

By the Committees on Appropriations; Community Affairs; and Ethics and Elections; and Senator Latvala

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1 A bill to be entitled
2 An act relating to governmental ethics; amending ss.
3 11.045 and 112.3215, F.S.; defining the term "local
4 officer"; prohibiting a local officer from registering
5 to lobby the Legislature or an agency on behalf of
6 another person or entity other than his or her
7 political subdivision; authorizing a local officer to
8 be employed by or contracted with a lobbying firm
9 under certain circumstances; providing for
10 applicability; amending s. 28.35, F.S.; specifying the
11 applicability of certain provisions of the Code of
12 Ethics for Public Officers and Employees to members of
13 the executive council of the Florida Clerks of Court
14 Operations Corporation; amending s. 112.3142, F.S.;
15 requiring elected municipal officers to participate in
16 annual ethics training; providing legislative intent;
17 amending s. 112.3144, F.S.; requiring an officer
18 required to participate in annual ethics training to
19 certify participation on his or her full and public
20 disclosure of financial interests; revising the
21 conditions under which a qualifying officer forwards a
22 full and public disclosure of financial interests to
23 the Commission on Ethics; authorizing the Commission
24 on Ethics to initiate an investigation and hold a
25 public hearing without receipt of a complaint in
26 certain circumstances; requiring the commission to
27 enter an order recommending removal of an officer or
28 public employee from public office or public
29 employment in certain circumstances; prohibiting the

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30 commission from taking action on a complaint alleging
31 certain errors or omissions on a disclosure; providing
32 that failure to certify completion of annual ethics
33 training on a disclosure does not constitute an
34 immaterial, inconsequential, or de minimis error or
35 omission; amending s. 112.3145, F.S.; requiring an
36 officer required to participate in annual ethics
37 training to certify participation on his or her
38 statement of financial interests; authorizing the
39 Commission on Ethics to initiate an investigation and
40 hold a public hearing without receipt of a complaint
41 in certain circumstances; requiring the commission to
42 enter an order to remove an officer or public employee
43 from public office or public employment in certain
44 circumstances; prohibiting the commission from taking
45 action on a complaint alleging certain errors or
46 omissions on a statement; providing that failure to
47 certify completion of annual ethics training on a
48 statement does not constitute an immaterial,
49 inconsequential, or de minimis error or omission;
50 amending s. 112.31455, F.S.; authorizing the Chief
51 Financial Officer or governing body to withhold the
52 entire amount of a fine owed and related
53 administrative costs from salary-related payments of
54 certain individuals; authorizing the Chief Financial
55 Officer or governing body to reduce the amount
56 withheld if an individual can demonstrate a hardship;
57 creating s. 112.31456, F.S.; authorizing the
58 commission to seek wage garnishment of certain

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59 individuals to satisfy unpaid fines; authorizing the
60 commission to refer unpaid fines to a collection
61 agency; establishing a statute of limitations with
62 respect to the collection of an unpaid fine; creating
63 s. 112.3251, F.S.; requiring citizen support and
64 direct-support organizations to adopt a code of
65 ethics; establishing minimum requirements for a code
66 of ethics; creating s. 112.3261, F.S.; defining terms;
67 prohibiting a person from lobbying a governmental
68 entity until registering; establishing registration
69 requirements; requiring public availability of
70 lobbyist registrations; establishing procedures for
71 termination of a lobbyist's registration; authorizing
72 a governmental entity to establish a registration fee;
73 requiring a governmental entity to monitor compliance
74 with registration requirements; requiring the
75 commission to investigate a lobbyist or principal upon
76 receipt of a sworn complaint containing certain
77 allegations; requiring the commission to provide the
78 Governor with a report on the findings and
79 recommendations resulting from the investigation;
80 authorizing the Governor to enforce the commission's
81 findings and recommendations; amending s. 286.012,
82 F.S.; revising disclosure requirements with respect to
83 a voting abstention at a meeting of a governmental
84 body; authorizing a member to abstain from voting on a
85 decision, ruling, or act in a quasi-judicial
86 proceeding under certain circumstances; amending s.
87 288.901, F.S.; specifying the applicability of certain

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88 provisions of the Code of Ethics for Public Officers
89 and Employees to the president, senior managers, and
90 members of the board of directors of Enterprise
91 Florida, Inc.; prohibiting the president, senior
92 managers, and board members from representing a person
93 or entity before the corporation for a specified
94 timeframe; amending s. 288.92, F.S.; specifying the
95 applicability of certain provisions of the Code of
96 Ethics for Public Officers and Employees to certain
97 officers and board members associated with the
98 divisions of Enterprise Florida, Inc.; prohibiting
99 such officers and members from representing a person
100 or entity for compensation before Enterprise Florida,
101 Inc., for a specified timeframe; amending s. 288.9604,
102 F.S.; specifying the applicability of certain
103 provisions of the Code of Ethics for Public Officers
104 and Employees to the board of directors of the Florida
105 Development Finance Corporation; amending s. 627.351,
106 F.S.; specifying the applicability of certain
107 provisions of the Code of Ethics for Public Officers
108 and Employees to the executive director of Citizens
109 Property Insurance Corporation; prohibiting a former
110 executive director, senior manager, or member of the
111 board of governors of the corporation from
112 representing another person or entity before the
113 corporation for a specified timeframe; prohibiting a
114 former executive director, senior manager, or member
115 of the board of governors from entering employment or
116 a contractual relationship for a specified timeframe

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117 with certain insurers; amending ss. 11.0455 and
118 112.32155, F.S.; conforming cross-references to
119 changes made by the act; providing an effective date.
120

121 Be It Enacted by the Legislature of the State of Florida:
122

123 Section 1. Subsection (1) of section 11.045, Florida
124 Statutes, is amended, present subsections (2) through (9) of
125 that section are renumbered as subsections (3) through (10),
126 respectively, a new subsection (2) is added to that section, and
127 present subsections (8) and (9) of that section are amended, to
128 read:

129 11.045 Lobbying before the Legislature; registration and
130 reporting; exemptions; penalties.—

131 (1) As used in this section, unless the context otherwise
132 requires:

133 (a) "Committee" means the committee of each house charged
134 by the presiding officer with responsibility for ethical conduct
135 of lobbyists.

