 investigation as it deems necessary.

10 (9) If the Governor and Cabinet finds that a violation  
 11 occurred, it may reprimand the violator, censure the violator,  
 12 or prohibit the violator from lobbying all agencies for a  
 13 period not to exceed 2 years.

14 (10) Any person, when in doubt about the applicability  
 15 and interpretation of this section to himself or herself in a  
 16 particular context, may submit in writing the facts of the  
 17 situation to the commission with a request for an advisory  
 18 opinion to establish the standard of duty. An advisory  
 19 opinion shall be rendered by the commission and, until amended  
 20 or revoked, shall be binding on the conduct of the person who  
 21 sought the opinion, unless material facts were omitted or  
 22 misstated in the request.

23 (11) Agencies shall be diligent to ascertain whether  
 24 persons required to register pursuant to this section have  
 25 complied. An agency may not knowingly permit a person who is  
 26 not registered pursuant to this section to lobby the agency.

27 (12) Upon discovery of violations of this section an  
 28 agency or any person may file a sworn complaint with the  
 29 commission.

30 (13) The commission shall adopt rules to administer  
 31 this section, which shall prescribe forms for registration and



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1 expenditure reports, procedures for registration, and  
2 procedures that will prevent disclosure of information that is  
3 confidential as provided in this section.

4 Section 7. Effective April 1, 2006, subsection (5) of  
5 section 112.3215, Florida Statutes, as amended by this act, is  
6 amended to read:

7 112.3215 Lobbyists before the executive branch or the  
8 Constitution Revision Commission; registration and reporting;  
9 investigation by commission.--

10 (5)(a) A registered lobbyist must also submit to the  
11 commission, quarterly, a signed activity report summarizing  
12 all compensation provided or owed to the lobbyist and all  
13 lobbying expenditures by the lobbyist and the principal for  
14 each 3-month period during any portion of which the lobbyist  
15 is registered. All compensation provided or owed to the  
16 lobbyist and all expenditures made by the lobbyist and the  
17 principal for the purpose of lobbying must be reported.  
18 Reporting of expenditures shall be on an accrual basis. The  
19 report of such expenditures must identify whether the  
20 expenditure was made directly by the lobbyist, directly by the  
21 principal, initiated or expended by the lobbyist and paid for  
22 by the principal, or initiated or expended by the principal  
23 and paid for by the lobbyist. The principal is responsible for  
24 the accuracy of the expenditures reported as lobbying  
25 expenditures made by the principal. The lobbyist is  
26 responsible for the accuracy of the compensation reported and  
27 the expenditures reported as lobbying expenditures made by the  
28 lobbyist. Expenditures made must be reported by the category  
29 of the expenditure, including, but not limited to, the  
30 categories of food and beverages, entertainment, research,  
31 communication, media advertising, publications, travel, and

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1 lodging. For each expenditure that comprises part of the  
 2 aggregate total reported in each category, the report must  
 3 also include the full name and address of each person to whom  
 4 the expenditure was made; the amount, date, and purpose of the  
 5 expenditure; and the name, title, and agency of the person for  
 6 whom the expenditure was made. Lobby expenditures do not  
 7 include a lobbyist's or principal's salary, office expenses,  
 8 and personal expenses for lodging, meals, and travel.

9 (b) A principal who is represented by two or more  
 10 lobbyists shall designate one lobbyist whose activity report  
 11 shall include all lobbying expenditures made directly by the  
 12 principal and those expenditures of the designated lobbyist on  
 13 behalf of that principal as required by paragraph (a). All  
 14 other lobbyists registered to represent that principal shall  
 15 file a report pursuant to paragraph (a). The report of  
 16 lobbying expenditures by the principal shall be made pursuant  
 17 to the requirements of paragraph (a). The principal is  
 18 responsible for the accuracy of figures reported by the  
 19 designated lobbyist as lobbying expenditures made directly by  
 20 the principal. The designated lobbyist is responsible for the  
 21 accuracy of the figures reported as lobbying expenditures made  
 22 by that lobbyist and for compensation reported by that  
 23 lobbyist.

