

By Senator Latvala

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1                                   A bill to be entitled  
2       An act relating to governmental ethics; amending s.  
3       28.35, F.S.; specifying the applicability of certain  
4       provisions of the Code of Ethics for Public Officers  
5       and Employees to members of the executive council of  
6       the Florida Clerks of Court Operations Corporation;  
7       amending s. 112.3142, F.S.; requiring elected  
8       municipal officers to participate in annual ethics  
9       training; amending s. 112.3144, F.S.; requiring an  
10      officer required to participate in annual ethics  
11      training to certify participation on his or her full  
12      and public disclosure of financial interests;  
13      authorizing the Commission on Ethics to initiate an  
14      investigation and hold a public hearing without  
15      receipt of a complaint in certain circumstances;  
16      requiring the commission to enter an order  
17      recommending removal of an officer or public employee  
18      from public office or public employment in certain  
19      circumstances; prohibiting the commission from taking  
20      action on a complaint alleging certain errors or  
21      omissions on a disclosure within a specified time  
22      period; providing that failure to certify completion  
23      of annual ethics training on a disclosure does not  
24      constitute an immaterial, inconsequential, or de  
25      minimis error or omission; amending s. 112.3145, F.S.;  
26      requiring an officer required to participate in annual  
27      ethics training to certify participation on his or her  
28      statement of financial interests; authorizing the  
29      Commission on Ethics to initiate an investigation and

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30 hold a public hearing without receipt of a complaint  
31 in certain circumstances; requiring the commission to  
32 enter an order to remove an officer or public employee  
33 from public office or public employment in certain  
34 circumstances; prohibiting the commission from taking  
35 action on a complaint alleging certain errors or  
36 omissions on a statement within a specified time  
37 period; providing that failure to certify completion  
38 of annual ethics training on a statement does not  
39 constitute an immaterial, inconsequential, or de  
40 minimis error or omission; amending s. 112.31455,  
41 F.S.; authorizing the Chief Financial Officer or  
42 governing body to withhold the entire amount of a fine  
43 owed and related administrative costs from salary-  
44 related payments of certain individuals; authorizing  
45 the Chief Financial Officer or governing body to  
46 reduce the amount withheld if an individual can  
47 demonstrate a hardship; creating s. 112.31456, F.S.;  
48 authorizing the commission to seek wage garnishment of  
49 certain individuals to satisfy unpaid fines;  
50 authorizing the commission to refer unpaid fines to a  
51 collection agency; establishing a statute of  
52 limitations with respect to the collection of an  
53 unpaid fine; creating s. 112.3251, F.S.; requiring  
54 citizen support and direct-support organizations to  
55 adopt a code of ethics; establishing minimum  
56 requirements for a code of ethics; creating s.  
57 112.3261, F.S.; defining terms; prohibiting a person  
58 from lobbying an independent special district until

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59 registering; establishing registration requirements;  
60 requiring public availability of lobbyist  
61 registrations; establishing procedures for termination  
62 of a lobbyist's registration; authorizing an  
63 independent special district to establish a  
64 registration fee; establishing requirements for  
65 quarterly compensation reports; requiring an  
66 independent special district to establish procedures  
67 with respect to the receipt of reports; prohibiting  
68 lobbying expenditures; prohibiting compensation to a  
69 firm not registered to lobby; providing for  
70 jurisdiction of complaints; providing a penalty;  
71 authorizing a person to request an advisory opinion  
72 from the commission; authorizing an independent  
73 special district or person to file a complaint;  
74 requiring an independent special district to establish  
75 certain policies and procedures; amending s. 288.901,  
76 F.S.; specifying the applicability of certain  
77 provisions of the Code of Ethics for Public Officers  
78 and Employees to members of the Enterprise Florida,  
79 Inc., board of directors; amending s. 288.92, F.S.;  
80 specifying the applicability of certain provisions of  
81 the Code of Ethics for Public Officers and Employees  
82 to division officers of Enterprise Florida, Inc.;  
83 amending s. 288.9604, F.S.; specifying the  
84 applicability of certain provisions of the Code of  
85 Ethics for Public Officers and Employees to the board  
86 of directors of the Florida Development Finance  
87 Corporation; amending s. 331.3081, F.S.; specifying

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88 the applicability of certain provisions of the Code of  
89 Ethics for Public Officers and Employees to the board  
90 of directors of Space Florida; amending s. 627.351,  
91 F.S.; specifying the applicability of certain  
92 provisions of the Code of Ethics for Public Officers  
93 and Employees to senior managers and members of the  
94 board of governors of Citizens Property Insurance  
95 Corporation; prohibiting a former member of the board  
96 of governors from representing another person or  
97 entity before the corporation for a specified  
98 timeframe; providing an effective date.