136 (b) "Compensation" means a payment, distribution, loan,
137 advance, reimbursement, deposit, salary, fee, retainer, or
138 anything of value provided or owed to a lobbying firm, directly
139 or indirectly, by a principal for any lobbying activity.

140 (c) "Expenditure" means a payment, distribution, loan,
141 advance, reimbursement, deposit, or anything of value made by a
142 lobbyist or principal for the purpose of lobbying. The term does
143 not include contributions or expenditures reported pursuant to
144 chapter 106 or federal election law, campaign-related personal
145 services provided without compensation by individuals

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146 volunteering their time, any other contribution or expenditure
147 made by or to a political party or affiliated party committee,
148 or any other contribution or expenditure made by an organization
149 that is exempt from taxation under 26 U.S.C. s. 527 or s.
150 501(c)(4).

151 (d) "Legislative action" means introduction, sponsorship,
152 testimony, debate, voting, or any other official action on any
153 measure, resolution, amendment, nomination, appointment, or
154 report of, or any matter that may be the subject of action by,
155 either house of the Legislature or any committee thereof.

156 (e) "Lobbying" means influencing or attempting to influence
157 legislative action or nonaction through oral or written
158 communication or an attempt to obtain the goodwill of a member
159 or employee of the Legislature.

160 (f) "Lobbying firm" means any business entity, including an
161 individual contract lobbyist, which receives or becomes entitled
162 to receive any compensation for the purpose of lobbying, where
163 any partner, owner, officer, or employee of the business entity
164 is a lobbyist.

165 (g) "Lobbyist" means a person who is employed and receives
166 payment, or who contracts for economic consideration, for the
167 purpose of lobbying, or a person who is principally employed for
168 governmental affairs by another person or governmental entity to
169 lobby on behalf of that other person or governmental entity.

170 (h) "Local officer" means a state attorney, public
171 defender, sheriff, tax collector, property appraiser, supervisor
172 of elections, clerk of the circuit court, county commissioner,
173 district school board member, or superintendent of schools.

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

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

177 (2) A local officer may not lobby or register to lobby the
178 Legislature on behalf of a person or entity other than his or
179 her political subdivision. This subsection does not prohibit a
180 local officer from being employed by, or contracting with, a
181 lobbying firm if he or she does not personally represent clients
182 before the Legislature.

183 (9)~~(8)~~ Any person required to be registered or to provide
184 information pursuant to this section or pursuant to rules
185 established in conformity with this section who knowingly fails
186 to disclose any material fact required by this section or by
187 rules established in conformity with this section, or who
188 knowingly provides false information on any report required by
189 this section or by rules established in conformity with this
190 section, commits a noncriminal infraction, punishable by a fine
191 not to exceed \$5,000. Such penalty shall be in addition to any
192 other penalty assessed by a house of the Legislature pursuant to
193 subsection (8) ~~(7)~~.

194 (10)~~(9)~~ There is hereby created the Legislative Lobbyist
195 Registration Trust Fund, to be used for the purpose of funding
196 any office established for the administration of the
197 registration of lobbyists lobbying the Legislature, including
198 the payment of salaries and other expenses, and for the purpose
199 of paying the expenses incurred by the Legislature in providing
200 services to lobbyists. The trust fund is not subject to the
201 service charge to general revenue provisions of chapter 215.
202 Fees collected pursuant to rules established in accordance with
203 subsection (3) ~~(2)~~ shall be deposited into the Legislative

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204 Lobbyist Registration Trust Fund.

205 Section 2. Subsection (1) of section 112.3215, Florida
206 Statutes, is amended, present subsections (3) through (15) of
207 that section are renumbered as subsections (4) through (16),
208 respectively, a new subsection (3) is added to that section, and
209 present subsection (11) of that section is amended, to read:

210 112.3215 Lobbying before the executive branch or the
211 Constitution Revision Commission; registration and reporting;
212 investigation by commission.—

213 (1) For the purposes of this section:

214 (a) "Agency" means the Governor, the Governor and Cabinet,
215 or any department, division, bureau, board, commission, or
216 authority of the executive branch. In addition, "agency" shall
217 mean the Constitution Revision Commission as provided by s. 2,
218 Art. XI of the State Constitution.

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

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

226 (d) "Expenditure" means a payment, distribution, loan,
227 advance, reimbursement, deposit, or anything of value made by a
228 lobbyist or principal for the purpose of lobbying. The term
229 "expenditure" does not include contributions or expenditures
230 reported pursuant to chapter 106 or contributions or
231 expenditures reported pursuant to federal election law,
232 campaign-related personal services provided without compensation

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233 by individuals volunteering their time, any other contribution
234 or expenditure made by or to a political party or an affiliated
235 party committee, or any other contribution or expenditure made
236 by an organization that is exempt from taxation under 26 U.S.C.
237 s. 527 or s. 501(c)(4).

