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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, superintendent of schools, or an
174 elected municipal officer other than an elected municipal

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175 officer of a small city, as defined in s. 120.52.

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

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

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

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

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

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204 Fees collected pursuant to rules established in accordance with
205 subsection (3) ~~(2)~~ shall be deposited into the Legislative
206 Lobbyist Registration Trust Fund.

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

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

215 (1) For the purposes of this section:

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

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

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

228 (d) "Expenditure" means a payment, distribution, loan,
229 advance, reimbursement, deposit, or anything of value made by a
230 lobbyist or principal for the purpose of lobbying. The term
231 "expenditure" does not include contributions or expenditures
232 reported pursuant to chapter 106 or contributions or

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233 expenditures reported pursuant to federal election law,
234 campaign-related personal services provided without compensation
235 by individuals volunteering their time, any other contribution
236 or expenditure made by or to a political party or an affiliated
237 party committee, or any other contribution or expenditure made
238 by an organization that is exempt from taxation under 26 U.S.C.
239 s. 527 or s. 501(c)(4).

240 (e) "Fund" means the Executive Branch Lobby Registration
241 Trust Fund.

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

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

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

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

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

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

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

274 (i) "Local officer" means a state attorney, public
275 defender, sheriff, tax collector, property appraiser, supervisor
276 of elections, clerk of the circuit court, county commissioner,
277 district school board member, superintendent of schools, or an
278 elected municipal officer other than an elected municipal
279 officer of a small city, as defined in s. 120.52.

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

282 (3) A local officer may not register as a lobbyist for the
283 purpose of lobbying an agency on behalf of a person or entity
284 other than his or her political subdivision. This subsection
285 does not prohibit a local officer from being employed by, or
286 contracting with, a lobbying firm if he or she does not
287 personally represent clients before an agency.

288 (12)~~(11)~~ Any person who is required to be registered or to
289 provide information under this section or under rules adopted
290 pursuant to this section and who knowingly fails to disclose any

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291 material fact that is required by this section or by rules
292 adopted pursuant to this section, or who knowingly provides
293 false information on any report required by this section or by
294 rules adopted pursuant to this section, commits a noncriminal
295 infraction, punishable by a fine not to exceed \$5,000. Such
296 penalty is in addition to any other penalty assessed by the
297 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

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

305 Section 4. Paragraph (b) of subsection (1) of section
306 28.35, Florida Statutes, is amended to read:

307 28.35 Florida Clerks of Court Operations Corporation.—

308 (1)

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

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320 shall designate one additional member to represent the state
321 courts system.

322 2. The Legislature determines that it is in the public
323 interest that a member of the executive council of the
324 corporation be subject to the requirements of ss. 112.313,
325 112.3135, and 112.3143(2). Notwithstanding that the council
326 members are not public officers or employees, for purposes of
327 the application of ss. 112.313, 112.3135, and 112.3143(2) to the
328 activities of the council members, the council members shall be
329 considered public officers or employees, and the corporation
330 shall be considered their agency.

331 3. A member of the executive council of the corporation may
332 not represent another person or entity for compensation before
333 the corporation for a period of 2 years following his or her
334 service on the executive council.

335 Section 5. Section 112.3142, Florida Statutes, is amended
336 to read:

337 112.3142 Ethics training for specified constitutional
338 officers and elected municipal officers.-

339 (1) As used in this section, the term "constitutional
340 officers" includes the Governor, the Lieutenant Governor, the
341 Attorney General, the Chief Financial Officer, the Commissioner
342 of Agriculture, state attorneys, public defenders, sheriffs, tax
343 collectors, property appraisers, supervisors of elections,
344 clerks of the circuit court, county commissioners, district
345 school board members, and superintendents of schools.

346 (2) (a) All constitutional officers must complete 4 hours of
347 ethics training each calendar year which ~~annually that~~
348 addresses, at a minimum, s. 8, Art. II of the State

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349 Constitution, the Code of Ethics for Public Officers and
350 Employees, and the public records and public meetings laws of
351 this state. This requirement may be satisfied by completion of a
352 continuing legal education class or other continuing
353 professional education class, seminar, or presentation if the
354 required subjects are covered.

