



381578

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/21/2015	.	
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The Committee on Rules (Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 408 - 649

and insert:

Section 6. Section 112.3261, Florida Statutes, is amended to read:

112.3261 Lobbying before governmental entities ~~water management districts~~; registration and reporting.—

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

(a) "Governmental entity" or "entity" ~~"District"~~ means a water management district created in s. 373.069 and operating



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12 under the authority of chapter 373, a hospital district, a  
13 children's services district, an expressway authority as the  
14 term "authority" is defined in s. 348.0002, the term "port  
15 authority" as defined in s. 315.02, a county or municipality  
16 that has not adopted lobbyist registration and reporting  
17 requirements, or an independent special district with annual  
18 revenues of more than \$5 million which exercises ad valorem  
19 taxing authority.

20 (b) "Lobbies" means seeking, on behalf of another person,  
21 to influence a governmental entity ~~district~~ with respect to a  
22 decision of the entity ~~district~~ in an area of policy or  
23 procurement or an attempt to obtain the goodwill of an a  
24 ~~district~~ official or employee of a governmental entity. The term  
25 "lobbies" shall be interpreted and applied consistently with the  
26 rules of the commission implementing s. 112.3215.

27 (c) "Lobbyist" has the same meaning as provided in s.  
28 112.3215.

29 (d) "Principal" has the same meaning as provided in s.  
30 112.3215.

31 (2) A person may not lobby a governmental entity ~~district~~  
32 until such person has registered as a lobbyist with that entity  
33 ~~district~~. Such registration shall be due upon initially being  
34 retained to lobby and is renewable on a calendar-year basis  
35 thereafter. Upon registration, the person shall provide a  
36 statement signed by the principal or principal's representative  
37 stating that the registrant is authorized to represent the  
38 principal. The principal shall also identify and designate its  
39 main business on the statement authorizing that lobbyist  
40 pursuant to a classification system approved by the governmental



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41 entity ~~district~~. Any changes to the information required by this  
42 section must be disclosed within 15 days by filing a new  
43 registration form. The registration form shall require each  
44 lobbyist to disclose, under oath, the following:

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

46 (b) The name and business address of each principal  
47 represented.

48 (c) The existence of any direct or indirect business  
49 association, partnership, or financial relationship with an  
50 official ~~any officer~~ or employee of a governmental entity  
51 ~~district~~ with which he or she lobbies or intends to lobby.

52 (d) A governmental entity shall create a lobbyist  
53 registration form modeled after the ~~In lieu of creating its own~~  
54 ~~lobbyist registration forms, a district may accept a completed~~  
55 legislative branch or executive branch lobbyist registration  
56 form, which must be returned to the governmental entity.

57 (3) A governmental entity ~~district~~ shall make lobbyist  
58 registrations available to the public. If a governmental entity  
59 ~~district~~ maintains a website, a database of currently registered  
60 lobbyists and principals must be available on the entity's  
61 ~~district's~~ website.

62 (4) A lobbyist shall promptly send a written statement to  
63 the governmental entity ~~district~~ canceling the registration for  
64 a principal upon termination of the lobbyist's representation of  
65 that principal. A governmental entity ~~district~~ may remove the  
66 name of a lobbyist from the list of registered lobbyists if the  
67 principal notifies the entity ~~district~~ that a person is no  
68 longer authorized to represent that principal.

69 (5) A governmental entity ~~district~~ may establish an annual



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70 lobbyist registration fee, not to exceed \$40, for each principal  
71 represented. The governmental entity ~~district~~ may use  
72 registration fees only to administer this section.

73 (6) A governmental entity ~~district~~ shall be diligent to  
74 ascertain whether persons required to register pursuant to this  
75 section have complied. A governmental entity ~~district~~ may not  
76 knowingly authorize a person who is not registered pursuant to  
77 this section to lobby the entity ~~district~~.

78 (7) Upon receipt of a sworn complaint alleging that a  
79 lobbyist or principal has failed to register with a governmental  
80 entity ~~district~~ or has knowingly submitted false information in  
81 a report or registration required under this section, the  
82 commission shall investigate a lobbyist or principal pursuant to  
83 the procedures established under s. 112.324. The commission  
84 shall provide the Governor with a report of its findings and  
85 recommendations in any investigation conducted pursuant to this  
86 subsection. The Governor is authorized to enforce the  
87 commission's findings and recommendations.

88 (8) A governmental entity ~~Water management districts~~ may  
89 adopt rules to establish procedures to govern the registration  
90 of lobbyists, including the adoption of forms and the  
91 establishment of a lobbyist registration fee.

92 Section 7. Paragraph (c) of subsection (3) of section  
93 129.03, Florida Statutes, is amended to read:

94 129.03 Preparation and adoption of budget.—

95 (3) The county budget officer, after tentatively  
96 ascertaining the proposed fiscal policies of the board for the  
97 next fiscal year, shall prepare and present to the board a  
98 tentative budget for the next fiscal year for each of the funds



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99 provided in this chapter, including all estimated receipts,  
100 taxes to be levied, and balances expected to be brought forward  
101 and all estimated expenditures, reserves, and balances to be  
102 carried over at the end of the year.

103 (c) The board shall hold public hearings to adopt tentative  
104 and final budgets pursuant to s. 200.065. The hearings shall be  
105 primarily for the purpose of hearing requests and complaints  
106 from the public regarding the budgets and the proposed tax  
107 levies and for explaining the budget and any proposed or adopted  
108 amendments. The tentative budget must be posted on the county's  
109 official website at least 2 days before the public hearing to  
110 consider such budget and must remain on the website for at least  
111 45 days. The final budget must be posted on the website within  
112 30 days after adoption and must remain on the website for at  
113 least 2 years. The tentative budgets, adopted tentative budgets,  
114 and final budgets shall be filed in the office of the county  
115 auditor as a public record. Sufficient reference in words and  
116 figures to identify the particular transactions shall be made in  
117 the minutes of the board to record its actions with reference to  
118 the budgets.

