

By the Committee on Ethics and Elections; and 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; providing legislative intent; amending s.  
10      112.3144, F.S.; requiring an officer required to  
11      participate in annual ethics training to certify  
12      participation on his or her full and public disclosure  
13      of financial interests; authorizing the Commission on  
14      Ethics to initiate an investigation and hold a public  
15      hearing without receipt of a complaint in certain  
16      circumstances; requiring the commission to enter an  
17      order recommending removal of an officer or public  
18      employee from public office or public employment in  
19      certain circumstances; prohibiting the commission from  
20      taking action on a complaint alleging certain errors  
21      or 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 expressway authority, independent

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

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

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

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

103 28.35 Florida Clerks of Court Operations Corporation.—

104 (1)

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

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117 courts system.

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

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

128 112.3142 Ethics training for specified constitutional  
129 officers and elected municipal officers.-

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

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

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146       (b) Beginning January 1, 2015, all elected municipal  
147 officers must complete 4 hours of ethics training each calendar  
148 year which addresses, at a minimum, s. 8, Art. II of the State  
149 Constitution, the Code of Ethics for Public Officers and  
150 Employees, and the public records and public meetings laws of  
151 this state. This requirement may be satisfied by completion of a  
152 continuing legal education class or other continuing  
153 professional education class, seminar, or presentation if the  
154 required subjects are covered.

155       ~~(c)-(b)~~ The commission shall adopt rules establishing  
156 minimum course content for the portion of an ethics training  
157 class which ~~that~~ addresses s. 8, Art. II of the State  
158 Constitution and the Code of Ethics for Public Officers and  
159 Employees.

160       (d) The Legislature intends that a constitutional officer  
161 or elected municipal officer who is required to complete ethics  
162 training pursuant to this section receive the required training  
163 as close as possible to the date that he or she assumes office.  
164 A constitutional officer or elected municipal officer assuming a  
165 new office or new term of office on or before March 31 must  
166 complete the annual training on or before December 31 of the  
167 year in which the term of office began. A constitutional officer  
168 or elected municipal officer assuming a new office after March  
169 31 is not required to complete ethics training for the calendar  
170 year in which he or she assumes the new office.

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

173       Section 3. Subsection (1), paragraph (g) of subsection (5),  
174 and paragraphs (a) and (c) of present subsection (7) of section

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175 112.3144, Florida Statutes, are amended, present subsections (6)  
176 through (9) of that section are redesignated as subsections (7)  
177 through (10), respectively, and a new subsection (6) is added to  
178 that section, to read:

179 112.3144 Full and public disclosure of financial  
180 interests.—

181 (1) An officer who is required by s. 8, Art. II of the  
182 State Constitution to file a full and public disclosure of his  
183 or her financial interests for any calendar or fiscal year shall  
184 file that disclosure with the Florida Commission on Ethics.  
185 Additionally, beginning January 1, 2015, an officer who is  
186 required to complete annual ethics training pursuant to s.  
187 112.3142 must certify on his or her full and public disclosure  
188 of financial interests that he or she has completed the required  
189 training.

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

195 (g) The notification requirements and fines of this  
196 subsection do not apply to candidates or to the first filing  
197 required of any person appointed to elective constitutional  
198 office or other position required to file full and public  
199 disclosure, unless the person's name is on the commission's  
200 notification list and the person received notification from the  
201 commission. The appointing official shall notify such newly  
202 appointed person of the obligation to file full and public  
203 disclosure by July 1. The notification requirements and fines of

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204 this subsection do not apply to the final filing provided for in  
205 subsection (7)~~(6)~~.

206 (6) If a person holding public office or public employment  
207 fails or refuses to file a full and public disclosure of  
208 financial interests for any year in which the person received  
209 notice from the commission regarding the failure to file and has  
210 accrued the maximum automatic fine authorized under this  
211 section, regardless of whether the fine imposed was paid or  
212 collected, the commission may initiate an investigation and  
213 conduct a public hearing without receipt of a complaint to  
214 determine whether the person's failure to file is willful. If  
215 the commission determines that the person willfully failed to  
216 file a full and public disclosure of financial interests, the  
217 commission shall enter an order recommending that the officer or  
218 employee be removed from his or her public office or public  
219 employment.