238 (e) "Fund" means the Executive Branch Lobby Registration
239 Trust Fund.

240 (f) "Lobbies" means seeking, on behalf of another person,
241 to influence an agency with respect to a decision of the agency
242 in the area of policy or procurement or an attempt to obtain the
243 goodwill of an agency official or employee. "Lobbies" also means
244 influencing or attempting to influence, on behalf of another,
245 the Constitution Revision Commission's action or nonaction
246 through oral or written communication or an attempt to obtain
247 the goodwill of a member or employee of the Constitution
248 Revision Commission.

249 (g) "Lobbying firm" means a business entity, including an
250 individual contract lobbyist, that receives or becomes entitled
251 to receive any compensation for the purpose of lobbying, where
252 any partner, owner, officer, or employee of the business entity
253 is a lobbyist.

254 (h) "Lobbyist" means a person who is employed and receives
255 payment, or who contracts for economic consideration, for the
256 purpose of lobbying, or a person who is principally employed for
257 governmental affairs by another person or governmental entity to
258 lobby on behalf of that other person or governmental entity.
259 "Lobbyist" does not include a person who is:

260 1. An attorney, or any person, who represents a client in a
261 judicial proceeding or in a formal administrative proceeding

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262 conducted pursuant to chapter 120 or any other formal hearing
263 before an agency, board, commission, or authority of this state.

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

266 3. A confidential informant who is providing, or wishes to
267 provide, confidential information to be used for law enforcement
268 purposes.

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

272 (i) "Local officer" means a state attorney, public
273 defender, sheriff, tax collector, property appraiser, supervisor
274 of elections, clerk of the circuit court, county commissioner,
275 district school board member, or superintendent of schools.

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

278 (3) A local officer may not lobby or register to lobby an
279 agency on behalf of a person or entity other than his or her
280 political subdivision. This subsection does not prohibit a local
281 officer from being employed by, or contracting with, a lobbying
282 firm if he or she does not personally represent clients before
283 an agency.

284 (12)~~(11)~~ Any person who is required to be registered or to
285 provide information under this section or under rules adopted
286 pursuant to this section and who knowingly fails to disclose any
287 material fact that is required by this section or by rules
288 adopted pursuant to this section, or who knowingly provides
289 false information on any report required by this section or by
290 rules adopted pursuant to this section, commits a noncriminal

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291 infraction, punishable by a fine not to exceed \$5,000. Such
292 penalty is in addition to any other penalty assessed by the
293 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

294 Section 3. The amendments made by this act to ss. 11.045
295 and 112.3215, Florida Statutes, do not apply to a local officer
296 for the duration of his or her current term of office as of the
297 effective date of this act. The amendments made by this act to
298 ss. 11.045 and 112.3215, Florida Statutes, shall apply to a
299 local officer beginning a new term of office or appointed to
300 fill an unexpired term after the effective date of this act.

301 Section 4. Paragraph (b) of subsection (1) of section
302 28.35, Florida Statutes, is amended to read:

303 28.35 Florida Clerks of Court Operations Corporation.—

304 (1)

305 (b)1. The executive council shall be composed of eight
306 clerks of the court elected by the clerks of the courts for a
307 term of 2 years, with two clerks from counties with a population
308 of fewer than 100,000, two clerks from counties with a
309 population of at least 100,000 but fewer than 500,000, two
310 clerks from counties with a population of at least 500,000 but
311 fewer than 1 million, and two clerks from counties with a
312 population of ~~more than~~ 1 million or more. The executive council
313 shall also include, as ex officio members, a designee of the
314 President of the Senate and a designee of the Speaker of the
315 House of Representatives. The Chief Justice of the Supreme Court
316 shall designate one additional member to represent the state
317 courts system.

318 2. The Legislature determines that it is in the public
319 interest that the members of the executive council of the

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320 corporation be subject to the requirements of ss. 112.313,
321 112.3135, and 112.3143(2), notwithstanding the fact that the
322 council members are not public officers or employees. For
323 purposes of these sections, the council members shall be
324 considered to be public officers or employees.

325 3. A member of the executive council of the corporation may
326 not represent another person or entity for compensation before
327 the corporation for a period of 2 years following his or her
328 service on the executive council.

329 Section 5. Section 112.3142, Florida Statutes, is amended
330 to read:

331 112.3142 Ethics training for specified constitutional
332 officers and elected municipal officers.—

333 (1) As used in this section, the term “constitutional
334 officers” includes the Governor, the Lieutenant Governor, the
335 Attorney General, the Chief Financial Officer, the Commissioner
336 of Agriculture, state attorneys, public defenders, sheriffs, tax
337 collectors, property appraisers, supervisors of elections,
338 clerks of the circuit court, county commissioners, district
339 school board members, and superintendents of schools.

340 (2) (a) All constitutional officers must complete 4 hours of
341 ethics training each calendar year which ~~annually that~~
342 addresses, at a minimum, s. 8, Art. II of the State
343 Constitution, the Code of Ethics for Public Officers and
344 Employees, and the public records and public meetings laws of
345 this state. This requirement may be satisfied by completion of a
346 continuing legal education class or other continuing
347 professional education class, seminar, or presentation if the
348 required subjects are covered.

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349 (b) Beginning January 1, 2015, all elected municipal
350 officers must complete 4 hours of ethics training each calendar
351 year which addresses, at a minimum, s. 8, Art. II of the State
352 Constitution, the Code of Ethics for Public Officers and
353 Employees, and the public records and public meetings laws of
354 this state. This requirement may be satisfied by completion of a
355 continuing legal education class or other continuing
356 professional education class, seminar, or presentation if the
357 required subjects are covered.