24 (c)1. Each lobbyist, including a designated lobbyist,  
 25 shall identify on the activity report all general areas of the  
 26 principal's lobbying interest which were lobbied during the  
 27 reporting period. The general areas of lobbying interest shall  
 28 be selected from the categories of abortion; aeronautics;  
 29 aging; agriculture; alcoholic beverage regulation; alcoholism  
 30 and drug abuse; aliens; amusements, games, and sports;  
 31 animals; arts and humanities; business and commerce;

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1 cemeteries; charitable and nonprofit organizations; city  
2 government; civil remedies and liabilities; coastal affairs  
3 and beaches; common carriers; communications and press;  
4 consumer protection; corporations and associations;  
5 corrections; county government; courts; crime; criminal  
6 procedures; day care; disaster preparedness and relief;  
7 economic and industrial development; education; elections;  
8 energy; environment; ethics; family issues; fees and other  
9 nontax revenue; financial institutions; fire fighters and  
10 police; gambling; handicapped persons; health and health care;  
11 highways and roads; historic preservation and museums;  
12 hospitals; housing; human services; insurance; labor; law  
13 enforcement; lawyers; libraries; malpractice and health care  
14 providers; mental health and mental retardation; military and  
15 veterans; mines and mineral resources; minors; nursing homes;  
16 occupational regulation; oil and gas; open records and open  
17 meetings; parks and wildlife; political subdivisions; probate;  
18 product liability; property interests; public lands;  
19 purchasing; redistricting; religion; retirement systems;  
20 safety; special districts and authorities; state agencies,  
21 state boards, and commissions; state employees, state  
22 officers, and symbols; state finances; taxation; tort reform;  
23 tourism; transportation; utilities; vehicles and traffic;  
24 water; weapons; women's issues; or other  
25 (specify:\_\_\_\_\_).

26           2. For each general category of lobbying interest  
27 designated, the lobbyist shall make a good-faith effort to  
28 estimate the percentage of lobbying time spent on the  
29 category. The sum of time spent lobbying all designated  
30 categories must equal 100 percent.

31           3. For each general category of lobbying interest

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1 designated, the lobbyist shall provide a detailed written  
2 description of all specific issues lobbied within the general  
3 category.

4 (d) For each reporting period the commission shall  
5 aggregate the expenditures of all lobbyists for a principal  
6 represented by more than one lobbyist. Further, the commission  
7 shall aggregate figures that provide a cumulative total of  
8 compensation reported and expenditures reported as spent by  
9 and on behalf of each principal for the calendar year.

10 (e) The reporting statements shall be filed no later  
11 than 45 days after the end of each reporting period and shall  
12 include the lobbying interests information, compensation, and  
13 expenditures for the period from January 1 through March 31,  
14 April 1 through June 30, July 1 through September 30, and  
15 October 1 through December 31, respectively. Reporting  
16 statements must be filed by electronic means as provided in s.  
17 112.32155.

18 ~~(f) Reports shall be filed not later than 5 p.m. of~~  
19 ~~the report due date. However, any report that is postmarked~~  
20 ~~by the United States Postal Service no later than midnight of~~  
21 ~~the due date shall be deemed to have been filed in a timely~~  
22 ~~manner, and a certificate of mailing obtained from and dated~~  
23 ~~by the United States Postal Service at the time of the~~  
24 ~~mailing, or a receipt from an established courier company~~  
25 ~~which bears a date on or before the due date, shall be proof~~  
26 ~~of mailing in a timely manner.~~

27 ~~(f)(g)~~ The commission shall provide by rule a  
28 procedure by which a lobbyist who fails to timely file a  
29 report shall be notified and assessed fines. The rule shall  
30 provide for the following:

31 1. Upon determining that the report is late, the

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1 person designated to review the timeliness of reports shall  
 2 immediately notify the lobbyist as to the failure to timely  
 3 file the report and that a fine is being assessed for each  
 4 late day. The fine shall be \$50 per day per report for each  
 5 late day up to a maximum of \$5,000 per late report.

6       2. Upon receipt of the report, the person designated  
 7 to review the timeliness of reports shall determine the amount  
 8 of the fine due based upon the earliest of the following:

9       a. When a report is actually received by the lobbyist  
 10 registration and reporting office.

11       b. When the electronic receipt issued pursuant to s.  
 12 112.32155 is dated. ~~When the report is postmarked.~~

13       c. ~~When the certificate of mailing is dated.~~

14       d. ~~When the receipt from an established courier~~  
 15 ~~company is dated.~~

16       3. Such fine shall be paid within 30 days after the  
 17 notice of payment due is transmitted by the Lobbyist  
 18 Registration Office, unless appeal is made to the commission.  
 19 The moneys shall be deposited into the Executive Branch Lobby  
 20 Registration Trust Fund.

21       4. A fine shall not be assessed against a lobbyist the  
 22 first time any reports for which the lobbyist is responsible  
 23 are not timely filed. However, to receive the one-time fine  
 24 waiver, all reports for which the lobbyist is responsible must  
 25 be filed within 30 days after the notice that any reports have  
 26 not been timely filed is transmitted by the Lobbyist  
 27 Registration Office. A fine shall be assessed for any  
 28 subsequent late-filed reports.