99

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

101

102 Section 1. Paragraph (b) of subsection (1) of section  
103 28.35, Florida Statutes, is amended to read:

104 28.35 Florida Clerks of Court Operations Corporation.—

105 (1)

106 (b)1. The executive council shall be composed of eight  
107 clerks of the court elected by the clerks of the courts for a  
108 term of 2 years, with two clerks from counties with a population  
109 of fewer than 100,000, two clerks from counties with a  
110 population of at least 100,000 but fewer than 500,000, two  
111 clerks from counties with a population of at least 500,000 but  
112 fewer than 1 million, and two clerks from counties with a  
113 population of ~~more than~~ 1 million or more. The executive council  
114 shall also include, as ex officio members, a designee of the  
115 President of the Senate and a designee of the Speaker of the  
116 House of Representatives. The Chief Justice of the Supreme Court

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117 shall designate one additional member to represent the state  
118 courts system.

119 2. The Legislature determines that it is in the public  
120 interest for the members of the executive council of the  
121 corporation to be subject to the requirements of s. 112.313,  
122 including s. 112.313(9); s. 112.3135; and s. 112.3143(2),  
123 notwithstanding the fact that the council members are not public  
124 officers or employees. For purposes of these sections, the  
125 council members shall be considered to be public officers or  
126 employees.

127 Section 2. Section 112.3142, Florida Statutes, is amended  
128 to read:

129 112.3142 Ethics training for specified constitutional  
130 officers and elected municipal officers.—

131 (1) As used in this section, the term "constitutional  
132 officers" includes the Governor, the Lieutenant Governor, the  
133 Attorney General, the Chief Financial Officer, the Commissioner  
134 of Agriculture, state attorneys, public defenders, sheriffs, tax  
135 collectors, property appraisers, supervisors of elections,  
136 clerks of the circuit court, county commissioners, district  
137 school board members, and superintendents of schools.

138 (2) (a) All constitutional officers and elected municipal  
139 officers must complete 4 hours of ethics training each calendar  
140 year which ~~annually that~~ addresses, at a minimum, s. 8, Art. II  
141 of the State Constitution, the Code of Ethics for Public  
142 Officers and Employees, and the public records and public  
143 meetings laws of this state. This requirement may be satisfied  
144 by completion of a continuing legal education class or other  
145 continuing professional education class, seminar, or

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146 presentation if the required subjects are covered.

147 (b) The commission shall adopt rules establishing minimum  
148 course content for the portion of an ethics training class that  
149 addresses s. 8, Art. II of the State Constitution and the Code  
150 of Ethics for Public Officers and Employees.

151 (3) Each house of the Legislature shall provide for ethics  
152 training pursuant to its rules.

153 Section 3. Subsection (1), paragraph (g) of subsection (5),  
154 and paragraphs (a) and (c) of present subsection (7) of section  
155 112.3144, Florida Statutes, are amended, present subsections (6)  
156 through (9) of that section are redesignated as subsections (7)  
157 through (10), respectively, and a new subsection (6) is added to  
158 that section, to read:

159 112.3144 Full and public disclosure of financial  
160 interests.—

161 (1) An officer who is required by s. 8, Art. II of the  
162 State Constitution to file a full and public disclosure of his  
163 or her financial interests for any calendar or fiscal year shall  
164 file that disclosure with the Florida Commission on Ethics.  
165 Additionally, an officer who is required to complete annual  
166 ethics training pursuant to s. 112.3142 must certify on his or  
167 her full and public disclosure of financial interests that he or  
168 she has completed the required training.

169 (5) Forms for compliance with the full and public  
170 disclosure requirements of s. 8, Art. II of the State  
171 Constitution shall be created by the Commission on Ethics. The  
172 commission shall give notice of disclosure deadlines and  
173 delinquencies and distribute forms in the following manner:

174 (g) The notification requirements and fines of this

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175 subsection do not apply to candidates or to the first filing  
176 required of any person appointed to elective constitutional  
177 office or other position required to file full and public  
178 disclosure, unless the person's name is on the commission's  
179 notification list and the person received notification from the  
180 commission. The appointing official shall notify such newly  
181 appointed person of the obligation to file full and public  
182 disclosure by July 1. The notification requirements and fines of  
183 this subsection do not apply to the final filing provided for in  
184 subsection (7)~~(6)~~.

185 (6) If a person holding public office or public employment  
186 fails or refuses to file a full and public disclosure of  
187 financial interests for any year in which the person received  
188 notice from the commission regarding the failure to file and has  
189 accrued the maximum automatic fine authorized under this  
190 section, regardless of whether the fine imposed was paid or  
191 collected, the commission may initiate an investigation and  
192 conduct a public hearing without receipt of a complaint to  
193 determine whether the person's failure to file is willful. If  
194 the commission determines that the person willfully failed to  
195 file a full and public disclosure of financial interests, the  
196 commission shall enter an order recommending that the officer or  
197 employee be removed from his or her public office or public  
198 employment.