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

364 (c)~~(b)~~ The commission shall adopt rules establishing
365 minimum course content for the portion of an ethics training
366 class which ~~that~~ addresses s. 8, Art. II of the State
367 Constitution and the Code of Ethics for Public Officers and
368 Employees.

369 (d) The Legislature intends that a constitutional officer
370 or elected municipal officer who is required to complete ethics
371 training pursuant to this section receive the required training
372 as close as possible to the date that he or she assumes office.
373 A constitutional officer or elected municipal officer assuming a
374 new office or new term of office on or before March 31 must
375 complete the annual training on or before December 31 of the
376 year in which the term of office began. A constitutional officer
377 or elected municipal officer assuming a new office or new term

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378 of office after March 31 is not required to complete ethics
379 training for the calendar year in which the term of office
380 began.

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

383 Section 6. Subsections (1) and (2), paragraph (g) of
384 subsection (5), and paragraphs (a) and (c) of present subsection
385 (7) of section 112.3144, Florida Statutes, are amended, present
386 subsections (6) through (9) of that section are redesignated as
387 subsections (7) through (10), respectively, and a new subsection
388 (6) is added to that section, to read:

389 112.3144 Full and public disclosure of financial
390 interests.—

391 (1) An officer who is required by s. 8, Art. II of the
392 State Constitution to file a full and public disclosure of his
393 or her financial interests for any calendar or fiscal year shall
394 file that disclosure with the Florida Commission on Ethics.
395 Additionally, beginning January 1, 2015, an officer who is
396 required to complete annual ethics training pursuant to s.
397 112.3142 must certify on his or her full and public disclosure
398 of financial interests that he or she has completed the required
399 training.

400 (2) A person who is required, pursuant to s. 8, Art. II of
401 the State Constitution, to file a full and public disclosure of
402 financial interests and who has filed a full and public
403 disclosure of financial interests for any calendar or fiscal
404 year shall not be required to file a statement of financial
405 interests pursuant to s. 112.3145(2) and (3) for the same year
406 or for any part thereof notwithstanding any requirement of this

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407 part. If an incumbent in an elective office has filed the full
408 and public disclosure of financial interests to qualify for
409 election to the same office or if ~~When a candidate has qualified~~
410 for office holds another office subject to the annual filing
411 requirement, the qualifying officer shall forward an electronic
412 copy of the full and public disclosure of financial interests to
413 the commission no later than July 1. The electronic copy of the
414 full and public disclosure of financial interests satisfies the
415 annual disclosure requirement of this section. A candidate who
416 does not qualify until after the annual full and public
417 disclosure of financial interests has been filed pursuant to
418 this section shall file a copy of his or her disclosure with the
419 officer before whom he or she qualifies.

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

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

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436 (6) If a person holding public office or public employment
437 fails or refuses to file a full and public disclosure of
438 financial interests for any year in which the person received
439 notice from the commission regarding the failure to file and has
440 accrued the maximum automatic fine authorized under this
441 section, regardless of whether the fine imposed was paid or
442 collected, the commission may initiate an investigation and
443 conduct a public hearing without receipt of a complaint to
444 determine whether the person's failure to file is willful. Such
445 investigation and hearing must be conducted in accordance with
446 s. 112.324. Except as provided in s. 112.324(4), if the
447 commission determines that the person willfully failed to file a
448 full and public disclosure of financial interests, the
449 commission shall enter an order recommending that the officer or
450 employee be removed from his or her public office or public
451 employment.