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

363 (d) The Legislature intends that a constitutional officer
364 or elected municipal officer who is required to complete ethics
365 training pursuant to this section receive the required training
366 as close as possible to the date that he or she assumes office.
367 A constitutional officer or elected municipal officer assuming a
368 new office or new term of office on or before March 31 must
369 complete the annual training on or before December 31 of the
370 year in which the term of office began. A constitutional officer
371 or elected municipal officer assuming a new office after March
372 31 is not required to complete ethics training for the calendar
373 year in which he or she assumes the new office.

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

376 Section 6. Subsections (1) and (2), paragraph (g) of
377 subsection (5), and paragraphs (a) and (c) of present subsection

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378 (7) of section 112.3144, Florida Statutes, are amended, present
379 subsections (6) through (9) of that section are redesignated as
380 subsections (7) through (10), respectively, and a new subsection
381 (6) is added to that section, to read:

382 112.3144 Full and public disclosure of financial
383 interests.—

384 (1) An officer who is required by s. 8, Art. II of the
385 State Constitution to file a full and public disclosure of his
386 or her financial interests for any calendar or fiscal year shall
387 file that disclosure with the Florida Commission on Ethics.
388 Additionally, beginning January 1, 2015, an officer who is
389 required to complete annual ethics training pursuant to s.
390 112.3142 must certify on his or her full and public disclosure
391 of financial interests that he or she has completed the required
392 training.

393 (2) A person who is required, pursuant to s. 8, Art. II of
394 the State Constitution, to file a full and public disclosure of
395 financial interests and who has filed a full and public
396 disclosure of financial interests for any calendar or fiscal
397 year shall not be required to file a statement of financial
398 interests pursuant to s. 112.3145(2) and (3) for the same year
399 or for any part thereof notwithstanding any requirement of this
400 part. If an incumbent in an elective office has filed the full
401 and public disclosure of financial interests to qualify for
402 election to the same office or if ~~when~~ a candidate has ~~qualified~~
403 for office holds another office subject to the annual filing
404 requirement, the qualifying officer shall forward an electronic
405 copy of the full and public disclosure of financial interests to
406 the commission no later than July 1. The electronic copy of the

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407 full and public disclosure of financial interests satisfies the
408 annual disclosure requirement of this section. A candidate who
409 does not qualify until after the annual full and public
410 disclosure of financial interests has been filed pursuant to
411 this section shall file a copy of his or her disclosure with the
412 officer before whom he or she qualifies.

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

418 (g) The notification requirements and fines of this
419 subsection do not apply to candidates or to the first filing
420 required of any person appointed to elective constitutional
421 office or other position required to file full and public
422 disclosure, unless the person's name is on the commission's
423 notification list and the person received notification from the
424 commission. The appointing official shall notify such newly
425 appointed person of the obligation to file full and public
426 disclosure by July 1. The notification requirements and fines of
427 this subsection do not apply to the final filing provided for in
428 subsection (7) ~~(6)~~.

429 (6) If a person holding public office or public employment
430 fails or refuses to file a full and public disclosure of
431 financial interests for any year in which the person received
432 notice from the commission regarding the failure to file and has
433 accrued the maximum automatic fine authorized under this
434 section, regardless of whether the fine imposed was paid or
435 collected, the commission may initiate an investigation and

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436 conduct a public hearing without receipt of a complaint to
437 determine whether the person's failure to file is willful. Such
438 investigation and hearing must be conducted in accordance with
439 s. 112.324. Except as provided in s. 112.324(4), if the
440 commission determines that the person willfully failed to file a
441 full and public disclosure of financial interests, the
442 commission shall enter an order recommending that the officer or
443 employee be removed from his or her public office or public
444 employment.

445 (8)-(7)(a) The commission shall treat an amended full and
446 public disclosure of financial interests which ~~that~~ is filed
447 before ~~prior to~~ September 1 of the current year in which the
448 disclosure is due as the original filing, regardless of whether
449 a complaint has been filed. ~~If a complaint pertaining to the~~
450 ~~current year alleges a failure to properly and accurately~~
451 ~~disclose any information required by this section or if a~~
452 ~~complaint filed pertaining to a previous reporting period within~~
453 ~~the preceding 5 years alleges a failure to properly and~~
454 ~~accurately disclose any information required to be disclosed by~~
455 ~~this section, the commission may immediately follow complaint~~
456 ~~procedures in s. 112.324. However,~~ If a complaint filed after
457 ~~August 25~~ alleges only an immaterial, inconsequential, or de
458 minimis error or omission, the commission may not take any
459 action on the complaint, other than notifying the filer of the
460 complaint. The filer must be given 30 days to file an amended
461 full and public disclosure of financial interests correcting any
462 errors. If the filer does not file an amended full and public
463 disclosure of financial interests within 30 days after the
464 commission sends notice of the complaint, the commission may

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465 continue with proceedings pursuant to s. 112.324.

466 (c) For purposes of this section, an error or omission is
467 immaterial, inconsequential, or de minimis if the original
468 filing provided sufficient information for the public to
469 identify potential conflicts of interest. However, failure to
470 certify completion of annual ethics training required under s.
471 112.3142 does not constitute an immaterial, inconsequential, or
472 de minimis error or omission.