199 (8)~~(7)~~(a) The commission shall treat an amended full and  
200 public disclosure of financial interests which ~~that~~ is filed  
201 before ~~prior to~~ September 1 of the ~~current~~ year in which the  
202 disclosure is due as the original filing, regardless of whether  
203 a complaint has been filed. ~~If a complaint pertaining to the~~

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204 ~~current year alleges a failure to properly and accurately~~  
205 ~~disclose any information required by this section or if a~~  
206 ~~complaint filed pertaining to a previous reporting period within~~  
207 ~~the preceding 5 years alleges a failure to properly and~~  
208 ~~accurately disclose any information required to be disclosed by~~  
209 ~~this section, the commission may immediately follow complaint~~  
210 ~~procedures in s. 112.324. However,~~ If a complaint filed after  
211 August 25 of the year in which the disclosure is due is based  
212 upon an error or omission in the annual disclosure and if the  
213 complaint alleges only an immaterial, inconsequential, or de  
214 minimis error or omission, the commission may not take any  
215 action on the complaint, other than notifying the filer of the  
216 complaint. The filer must be given 30 days to file an amended  
217 full and public disclosure of financial interests correcting any  
218 errors. If the filer does not file an amended full and public  
219 disclosure of financial interests within 30 days after the  
220 commission sends notice of the complaint, the commission may  
221 continue with proceedings pursuant to s. 112.324.

222 (c) For purposes of this section, an error or omission is  
223 immaterial, inconsequential, or de minimis if the original  
224 filing provided sufficient information for the public to  
225 identify potential conflicts of interest. However, failure to  
226 certify completion of annual ethics training required under s.  
227 112.3142 does not constitute an immaterial, inconsequential, or  
228 de minimis error or omission.

229 Section 4. Present subsections (4) through (11) of section  
230 112.3145, Florida Statutes, are redesignated as subsections (5)  
231 through (12), respectively, a new subsection (4) is added to  
232 that section, paragraph (c) is added to present subsection (7)

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233 of that section, and paragraphs (a) and (c) of present  
234 subsection (9) of that section are amended, to read:

235 112.3145 Disclosure of financial interests and clients  
236 represented before agencies.—

237 (4) An officer who is required to complete annual ethics  
238 training pursuant to s. 112.3142 must certify on his or her  
239 statement of financial interests that he or she has completed  
240 the required training.

241 (8) (7)

242 (c) If a person holding public office or public employment  
243 fails or refuses to file an annual statement of financial  
244 interests for any year in which the person received notice from  
245 the commission regarding the failure to file and has accrued the  
246 maximum automatic fine authorized under this section, regardless  
247 of whether the fine imposed was paid or collected, the  
248 commission may initiate an investigation and conduct a public  
249 hearing without receipt of a complaint to determine whether the  
250 person's failure to file is willful. If the commission  
251 determines that the person willfully failed to file a statement  
252 of financial interests, the commission shall enter an order  
253 recommending that the officer or employee be removed from his or  
254 her public office or public employment.

255 (10) (9) (a) The commission shall treat an amended annual  
256 statement of financial interests which that is filed before  
257 prior to September 1 of the current year in which the statement  
258 is due as the original filing, regardless of whether a complaint  
259 has been filed. If a complaint pertaining to the current year  
260 alleges a failure to properly and accurately disclose any  
261 information required by this section or if a complaint filed

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262 ~~pertaining to a previous reporting period within the preceding 5~~  
263 ~~years alleges a failure to properly and accurately disclose any~~  
264 ~~information required to be disclosed by this section, the~~  
265 ~~commission may immediately follow complaint procedures in s.~~  
266 ~~112.324. However,~~ If a complaint filed after August 25 of the  
267 year in which the statement is due is based upon an error or  
268 omission in the annual statement and if the complaint alleges  
269 only an immaterial, inconsequential, or de minimis error or  
270 omission, the commission may not take any action on the  
271 complaint, other than notifying the filer of the complaint. The  
272 filer must be given 30 days to file an amended statement of  
273 financial interests correcting any errors. If the filer does not  
274 file an amended statement of financial interests within 30 days  
275 after the commission sends notice of the complaint, the  
276 commission may continue with proceedings pursuant to s. 112.324.

277 (c) For purposes of this section, an error or omission is  
278 immaterial, inconsequential, or de minimis if the original  
279 filing provided sufficient information for the public to  
280 identify potential conflicts of interest. However, failure to  
281 certify completion of annual ethics training required under s.  
282 112.3142 does not constitute an immaterial, inconsequential, or  
283 de minimis error or omission.