452 (8)~~(7)~~ (a) The commission shall treat an amended full and
453 public disclosure of financial interests which ~~that~~ is filed
454 before ~~prior to~~ September 1 of the ~~current~~ year in which the
455 disclosure is due as the original filing, regardless of whether
456 a complaint has been filed. ~~If a complaint pertaining to the~~
457 ~~current year alleges a failure to properly and accurately~~
458 ~~disclose any information required by this section or if a~~
459 ~~complaint filed pertaining to a previous reporting period within~~
460 ~~the preceding 5 years alleges a failure to properly and~~
461 ~~accurately disclose any information required to be disclosed by~~
462 ~~this section, the commission may immediately follow complaint~~
463 ~~procedures in s. 112.324. However, If a complaint filed after~~
464 ~~August 25~~ alleges only an immaterial, inconsequential, or de

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465 minimis error or omission, the commission may not take any
466 action on the complaint, other than notifying the filer of the
467 complaint. The filer must be given 30 days to file an amended
468 full and public disclosure of financial interests correcting any
469 errors. If the filer does not file an amended full and public
470 disclosure of financial interests within 30 days after the
471 commission sends notice of the complaint, the commission may
472 continue with proceedings pursuant to s. 112.324.

473 (c) For purposes of this section, an error or omission is
474 immaterial, inconsequential, or de minimis if the original
475 filing provided sufficient information for the public to
476 identify potential conflicts of interest. However, failure to
477 certify completion of annual ethics training required under s.
478 112.3142 does not constitute an immaterial, inconsequential, or
479 de minimis error or omission.

480 Section 7. Present subsections (4) through (11) of section
481 112.3145, Florida Statutes, are redesignated as subsections (5)
482 through (12), respectively, a new subsection (4) is added to
483 that section, paragraph (c) is added to present subsection (7)
484 of that section, and paragraphs (a) and (c) of present
485 subsection (9) of that section are amended, to read:

486 112.3145 Disclosure of financial interests and clients
487 represented before agencies.—

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

492 (8)-(7)-

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

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494 fails or refuses to file an annual statement of financial
495 interests for any year in which the person received notice from
496 the commission regarding the failure to file and has accrued the
497 maximum automatic fine authorized under this section, regardless
498 of whether the fine imposed was paid or collected, the
499 commission may initiate an investigation and conduct a public
500 hearing without receipt of a complaint to determine whether the
501 person's failure to file is willful. Such investigation and
502 hearing must be conducted in accordance with s. 112.324. Except
503 as provided in s. 112.324(4), if the commission determines that
504 the person willfully failed to file a statement of financial
505 interests, the commission shall enter an order recommending that
506 the officer or employee be removed from his or her public office
507 or public employment.

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

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523 filer must be given 30 days to file an amended statement of
524 financial interests correcting any errors. If the filer does not
525 file an amended statement of financial interests within 30 days
526 after the commission sends notice of the complaint, the
527 commission may continue with proceedings pursuant to s. 112.324.

528 (c) For purposes of this section, an error or omission is
529 immaterial, inconsequential, or de minimis if the original
530 filing provided sufficient information for the public to
531 identify potential conflicts of interest. However, failure to
532 certify completion of annual ethics training required under s.
533 112.3142 does not constitute an immaterial, inconsequential, or
534 de minimis error or omission.

535 Section 8. Section 112.31455, Florida Statutes, is amended
536 to read:

537 112.31455 Withholding of public salary-related payments
538 ~~Collection methods~~ for unpaid automatic fines for failure to
539 timely file disclosure of financial interests.-

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

549 (a) After receipt and verification of the notice from the
550 commission, the Chief Financial Officer or the governing body of
551 the county, municipality, or special district shall withhold the

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552 entire amount of any fine owed, and any administrative costs
553 incurred, from the individual's next salary-related payment. If
554 the fine exceeds the amount of the next salary-related payment,
555 all salary-related payments must be withheld until the fine and
556 administrative costs are paid in full ~~begin withholding the~~
557 ~~lesser of 10 percent or the maximum amount allowed under federal~~
558 ~~law from any salary-related payment.~~ The withheld payments shall
559 be remitted to the commission until the fine is satisfied.