220 (8)~~(7)~~ (a) The commission shall treat an amended full and  
221 public disclosure of financial interests which ~~that~~ is filed  
222 before ~~prior to~~ September 1 of the current ~~current~~ year in which the  
223 disclosure is due as the original filing, regardless of whether  
224 a complaint has been filed. ~~If a complaint pertaining to the~~  
225 ~~current year alleges a failure to properly and accurately~~  
226 ~~disclose any information required by this section or if a~~  
227 ~~complaint filed pertaining to a previous reporting period within~~  
228 ~~the preceding 5 years alleges a failure to properly and~~  
229 ~~accurately disclose any information required to be disclosed by~~  
230 ~~this section, the commission may immediately follow complaint~~  
231 ~~procedures in s. 112.324. However, If a complaint filed after~~  
232 August 25 of the year in which the disclosure is due is based



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233 upon an error or omission in the annual disclosure and if the  
234 complaint alleges only an immaterial, inconsequential, or de  
235 minimis error or omission, the commission may not take any  
236 action on the complaint, ~~other than notifying the filer of the~~  
237 complaint. The filer must be given 30 days to file an amended  
238 full and public disclosure of financial interests correcting any  
239 errors. If the filer does not file an amended full and public  
240 disclosure of financial interests within 30 days after the  
241 commission sends notice of the complaint, the commission may  
242 continue with proceedings pursuant to s. 112.324.

243 (c) For purposes of this section, an error or omission is  
244 immaterial, inconsequential, or de minimis if the original  
245 filing provided sufficient information for the public to  
246 identify potential conflicts of interest. However, failure to  
247 certify completion of annual ethics training required under s.  
248 112.3142 does not constitute an immaterial, inconsequential, or  
249 de minimis error or omission.

250 Section 4. Present subsections (4) through (11) of section  
251 112.3145, Florida Statutes, are redesignated as subsections (5)  
252 through (12), respectively, a new subsection (4) is added to  
253 that section, paragraph (c) is added to present subsection (7)  
254 of that section, and paragraphs (a) and (c) of present  
255 subsection (9) of that section are amended, to read:

256 112.3145 Disclosure of financial interests and clients  
257 represented before agencies.—

258 (4) Beginning January 1, 2015, an officer who is required  
259 to complete annual ethics training pursuant to s. 112.3142 must  
260 certify on his or her statement of financial interests that he  
261 or she has completed the required training.

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262        (8)~~(7)~~

263        (c) If a person holding public office or public employment

264 fails or refuses to file an annual statement of financial

265 interests for any year in which the person received notice from

266 the commission regarding the failure to file and has accrued the

267 maximum automatic fine authorized under this section, regardless

268 of whether the fine imposed was paid or collected, the

269 commission may initiate an investigation and conduct a public

270 hearing without receipt of a complaint to determine whether the

271 person's failure to file is willful. If the commission

272 determines that the person willfully failed to file a statement

273 of financial interests, the commission shall enter an order

274 recommending that the officer or employee be removed from his or

275 her public office or public employment.

276        (10)~~(9)~~ (a) The commission shall treat an amended annual

277 statement of financial interests which that is filed before

278 prior to September 1 of the current year in which the statement

279 is due as the original filing, regardless of whether a complaint

280 has been filed. If a complaint pertaining to the current year

281 alleges a failure to properly and accurately disclose any

282 information required by this section or if a complaint filed

283 pertaining to a previous reporting period within the preceding 5

284 years alleges a failure to properly and accurately disclose any

285 information required to be disclosed by this section, the

286 commission may immediately follow complaint procedures in s.

287 112.324. However, If a complaint filed after August 25 of the

288 year in which the statement is due is based upon an error or

289 omission in the annual statement and if the complaint alleges

290 only an immaterial, inconsequential, or de minimis error or

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291 omission, the commission may not take any action on the  
292 complaint, other than notifying the filer of the complaint. The  
293 filer must be given 30 days to file an amended statement of  
294 financial interests correcting any errors. If the filer does not  
295 file an amended statement of financial interests within 30 days  
296 after the commission sends notice of the complaint, the  
297 commission may continue with proceedings pursuant to s. 112.324.

298 (c) For purposes of this section, an error or omission is  
299 immaterial, inconsequential, or de minimis if the original  
300 filing provided sufficient information for the public to  
301 identify potential conflicts of interest. However, failure to  
302 certify completion of annual ethics training required under s.  
303 112.3142 does not constitute an immaterial, inconsequential, or  
304 de minimis error or omission.