29       5. Any lobbyist may appeal or dispute a fine, based  
 30 upon unusual circumstances surrounding the failure to file on  
 31 the designated due date, and may request and shall be entitled

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1 to a hearing before the commission, which shall have the  
 2 authority to waive the fine in whole or in part for good cause  
 3 shown. Any such request shall be made within 30 days after  
 4 the notice of payment due is transmitted by the Lobbyist  
 5 Registration Office. In such case, the lobbyist shall, within  
 6 the 30-day period, notify the person designated to review the  
 7 timeliness of reports in writing of his or her intention to  
 8 bring the matter before the commission.

9           6. The person designated to review the timeliness of  
 10 reports shall notify the commission of the failure of a  
 11 lobbyist to file a report after notice or of the failure of a  
 12 lobbyist to pay the fine imposed.

13           7. Notwithstanding any provision of chapter 120, any  
 14 fine imposed under this subsection that is not waived by final  
 15 order of the commission and that remains unpaid more than 60  
 16 days after the notice of payment due or more than 60 days  
 17 after the commission renders a final order on the lobbyist's  
 18 appeal shall be collected by the Department of Financial  
 19 Services as a claim, debt, or other obligation owed to the  
 20 state, and the department may assign the collection of such  
 21 fine to a collection agent as provided in s. 17.20.

22           ~~(h) The commission shall adopt a rule which allows~~  
 23 ~~reporting statements to be filed by electronic means, when~~  
 24 ~~feasible.~~

25           (g)(i) Each lobbyist and each principal shall preserve  
 26 for a period of 4 years all accounts, bills, receipts,  
 27 computer records, books, papers, e-mails, ledgers, federal tax  
 28 information, and other documents and records necessary to  
 29 substantiate lobbying compensation and expenditures.

30           1. Any expenditure-related documents and records  
 31 retained pursuant to this subsection may be inspected under

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1 reasonable circumstances by any authorized representative of  
2 the commission. The right of inspection may be enforced by  
3 appropriate writ issued by any court of competent  
4 jurisdiction.

5         2. Any compensation-related documents and records  
6 retained pursuant to this subsection may be audited by the  
7 Auditor General pursuant to s. 11.45 and may be enforced by  
8 appropriate writ issued by any court of competent  
9 jurisdiction.

10         Section 8. Effective April 1, 2006, section 112.32155,  
11 Florida Statutes, is created to read:

12         112.32155 Electronic filing of lobbying-activity  
13 reports.--

14         (1) As used in this section, the term "electronic  
15 filing system" means an Internet system for recording and  
16 reporting lobbying compensation, expenditures, and other  
17 activity-report information by reporting period.

18         (2) Each lobbyist who is required to file reports with  
19 the Commission on Ethics pursuant to s. 112.3215 must file  
20 such reports with the commission by means of the electronic  
21 filing system.

22         (3) A report filed pursuant to this section must be  
23 completed and filed through the electronic filing system not  
24 later than 11:59 p.m. of the day designated in s. 112.3215. A  
25 report not filed by 11:59 p.m. of the day designated is a  
26 late-filed report and is subject to the penalties under s.  
27 112.3215(5).

28         (4) Each report filed pursuant to this section is  
29 considered to be under oath by the lobbyist, or the designated  
30 lobbyist and principal, whichever is applicable. Persons  
31 given a secure sign-on to the electronic filing system are

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1 responsible for protecting it from disclosure and are  
2 responsible for all filings using such credentials, unless  
3 they have notified the division that their credentials have  
4 been compromised.

5 (5) The electronic filing system must:

6 (a) Be based on access by means of the Internet.

7 (b) Be accessible by anyone with Internet access using  
8 standard web-browsing software.

9 (c) Provide for direct entry of activity-report  
10 information as well as upload of such information from  
11 software authorized by the commission.

12 (d) Provide a method that prevents unauthorized access  
13 to electronic filing system functions.

14 (6) The commission shall provide by rule procedures to  
15 administer this section, including, but not limited to:

16 (a) Alternate filing procedures in case the electronic  
17 filing system is not operable.

18 (b) The issuance of an electronic receipt to the  
19 person submitting the report indicating and verifying the date  
20 and time that the report was filed.

21 (7) The commission shall make all the data filed  
22 available on the Internet in an easily understood and  
23 accessible format. In addition, the commission shall include  
24 each principal's current industry group classification  
25 pursuant to s. 112.3215(3).

26 Section 9. The first activity reports subject to the  
27 amended reporting requirements in this act must be filed by  
28 May 15, 2006, and encompass the reporting period from January  
29 1, 2006, through March 31, 2006.