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

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

572 ~~(2) If the commission determines that the individual who is~~
573 ~~the subject of an unpaid fine accrued pursuant to s. 112.3144(5)~~
574 ~~or s. 112.3145(6) is no longer a public officer or public~~
575 ~~employee or if the commission is unable to determine whether the~~
576 ~~individual is a current public officer or public employee, the~~
577 ~~commission may, 6 months after the order becomes final, seek~~
578 ~~garnishment of any wages to satisfy the amount of the fine, or~~
579 ~~any unpaid portion thereof, pursuant to chapter 77. Upon~~
580 ~~recording the order imposing the fine with the clerk of the~~

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581 ~~circuit court, the order shall be deemed a judgment for purposes~~
582 ~~of garnishment pursuant to chapter 77.~~

583 ~~(2)(3)~~ The commission may refer unpaid fines to the
584 appropriate collection agency, as directed by the Chief
585 Financial Officer, to utilize any collection methods provided by
586 law. Except as expressly limited by this section, any other
587 collection methods authorized by law are allowed.

588 ~~(3)(4)~~ Action may be taken to collect any unpaid fine
589 imposed by ss. 112.3144 and 112.3145 within 20 years after the
590 date the final order is rendered.

591 Section 9. Section 112.31456, Florida Statutes, is created
592 to read:

593 112.31456 Garnishment of wages for unpaid automatic fines
594 for failure to timely file disclosure of financial interests.-

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

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610 (2) The commission may refer unpaid fines to the
611 appropriate collection agency, as directed by the Chief
612 Financial Officer, to use any collection methods provided by
613 law. Except as expressly limited by this section, any other
614 collection methods authorized by law are allowed.

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

618 Section 10. Section 112.3251, Florida Statutes, is created
619 to read:

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

634 Section 11. Section 112.3261, Florida Statutes, is created
635 to read:

636 112.3261 Lobbying before governmental entities;
637 registration and reporting.—

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

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639 (a) "Governmental entity" means a water management
640 district, a hospital district, a children's services district,
641 an expressway authority as the term "authority" is defined in s.
642 348.0002, a port authority as the term is defined in s. 315.02,
643 or an independent special district with annual revenues of more
644 than \$5 million that exercises ad valorem taxing authority.

645 (b) "Lobbies" means seeking, on behalf of another person,
646 to influence a governmental entity with respect to a decision of
647 the entity in an area of policy or procurement or an attempt to
648 obtain the goodwill of an entity official or employee.

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

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

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

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

666 (b) The name and business address of each principal
667 represented.

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668 (c) The existence of any direct or indirect business
669 association, partnership, or financial relationship with any
670 officer or employee of a governmental entity with which he or
671 she lobbies or intends to lobby.

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

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

679 (4) A lobbyist shall promptly send a written statement to
680 the governmental entity cancelling the registration for a
681 principal upon termination of the lobbyist's representation of
682 that principal. A governmental entity may remove the name of a
683 lobbyist from the list of registered lobbyists if the principal
684 notifies the entity that a person is no longer authorized to
685 represent that principal.

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

690 (6) A governmental entity shall be diligent to ascertain
691 whether persons required to register pursuant to this section
692 have complied. A governmental entity may not knowingly authorize
693 a person who is not registered pursuant to this section to lobby
694 the entity.

695 (7) Upon receipt of a sworn complaint alleging that a
696 lobbyist or principal has failed to register with a governmental

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697 entity or has knowingly submitted false information in a report
698 or registration required under this section, the commission
699 shall investigate a lobbyist or principal pursuant to the
700 procedures established under s. 112.324. The commission shall
701 provide the Governor with a report of its findings and
702 recommendations in any investigation conducted pursuant to this
703 subsection. The Governor is authorized to enforce the
704 commission's findings and recommendations.