305 Section 5. Section 112.31455, Florida Statutes, is amended  
306 to read:

307 112.31455 Withholding of public salary-related payments  
308 ~~Collection methods~~ for unpaid automatic fines for failure to  
309 timely file disclosure of financial interests.-

310 (1) Before referring any unpaid fine accrued pursuant to s.  
311 112.3144(5) or s. 112.3145(7) ~~s. 112.3145(6)~~ to the Department  
312 of Financial Services, the commission shall attempt to determine  
313 whether the individual owing such a fine is a current public  
314 officer or current public employee. If so, the commission may  
315 notify the Chief Financial Officer or the governing body of the  
316 appropriate county, municipality, or special district of the  
317 total amount of any fine owed to the commission by such  
318 individual.

319 (a) After receipt and verification of the notice from the

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320 commission, the Chief Financial Officer or the governing body of  
321 the county, municipality, or special district shall withhold the  
322 entire amount of any fine owed, and any administrative costs  
323 incurred, from the individual's next salary-related payment. If  
324 the fine exceeds the amount of the next salary-related payment,  
325 all salary-related payments must be withheld until the fine and  
326 administrative costs are paid in full ~~begin withholding the~~  
327 ~~lesser of 10 percent or the maximum amount allowed under federal~~  
328 ~~law from any salary-related payment.~~ The withheld payments shall  
329 be remitted to the commission until the fine is satisfied.

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

334 (c) If a current public officer or current public employee  
335 demonstrates to the Chief Financial Officer or the governing  
336 body responsible for paying him or her that the public salary is  
337 his or her primary source of income and that withholding the  
338 full amount of any fine owed from a salary-related payment would  
339 present an undue hardship, the amount withheld from a public  
340 salary may be reduced to not less than 10 percent of the salary-  
341 related payment.

342 ~~(2) If the commission determines that the individual who is~~  
343 ~~the subject of an unpaid fine accrued pursuant to s. 112.3144(5)~~  
344 ~~or s. 112.3145(6) is no longer a public officer or public~~  
345 ~~employee or if the commission is unable to determine whether the~~  
346 ~~individual is a current public officer or public employee, the~~  
347 ~~commission may, 6 months after the order becomes final, seek~~  
348 ~~garnishment of any wages to satisfy the amount of the fine, or~~

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349 ~~any unpaid portion thereof, pursuant to chapter 77. Upon~~  
350 ~~recording the order imposing the fine with the clerk of the~~  
351 ~~circuit court, the order shall be deemed a judgment for purposes~~  
352 ~~of garnishment pursuant to chapter 77.~~

353 ~~(2)~~<sup>(3)</sup> The commission may refer unpaid fines to the  
354 appropriate collection agency, as directed by the Chief  
355 Financial Officer, to utilize any collection methods provided by  
356 law. Except as expressly limited by this section, any other  
357 collection methods authorized by law are allowed.

358 ~~(3)~~<sup>(4)</sup> Action may be taken to collect any unpaid fine  
359 imposed by ss. 112.3144 and 112.3145 within 20 years after the  
360 date the final order is rendered.

361 Section 6. Section 112.31456, Florida Statutes, is created  
362 to read:

363 112.31456 Garnishment of wages for unpaid automatic fines  
364 for failure to timely file disclosure of financial interests.-

365 (1) Before referring any unpaid fine accrued pursuant to s.  
366 112.3144(5) or s. 112.3145(7) to the Department of Financial  
367 Services, the commission shall attempt to determine whether the  
368 individual owing such fine is a current public officer or  
369 current public employee. If the commission determines that an  
370 individual who is the subject of an unpaid fine accrued pursuant  
371 to s. 112.3144(5) or s. 112.3145(7) is no longer a public  
372 officer or public employee or the commission is unable to  
373 determine whether the individual is a current public officer or  
374 public employee, the commission may, 6 months after the order  
375 becomes final, seek garnishment of any wages to satisfy the  
376 amount of the fine, or any unpaid portion thereof, pursuant to  
377 chapter 77. Upon recording the order imposing the fine with the

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378 clerk of the circuit court, the order shall be deemed a judgment  
379 for purposes of garnishment pursuant to chapter 77.

380 (2) The commission may refer unpaid fines to the  
381 appropriate collection agency, as directed by the Chief  
382 Financial Officer, to use any collection methods provided by  
383 law. Except as expressly limited by this section, any other  
384 collection methods authorized by law are allowed.