473 Section 7. Present subsections (4) through (11) of section
474 112.3145, Florida Statutes, are redesignated as subsections (5)
475 through (12), respectively, a new subsection (4) is added to
476 that section, paragraph (c) is added to present subsection (7)
477 of that section, and paragraphs (a) and (c) of present
478 subsection (9) of that section are amended, to read:

479 112.3145 Disclosure of financial interests and clients
480 represented before agencies.—

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

485 (8) (7)

486 (c) If a person holding public office or public employment
487 fails or refuses to file an annual statement of financial
488 interests for any year in which the person received notice from
489 the commission regarding the failure to file and has accrued the
490 maximum automatic fine authorized under this section, regardless
491 of whether the fine imposed was paid or collected, the
492 commission may initiate an investigation and conduct a public
493 hearing without receipt of a complaint to determine whether the

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494 person's failure to file is willful. Such investigation and
495 hearing must be conducted in accordance with s. 112.324. Except
496 as provided in s. 112.324(4), if the commission determines that
497 the person willfully failed to file a statement of financial
498 interests, the commission shall enter an order recommending that
499 the officer or employee be removed from his or her public office
500 or public employment.

501 (10)~~(9)~~ (a) The commission shall treat an amended annual
502 statement of financial interests which that is filed before
503 ~~prior to~~ September 1 of the ~~current~~ year in which the statement
504 is due as the original filing, regardless of whether a complaint
505 has been filed. ~~If a complaint pertaining to the current year~~
506 ~~alleges a failure to properly and accurately disclose any~~
507 ~~information required by this section or if a complaint filed~~
508 ~~pertaining to a previous reporting period within the preceding 5~~
509 ~~years alleges a failure to properly and accurately disclose any~~
510 ~~information required to be disclosed by this section, the~~
511 ~~commission may immediately follow complaint procedures in s.~~
512 ~~112.324. However, If a complaint filed after August 25 alleges~~
513 only an immaterial, inconsequential, or de minimis error or
514 omission, the commission may not take any action on the
515 complaint, other than notifying the filer of the complaint. The
516 filer must be given 30 days to file an amended statement of
517 financial interests correcting any errors. If the filer does not
518 file an amended statement of financial interests within 30 days
519 after the commission sends notice of the complaint, the
520 commission may continue with proceedings pursuant to s. 112.324.

521 (c) For purposes of this section, an error or omission is
522 immaterial, inconsequential, or de minimis if the original

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523 filing provided sufficient information for the public to
524 identify potential conflicts of interest. However, failure to
525 certify completion of annual ethics training required under s.
526 112.3142 does not constitute an immaterial, inconsequential, or
527 de minimis error or omission.

528 Section 8. Section 112.31455, Florida Statutes, is amended
529 to read:

530 112.31455 Withholding of public salary-related payments
531 ~~Collection methods~~ for unpaid automatic fines for failure to
532 timely file disclosure of financial interests.-

533 (1) Before referring any unpaid fine accrued pursuant to s.
534 112.3144(5) or s. 112.3145(7) ~~s. 112.3145(6)~~ to the Department
535 of Financial Services, the commission shall attempt to determine
536 whether the individual owing such a fine is a current public
537 officer or current public employee. If so, the commission may
538 notify the Chief Financial Officer or the governing body of the
539 appropriate county, municipality, or special district of the
540 total amount of any fine owed to the commission by such
541 individual.

542 (a) After receipt and verification of the notice from the
543 commission, the Chief Financial Officer or the governing body of
544 the county, municipality, or special district shall withhold the
545 entire amount of any fine owed, and any administrative costs
546 incurred, from the individual's next salary-related payment. If
547 the fine exceeds the amount of the next salary-related payment,
548 all salary-related payments must be withheld until the fine and
549 administrative costs are paid in full ~~begin withholding the~~
550 ~~lesser of 10 percent or the maximum amount allowed under federal~~
551 ~~law from any salary-related payment.~~ The withheld payments shall

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552 be remitted to the commission until the fine is satisfied.

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

557 (c) If a current public officer or current public employee
558 demonstrates to the Chief Financial Officer or the governing
559 body responsible for paying him or her that the public salary is
560 his or her primary source of income and that withholding the
561 full amount of any fine owed from a salary-related payment would
562 present an undue hardship, the amount withheld from a public
563 salary may be reduced to not less than 10 percent of the salary-
564 related payment.

565 ~~(2) If the commission determines that the individual who is~~
566 ~~the subject of an unpaid fine accrued pursuant to s. 112.3144(5)~~
567 ~~or s. 112.3145(6) is no longer a public officer or public~~
568 ~~employee or if the commission is unable to determine whether the~~
569 ~~individual is a current public officer or public employee, the~~
570 ~~commission may, 6 months after the order becomes final, seek~~
571 ~~garnishment of any wages to satisfy the amount of the fine, or~~
572 ~~any unpaid portion thereof, pursuant to chapter 77. Upon~~
573 ~~recording the order imposing the fine with the clerk of the~~
574 ~~circuit court, the order shall be deemed a judgment for purposes~~
575 ~~of garnishment pursuant to chapter 77.~~

576 (2)~~(3)~~ The commission may refer unpaid fines to the
577 appropriate collection agency, as directed by the Chief
578 Financial Officer, to utilize any collection methods provided by
579 law. Except as expressly limited by this section, any other
580 collection methods authorized by law are allowed.

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581 (3)~~(4)~~ Action may be taken to collect any unpaid fine
582 imposed by ss. 112.3144 and 112.3145 within 20 years after the
583 date the final order is rendered.

