

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Fasano offered the following:

Amendment (with title amendment)

Remove lines 1165-1204 and insert:

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

(3)~~(2)~~ In any case in which the commission finds a violation of this part or of s. 8, Art. II of the State Constitution and the proper disciplinary official or body under s. 112.324 imposes a civil penalty or restitution penalty, the Attorney General shall bring a civil action to recover such penalty. No defense may be raised in the civil action to enforce the civil penalty or order of restitution that could have been 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 164 and insert:
54 | amending s. 112.317, F.S.; revising and providing
55 | penalties;