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

388 Section 7. Section 112.3251, Florida Statutes, is created  
389 to read:

390 112.3251 Citizen support and direct-support organizations;  
391 standards of conduct.—A citizen support or direct-support  
392 organization created or authorized pursuant to law must adopt  
393 its own ethics code. The ethics code must contain the standards  
394 of conduct and disclosures required under ss. 112.313 and  
395 112.3143(2), respectively. However, an ethics code adopted  
396 pursuant to this section is not required to contain the  
397 standards of conduct specified in s. 112.313(3) or (7). The  
398 citizen support or direct-support organization may adopt  
399 additional or more stringent standards of conduct and disclosure  
400 requirements, provided that those standards of conduct and  
401 disclosure requirements do not otherwise conflict with this  
402 part. The ethics code must be conspicuously posted on the  
403 website of the citizen support or direct-support organization.

404 Section 8. Section 112.3261, Florida Statutes, is created  
405 to read:

406 112.3261 Lobbying before expressway authorities,

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407 independent special districts, port authorities; registration  
408 and reporting.-

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

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

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

412 (c) "Expressway authority" has the same meaning as the term  
413 "authority" in s. 348.0002.

414 (d) "Independent special district" means a water management  
415 district, hospital district, children's services district, or  
416 any independent special district, as defined in s. 189.403, that  
417 exercises ad valorem taxing authority.

418 (e) "Lobbies" means seeking, on behalf of another person,  
419 to influence an expressway authority, independent special  
420 district, or port authority with respect to a decision of the  
421 authority or district in an area of policy or procurement or an  
422 attempt to obtain the goodwill of an authority or district  
423 official or employee.

424 (f) "Lobbying firm" has the same meaning as in s. 112.3215.

425 (g) "Lobbyist" has the same meaning as in s. 112.3215.

426 (h) "Port authority" has the same meaning as in s. 315.02.

427 (i) "Principal" has the same meaning as in s. 112.3215.

428 (2) A person may not lobby an expressway authority,  
429 independent special district, or port authority until such  
430 person has registered as a lobbyist with that authority or  
431 district. Such registration shall be due upon initially being  
432 retained to lobby and is renewable on a calendar-year basis  
433 thereafter. Upon registration, the person shall provide a  
434 statement signed by the principal or principal's representative  
435 stating that the registrant is authorized to represent the

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436 principal. The principal shall also identify and designate its  
437 main business on the statement authorizing that lobbyist  
438 pursuant to a classification system approved by the authority or  
439 district. The registration form shall require each lobbyist to  
440 disclose, under oath, the following:

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

442 (b) The name and business address of each principal  
443 represented.

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

445 (d) The existence of any direct or indirect business  
446 association, partnership, or financial relationship with any  
447 employee of an authority or district with which he or she  
448 lobbies or intends to lobby.

449 (3) An expressway authority, independent special district,  
450 or port authority shall make lobbyist registrations available to  
451 the public. If an authority or district maintains a website, a  
452 database of current registered lobbyists and principals must be  
453 available on the authority's or district's website.

454 (4) A lobbyist shall promptly send a written statement to  
455 the expressway authority, independent special district, or port  
456 authority cancelling the registration for a principal upon  
457 termination of the lobbyist's representation of that principal.  
458 An authority or district may remove the name of a lobbyist from  
459 the list of registered lobbyists if the principal notifies the  
460 authority or district that a person is no longer authorized to  
461 represent that principal.

462 (5) An expressway authority, independent special district,  
463 or port authority may establish an annual lobbyist registration  
464 fee, not to exceed \$40, for each principal represented.



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465 (6) (a) 1. Each lobbying firm shall file a compensation  
466 report with the expressway authority, independent special  
467 district, or port authority for each calendar quarter during any  
468 portion of which one or more of the firm's lobbyists were  
469 registered to represent a principal. The compensation report  
470 shall include the following:

471 a. Full name, business address, and telephone number of the  
472 lobbying firm;

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

474 c. Total compensation provided or owed to the lobbying firm  
475 from all principals for the reporting period, reported in one of  
476 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;  
477 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
478 \$999,999; \$1 million or more.

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

482 a. Full name, business address, and telephone number of the  
483 principal; and

484 b. Total compensation provided or owed to the lobbying firm  
485 for the reporting period, reported in one of the following  
486 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
487 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
488 more. If the category "\$50,000 or more" is selected, the  
489 specific dollar amount of compensation must be reported, rounded  
490 up or down to the nearest \$1,000.

