

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fasano offered the following:

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3 **Amendment to Amendment (005347) (with title amendment)**

4 Remove lines 1040-1079 and insert:

5 (2) A person who knowingly fails to file a disclosure  
6 required by this part within 90 days after the specified date  
7 commits a misdemeanor of the first degree, punishable as  
8 provided in s. 775.082 or s. 775.083.

9 (3)~~(2)~~ In any case in which the commission finds a  
10 violation of this part or of s. 8, Art. II of the State  
11 Constitution and the proper disciplinary official or body under  
12 s. 112.324 imposes a civil penalty or restitution penalty, the  
13 Attorney General shall bring a civil action to recover such  
14 penalty. No defense may be raised in the civil action to enforce  
15 the civil penalty or order of restitution that could have been  
16 raised by judicial review of the administrative findings and

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17 recommendations of the commission by certiorari to the district  
18 court of appeal. The Attorney General shall collect any costs,  
19 attorney ~~attorney's~~ fees, expert witness fees, or other costs of  
20 collection incurred in bringing the action.

21 ~~(4)-(3)~~ The penalties prescribed in this part shall not be  
22 construed to limit or to conflict with:

23 (a) The power of either house of the Legislature to  
24 discipline its own members or impeach a public officer.

25 (b) The power of agencies to discipline officers or  
26 employees.

27 ~~(5)-(4)~~ Any violation of this part or of s. 8, Art. II of  
28 the State Constitution by a public officer constitutes ~~shall~~  
29 ~~constitute~~ malfeasance, misfeasance, or neglect of duty in  
30 office within the meaning of s. 7, Art. IV of the State  
31 Constitution.

32 ~~(6)-(5)~~ By order of the Governor, upon recommendation of  
33 the commission, any elected municipal officer who violates ~~any~~  
34 ~~provision of~~ this part or ~~of~~ s. 8, Art. II of the State  
35 Constitution may be suspended from office and the office filled  
36 by appointment for the period of suspension. The suspended  
37 officer may at any time before removal be reinstated by the  
38 Governor. The Senate may, in proceedings prescribed by law,  
39 remove from office, or reinstate, the suspended official, and  
40 for such purpose the Senate may be convened in special session  
41 by its President or by a majority of its membership.

42 ~~(7)-(6)~~ In any case in which the commission finds probable  
43 cause to believe that a complainant has committed perjury in  
44 regard to any document filed with, or any testimony given

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45 | before, the commission, it shall refer such evidence to the  
46 | appropriate law enforcement agency for prosecution and taxation  
47 | of costs.

48 |        (8)~~(7)~~ In any case in which the commission determines that  
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52 |                   **T I T L E   A M E N D M E N T**

53 | Remove line 1801 and insert:  
54 | amending s. 112.317, F.S.; revising and providing  
55 | penalties; making technical changes;