584 Section 9. Section 112.31456, Florida Statutes, is created
585 to read:

586 112.31456 Garnishment of wages for unpaid automatic fines
587 for failure to timely file disclosure of financial interests.-

588 (1) Before referring any unpaid fine accrued pursuant to s.
589 112.3144(5) or s. 112.3145(7) to the Department of Financial
590 Services, the commission shall attempt to determine whether the
591 individual owing such fine is a current public officer or
592 current public employee. If the commission determines that an
593 individual who is the subject of an unpaid fine accrued pursuant
594 to s. 112.3144(5) or s. 112.3145(7) is no longer a public
595 officer or public employee or the commission is unable to
596 determine whether the individual is a current public officer or
597 public employee, the commission may, 6 months after the order
598 becomes final, seek garnishment of any wages to satisfy the
599 amount of the fine, or any unpaid portion thereof, pursuant to
600 chapter 77. Upon recording the order imposing the fine with the
601 clerk of the circuit court, the order shall be deemed a judgment
602 for purposes of garnishment pursuant to chapter 77.

603 (2) The commission may refer unpaid fines to the
604 appropriate collection agency, as directed by the Chief
605 Financial Officer, to use any collection methods provided by
606 law. Except as expressly limited by this section, any other
607 collection methods authorized by law are allowed.

608 (3) Action may be taken to collect any unpaid fine imposed
609 by ss. 112.3144 and 112.3145 within 20 years after the date the

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610 final order is rendered.

611 Section 10. Section 112.3251, Florida Statutes, is created
612 to read:

613 112.3251 Citizen support and direct-support organizations;
614 standards of conduct.—A citizen support or direct-support
615 organization created or authorized pursuant to law must adopt
616 its own ethics code. The ethics code must contain the standards
617 of conduct and disclosures required under ss. 112.313 and
618 112.3143(2), respectively. However, an ethics code adopted
619 pursuant to this section is not required to contain the
620 standards of conduct specified in s. 112.313(3) or (7). The
621 citizen support or direct-support organization may adopt
622 additional or more stringent standards of conduct and disclosure
623 requirements, provided that those standards of conduct and
624 disclosure requirements do not otherwise conflict with this
625 part. The ethics code must be conspicuously posted on the
626 website of the citizen support or direct-support organization.

627 Section 11. Section 112.3261, Florida Statutes, is created
628 to read:

629 112.3261 Lobbying before governmental entities;
630 registration and reporting.—

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

632 (a) "Governmental entity" means a water management
633 district, a hospital district, a children's services district,
634 an expressway authority as the term "authority" is defined in s.
635 348.0002, a port authority as the term is defined in s. 315.02,
636 or an independent special district with annual revenues of more
637 than \$5 million that exercises ad valorem taxing authority.

638 (b) "Lobbies" means seeking, on behalf of another person,

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639 to influence a governmental entity with respect to a decision of
640 the entity in an area of policy or procurement or an attempt to
641 obtain the goodwill of an entity official or employee.

642 (c) "Lobbyist" has the same meaning as in s. 112.3215.

643 (d) "Principal" has the same meaning as in s. 112.3215.

644 (2) A person may not lobby a governmental entity until such
645 person has registered as a lobbyist with that entity. Such
646 registration shall be due upon initially being retained to lobby
647 and is renewable on a calendar-year basis thereafter. Upon
648 registration, the person shall provide a statement signed by the
649 principal or principal's representative stating that the
650 registrant is authorized to represent the principal. The
651 principal shall also identify and designate its main business on
652 the statement authorizing that lobbyist pursuant to a
653 classification system approved by the governmental entity. Any
654 changes to the information required by this section must be
655 disclosed within 15 days by filing a new registration form. The
656 registration form shall require each lobbyist to disclose, under
657 oath, the following:

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

659 (b) The name and business address of each principal
660 represented.

661 (c) The existence of any direct or indirect business
662 association, partnership, or financial relationship with any
663 officer or employee of a governmental entity with which he or
664 she lobbies or intends to lobby.

665 (d) In lieu of creating its own lobbyist registration
666 forms, a governmental entity may accept a completed legislative
667 branch or executive branch lobbyist registration form.

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668 (3) A governmental entity shall make lobbyist registrations
669 available to the public. If a governmental entity maintains a
670 website, a database of currently registered lobbyists and
671 principals must be available on the entity's website.

672 (4) A lobbyist shall promptly send a written statement to
673 the governmental entity cancelling the registration for a
674 principal upon termination of the lobbyist's representation of
675 that principal. A governmental entity may remove the name of a
676 lobbyist from the list of registered lobbyists if the principal
677 notifies the entity that a person is no longer authorized to
678 represent that principal.

679 (5) A governmental entity may establish an annual lobbyist
680 registration fee, not to exceed \$40, for each principal
681 represented. The governmental entity may use the moneys
682 collected only to administer the provisions of this section.

683 (6) A governmental entity shall be diligent to ascertain
684 whether persons required to register pursuant to this section
685 have complied. A governmental entity may not knowingly authorize
686 a person who is not registered pursuant to this section to lobby
687 the entity.

688 (7) Upon receipt of a sworn complaint alleging that a
689 lobbyist or principal has failed to register with a governmental
690 entity or has knowingly submitted false information in a report
691 or registration required under this section, the commission
692 shall investigate a lobbyist or principal pursuant to the
693 procedures established under s. 112.324. The commission shall
694 provide the Governor with a report of its findings and
695 recommendations in any investigation conducted pursuant to this
696 subsection. The Governor is authorized to enforce the

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697 commission's findings and recommendations.