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

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

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

496 b. The reporting lobbying firm shall, for each lobbying  
497 firm identified under subparagraph 2., identify the name and  
498 address of the principal originating the lobbying work.

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

502 (b) For each principal represented by more than one  
503 lobbying firm, the authority or district shall aggregate the  
504 quarterly reporting period and calendar-year compensation  
505 reported as provided or owed by the principal.

506 (c) The reporting statements shall be filed no later than  
507 45 days after the end of each reporting period. The four  
508 reporting periods are from January 1 through March 31, April 1  
509 through June 30, July 1 through September 30, and October 1  
510 through December 31, respectively. Reporting statements may be  
511 filed by electronic means established by the authority or  
512 district.

513 (d) The authority or district shall establish procedures  
514 with respect to notifying a lobbying firm that fails to timely  
515 file a report and is assessed a fine, the grounds for waiving a  
516 fine, and the appeal of an assessed fine. The procedures shall  
517 address the following:

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

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

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

527 a. The date that a report is actually received by the  
528 authority or district.

529 b. The date that an electronic receipt for the report is  
530 issued.

531 3. Unless the fine is appealed, it shall be paid within 30  
532 days after the notice of payment due is transmitted by the  
533 authority or district. The authority or district may only use  
534 the moneys collected to administer the provisions of this  
535 section.

536 4. A fine may not be assessed against a lobbying firm the  
537 first time any reports for which the lobbying firm is  
538 responsible are not timely filed. However, to receive the one-  
539 time fine waiver, all reports for which the lobbying firm is  
540 responsible must be filed within 30 days after the notice that  
541 any reports have not been timely filed is transmitted by the  
542 authority or district. A fine shall be assessed for any  
543 subsequent late-filed reports.

544 5. A lobbying firm may appeal or dispute a fine, based upon  
545 unusual circumstances surrounding the failure to file on the  
546 designated due date, and may request, and is entitled to, a  
547 hearing before the authority or district, which may waive the  
548 fine in whole or in part for good cause shown. Any such request  
549 shall be made within 30 days after the notice of payment due is  
550 transmitted by the authority or district. In such case, the  
551 lobbying firm shall, within the 30-day period, notify the person

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552 designated to review the timeliness of reports in writing of his  
553 or her intention to bring the matter before the authority or  
554 district.

555 6. The person designated to review the timeliness of  
556 reports shall notify the authority or district of the failure of  
557 a lobbying firm to file a report after notice or the failure of  
558 a lobbying firm to pay the fine imposed. All lobbyist  
559 registrations for lobbyists who are partners, owners, officers,  
560 or employees of a lobbying firm that fails to timely pay a fine  
561 are automatically suspended until the fine is paid or waived,  
562 and the authority or district shall promptly notify all affected  
563 principals of each suspension and each reinstatement.

564 7. A fine imposed under this subsection which is not waived  
565 by final order of the authority or district and which remains  
566 unpaid more than 60 days after the notice of payment due or more  
567 than 60 days after the authority or district renders a final  
568 order on the lobbying firm's appeal may be recorded as a  
569 judgment in the appropriate circuit court. The authority or  
570 district may take any actions necessary to enforce the judgment.

571 (7) (a) Notwithstanding s. 112.3148, s. 112.3149, or any  
572 other provision of law to the contrary, no lobbyist or principal  
573 shall make, directly or indirectly, and no expressway authority,  
574 independent special district, or port authority official,  
575 member, or employee shall knowingly accept, directly or  
576 indirectly, any expenditure.

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

579 (8) The commission has exclusive jurisdiction of complaints  
580 alleging that a person covered by this section has failed to

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581 register, has failed to submit a compensation report, has made  
582 or received a prohibited expenditure, or has knowingly submitted  
583 false information in any report or registration required under  
584 this section. The complaint proceedings must be conducted  
585 pursuant to s. 112.324. The commission shall investigate any  
586 lobbying firm, lobbyist, principal, agency, officer, or employee  
587 upon receipt of information from a sworn complaint or from a  
588 random audit of lobbying reports indicating a possible violation  
589 other than a late-filed report.