119 Section 8. Paragraph (f) of subsection (2) of section  
120 129.06, Florida Statutes, is amended to read:

121 129.06 Execution and amendment of budget.—

122 (2) The board at any time within a fiscal year may amend a  
123 budget for that year, and may within the first 60 days of a  
124 fiscal year amend the budget for the prior fiscal year, as  
125 follows:

126 (f) Unless otherwise prohibited by law, if an amendment to  
127 a budget is required for a purpose not specifically authorized



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128 in paragraphs (a)-(e), the amendment may be authorized by  
129 resolution or ordinance of the board of county commissioners  
130 adopted following a public hearing.

131 1. The public hearing must be advertised at least 2 days,  
132 but not more than 5 days, before the date of the hearing. The  
133 advertisement must appear in a newspaper of paid general  
134 circulation and must identify the name of the taxing authority,  
135 the date, place, and time of the hearing, and the purpose of the  
136 hearing. The advertisement must also identify each budgetary  
137 fund to be amended, the source of the funds, the use of the  
138 funds, and the total amount of each fund's appropriations.

139 2. If the board amends the budget pursuant to this  
140 paragraph, the adopted amendment must be posted on the county's  
141 official website within 5 days after adoption and must remain on  
142 the website for at least 2 years.

143 Section 9. Subsections (3) and (5) of section 166.241,  
144 Florida Statutes, are amended to read:

145 166.241 Fiscal years, budgets, and budget amendments.—

146 (3) The tentative budget must be posted on the  
147 municipality's official website at least 2 days before the  
148 budget hearing, held pursuant to s. 200.065 or other law, to  
149 consider such budget, and must remain on the website for at  
150 least 45 days. The final adopted budget must be posted on the  
151 municipality's official website within 30 days after adoption  
152 and must remain on the website for at least 2 years. If the  
153 municipality does not operate an official website, the  
154 municipality must, within a reasonable period of time as  
155 established by the county or counties in which the municipality  
156 is located, transmit the tentative budget and final budget to



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157 the manager or administrator of such county or counties who  
158 shall post the budgets on the county's website.

159 (5) If the governing body of a municipality amends the  
160 budget pursuant to paragraph (4)(c), the adopted amendment must  
161 be posted on the official website of the municipality within 5  
162 days after adoption and must remain on the website for at least  
163 2 years. If the municipality does not operate an official  
164 website, the municipality must, within a reasonable period of  
165 time as established by the county or counties in which the  
166 municipality is located, transmit the adopted amendment to the  
167 manager or administrator of such county or counties who shall  
168 post the adopted amendment on the county's website.

169 Section 10. Subsections (4) and (7) of section 189.016,  
170 Florida Statutes, are amended to read:

171 189.016 Reports; budgets; audits.—

172 (4) The tentative budget must be posted on the special  
173 district's official website at least 2 days before the budget  
174 hearing, held pursuant to s. 200.065 or other law, to consider  
175 such budget, and must remain on the website for at least 45  
176 days. The final adopted budget must be posted on the special  
177 district's official website within 30 days after adoption and  
178 must remain on the website for at least 2 years. If the special  
179 district does not operate an official website, the special  
180 district must, within a reasonable period of time as established  
181 by the local general-purpose government or governments in which  
182 the special district is located or the local governing authority  
183 to which the district is dependent, transmit the tentative  
184 budget or final budget to the manager or administrator of the  
185 local general-purpose government or the local governing



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186 authority. The manager or administrator shall post the tentative  
187 budget or final budget on the website of the local general-  
188 purpose government or governing authority. This subsection and  
189 subsection (3) do not apply to water management districts as  
190 defined in s. 373.019.

191 (7) If the governing body of a special district amends the  
192 budget pursuant to paragraph (6) (c), the adopted amendment must  
193 be posted on the official website of the special district within  
194 5 days after adoption and must remain on the website for at  
195 least 2 years. If the special district does not operate an  
196 official website, the special district must, within a reasonable  
197 period of time as established by the local general-purpose  
198 government or governments in which the special district is  
199 located or the local governing authority to which the district  
200 is dependent, transmit the adopted amendment to the manager or  
201 administrator of the local general-purpose government or  
202 governing authority. The manager or administrator shall post the  
203 adopted amendment on the website of the local general-purpose  
204 government or governing authority.

205 Section 11. Present subsections (1) through (5) of section  
206 215.425, Florida Statutes, are redesignated as subsections (2)  
207 through (6), respectively, present subsection (2) and paragraph  
208 (a) of present subsection (4) of that section are amended, and a  
209 new subsection (1) and subsections (7) through (12) are added to  
210 that section, to read:

211 215.425 Extra compensation claims prohibited; bonuses;  
212 severance pay.—

213 (1) As used in this section, the term "public funds" means  
214 any taxes, tuition, grants, fines, fees, or other charges or any





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215 other type of revenue collected by the state or any county,  
216 municipality, special district, school district, Florida College  
217 System institution, state university, or other separate unit of  
218 government created pursuant to law, including any office,  
219 department, agency, division, subdivision, political  
220 subdivision, board, bureau, commission, authority, or  
221 institution of such entities. The term does not include funds  
222 contributed or paid to an affiliated direct-support organization  
223 or citizen support organization by a private person or entity in  
224 good faith and in the ordinary course of such organization's  
225 business.

226  
227 ===== T I T L E A M E N D M E N T =====

228 And the title is amended as follows:

229 Delete lines 30 - 36

230 and insert:

231 interests to include school districts; amending s.