698 Section 12. Section 286.012, Florida Statutes, is amended
699 to read:

700 286.012 Voting requirement at meetings of governmental
701 bodies.—A ~~No~~ member of a ~~any~~ state, county, or municipal
702 governmental board, commission, or agency who is present at a
703 ~~any~~ meeting of any such body at which an official decision,
704 ruling, or other official act is to be taken or adopted may not
705 abstain from voting in regard to any such decision, ruling, or
706 act; and a vote shall be recorded or counted for each such
707 member present, unless ~~except when~~, with respect to any such
708 member, there is, or appears to be, a possible conflict of
709 interest under ~~the provisions of~~ s. 112.311, s. 112.313, ~~or~~ s.
710 112.3143, or additional or more stringent standards of conduct,
711 if any, adopted pursuant to s. 112.326. If there is, or appears
712 to be, a possible conflict under s. 112.311, s. 112.313, or s.
713 112.3143, the member shall comply with the disclosure
714 requirements of s. 112.3143. If the only conflict or possible
715 conflict is one arising from the additional or more stringent
716 standards adopted pursuant to s. 112.326, the member shall
717 comply with any disclosure requirements adopted pursuant to s.
718 112.326. If the official decision, ruling, or act occurs in the
719 context of a quasi-judicial proceeding, a member may abstain
720 from voting on such matter if the abstention is to assure a fair
721 proceeding free from potential bias or prejudice ~~In such cases,~~
722 ~~said member shall comply with the disclosure requirements of s.~~
723 ~~112.3143.~~

724 Section 13. Paragraph (c) of subsection (1) of section
725 288.901, Florida Statutes, is amended, and paragraph (d) is

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726 added to that subsection, to read:

727 288.901 Enterprise Florida, Inc.—

728 (1) CREATION.—

729 (c) The Legislature determines that it is in the public
730 interest that the president, senior managers, and ~~for the~~
731 members of the board of directors of Enterprise Florida, Inc.,
732 ~~board of directors~~ to be subject to the requirements of ss.
733 112.313, 112.3135, and 112.3143(2), and ~~112.313, excluding s.~~
734 ~~112.313(2)~~, notwithstanding the fact that the board members are
735 not public officers or employees. For purposes of those
736 sections, the president, senior managers, and board members
737 shall be considered to be public officers or employees. The
738 exemption set forth in s. 112.313(12) for advisory boards
739 applies to the members of the Enterprise Florida, Inc., board of
740 directors. Further, each member of the board of directors who is
741 not otherwise required to file financial disclosures pursuant to
742 s. 8, Art. II of the State Constitution or s. 112.3144~~7~~, shall
743 file disclosure of financial interests pursuant to s. 112.3145.

744 (d) The president, senior managers, and members of the
745 board of directors of Enterprise Florida, Inc., may not
746 represent another person or entity for compensation before the
747 corporation for a period of 2 years after ending his or her
748 employment with the corporation or service on the board of
749 directors.

750 Section 14. Present paragraph (b) of subsection (2) of
751 section 288.92, Florida Statutes, is redesignated as paragraph
752 (c), and a new paragraph (b) is added to that subsection, to
753 read:

754 288.92 Divisions of Enterprise Florida, Inc.—

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755 (2)

756 (b)1. The Legislature determines that it is in the public
757 interest that the following officers and board members be
758 subject to ss. 112.313, 112.3135, and 112.3143(2),
759 notwithstanding the fact that such officers and board members
760 are not public officers or employees:

761 a. Officers and members of the board of directors of the
762 divisions of Enterprise Florida, Inc.;

763 b. Officers and members of the board of directors of
764 subsidiaries of Enterprise Florida, Inc.;

765 c. Officers and members of the board of directors of
766 corporations created to carry out the missions of Enterprise
767 Florida, Inc.; and

768 d. Officers and members of the board of directors of
769 corporations with which a division is required by law to
770 contract with to carry out its missions.

771 2. Such officers and members of the board of directors may
772 not represent another person or entity for compensation before
773 Enterprise Florida, Inc., for a period of 2 years after
774 retirement from or termination of service to the division.

775 Section 15. Paragraph (a) of subsection (3) of section
776 288.9604, Florida Statutes, is amended to read:

777 288.9604 Creation of the authority.—

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

783 2. The Legislature determines that it is in the public

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784 interest that a director of the board of directors of the
785 Florida Development Finance Corporation be subject to ss.
786 112.313, 112.3135, and 112.3143(2), notwithstanding the fact
787 that the directors are not public officers or employees. For
788 purposes of these sections, the directors shall be considered to
789 be public officers or employees.

790 3. A director of the board of directors of the corporation
791 may not represent another person or entity for compensation
792 before the corporation for a period of 2 years following his or
793 her service on the board of directors.

794 Section 16. Paragraph (d) of subsection (6) of section
795 627.351, Florida Statutes, is amended to read:

796 627.351 Insurance risk apportionment plans.—

797 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

798 (d)1. All prospective employees for senior management
799 positions, as defined by the plan of operation, are subject to
800 background checks as a prerequisite for employment. The office
801 shall conduct the background checks pursuant to ss. 624.34,
802 624.404(3), and 628.261.

803 2. On or before July 1 of each year, employees of the
804 corporation must sign and submit a statement attesting that they
805 do not have a conflict of interest, as defined in part III of
806 chapter 112. As a condition of employment, all prospective
807 employees must sign and submit to the corporation a conflict-of-
808 interest statement.

809 3. The executive director, senior managers, and members of
810 the board of governors are subject to part III of chapter 112,
811 including, but not limited to, the code of ethics and public
812 disclosure and reporting of financial interests, pursuant to s.