590 (9) Any person who is required to be registered or to  
591 provide information under this section or under procedures  
592 established pursuant to this section and who knowingly fails to  
593 disclose any material fact that is required by this section or  
594 procedures established pursuant to this section, or who  
595 knowingly provides false information on any report required by  
596 this section or by procedures established pursuant to this  
597 section, commits a noncriminal infraction, punishable by a fine  
598 not to exceed \$5,000. Such penalty is in addition to any other  
599 penalty assessed pursuant to subsection (8).

600 (10) If a person is uncertain about the applicability and  
601 interpretation of this section, he or she may submit in writing  
602 the facts of the situation to the commission with a request for  
603 an advisory opinion to establish his or her standard of duty. An  
604 advisory opinion shall be rendered by the commission and, until  
605 amended or revoked, shall be binding on the conduct of the  
606 person who sought the opinion, unless material facts were  
607 omitted or misstated in the request.

608 (11) An expressway authority, independent special district,  
609 or port authority shall be diligent to ascertain whether persons

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610 required to register pursuant to this section have complied. An  
611 authority or district may not knowingly authorize a person who  
612 is not registered pursuant to this section to lobby the  
613 authority or district.

614 (12) Upon discovery of a violation of this section, an  
615 expressway authority, an independent special district, a port  
616 authority, or any person may file a sworn complaint with the  
617 commission.

618 (13) An expressway authority, independent special district,  
619 and port authority shall establish policies and procedures to  
620 administer this section, including the forms for registration  
621 and compensation reports and procedures for registration. All  
622 policies and procedures adopted by an authority or district  
623 shall be posted on the authority's or district's website or be  
624 made available by regular mail or e-mail upon request.

625 Section 9. Paragraph (c) of subsection (1) of section  
626 288.901, Florida Statutes, is amended to read:

627 288.901 Enterprise Florida, Inc.—

628 (1) CREATION.—

629 (c) The Legislature determines that it is in the public  
630 interest that ~~for~~ the members of the Enterprise Florida, Inc.,  
631 board of directors ~~to~~ be subject to the requirements of s.  
632 112.313, including s. 112.313(9); s. 112.3135; ~~ss.112.3135,~~ and  
633 s. 112.3143(2), and ~~112.313, excluding s. 112.313(2),~~  
634 notwithstanding the fact that the board members are not public  
635 officers or employees. For purposes of those sections, the board  
636 members shall be considered to be public officers or employees.  
637 The exemption set forth in s. 112.313(12) for advisory boards  
638 applies to the members of the Enterprise Florida, Inc., board of

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639 directors. Further, each member of the board of directors who is  
640 not otherwise required to file financial disclosures pursuant to  
641 s. 8, Art. II of the State Constitution or s. 112.3144, shall  
642 file disclosure of financial interests pursuant to s. 112.3145.

643 Section 10. Present paragraph (b) of subsection (2) of  
644 section 288.92, Florida Statutes, is redesignated as paragraph  
645 (c), and a new paragraph (b) is added to that subsection, to  
646 read:

647 288.92 Divisions of Enterprise Florida, Inc.—

648 (2)

649 (b) The Legislature determines that it is in the public  
650 interest that the officers and agents of the divisions of  
651 Enterprise Florida, Inc., including any corporations created to  
652 carry out its missions, be subject to s. 112.313, including s.  
653 112.313(9); s. 112.3135; and s. 112.3143(2), notwithstanding the  
654 fact that the division officers and agents are not public  
655 officers or employees.

656 Section 11. Paragraph (a) of subsection (3) of section  
657 288.9604, Florida Statutes, is amended to read:

658 288.9604 Creation of the authority.—

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

664 2. The Legislature determines that it is in the public  
665 interest that a director of the board of directors of the  
666 Florida Development Finance Corporation be subject to s.  
667 112.313, including s. 112.313(9); s. 112.3135; and s.

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668 112.3143(2), notwithstanding the fact that the directors are not  
669 public officers or employees. For purposes of these sections,  
670 the directors shall be considered to be public officers or  
671 employees.

672 Section 12. Section 331.3081, Florida Statutes, is amended  
673 to read:

674 331.3081 Board of directors.—

675 (1) Space Florida shall be governed by a 13-member  
676 independent board of directors that consists of the members  
677 appointed to the board of directors of Enterprise Florida, Inc.,  
678 by the Governor, the President of the Senate, and the Speaker of  
679 the House of Representatives pursuant to s. 288.901(5)(a)7. and  
680 the Governor, who shall serve ex officio, or who may appoint a  
681 designee to serve, as the chair and a voting member of the  
682 board.