284 Section 5. Section 112.31455, Florida Statutes, is amended  
285 to read:

286 112.31455 Withholding of public salary-related payments  
287 ~~Collection methods~~ for unpaid automatic fines for failure to  
288 timely file disclosure of financial interests.-

289 (1) Before referring any unpaid fine accrued pursuant to s.  
290 112.3144(5) or s. 112.3145(7) ~~s. 112.3145(6)~~ to the Department

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291 of Financial Services, the commission shall attempt to determine  
292 whether the individual owing such a fine is a current public  
293 officer or current public employee. If so, the commission may  
294 notify the Chief Financial Officer or the governing body of the  
295 appropriate county, municipality, or special district of the  
296 total amount of any fine owed to the commission by such  
297 individual.

298 (a) After receipt and verification of the notice from the  
299 commission, the Chief Financial Officer or the governing body of  
300 the county, municipality, or special district shall withhold the  
301 entire amount of any fine owed, and any administrative costs  
302 incurred, from the individual's next salary-related payment. If  
303 the fine exceeds the amount of the next salary-related payment,  
304 all salary-related payments must be withheld until the fine and  
305 administrative costs are paid in full ~~begin withholding the~~  
306 ~~lesser of 10 percent or the maximum amount allowed under federal~~  
307 ~~law from any salary-related payment.~~ The withheld payments shall  
308 be remitted to the commission until the fine is satisfied.

309 (b) The Chief Financial Officer or the governing body of  
310 the county, municipality, or special district may retain an  
311 amount of each withheld payment, as provided in s. 77.0305, to  
312 cover the administrative costs incurred under this section.

313 (c) If a current public officer or current public employee  
314 demonstrates to the Chief Financial Officer or the governing  
315 body responsible for paying him or her that the public salary is  
316 his or her primary source of income and that withholding the  
317 full amount of any fine owed from a salary-related payment would  
318 present an undue hardship, the amount withheld from a public  
319 salary may be reduced to not less than 10 percent of the salary-

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320 related payment.

321 ~~(2) If the commission determines that the individual who is~~  
322 ~~the subject of an unpaid fine accrued pursuant to s. 112.3144(5)~~  
323 ~~or s. 112.3145(6) is no longer a public officer or public~~  
324 ~~employee or if the commission is unable to determine whether the~~  
325 ~~individual is a current public officer or public employee, the~~  
326 ~~commission may, 6 months after the order becomes final, seek~~  
327 ~~garnishment of any wages to satisfy the amount of the fine, or~~  
328 ~~any unpaid portion thereof, pursuant to chapter 77. Upon~~  
329 ~~recording the order imposing the fine with the clerk of the~~  
330 ~~circuit court, the order shall be deemed a judgment for purposes~~  
331 ~~of garnishment pursuant to chapter 77.~~

332 (2)~~(3)~~ The commission may refer unpaid fines to the  
333 appropriate collection agency, as directed by the Chief  
334 Financial Officer, to utilize any collection methods provided by  
335 law. Except as expressly limited by this section, any other  
336 collection methods authorized by law are allowed.

337 (3)~~(4)~~ Action may be taken to collect any unpaid fine  
338 imposed by ss. 112.3144 and 112.3145 within 20 years after the  
339 date the final order is rendered.

340 Section 6. Section 112.31456, Florida Statutes, is created  
341 to read:

342 112.31456 Garnishment of wages for unpaid automatic fines  
343 for failure to timely file disclosure of financial interests.-

344 (1) Before referring any unpaid fine accrued pursuant to s.  
345 112.3144(5) or s. 112.3145(7) to the Department of Financial  
346 Services, the commission shall attempt to determine whether the  
347 individual owing such fine is a current public officer or  
348 current public employee. If the commission determines that an

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349 individual who is the subject of an unpaid fine accrued pursuant  
350 to s. 112.3144(5) or s. 112.3145(7) is no longer a public  
351 officer or public employee or the commission is unable to  
352 determine whether the individual is a current public officer or  
353 public employee, the commission may, 6 months after the order  
354 becomes final, seek garnishment of any wages to satisfy the  
355 amount of the fine, or any unpaid portion thereof, pursuant to  
356 chapter 77. Upon recording the order imposing the fine with the  
357 clerk of the circuit court, the order shall be deemed a judgment  
358 for purposes of garnishment pursuant to chapter 77.

359 (2) The commission may refer unpaid fines to the  
360 appropriate collection agency, as directed by the Chief  
361 Financial Officer, to use any collection methods provided by  
362 law. Except as expressly limited by this section, any other  
363 collection methods authorized by law are allowed.