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813 112.3145. Notwithstanding s. 112.3143(2), a board member may not
814 vote on any measure that would inure to his or her special
815 private gain or loss; that he or she knows would inure to the
816 special private gain or loss of any principal by whom he or she
817 is retained or to the parent organization or subsidiary of a
818 corporate principal by which he or she is retained, other than
819 an agency as defined in s. 112.312; or that he or she knows
820 would inure to the special private gain or loss of a relative or
821 business associate of the public officer. Before the vote is
822 taken, such member shall publicly state to the assembly the
823 nature of his or her interest in the matter from which he or she
824 is abstaining from voting and, within 15 days after the vote
825 occurs, disclose the nature of his or her interest as a public
826 record in a memorandum filed with the person responsible for
827 recording the minutes of the meeting, who shall incorporate the
828 memorandum in the minutes. Senior managers and board members are
829 also required to file such disclosures with the Commission on
830 Ethics and the Office of Insurance Regulation. The executive
831 director of the corporation or his or her designee shall notify
832 each existing and newly appointed member of the board of
833 governors and senior managers of their duty to comply with the
834 reporting requirements of part III of chapter 112. At least
835 quarterly, the executive director or his or her designee shall
836 submit to the Commission on Ethics a list of names of the senior
837 managers and members of the board of governors who are subject
838 to the public disclosure requirements under s. 112.3145.

839 4. Notwithstanding s. 112.3148, ~~or~~ s. 112.3149, or any
840 other provision of law, an employee or board member may not
841 knowingly accept, directly or indirectly, any gift or

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842 expenditure from a person or entity, or an employee or
843 representative of such person or entity, which has a contractual
844 relationship with the corporation or who is under consideration
845 for a contract. An employee or board member who fails to comply
846 with subparagraph 3. or this subparagraph is subject to
847 penalties provided under ss. 112.317 and 112.3173.

848 5. The executive director, a member of the board of
849 governors, and a any senior manager of the corporation are ~~who~~
850 ~~is employed on or after January 1, 2007, regardless of the date~~
851 ~~of hire, who subsequently retires or terminates employment is~~
852 prohibited from representing another person or entity before the
853 corporation for 2 years after retirement from or termination of
854 service to employment from the corporation.

855 6. The executive director, a member of the board of
856 governors, and a Any senior manager of the corporation are ~~who~~
857 ~~is employed on or after January 1, 2007, regardless of the date~~
858 ~~of hire, who subsequently retires or terminates employment is~~
859 prohibited from having any employment or contractual
860 relationship for 2 years after retirement from or termination of
861 service to the corporation with an insurer that has entered into
862 a take-out bonus agreement with the corporation.

863 Section 17. Subsections (3), (4), and (7) of section
864 11.0455, Florida Statutes, are amended to read:

865 11.0455 Electronic filing of compensation reports and other
866 information.—

867 (3) A report filed pursuant to this section must be
868 completed and filed through the electronic filing system not
869 later than 11:59 p.m. of the day designated in s. 11.045. A
870 report not filed by 11:59 p.m. of the day designated is a late-

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871 filed report and is subject to the penalties under s. 11.045(4)
872 ~~s. 11.045(3)~~.

873 (4) Each report filed pursuant to this section is deemed to
874 meet the certification requirements of s. 11.045(4)(a)4. ~~s.~~
875 ~~11.045(3)(a)4.~~, and as such subjects the person responsible for
876 filing and the lobbying firm to the provisions of s. 11.045(8)
877 and (9) ~~s. 11.045(7) and (8)~~. Persons given a secure sign-on to
878 the electronic filing system are responsible for protecting it
879 from disclosure and are responsible for all filings using such
880 credentials, unless they have notified the office that their
881 credentials have been compromised.

882 (7) Each house of the Legislature shall provide by rule
883 that the office make all the data filed available on the
884 Internet in an easily understood and accessible format. The
885 Internet website must also include, but not be limited to, the
886 names and business addresses of lobbyists, lobbying firms, and
887 principals, the affiliations between lobbyists and principals,
888 and the classification system designated and identified by each
889 principal pursuant to s. 11.045(3) ~~s. 11.045(2)~~.

890 Section 18. Subsections (3), (4), and (7) of section
891 112.32155, Florida Statutes, are amended to read:

892 112.32155 Electronic filing of compensation reports and
893 other information.—

894 (3) A report filed pursuant to this section must be
895 completed and filed through the electronic filing system not
896 later than 11:59 p.m. of the day designated in s. 112.3215. A
897 report not filed by 11:59 p.m. of the day designated is a late-
898 filed report and is subject to the penalties under s.
899 112.3215(6) ~~s. 112.3215(5)~~.

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900 (4) Each report filed pursuant to this section is
901 considered to meet the certification requirements of s.
902 112.3215(6)(a)4. ~~s. 112.3215(5)(a)4.~~ Persons given a secure
903 sign-on to the electronic filing system are responsible for
904 protecting it from disclosure and are responsible for all
905 filings using such credentials, unless they have notified the
906 commission that their credentials have been compromised.

907 (7) The commission shall make all the data filed available
908 on the Internet in an easily understood and accessible format.
909 The Internet website shall also include, but not be limited to,
910 the names and business addresses of lobbyists, lobbying firms,
911 and principals, the affiliations between lobbyists and
912 principals, and the classification system designated and
913 identified by each principal pursuant to s. 112.3215(4) ~~s.~~
914 ~~112.3215(3).~~

915 Section 19. This act shall take effect July 1, 2014.