

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Appropriations Committee  
 2 Representative Metz offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsections (5) through (9) of section 11.045,  
 Florida Statutes, are renumbered as subsections (6) through  
 (10), respectively, a new subsection (5) is added to that  
 section, and present subsection (8) of that section is amended,  
 to read:

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

(5) (a) For purposes of this subsection, the term:

1. "Lobbying activities" means any action designed to  
support, oppose, or influence proposed legislation or proposed  
legislative action. The term includes, but is not limited to,  
any verbal, written, or electronic communication with any

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18 legislator or legislative employee undertaken for the purpose of  
19 directly or indirectly supporting, opposing, or influencing  
20 legislation or requesting proposed legislation to be filed.

21 2. "Proposed legislation" includes, but is not limited to,  
22 policies, ideas, issues, concepts, or statutory language that is  
23 presently, or may at some future point be, reflected in or  
24 impacted by a bill, a memorial, a resolution, a compact, or an  
25 appropriation.

26 3. "Proposed legislative action" means any action by a  
27 constituent entity of the Legislature, including, but not  
28 limited to, the houses of the Legislature, a joint office, and a  
29 joint committee.

30 (b) Each house of the Legislature shall provide reporting  
31 requirements by rule requiring each lobbying firm to file a  
32 monthly report with the office. The report must include:

33 1. The full name, business address, and telephone number  
34 of the lobbying firm.

35 2. The name of each of the lobbying firm's lobbyists.

36 3. A list detailing the lobbying firm's lobbying  
37 activities during the reporting period. The list must itemize:

38 a. The proposed legislation or proposed legislative action  
39 that the lobbying firm has attempted to support, oppose, or  
40 influence;

41 b. The entity lobbied;

42 c. Each principal on behalf of whom the lobbying firm has  
43 acted; and

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44 d. If the proposed legislation included an appropriation  
45 or was an appropriation, the intended recipient of the  
46 appropriation.

47 (c) For purposes of the reporting requirement provided in  
48 this subsection, the reports must identify proposed legislation  
49 by referencing any legislatively assigned identifying numbers,  
50 including, but not limited to, bill numbers, amendment barcode  
51 numbers, or specific appropriation numbers. If the proposed  
52 legislation does not have an identifying number assigned, the  
53 report must include a description of the subject matter of the  
54 proposed legislation, whether the lobbying firm is supporting or  
55 opposing the proposed legislation, and, if seeking to modify the  
56 proposed legislation, how the lobbying firm's modification would  
57 alter the proposal.

58 (d) The reports shall be filed even if the reporting  
59 lobbying firm did not engage in any lobbying activities  
60 requiring disclosure, in which case the report shall be marked  
61 "not applicable."

62 (e) The reports shall be filed with the office by  
63 electronic means no later than 7 business days after the end of  
64 the preceding month. The reports shall be rendered in the  
65 identical form provided by the respective houses and shall be  
66 open to public inspection.

67 (f) Each house of the Legislature shall provide by rule,  
68 or both houses may provide by joint rule, a procedure by which a

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69 lobbying firm that fails to timely file a report is notified and  
70 assessed fines. The rule must provide the following:

71 1. Upon determining that the report is late, the person  
72 designated to review the timeliness of reports shall immediately  
73 notify the lobbying firm as to the failure to timely file the  
74 report and that a fine is being assessed for each late day. The  
75 fine shall be \$50 per day per report for each late day, not to  
76 exceed \$5,000 per report.

77 2. Upon receipt of the report, the person designated to  
78 review the timeliness of reports shall determine the amount of  
79 the fine due based upon when a report is actually received by  
80 the office.

81 3. Such fine must be paid within 30 days after the notice  
82 of payment due is transmitted by the office, unless appeal is  
83 made to the office. The moneys shall be deposited into the  
84 Legislative Lobbyist Registration Trust Fund.

85 4. A fine may not be assessed against a lobbying firm the  
86 first time any reports for which the lobbying firm is  
87 responsible are not timely filed. However, to receive the one-  
88 time fine waiver, all reports for which the lobbying firm is  
89 responsible must be filed within 30 days after notice that any  
90 reports have not been timely filed is transmitted by the  
91 Lobbyist Registration Office. A fine shall be assessed for any  
92 subsequent late-filed reports.