705 Section 12. Section 286.012, Florida Statutes, is amended
706 to read:

707 286.012 Voting requirement at meetings of governmental
708 bodies.—A ~~No~~ member of a ~~any~~ state, county, or municipal
709 governmental board, commission, or agency who is present at a
710 ~~any~~ meeting of any such body at which an official decision,
711 ruling, or other official act is to be taken or adopted may not
712 abstain from voting in regard to any such decision, ruling, or
713 act; and a vote shall be recorded or counted for each such
714 member present, unless ~~except when~~, with respect to any such
715 member, there is, or appears to be, a possible conflict of
716 interest ~~under the provisions of~~ s. 112.311, s. 112.313, ~~or~~ s.
717 112.3143, or additional or more stringent standards of conduct,
718 if any, adopted pursuant to s. 112.326. If there is, or appears
719 to be, a possible conflict under s. 112.311, s. 112.313, or s.
720 112.3143, the member shall comply with the disclosure
721 requirements of s. 112.3143. If the only conflict or possible
722 conflict is one arising from the additional or more stringent
723 standards adopted pursuant to s. 112.326, the member shall
724 comply with any disclosure requirements adopted pursuant to s.
725 112.326. If the official decision, ruling, or act occurs in the

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726 context of a quasi-judicial proceeding, a member may abstain
727 from voting on such matter if the abstention is to assure a fair
728 proceeding free from potential bias or prejudice ~~In such cases,~~
729 ~~said member shall comply with the disclosure requirements of s.~~
730 ~~112.3143.~~

731 Section 13. Paragraph (c) of subsection (1) of section
732 288.901, Florida Statutes, is amended, and paragraph (d) is
733 added to that subsection, to read:

734 288.901 Enterprise Florida, Inc.—

735 (1) CREATION.—

736 (c) The Legislature determines that it is in the public
737 interest that the president, senior managers, and ~~for the~~
738 members of the board of directors of Enterprise Florida, Inc.,
739 ~~board of directors to~~ be subject to the requirements of ss.
740 112.313, 112.3135, and 112.3143(2). ~~, and 112.313, excluding s.~~
741 ~~112.313(2),~~ Notwithstanding ~~the fact~~ that the board members are
742 not public officers or employees, for purposes of the
743 application of ss. 112.313, 112.3135, and 112.3143(2) to the
744 activities of those sections, the president, senior managers,
745 and board members, those individuals shall be considered ~~to be~~
746 public officers or employees, and the corporation shall be
747 considered their agency. The exemption set forth in s.
748 112.313(12) for advisory boards applies to the members of the
749 Enterprise Florida, Inc., board of directors. Further, each
750 member of the board of directors who is not otherwise required
751 to file financial disclosures pursuant to s. 8, Art. II of the
752 State Constitution or s. 112.3144~~, shall file disclosure of~~
753 financial interests pursuant to s. 112.3145.

754 (d) The president, senior managers, and members of the

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755 board of directors of Enterprise Florida, Inc., may not
756 represent another person or entity for compensation before the
757 corporation for a period of 2 years after ending their
758 employment with the corporation or service on the board of
759 directors.

760 Section 14. Present paragraph (b) of subsection (2) of
761 section 288.92, Florida Statutes, is redesignated as paragraph
762 (c), and a new paragraph (b) is added to that subsection, to
763 read:

764 288.92 Divisions of Enterprise Florida, Inc.—

765 (2)

766 (b)1. The Legislature determines that it is in the public
767 interest that the following officers and board members be
768 subject to ss. 112.313, 112.3135, and 112.3143(2),
769 notwithstanding the fact that such officers and board members
770 are not public officers or employees:

771 a. Officers and members of the board of directors of the
772 divisions of Enterprise Florida, Inc.;

773 b. Officers and members of the board of directors of
774 subsidiaries of Enterprise Florida, Inc.;

775 c. Officers and members of the board of directors of
776 corporations created to carry out the missions of Enterprise
777 Florida, Inc.; and

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

781 2. The officers and members of the board of directors
782 specified in subparagraph 1. may not represent another person or
783 entity for compensation before Enterprise Florida, Inc., for a

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784 period of 2 years after retirement from or termination of
785 service to the division.