364 (3) Action may be taken to collect any unpaid fine imposed  
365 by ss. 112.3144 and 112.3145 within 20 years after the date the  
366 final order is rendered.

367 Section 7. Section 112.3251, Florida Statutes, is created  
368 to read:

369 112.3251 Citizen support and direct-support organizations;  
370 standards of conduct.—A citizen support or direct-support  
371 organization created or authorized pursuant to law must adopt  
372 its own ethics code. The ethics code must contain the standards  
373 of conduct and disclosures required under ss. 112.313 and  
374 112.3143(2), respectively. However, an ethics code adopted  
375 pursuant to this section is not required to contain the  
376 standards of conduct specified in s. 112.313(3) or (7). The  
377 citizen support or direct-support organization may adopt

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378 additional or more stringent standards of conduct and disclosure  
379 requirements, provided that those standards of conduct and  
380 disclosure requirements do not otherwise conflict with this  
381 part. The ethics code must be conspicuously posted on the  
382 website of the citizen support or direct-support organization.

383 Section 8. Section 112.3261, Florida Statutes, is created  
384 to read:

385 112.3261 Lobbying before independent special districts;  
386 registration and reporting.-

387 (1) As used in this section, the term:

388 (a) "Compensation" has the same meaning as in s. 112.3215.

389 (b) "Expenditure" has the same meaning as in s. 112.3215.

390 (c) "Independent special district" means a water management  
391 district, hospital district, children's services district, or  
392 any independent special district, as defined in s. 189.403, that  
393 exercises ad valorem taxing authority.

394 (d) "Lobbies" means seeking, on behalf of another person,  
395 to influence an independent special district with respect to a  
396 decision of the district in an area of policy or procurement or  
397 an attempt to obtain the goodwill of a district official or  
398 employee.

399 (e) "Lobbying firm" has the same meaning as in s. 112.3215.

400 (f) "Lobbyist" has the same meaning as in s. 112.3215.

401 (g) "Principal" has the same meaning as in s. 112.3215.

402 (2) A person may not lobby an independent special district  
403 until such person has registered as a lobbyist with that  
404 district. Such registration shall be due upon initially being  
405 retained to lobby and is renewable on a calendar-year basis  
406 thereafter. Upon registration, the person shall provide a

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407 statement signed by the principal or principal's representative  
408 stating that the registrant is authorized to represent the  
409 principal. The principal shall also identify and designate its  
410 main business on the statement authorizing that lobbyist  
411 pursuant to a classification system approved by the district.  
412 The registration form shall require each lobbyist to disclose,  
413 under oath, the following:

414 (a) The lobbyist's name and business address.

415 (b) The name and business address of each principal  
416 represented.

417 (c) The lobbyist's area of interest.

418 (d) The existence of any direct or indirect business  
419 association, partnership, or financial relationship with any  
420 employee of an independent special district with which he or she  
421 lobbies, or intends to lobby.

422 (3) An independent special district shall make lobbyist  
423 registrations available to the public. If an independent special  
424 district maintains a website, a database of current registered  
425 lobbyists and principals must be available on the district's  
426 website.

427 (4) A lobbyist shall promptly send a written statement to  
428 the independent special district cancelling the registration for  
429 a principal upon termination of the lobbyist's representation of  
430 that principal. An independent special district may remove the  
431 name of a lobbyist from the list of registered lobbyists if the  
432 principal notifies the district that a person is no longer  
433 authorized to represent that principal.

434 (5) An independent special district may establish an annual  
435 lobbyist registration fee, not to exceed \$40 for each principal

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436 represented.

437 (6) (a) 1. Each lobbying firm shall file a compensation  
438 report with the independent special district for each calendar  
439 quarter during any portion of which one or more of the firm's  
440 lobbyists were registered to represent a principal. The  
441 compensation report shall include the following:

442 a. Full name, business address, and telephone number of the  
443 lobbying firm;

444 b. Name of each of the firm's lobbyists; and

445 c. Total compensation provided or owed to the lobbying firm  
446 from all principals for the reporting period, reported in one of  
447 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;  
448 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
449 \$999,999; \$1 million or more.

450 2. For each principal represented by one or more of the  
451 firm's lobbyists, the lobbying firm's compensation report shall  
452 also include the following:

453 a. Full name, business address, and telephone number of the  
454 principal; and

455 b. Total compensation provided or owed to the lobbying firm  
456 for the reporting period, reported in one of the following  
457 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
458 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
459 more. If the category "\$50,000 or more" is selected, the  
460 specific dollar amount of compensation must be reported, rounded  
461 up or down to the nearest \$1,000.

