

1 subject to the standards of conduct described in the following
2 sections:

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

8 (2) Section 112.3145, as a "local officer."

9 (3) Sections 112.3148 and 112.3149, as a "reporting
10 individual."

11 Section 2. Paragraph (e) is added to subsection (1) of
12 section 112.317, Florida Statutes, to read:

13 112.317 Penalties.--

14 (1) Violation of any provision of this part,
15 including, but not limited to, any failure to file any
16 disclosures required by this part or violation of any standard
17 of conduct imposed by this part, or violation of any provision
18 of s. 8, Art. II of the State Constitution, in addition to any
19 criminal penalty or other civil penalty involved, shall, under
20 applicable constitutional and statutory procedures, constitute
21 grounds for, and may be punished by, one or more of the
22 following:

23 (e) In the case of a person who is subject to the
24 standards of this part, other than a lobbyist or lobbying firm
25 under s. 112.3215 for a violation of s. 112.3215, but who is
26 not a public officer or employee:

27 1. Public censure and reprimand.

28 2. A civil penalty not to exceed \$10,000.

29 3. Restitution of any pecuniary benefits received
30 because of the violation committed. The commission may
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1 recommend that the restitution penalty be paid to the agency
2 of the person or to the General Revenue Fund.

3 Section 3. Paragraph (d) of subsection (8) of section
4 112.324, Florida Statutes, is amended to read:

5 112.324 Procedures on complaints of violations; public
6 records and meeting exemptions.--

7 (8) If, in cases pertaining to complaints other than
8 complaints against impeachable officers or members of the
9 Legislature, upon completion of a full and final investigation
10 by the commission, the commission finds that there has been a
11 violation of this part or of s. 8, Art. II of the State
12 Constitution, it shall be the duty of the commission to report
13 its findings and recommend appropriate action to the proper
14 disciplinary official or body as follows, and such official or
15 body shall have the power to invoke the penalty provisions of
16 this part, including the power to order the appropriate
17 elections official to remove a candidate from the ballot for a
18 violation of s. 112.3145 or s. 8(a) and (i), Art. II of the
19 State Constitution:

20 (d) Except as otherwise provided by this part, the
21 Governor, in the case of any other public officer, public
22 employee, former public officer or public employee, candidate,
23 or former candidate, or person who is not a public officer or
24 employee, other than a lobbyist or lobbying firm under s.
25 112.3215 for a violation of s. 112.3215.

26 Section 4. This act shall take effect October 1, 2007.
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SENATE SUMMARY

Subjects officers, directors, and certain employees of a business entity that is serving as the chief administrative or executive officer or employee of a political subdivision to specified standards of conduct applicable to public officers and employees. Provides for enforcement of the standards and penalties for their violation.