93 5. Any lobbying firm may appeal or dispute a fine, based  
94 upon unusual circumstances surrounding the failure to file on

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115 | the designated due date, and may request and is entitled to a  
116 | hearing before the General Counsel of the Office of Legislative  
117 | Services, who shall recommend to the President of the Senate and  
118 | the Speaker of the House of Representatives, or their respective  
119 | designees, that the fine be waived in whole or in part for good  
120 | cause shown. The President of the Senate and the Speaker of the  
121 | House of Representatives, or their respective designees, may  
122 | concur in the recommendation and waive the fine in whole or in  
123 | part. Any such request must be made within 30 days after the  
124 | notice of payment due is transmitted by the office. In such  
125 | case, the lobbying firm shall, within the 30-day period, notify  
126 | the person designated to review the timeliness of reports in  
127 | writing of its intention to request a hearing.

128 | 6. A lobbying firm may request that the filing of a report  
129 | be waived upon good cause shown, based on unusual circumstances.  
130 | The request must be filed with the General Counsel of the Office  
131 | of Legislative Services, who shall make a recommendation  
132 | concerning the waiver request to the President of the Senate and  
133 | the Speaker of the House of Representatives. The President of  
134 | the Senate and the Speaker of the House of Representatives may  
135 | grant or deny the request.

136 | 7. All lobbyist registrations for lobbyists who are  
137 | partners, owners, officers, or employees of a lobbying firm that  
138 | fails to timely pay a fine are automatically suspended until the  
139 | fine is paid or waived, and the office shall promptly notify all  
140 | affected principals of any suspension or reinstatement.

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121 8. The person designated to review the timeliness of  
122 reports shall notify the coordinator of the office of the  
123 failure of a lobbying firm to file a report after notice or of  
124 the failure of a lobbying firm to pay the fine imposed.

125 (9)~~(8)~~ Any person required to be registered or to provide  
126 information pursuant to this section or pursuant to rules  
127 established in conformity with this section who knowingly fails  
128 to disclose any material fact required by this section or by  
129 rules established in conformity with this section, or who  
130 knowingly provides false information on any report required by  
131 this section or by rules established in conformity with this  
132 section, commits a noncriminal infraction, punishable by a fine  
133 not to exceed \$5,000. Such penalty shall be in addition to any  
134 other penalty assessed by a house of the Legislature pursuant to  
135 subsection (8) ~~(7)~~.

136 Section 2. Subsection (4) of section 11.0455, Florida  
137 Statutes, is amended to read:

138 11.0455 Electronic filing of compensation reports and  
139 other information.—

140 (4) Each report filed pursuant to this section is deemed  
141 to meet the certification requirements of s. 11.045(3)(a)4., and  
142 as such subjects the person responsible for filing and the  
143 lobbying firm to the provisions of s. 11.045(8) ~~11.045(7)~~ and  
144 (9) ~~(8)~~. Persons given a secure sign-on to the electronic filing  
145 system are responsible for protecting it from disclosure and are  
146 responsible for all filings using such credentials, unless they

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147 have notified the office that their credentials have been  
148 compromised.

149 Section 3. Subsection (2) of section 11.40, Florida  
150 Statutes, is amended to read:

151 11.40 Legislative Auditing Committee.—

152 (2) Following notification by the Auditor General, the  
153 Department of Financial Services, ~~or~~ the Division of Bond  
154 Finance of the State Board of Administration, the Governor or  
155 his or her designee, or the Commissioner of Education or his or  
156 her designee of the failure of a local governmental entity,  
157 district school board, charter school, or charter technical  
158 career center to comply with the applicable provisions within s.  
159 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the  
160 Legislative Auditing Committee may schedule a hearing to  
161 determine if the entity should be subject to further state  
162 action. If the committee determines that the entity should be  
163 subject to further state action, the committee shall:

164 (a) In the case of a local governmental entity or district  
165 school board, direct the Department of Revenue and the  
166 Department of Financial Services to withhold any funds not  
167 pledged for bond debt service satisfaction which are payable to  
168 such entity until the entity complies with the law. The  
169 committee shall specify the date that such action must ~~shall~~  
170 begin, and the directive must be received by the Department of  
171 Revenue and the Department of Financial Services 30 days before  
172 the date of the distribution mandated by law. The Department of

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173 Revenue and the Department of Financial Services may implement  
174 ~~the provisions of~~ this paragraph.