462 3. If a lobbying firm subcontracts work from another  
463 lobbying firm and not from the original principal:

464 a. The lobbying firm providing the work to be subcontracted

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465 shall be treated as the reporting lobbying firm's principal for  
466 reporting purposes under this paragraph; and

467 b. The reporting lobbying firm shall, for each lobbying  
468 firm identified under subparagraph (a)2., identify the name and  
469 address of the principal originating the lobbying work.

470 4. The senior partner, officer, or owner of the lobbying  
471 firm shall certify to the veracity and completeness of the  
472 information submitted pursuant to this paragraph.

473 (b) For each principal represented by more than one  
474 lobbying firm, the district shall aggregate the quarterly  
475 reporting period and calendar year compensation reported as  
476 provided or owed by the principal.

477 (c) The reporting statements shall be filed no later than  
478 45 days after the end of each reporting period. The four  
479 reporting periods are from January 1 through March 31, April 1  
480 through June 30, July 1 through September 30, and October 1  
481 through December 31, respectively. Reporting statements may be  
482 filed by electronic means established by the independent special  
483 district.

484 (d) The independent special district shall establish  
485 procedures with respect to notifying a lobbying firm that fails  
486 to timely file a report and is assessed a fine, the grounds for  
487 waiving a fine, and the appeal of an assessed fine. The  
488 procedures shall address the following:

489 1. Upon determining that the report is late, the person  
490 designated to review the timeliness of reports shall immediately  
491 notify the lobbying firm of its failure to timely file the  
492 report and that a fine is being assessed for each late day. The  
493 fine shall be \$50 per day per report for each late day, up to a

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494 maximum fine of \$5,000 per late report.

495 2. Upon receipt of the report, the person designated to  
496 review the timeliness of reports shall determine the amount of  
497 the fine due based upon the earliest of the following:

498 a. The date that a report is actually received by the  
499 independent special district.

500 b. The date that an electronic receipt for the report is  
501 issued.

502 3. Unless the fine is appealed, it shall be paid within 30  
503 days after the notice of payment due is transmitted by the  
504 independent special district.

505 4. A fine may not be assessed against a lobbying firm the  
506 first time any reports for which the lobbying firm is  
507 responsible are not timely filed. However, to receive the one-  
508 time fine waiver, all reports for which the lobbying firm is  
509 responsible must be filed within 30 days after the notice that  
510 any reports have not been timely filed is transmitted by the  
511 independent special district. A fine shall be assessed for any  
512 subsequent late-filed reports.

513 5. A lobbying firm may appeal or dispute a fine, based upon  
514 unusual circumstances surrounding the failure to file on the  
515 designated due date, and may request, and is entitled to, a  
516 hearing before the independent special district, which may waive  
517 the fine in whole or in part for good cause shown. Any such  
518 request shall be made within 30 days after the notice of payment  
519 due is transmitted by the independent special district. In such  
520 case, the lobbying firm shall, within the 30-day period, notify  
521 the person designated to review the timeliness of reports in  
522 writing of his or her intention to bring the matter before the

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523 independent special district.

524 6. The person designated to review the timeliness of  
525 reports shall notify the independent special district of the  
526 failure of a lobbying firm to file a report after notice or the  
527 failure of a lobbying firm to pay the fine imposed. All lobbyist  
528 registrations for lobbyists who are partners, owners, officers,  
529 or employees of a lobbying firm that fails to timely pay a fine  
530 are automatically suspended until the fine is paid or waived,  
531 and the independent special district shall promptly notify all  
532 affected principals of each suspension and each registration.

533 7. A fine imposed under this subsection which is not waived  
534 by final order of the independent special district and which  
535 remains unpaid more than 60 days after the notice of payment due  
536 or more than 60 days after the independent special district  
537 renders a final order on the lobbying firm's appeal may be  
538 recorded as a judgment in the appropriate circuit court. The  
539 independent special district may take any actions necessary to  
540 enforce the judgment.

541 (7) (a) Notwithstanding s. 112.3148, s. 112.3149, or any  
542 other provision of law to the contrary, no lobbyist or principal  
543 shall make, directly or indirectly, and no independent special  
544 district official, member, or employee shall knowingly accept,  
545 directly or indirectly, any expenditure.

546 (b) No person shall provide compensation for lobbying to an  
547 individual or business entity that is not a lobbying firm.

548 (8) The commission has exclusive jurisdiction of complaints  
549 alleging that a person covered by this section has failed to  
550 register, has failed to submit a compensation report, has made  
551 or received a prohibited expenditure, or has knowingly submitted

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552 false information in any report or registration required under  
553 this section. The complaint proceedings must be conducted  
554 pursuant to s. 112.324. The commission shall investigate any  
555 lobbying firm, lobbyist, principal, agency, officer, or employee  
556 upon receipt of information from a sworn complaint or from a  
557 random audit of lobbying reports indicating a possible violation  
558 other than a late-filed report.

