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LEGISLATIVE ACTION

Senate

.

House

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Floor: WD/2R

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03/20/2014 02:45 PM

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Senator Abruzzo moved the following:

Senate Amendment

Delete lines 172 - 275

and insert:

of elections, clerk of the circuit court, or superintendent of schools.

(i) ~~(h)~~ "Office" means the Office of Legislative Services.

(j) ~~(i)~~ "Principal" means the person, firm, corporation, or other entity which has employed or retained a lobbyist.

(2) A local officer may not lobby or register to lobby the Legislature on behalf of a person or entity other than his or



310360

12 her political subdivision. This subsection does not prohibit a
13 local officer from being employed by, or contracting with, a
14 lobbying firm if he or she does not personally represent clients
15 before the Legislature.

16 (9)~~(8)~~ Any person required to be registered or to provide
17 information pursuant to this section or pursuant to rules
18 established in conformity with this section who knowingly fails
19 to disclose any material fact required by this section or by
20 rules established in conformity with this section, or who
21 knowingly provides false information on any report required by
22 this section or by rules established in conformity with this
23 section, commits a noncriminal infraction, punishable by a fine
24 not to exceed \$5,000. Such penalty shall be in addition to any
25 other penalty assessed by a house of the Legislature pursuant to
26 subsection (8) ~~(7)~~.

27 (10)~~(9)~~ There is hereby created the Legislative Lobbyist
28 Registration Trust Fund, to be used for the purpose of funding
29 any office established for the administration of the
30 registration of lobbyists lobbying the Legislature, including
31 the payment of salaries and other expenses, and for the purpose
32 of paying the expenses incurred by the Legislature in providing
33 services to lobbyists. The trust fund is not subject to the
34 service charge to general revenue provisions of chapter 215.
35 Fees collected pursuant to rules established in accordance with
36 subsection (3) ~~(2)~~ shall be deposited into the Legislative
37 Lobbyist Registration Trust Fund.

38 Section 2. Subsection (1) of section 112.3215, Florida
39 Statutes, is amended, present subsections (3) through (15) of
40 that section are renumbered as subsections (4) through (16),



310360

41 respectively, a new subsection (3) is added to that section, and
42 present subsection (11) of that section is amended, to read:

43 112.3215 Lobbying before the executive branch or the
44 Constitution Revision Commission; registration and reporting;
45 investigation by commission.—

46 (1) For the purposes of this section:

47 (a) "Agency" means the Governor, the Governor and Cabinet,
48 or any department, division, bureau, board, commission, or
49 authority of the executive branch. In addition, "agency" shall
50 mean the Constitution Revision Commission as provided by s. 2,
51 Art. XI of the State Constitution.

52 (b) "Agency official" or "employee" means any individual
53 who is required by law to file full or limited public disclosure
54 of his or her financial interests.

55 (c) "Compensation" means a payment, distribution, loan,
56 advance, reimbursement, deposit, salary, fee, retainer, or
57 anything of value provided or owed to a lobbying firm, directly
58 or indirectly, by a principal for any lobbying activity.

59 (d) "Expenditure" means a payment, distribution, loan,
60 advance, reimbursement, deposit, or anything of value made by a
61 lobbyist or principal for the purpose of lobbying. The term
62 "expenditure" does not include contributions or expenditures
63 reported pursuant to chapter 106 or contributions or
64 expenditures reported pursuant to federal election law,
65 campaign-related personal services provided without compensation
66 by individuals volunteering their time, any other contribution
67 or expenditure made by or to a political party or an affiliated
68 party committee, or any other contribution or expenditure made
69 by an organization that is exempt from taxation under 26 U.S.C.



310360

70 s. 527 or s. 501(c)(4).

71 (e) "Fund" means the Executive Branch Lobby Registration
72 Trust Fund.

73 (f) "Lobbies" means seeking, on behalf of another person,
74 to influence an agency with respect to a decision of the agency
75 in the area of policy or procurement or an attempt to obtain the
76 goodwill of an agency official or employee. "Lobbies" also means
77 influencing or attempting to influence, on behalf of another,
78 the Constitution Revision Commission's action or nonaction
79 through oral or written communication or an attempt to obtain
80 the goodwill of a member or employee of the Constitution
81 Revision Commission.

82 (g) "Lobbying firm" means a business entity, including an
83 individual contract lobbyist, that receives or becomes entitled
84 to receive any compensation for the purpose of lobbying, where
85 any partner, owner, officer, or employee of the business entity
86 is a lobbyist.

87 (h) "Lobbyist" means a person who is employed and receives
88 payment, or who contracts for economic consideration, for the
89 purpose of lobbying, or a person who is principally employed for
90 governmental affairs by another person or governmental entity to
91 lobby on behalf of that other person or governmental entity.
92 "Lobbyist" does not include a person who is:

93 1. An attorney, or any person, who represents a client in a
94 judicial proceeding or in a formal administrative proceeding
95 conducted pursuant to chapter 120 or any other formal hearing
96 before an agency, board, commission, or authority of this state.

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



310360

99 3. A confidential informant who is providing, or wishes to
100 provide, confidential information to be used for law enforcement
101 purposes.

102 4. A person who lobbies to procure a contract pursuant to
103 chapter 287 which contract is less than the threshold for
104 CATEGORY ONE as provided in s. 287.017.

105 (i) "Local officer" means a state attorney, public
106 defender, sheriff, tax collector, property appraiser, supervisor
107 of elections, clerk of the circuit court, or superintendent of
108 schools.