175 (b) In the case of a special district created by:

176 1. A special act, notify the President of the Senate, the  
177 Speaker of the House of Representatives, the standing committees  
178 of the Senate and the House of Representatives charged with  
179 special district oversight as determined by the presiding  
180 officers of each respective chamber, the legislators who  
181 represent a portion of the geographical jurisdiction of the  
182 special district pursuant to s. 189.034(2), and the Department  
183 of Economic Opportunity that the special district has failed to  
184 comply with the law. Upon receipt of notification, the  
185 Department of Economic Opportunity shall proceed pursuant to s.  
186 189.062 or s. 189.067. If the special district remains in  
187 noncompliance after the process set forth in s. 189.034(3), or  
188 if a public hearing is not held, the Legislative Auditing  
189 Committee may request the department to proceed pursuant to s.  
190 189.067(3).

191 2. A local ordinance, notify the chair or equivalent of  
192 the local general-purpose government pursuant to s. 189.035(2)  
193 and the Department of Economic Opportunity that the special  
194 district has failed to comply with the law. Upon receipt of  
195 notification, the department shall proceed pursuant to s.  
196 189.062 or s. 189.067. If the special district remains in  
197 noncompliance after the process set forth in s. 189.034(3), or  
198 if a public hearing is not held, the Legislative Auditing

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199 Committee may request the department to proceed pursuant to s.  
200 189.067(3).

201 3. Any manner other than a special act or local ordinance,  
202 notify the Department of Economic Opportunity that the special  
203 district has failed to comply with the law. Upon receipt of  
204 notification, the department shall proceed pursuant to s.  
205 189.062 or s. 189.067(3).

206 (c) In the case of a charter school or charter technical  
207 career center, notify the appropriate sponsoring entity, which  
208 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

209 Section 4. Subsection (1), paragraph (j) of subsection  
210 (2), paragraph (u) of subsection (3), and paragraph (i) of  
211 subsection (7) of section 11.45, Florida Statutes, are amended,  
212 and paragraph (x) is added to subsection (3) of that section, to  
213 read:

214 11.45 Definitions; duties; authorities; reports; rules.—

215 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

216 (a) "Abuse" means behavior that is deficient or improper  
217 when compared with behavior that a prudent person would consider  
218 a reasonable and necessary operational practice given the facts  
219 and circumstances. The term includes the misuse of authority or  
220 position for personal gain.

221 (b) ~~(a)~~ "Audit" means a financial audit, operational audit,  
222 or performance audit.

223 (c) ~~(b)~~ "County agency" means a board of county  
224 commissioners or other legislative and governing body of a

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225 county, however styled, including that of a consolidated or  
226 metropolitan government, a clerk of the circuit court, a  
227 separate or ex officio clerk of the county court, a sheriff, a  
228 property appraiser, a tax collector, a supervisor of elections,  
229 or any other officer in whom any portion of the fiscal duties of  
230 a body or officer expressly stated in this paragraph are the  
231 ~~above are under law~~ separately placed by law.

232 (d) ~~(e)~~ "Financial audit" means an examination of financial  
233 statements in order to express an opinion on the fairness with  
234 which they are presented in conformity with generally accepted  
235 accounting principles and an examination to determine whether  
236 operations are properly conducted in accordance with legal and  
237 regulatory requirements. Financial audits must be conducted in  
238 accordance with auditing standards generally accepted in the  
239 United States and government auditing standards as adopted by  
240 the Board of Accountancy. When applicable, the scope of  
241 financial audits must ~~shall~~ encompass the additional activities  
242 necessary to establish compliance with the Single Audit Act  
243 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other  
244 applicable federal law.