683 (2) The Legislature determines that it is in the public  
684 interest that members of Space Florida's board of directors be  
685 subject to s. 112.313, including s. 112.313(9); s. 112.3135; and  
686 s. 112.3143(2), notwithstanding the fact that the board members  
687 are not public officers or employees. For purposes of these  
688 sections, the board members shall be considered to be public  
689 officers or employees.

690 Section 13. Paragraph (d) of subsection (6) of section  
691 627.351, Florida Statutes, is amended to read:

692 627.351 Insurance risk apportionment plans.—

693 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

694 (d)1. All prospective employees for senior management  
695 positions, as defined by the plan of operation, are subject to  
696 background checks as a prerequisite for employment. The office



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697 shall conduct the background checks pursuant to ss. 624.34,  
698 624.404(3), and 628.261.

699 2. On or before July 1 of each year, employees of the  
700 corporation must sign and submit a statement attesting that they  
701 do not have a conflict of interest, as defined in part III of  
702 chapter 112. As a condition of employment, all prospective  
703 employees must sign and submit to the corporation a conflict-of-  
704 interest statement.

705 3. Senior managers and members of the board of governors  
706 are subject to part III of chapter 112, including, but not  
707 limited to, the code of ethics and public disclosure and  
708 reporting of financial interests, pursuant to s. 112.3145. For  
709 purposes of part III of chapter 112, the senior managers and  
710 members of the board of governors shall be considered to be  
711 public officers or employees. Notwithstanding s. 112.3143(2), a  
712 board member may not vote on any measure that would inure to his  
713 or her special private gain or loss; that he or she knows would  
714 inure to the special private gain or loss of any principal by  
715 whom he or she is retained or to the parent organization or  
716 subsidiary of a corporate principal by which he or she is  
717 retained, other than an agency as defined in s. 112.312; or that  
718 he or she knows would inure to the special private gain or loss  
719 of a relative or business associate of the public officer.  
720 Before the vote is taken, such member shall publicly state to  
721 the assembly the nature of his or her interest in the matter  
722 from which he or she is abstaining from voting and, within 15  
723 days after the vote occurs, disclose the nature of his or her  
724 interest as a public record in a memorandum filed with the  
725 person responsible for recording the minutes of the meeting, who

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726 shall incorporate the memorandum in the minutes. Senior managers  
727 and board members are also required to file such disclosures  
728 with the Commission on Ethics and the Office of Insurance  
729 Regulation. The executive director of the corporation or his or  
730 her designee shall notify each existing and newly appointed  
731 member of the board of governors and senior managers of their  
732 duty to comply with the reporting requirements of part III of  
733 chapter 112. At least quarterly, the executive director or his  
734 or her designee shall submit to the Commission on Ethics a list  
735 of names of the senior managers and members of the board of  
736 governors who are subject to the public disclosure requirements  
737 under s. 112.3145.

738 4. A former member of the board of governors is prohibited  
739 from representing another person or entity before the  
740 corporation for 2 years after termination of service on the  
741 board of governors. A former member of the board of governors is  
742 also prohibited from entering into employment or a contractual  
743 relationship with an insurer that entered into a take-out bonus  
744 agreement with the corporation while the former member served on  
745 the board of governors for a period of 2 years after the former  
746 member's termination of service on the board of governors.

747 5.4. Notwithstanding s. 112.3148, ~~or~~ s. 112.3149, or any  
748 other provision of law, an employee or board member may not  
749 knowingly accept, directly or indirectly, any gift or  
750 expenditure from a person or entity, or an employee or  
751 representative of such person or entity, which has a contractual  
752 relationship with the corporation or who is under consideration  
753 for a contract. An employee or board member who fails to comply  
754 with subparagraph 3. or this subparagraph is subject to

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755 penalties provided under ss. 112.317 and 112.3173.

756 ~~6.5.~~ Any senior manager of the corporation who is employed  
757 on or after January 1, 2007, regardless of the date of hire, who  
758 subsequently retires or terminates employment is prohibited from  
759 representing another person or entity before the corporation for  
760 2 years after retirement or termination of employment from the  
761 corporation.

762 ~~7.6.~~ Any senior manager of the corporation who is employed  
763 on or after January 1, 2007, regardless of the date of hire, who  
764 subsequently retires or terminates employment is prohibited from  
765 having any employment or contractual relationship for 2 years  
766 with an insurer that has entered into a take-out bonus agreement  
767 with the corporation.

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