786 3. For purposes of the application of ss. 112.313,
787 112.3135, and 112.3143(2) to the activities of the officers and
788 members of the board of directors specified in subparagraph 1.,
789 those individuals shall be considered public officers or
790 employees, and the corporation shall be considered their agency.

791 Section 15. Paragraph (a) of subsection (3) of section
792 288.9604, Florida Statutes, is amended to read:

793 288.9604 Creation of the authority.—

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

799 2. The Legislature determines that it is in the public
800 interest that a director of the board of directors of the
801 Florida Development Finance Corporation be subject to ss.
802 112.313, 112.3135, and 112.3143(2). Notwithstanding that the
803 directors are not public officers or employees, for purposes of
804 the application of ss. 112.313, 112.3135, and 112.3143(2) to the
805 activities of the directors, the directors shall be considered
806 public officers or employees, and the corporation shall be
807 considered their agency.

808 3. A director of the board of directors of the corporation
809 may not represent another person or entity for compensation
810 before the corporation for a period of 2 years following his or
811 her service on the board of directors.

812 Section 16. Paragraph (d) of subsection (6) of section

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813 627.351, Florida Statutes, is amended to read:

814 627.351 Insurance risk apportionment plans.—

815 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

816 (d)1. All prospective employees for senior management
817 positions, as defined by the plan of operation, are subject to
818 background checks as a prerequisite for employment. The office
819 shall conduct the background checks pursuant to ss. 624.34,
820 624.404(3), and 628.261.

821 2. On or before July 1 of each year, employees of the
822 corporation must sign and submit a statement attesting that they
823 do not have a conflict of interest, as defined in part III of
824 chapter 112. As a condition of employment, all prospective
825 employees must sign and submit to the corporation a conflict-of-
826 interest statement.

827 3. The executive director, senior managers, and members of
828 the board of governors are subject to part III of chapter 112,
829 including, but not limited to, the code of ethics and public
830 disclosure and reporting of financial interests, pursuant to s.
831 112.3145. Notwithstanding that the executive director, senior
832 managers, and members of the board of governors are not public
833 officers or employees, for purposes of the application of part
834 III of chapter 112 to the activities of those individuals, the
835 executive director, senior managers, and members of the board of
836 governors shall be considered public officers and employees, and
837 the corporation shall be considered their agency.

838 Notwithstanding s. 112.3143(2), a board member may not vote on
839 any measure that would inure to his or her special private gain
840 or loss; that he or she knows would inure to the special private
841 gain or loss of any principal by whom he or she is retained or

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842 to the parent organization or subsidiary of a corporate
843 principal by which he or she is retained, other than an agency
844 as defined in s. 112.312; or that he or she knows would inure to
845 the special private gain or loss of a relative or business
846 associate of the public officer. Before the vote is taken, such
847 member shall publicly state to the assembly the nature of his or
848 her interest in the matter from which he or she is abstaining
849 from voting and, within 15 days after the vote occurs, disclose
850 the nature of his or her interest as a public record in a
851 memorandum filed with the person responsible for recording the
852 minutes of the meeting, who shall incorporate the memorandum in
853 the minutes. Senior managers and board members are also required
854 to file such disclosures with the Commission on Ethics and the
855 Office of Insurance Regulation. The executive director of the
856 corporation or his or her designee shall notify each existing
857 and newly appointed member of the board of governors and senior
858 managers of their duty to comply with the reporting requirements
859 of part III of chapter 112. At least quarterly, the executive
860 director or his or her designee shall submit to the Commission
861 on Ethics a list of names of the senior managers and members of
862 the board of governors who are subject to the public disclosure
863 requirements under s. 112.3145.