245 (e) "Fraud" means obtaining something of value through  
246 willful misrepresentation, including, but not limited to, the  
247 intentional misstatements or omissions of amounts or disclosures  
248 in financial statements to deceive users of financial  
249 statements, theft of an entity's assets, bribery, or the use of

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250 one's position for personal enrichment through the deliberate  
251 misuse or misapplication of an organization's resources.

252 (f)~~(d)~~ "Governmental entity" means a state agency, a  
253 county agency, or any other entity, however styled, that  
254 independently exercises any type of state or local governmental  
255 function.

256 (g)~~(e)~~ "Local governmental entity" means a county agency,  
257 municipality, tourist development council, county tourism  
258 promotion agency, or special district as defined in s. 189.012.  
259 The term, ~~but~~ does not include any housing authority established  
260 under chapter 421.

261 (h)~~(f)~~ "Management letter" means a statement of the  
262 auditor's comments and recommendations.

263 (i)~~(g)~~ "Operational audit" means an audit whose purpose is  
264 to evaluate management's performance in establishing and  
265 maintaining internal controls, including controls designed to  
266 prevent and detect fraud, waste, and abuse, and in administering  
267 assigned responsibilities in accordance with applicable laws,  
268 administrative rules, contracts, grant agreements, and other  
269 guidelines. Operational audits must be conducted in accordance  
270 with government auditing standards. Such audits examine internal  
271 controls that are designed and placed in operation to promote  
272 and encourage the achievement of management's control objectives  
273 in the categories of compliance, economic and efficient  
274 operations, reliability of financial records and reports, and

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275 safeguarding of assets, and identify weaknesses in those  
276 internal controls.

277 (j)~~(h)~~ "Performance audit" means an examination of a  
278 program, activity, or function of a governmental entity,  
279 conducted in accordance with applicable government auditing  
280 standards or auditing and evaluation standards of other  
281 appropriate authoritative bodies. The term includes an  
282 examination of issues related to:

283 1. Economy, efficiency, or effectiveness of the program.

284 2. Structure or design of the program to accomplish its  
285 goals and objectives.

286 3. Adequacy of the program to meet the needs identified by  
287 the Legislature or governing body.

288 4. Alternative methods of providing program services or  
289 products.

290 5. Goals, objectives, and performance measures used by the  
291 agency to monitor and report program accomplishments.

292 6. The accuracy or adequacy of public documents, reports,  
293 or requests prepared under the program by state agencies.

294 7. Compliance of the program with appropriate policies,  
295 rules, or laws.

296 8. Any other issues related to governmental entities as  
297 directed by the Legislative Auditing Committee.

298 (k)~~(i)~~ "Political subdivision" means a separate agency or  
299 unit of local government created or established by law and  
300 includes, but is not limited to, the following and the officers

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301 thereof: authority, board, branch, bureau, city, commission,  
302 consolidated government, county, department, district,  
303 institution, metropolitan government, municipality, office,  
304 officer, public corporation, town, or village.

305 (1)~~(j)~~ "State agency" means a separate agency or unit of  
306 state government created or established by law and includes, but  
307 is not limited to, the following and the officers thereof:  
308 authority, board, branch, bureau, commission, department,  
309 division, institution, office, officer, or public corporation,  
310 as the case may be, except any such agency or unit within the  
311 legislative branch of state government other than the Florida  
312 Public Service Commission.

313 (m) "Waste" means the act of using or expending resources  
314 unreasonably, carelessly, extravagantly, or for no useful  
315 purpose.

316 (2) DUTIES.—The Auditor General shall:

317 (j) Conduct audits of local governmental entities when  
318 determined to be necessary by the Auditor General, when directed  
319 by the Legislative Auditing Committee, or when otherwise  
320 required by law. No later than 18 months after the release of  
321 the audit report, the Auditor General shall perform such  
322 appropriate followup procedures as he or she deems necessary to  
323 determine the audited entity's progress in addressing the  
324 findings and recommendations contained within the Auditor  
325 General's previous report. The Auditor General shall notify each  
326 member of the audited entity's governing body and the

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327 Legislative Auditing Committee of the results of his or her  
328 determination. For purposes of this paragraph, local  
329 governmental entities do not include water management districts.