30 Section 10. Except as otherwise provided, this act  
31 shall take effect January 1, 2006.



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

2 And the title is amended as follows:

3           Delete everything before the enacting clause

4

5 and insert:

6                       A bill to be entitled

7           An act relating to lobbying; amending s.

8           11.045, F.S., relating to the requirements that

9           legislative lobbyists register and report as

10          required by legislative rule; defining the term

11          "compensation"; requiring each registrant who

12          is a designated lobbyist to identify the

13          industry group classification that describes

14          the principal; requiring that each registrant

15          designate the general and specific areas of the

16          principal's legislative interest; requiring the

17          disclosure of all compensation provided or owed

18          to a legislative lobbyist; requiring lobbying

19          activity reports to include the name and

20          address of each person to whom a lobbying

21          expenditure was made, the amount, date, and

22          purpose of the expenditure, and the name and

23          title of the person for whom the expenditure

24          was made; requiring that expenditures made as

25          open invitations be so designated; requiring

26          that each legislative lobbyist report the areas

27          of the principal's legislative interest which

28          were lobbied during the reporting period;

29          requiring a report of the amount of time spent

30          on each category; requiring detailed written

31          descriptions of specific issues lobbied;

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1 requiring the Division of Legislative  
2 Information Services to aggregate certain  
3 compensation and expenditure information;  
4 revising the period for filing reporting  
5 statements; requiring that a lobbyist and  
6 principal preserve certain records for a  
7 specified period; providing for inspection of  
8 such records by a representative of the  
9 Legislature; providing for audits by the  
10 Auditor General; providing for enforcement of  
11 the right of inspection by writ; authorizing  
12 legislative committees to investigate persons  
13 engaged in legislative or executive lobbying;  
14 requiring that lobbying-activity reports be  
15 electronically filed; creating s. 11.0455,  
16 F.S.; defining the term "electronic filing  
17 system"; providing requirements for lobbyists  
18 filing reports with the Division of Legislative  
19 Information Services by means of the division's  
20 electronic filing system; providing that such  
21 reports are considered to be under oath;  
22 providing requirements for the electronic  
23 filing system; providing for the Legislature to  
24 adopt rules to administer the electronic filing  
25 system; requiring alternate filing procedures;  
26 requiring the issuance of electronic receipts;  
27 requiring that the division provide for public  
28 access to the data that is filed via the  
29 Internet; amending s. 11.45, F.S.; requiring  
30 that the Auditor General conduct random audits  
31 of the activity reports filed by legislative

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1 and executive lobbyists; granting the Auditor  
2 General independent authority to audit the  
3 accounts and records of any principal or  
4 lobbyist with respect to compliance with the  
5 compensation-reporting requirements; requiring  
6 that the audit reports be forwarded to the  
7 Legislature; amending s. 112.3215, F.S.,  
8 relating to the requirements that executive  
9 branch and Constitution Revision Commission  
10 lobbyists register and report; defining the  
11 term "compensation"; requiring each lobbyist  
12 who is a designated lobbyist to identify the  
13 industry group classification that describes  
14 the principal; requiring that each lobbyist  
15 designate the general and specific areas of the  
16 principal's legislative interest; requiring the  
17 disclosure of all compensation provided or owed  
18 to a lobbyist; requiring lobbying activity  
19 reports to include the name and address of each  
20 person to whom a lobbying expenditure was made,  
21 the amount, date, and purpose of the  
22 expenditure and the name, title, and agency of  
23 the person for whom the expenditure was made;  
24 requiring that each lobbyist report the areas  
25 of the principal's lobbying interest which were  
26 lobbied during the reporting period; requiring  
27 a report of the amount of time spent on each  
28 category; requiring detailed written  
29 descriptions of specific issues lobbied;  
30 requiring the Commission on Ethics to aggregate  
31 certain compensation and expenditure

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1 information; revising the period for filing  
2 reporting statements; requiring that a lobbyist  
3 and principal preserve certain records for a  
4 specified period; providing for inspection of  
5 such records by a representative of the  
6 commission; providing for audits by the Auditor  
7 General; providing for enforcement of the right  
8 of inspection by writ; requiring that  
9 lobbying-activity reports be electronically  
10 filed; creating s. 112.32155, F.S.; defining  
11 the term "electronic filing system"; providing  
12 requirements for lobbyists filing reports with  
13 the Florida Commission on Ethics by means of  
14 the electronic filing system; providing that  
15 such reports are considered to be under oath;  
16 providing requirements for the electronic  
17 filing system; providing for the commission to  
18 adopt rules to administer the electronic filing  
19 system; requiring alternate filing procedures;  
20 requiring the issuance of electronic receipts;  
21 requiring that the commission provide for  
22 public access to the data that is filed via the  
23 Internet; specifying the initial reporting  
24 period that is subject to the requirements of  
25 the act; providing an effective date.

26  
27  
28  
29  
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31