864 4. Notwithstanding s. 112.3148, or s. 112.3149, or any
865 other provision of law, an employee or board member may not
866 knowingly accept, directly or indirectly, any gift or
867 expenditure from a person or entity, or an employee or
868 representative of such person or entity, which has a contractual
869 relationship with the corporation or who is under consideration
870 for a contract. An employee or board member who fails to comply

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871 with subparagraph 3. or this subparagraph is subject to
872 penalties provided under ss. 112.317 and 112.3173.

873 5. The executive director, a member of the board of
874 governors, and a ~~any~~ senior manager of the corporation are ~~who~~
875 ~~is employed on or after January 1, 2007, regardless of the date~~
876 ~~of hire, who subsequently retires or terminates employment is~~
877 prohibited from representing another person or entity before the
878 corporation for 2 years after retirement from or termination of
879 service to employment from the corporation.

880 6. The executive director, a member of the board of
881 governors, and a ~~Any~~ senior manager of the corporation are ~~who~~
882 ~~is employed on or after January 1, 2007, regardless of the date~~
883 ~~of hire, who subsequently retires or terminates employment is~~
884 prohibited from having any employment or contractual
885 relationship for 2 years after retirement from or termination of
886 service to the corporation with an insurer that has entered into
887 a take-out bonus agreement with the corporation.

888 Section 17. Subsections (3), (4), and (7) of section
889 11.0455, Florida Statutes, are amended to read:

890 11.0455 Electronic filing of compensation reports and other
891 information.-

892 (3) A report filed pursuant to this section must be
893 completed and filed through the electronic filing system not
894 later than 11:59 p.m. of the day designated in s. 11.045. A
895 report not filed by 11:59 p.m. of the day designated is a late-
896 filed report and is subject to the penalties under s. 11.045(4)
897 ~~s. 11.045(3)~~.

898 (4) Each report filed pursuant to this section is deemed to
899 meet the certification requirements of s. 11.045(4)(a)4. ~~s.~~

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900 ~~11.045(3)(a)4.~~, and as such subjects the person responsible for
901 filing and the lobbying firm to the provisions of s. 11.045(8)
902 and (9) ~~s. 11.045(7) and (8)~~. Persons given a secure sign-on to
903 the electronic filing system are responsible for protecting it
904 from disclosure and are responsible for all filings using such
905 credentials, unless they have notified the office that their
906 credentials have been compromised.

907 (7) Each house of the Legislature shall provide by rule
908 that the office make all the data filed available on the
909 Internet in an easily understood and accessible format. The
910 Internet website must also include, but not be limited to, the
911 names and business addresses of lobbyists, lobbying firms, and
912 principals, the affiliations between lobbyists and principals,
913 and the classification system designated and identified by each
914 principal pursuant to s. 11.045(3) ~~s. 11.045(2)~~.

915 Section 18. Subsections (3), (4), and (7) of section
916 112.32155, Florida Statutes, are amended to read:

917 112.32155 Electronic filing of compensation reports and
918 other information.—

919 (3) A report filed pursuant to this section must be
920 completed and filed through the electronic filing system not
921 later than 11:59 p.m. of the day designated in s. 112.3215. A
922 report not filed by 11:59 p.m. of the day designated is a late-
923 filed report and is subject to the penalties under s.
924 112.3215(6) ~~s. 112.3215(5)~~.

925 (4) Each report filed pursuant to this section is
926 considered to meet the certification requirements of s.
927 112.3215(6)(a)4. ~~s. 112.3215(5)(a)4.~~ Persons given a secure
928 sign-on to the electronic filing system are responsible for

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929 protecting it from disclosure and are responsible for all
930 filings using such credentials, unless they have notified the
931 commission that their credentials have been compromised.

932 (7) The commission shall make all the data filed available
933 on the Internet in an easily understood and accessible format.
934 The Internet website shall also include, but not be limited to,
935 the names and business addresses of lobbyists, lobbying firms,
936 and principals, the affiliations between lobbyists and
937 principals, and the classification system designated and
938 identified by each principal pursuant to s. 112.3215(4) ~~s.~~
939 ~~112.3215(3)~~.

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