330

331 The Auditor General shall perform his or her duties  
332 independently but under the general policies established by the  
333 Legislative Auditing Committee. This subsection does not limit  
334 the Auditor General's discretionary authority to conduct other  
335 audits or engagements of governmental entities as authorized in  
336 subsection (3).

337 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
338 Auditor General may, pursuant to his or her own authority, or at  
339 the direction of the Legislative Auditing Committee, conduct  
340 audits or other engagements as determined appropriate by the  
341 Auditor General of:

342 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

343 (x) Tourist development councils and county tourism  
344 promotion agencies.

345 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

346 (i) The Auditor General shall annually transmit by July  
347 15, to the President of the Senate, the Speaker of the House of  
348 Representatives, and the Department of Financial Services, a  
349 list of all school districts, charter schools, charter technical  
350 career centers, Florida College System institutions, state  
351 universities, and local governmental entities ~~water management~~  
352 ~~districts~~ that have failed to comply with the transparency

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353 requirements as identified in the audit reports reviewed  
354 pursuant to paragraph (b) and those conducted pursuant to  
355 subsection (2).

356 Section 5. Section 20.602, Florida Statutes, is created to  
357 read:

358 20.602 Standards of conduct; officers and board members of  
359 Department of Economic Opportunity corporate entities.—

360 (1) The following officers and board members are subject  
361 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
362 112.3143(2):

363 (a) Officers and members of the board of directors of:

364 1. Any corporation created under chapter 288;

365 2. Space Florida;

366 3. CareerSource Florida, Inc., or the programs or entities  
367 created by CareerSource Florida, Inc., pursuant to s. 445.004;

368 4. The Florida Housing Finance Corporation; or

369 5. Any other corporation created by the Department of  
370 Economic Opportunity in accordance with its powers and duties  
371 under s. 20.60.

372 (b) Officers and members of the board of directors of a  
373 corporate parent or subsidiary corporation of a corporation  
374 described in paragraph (a).

375 (c) Officers and members of the board of directors of a  
376 corporation created to carry out the missions of a corporation  
377 described in paragraph (a).

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378 (d) Officers and members of the board of directors of a  
379 corporation with which a corporation described in paragraph (a)  
380 is required by law to contract to carry out its missions.

381 (2) For purposes of applying ss. 112.313(1)-(8), (10),  
382 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
383 officers and members of the board of directors specified in  
384 subsection (1), those persons shall be considered public  
385 officers or employees and the corporation shall be considered  
386 their agency.

387 (3) For a period of 2 years after retirement from or  
388 termination of service, or for a period of 10 years if removed  
389 or terminated for cause or for misconduct, as defined in s.  
390 443.036(29), an officer or a member of the board of directors  
391 specified in subsection (1) may not represent another person or  
392 entity for compensation before:

393 (a) His or her corporation;

394 (b) A division, a subsidiary, or the board of directors of  
395 a corporation created to carry out the mission of his or her  
396 corporation; or

397 (c) A corporation with which the corporation is required  
398 by law to contract to carry out its missions.

399 (4) This section does not supersede any additional or more  
400 stringent standards of conduct applicable to an officer or a  
401 member of the board of directors of an entity specified in  
402 subsection (1) prescribed by any other provision of law.



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403 Section 6. Paragraph (d) of subsection (2) of section  
404 28.35, Florida Statutes, is amended to read:

405 28.35 Florida Clerks of Court Operations Corporation.—

406 (2) The duties of the corporation shall include the  
407 following:

408 (d) Developing and certifying a uniform system of workload  
409 measures and applicable workload standards for court-related  
410 functions as developed by the corporation and clerk workload  
411 performance in meeting the workload performance standards. These  
412 workload measures and workload performance standards shall be  
413 designed to facilitate an objective determination of the  
414 performance of each clerk in accordance with minimum standards  
415 for fiscal management, operational efficiency, and effective  
416 collection of fines, fees, service charges, and court costs. The  
417 corporation shall develop the workload measures and workload  
418 performance standards in consultation with the Legislature. When  
419 the corporation finds a clerk has not met the workload  
420 performance standards, the corporation shall identify the nature  
421 of each deficiency and any corrective action recommended and  
422 taken by the affected clerk of the court. For quarterly periods  
423 ending on the last day of March, June, September, and December  
424 of each year, the corporation shall notify the Legislature of  
425 any clerk not meeting workload performance standards and provide  
426 a copy of any corrective action plans. Such notifications shall  
427 be submitted no later than 45 days after the end of the