559 (9) Any person who is required to be registered or to  
560 provide information under this section or under procedures  
561 established pursuant to this section and who knowingly fails to  
562 disclose any material fact that is required by this section or  
563 procedures established pursuant to this section, or who  
564 knowingly provides false information on any report required by  
565 this section or by procedures established pursuant to this  
566 section, commits a noncriminal infraction, punishable by a fine  
567 not to exceed \$5,000. Such penalty is in addition to any other  
568 penalty assessed pursuant to subsection (8).

569 (10) If a person is uncertain about the applicability and  
570 interpretation of this section, he or she may submit in writing  
571 the facts of the situation to the commission with a request for  
572 an advisory opinion to establish his or her standard of duty. An  
573 advisory opinion shall be rendered by the commission and, until  
574 amended or revoked, shall be binding on the conduct of the  
575 person who sought the opinion, unless material facts were  
576 omitted or misstated in the request.

577 (11) An independent special district shall be diligent to  
578 ascertain whether persons required to register pursuant to this  
579 section have complied. An independent special district may not  
580 knowingly authorize a person who is not registered pursuant to

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581 this section to lobby the district.

582 (12) Upon discovery of a violation of this section, an  
583 independent special district or any person may file a sworn  
584 complaint with the commission.

585 (13) An independent special district shall establish  
586 policies and procedures to administer this section, including  
587 the forms for registration and compensation reports and  
588 procedures for registration. All policies and procedures adopted  
589 by an independent special district shall be posted on the  
590 district's website or available by regular mail or e-mail upon  
591 request.

592 Section 9. Paragraph (c) of subsection (1) of section  
593 288.901, Florida Statutes, is amended to read:

594 288.901 Enterprise Florida, Inc.—

595 (1) CREATION.—

596 (c) The Legislature determines that it is in the public  
597 interest that for the members of the Enterprise Florida, Inc.,  
598 board of directors ~~to~~ be subject to the requirements of s.  
599 112.313, including s. 112.313(9); s. 112.3135; ~~ss.112.3135,~~ and  
600 s. 112.3143(2), and ~~112.313, excluding s. 112.313(2),~~  
601 notwithstanding the fact that the board members are not public  
602 officers or employees. For purposes of those sections, the board  
603 members shall be considered to be public officers or employees.  
604 The exemption set forth in s. 112.313(12) for advisory boards  
605 applies to the members of the Enterprise Florida, Inc., board of  
606 directors. Further, each member of the board of directors who is  
607 not otherwise required to file financial disclosures pursuant to  
608 s. 8, Art. II of the State Constitution or s. 112.3144, shall  
609 file disclosure of financial interests pursuant to s. 112.3145.

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610 Section 10. Present paragraph (b) of subsection (2) of  
611 section 288.92, Florida Statutes, is redesignated as paragraph  
612 (c), and a new paragraph (b) is added to that subsection, to  
613 read:

614 288.92 Divisions of Enterprise Florida, Inc.—

615 (2)

616 (b) The Legislature determines that it is in the public  
617 interest that the officers and agents of the divisions of  
618 Enterprise Florida, Inc., including any corporations created to  
619 carry out its missions, be subject to s. 112.313, including s.  
620 112.313(9); s. 112.3135; and s. 112.3143(2), notwithstanding the  
621 fact that the division officers and agents are not public  
622 officers or employees.

623 Section 11. Paragraph (a) of subsection (3) of section  
624 288.9604, Florida Statutes, is amended to read:

625 288.9604 Creation of the authority.—

626 (3) (a) 1. A director may not ~~shall~~ receive ~~no~~ compensation  
627 for his or her services, but is entitled to ~~the~~ necessary  
628 expenses, including travel expenses, incurred in the discharge  
629 of his or her duties. Each director shall hold office until his  
630 or her successor has been appointed.

631 2. The Legislature determines that it is in the public  
632 interest that a director of the board of directors of the  
633 Florida Development Finance Corporation be subject to s.  
634 112.313, including s. 112.313(9); s. 112.3135; and s.  
635 112.3143(2), notwithstanding the fact that the directors are not  
636 public officers or employees. For purposes of these sections,  
637 the directors shall be considered to be public officers or  
638 employees.

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639 Section 12. Section 331.3081, Florida Statutes, is amended  
640 to read:

641 331.3081 Board of directors.—

642 (1) Space Florida shall be governed by a 13-member  
643 independent board of directors that consists of the members  
644 appointed to the board of directors of Enterprise Florida, Inc.,  
645 by the Governor, the President of the Senate, and the Speaker of  
646 the House of Representatives pursuant to s. 288.901(5)(a)7. and  
647 the Governor, who shall serve ex officio, or who may appoint a  
648 designee to serve, as the chair and a voting member of the  
649 board.

