

By Senator Margolis

35-00445-13

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1                   A bill to be entitled  
2           An act relating to state debtors; directing the  
3           Department of State to publish on its website a list  
4           of persons owing money to the state; requiring state  
5           agencies to forward such information to the  
6           department; requiring the department to publish such  
7           information in state newspapers; requiring that the  
8           Department of State notify the Chief Financial Officer  
9           or the governing body of a county, municipality, or  
10          special district of any unpaid debt or fines levied  
11          against a person who has been elected to a state,  
12          county, municipal, or special district office;  
13          requiring that the Chief Financial Officer or the  
14          governing body of a county, municipality, or special  
15          district withhold salary payments that would otherwise  
16          be paid to an elected official when that official owes  
17          a debt or fine to the state; authorizing the Chief  
18          Financial Officer or the governing body to retain a  
19          percentage of payment for administrative costs;  
20          providing an effective date.

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

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24           Section 1. To the extent allowed under state and federal  
25 law, the Department of State shall establish and maintain on its  
26 website a list of persons who currently owe money to the state,  
27 including the amount owed and the nature of the debt. Such debt  
28 may include, but is not limited to, unpaid taxes, administrative  
29 finances, judgments, or settlements. Each state agency, as defined

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30 in s. 216.011, Florida Statutes, shall forward to the  
31 department, on a monthly basis, a list of such persons known to  
32 the agency. The department, on a monthly basis shall forward to  
33 the major state newspapers for publication the names of persons  
34 residing in the newspapers' respective areas of coverage who  
35 have remained on the list for more than 30 days.

36 Section 2. Payment of unpaid fines by elected officials.-

37 (1) The Department of State shall notify the Chief  
38 Financial Officer or the governing body of a county,  
39 municipality, or special district of a debt or fine owed to the  
40 state by a person who has been elected to a state, county,  
41 municipal, or special district office.

42 (2) The Chief Financial Officer or the governing body of a  
43 county, municipality, or special district shall withhold the  
44 salary payment, less applicable state and federal taxes, which  
45 would otherwise be paid to the person elected to the state,  
46 county, municipal, or special district office when that person  
47 owes a debt or fine to the state. The withheld salary payment  
48 shall be remitted to the agency that is owed the debt or fine  
49 until the entire amount owed is satisfied.

50 (3) The Chief Financial Officer or the governing body of a  
51 county, municipality, or special district may retain up to 2  
52 percent of each payment made in order to cover the  
53 administrative costs incurred under this section.

54 Section 3. This act shall take effect July 1, 2013.