650 (2) The Legislature determines that it is in the public  
651 interest that members of Space Florida's board of directors be  
652 subject to s. 112.313, including s. 112.313(9); s. 112.3135; and  
653 s. 112.3143(2), notwithstanding the fact that the board members  
654 are not public officers or employees. For purposes of these  
655 sections, the board members shall be considered to be public  
656 officers or employees.

657 Section 13. Paragraph (d) of subsection (6) of section  
658 627.351, Florida Statutes, is amended to read:

659 627.351 Insurance risk apportionment plans.—

660 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

661 (d)1. All prospective employees for senior management  
662 positions, as defined by the plan of operation, are subject to  
663 background checks as a prerequisite for employment. The office  
664 shall conduct the background checks pursuant to ss. 624.34,  
665 624.404(3), and 628.261.

666 2. On or before July 1 of each year, employees of the  
667 corporation must sign and submit a statement attesting that they

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668 do not have a conflict of interest, as defined in part III of  
669 chapter 112. As a condition of employment, all prospective  
670 employees must sign and submit to the corporation a conflict-of-  
671 interest statement.

672 3. Senior managers and members of the board of governors  
673 are subject to part III of chapter 112, including, but not  
674 limited to, the code of ethics and public disclosure and  
675 reporting of financial interests, pursuant to s. 112.3145. For  
676 purposes of part III of chapter 112, the senior managers and  
677 members of the board of governors shall be considered to be  
678 public officers or employees. Notwithstanding s. 112.3143(2), a  
679 board member may not vote on any measure that would inure to his  
680 or her special private gain or loss; that he or she knows would  
681 inure to the special private gain or loss of any principal by  
682 whom he or she is retained or to the parent organization or  
683 subsidiary of a corporate principal by which he or she is  
684 retained, other than an agency as defined in s. 112.312; or that  
685 he or she knows would inure to the special private gain or loss  
686 of a relative or business associate of the public officer.  
687 Before the vote is taken, such member shall publicly state to  
688 the assembly the nature of his or her interest in the matter  
689 from which he or she is abstaining from voting and, within 15  
690 days after the vote occurs, disclose the nature of his or her  
691 interest as a public record in a memorandum filed with the  
692 person responsible for recording the minutes of the meeting, who  
693 shall incorporate the memorandum in the minutes. Senior managers  
694 and board members are also required to file such disclosures  
695 with the Commission on Ethics and the Office of Insurance  
696 Regulation. The executive director of the corporation or his or

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697 her designee shall notify each existing and newly appointed  
698 member of the board of governors and senior managers of their  
699 duty to comply with the reporting requirements of part III of  
700 chapter 112. At least quarterly, the executive director or his  
701 or her designee shall submit to the Commission on Ethics a list  
702 of names of the senior managers and members of the board of  
703 governors who are subject to the public disclosure requirements  
704 under s. 112.3145.

705 4. A former member of the board of governors is prohibited  
706 from representing another person or entity before the  
707 corporation for 2 years after termination of service on the  
708 board of governors. A former member of the board of governors is  
709 also prohibited from entering into employment or a contractual  
710 relationship with an insurer that entered into a take-out bonus  
711 agreement with the corporation while the former member served on  
712 the board of governors for a period of 2 years after the former  
713 member's termination of service on the board of governors.

714 ~~5.4.~~ Notwithstanding s. 112.3148, ~~or~~ s. 112.3149, or any  
715 other provision of law, an employee or board member may not  
716 knowingly accept, directly or indirectly, any gift or  
717 expenditure from a person or entity, or an employee or  
718 representative of such person or entity, which has a contractual  
719 relationship with the corporation or who is under consideration  
720 for a contract. An employee or board member who fails to comply  
721 with subparagraph 3. or this subparagraph is subject to  
722 penalties provided under ss. 112.317 and 112.3173.

723 ~~6.5.~~ Any senior manager of the corporation who is employed  
724 on or after January 1, 2007, regardless of the date of hire, who  
725 subsequently retires or terminates employment is prohibited from

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726 representing another person or entity before the corporation for  
727 2 years after retirement or termination of employment from the  
728 corporation.

729 7.6. Any senior manager of the corporation who is employed  
730 on or after January 1, 2007, regardless of the date of hire, who  
731 subsequently retires or terminates employment is prohibited from  
732 having any employment or contractual relationship for 2 years  
733 with an insurer that has entered into a take-out bonus agreement  
734 with the corporation.

735 Section 14. This act shall take effect July 1, 2014.