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428 preceding quarterly period. As used in this subsection, the  
429 term:

430 1. "Workload measures" means the measurement of the  
431 activities and frequency of the work required for the clerk to  
432 adequately perform the court-related duties of the office as  
433 defined by the membership of the Florida Clerks of Court  
434 Operations Corporation.

435 2. "Workload performance standards" means the standards  
436 developed to measure the timeliness and effectiveness of the  
437 activities that are accomplished by the clerk in the performance  
438 of the court-related duties of the office as defined by the  
439 membership of the Florida Clerks of Court Operations  
440 Corporation.

441 Section 7. Subsections (6) and (7) of section 43.16,  
442 Florida Statutes, are renumbered as subsections (7) and (8),  
443 respectively, and a new subsection (6) is added to that section  
444 to read:

445 43.16 Justice Administrative Commission; membership,  
446 powers and duties.—

447 (6) The commission, each state attorney, each public  
448 defender, the criminal conflict and civil regional counsel, the  
449 capital collateral regional counsel, and the Guardian Ad Litem  
450 Program shall establish and maintain internal controls designed  
451 to:

452 (a) Prevent and detect fraud, waste, and abuse.

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453 (b) Promote and encourage compliance with applicable laws,  
454 rules, contracts, grant agreements, and best practices.

455 (c) Support economical and efficient operations.

456 (d) Ensure reliability of financial records and reports.

457 (e) Safeguard assets.

458 Section 8. Section 112.3126, Florida Statutes, is created  
459 to read:

460 112.3126 Employment restrictions; legislators.-

461 (1) As used in this section, the term "private entity"  
462 means any nongovernmental entity, such as a corporation,  
463 partnership, company or nonprofit organization, any other legal  
464 entity, or any natural person.

465 (2) (a) A member of, or candidate for, the Legislature may  
466 not accept employment with a private entity that directly  
467 receives funding through state revenues appropriated by the  
468 General Appropriations Act if he or she knows, or with the  
469 exercise of reasonable care should know, that the position is  
470 being offered by the employer for the purpose of gaining  
471 influence or other advantage based on the legislator's office or  
472 candidacy. Any employment with a private entity that directly  
473 receives funding through state revenues appropriated by the  
474 General Appropriations Act accepted by a member or candidate  
475 must meet all of the following conditions:

476 1. The position was already in existence or was created by  
477 the employer without the knowledge or anticipation of the  
478 legislator's interest in such position;

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479 2. The position was open to other applicants;

480 3. The legislator was subject to the same application and  
481 hiring process as other candidates for the position; and

482 4. The legislator meets or exceeds the required  
483 qualifications for the position.

484 (b) A member of the Legislature who is employed by such  
485 private entity before his or her legislative service begins may  
486 continue his or her employment. However, he or she may not  
487 accept promotion, advancement, additional compensation, or  
488 anything of value that he or she knows, or with the exercise of  
489 reasonable care should know, is provided or given to influence  
490 or attempt to influence his or her legislative office, or that  
491 is otherwise inconsistent with the promotion, advancement,  
492 additional compensation, or anything of value provided or given  
493 an employee who is similarly situated.

494 Section 9. Subsection (7) of section 112.313, Florida  
495 Statutes, is amended to read:

496 112.313 Standards of conduct for public officers,  
497 employees of agencies, and local government attorneys.—

498 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

499 (a) A ~~Ne~~ public officer or employee of an agency may not  
500 ~~shall~~ have or hold any employment or contractual relationship  
501 with any business entity or any agency ~~that~~ ~~which~~ is subject to  
502 the regulation of, or is doing business with, an agency of which  
503 he or she is an officer or employee, excluding those  
504 organizations and their officers who, when acting in their

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505 official capacity, enter into or negotiate a collective  
506 bargaining contract with the state or any municipality, county,  
507 or other political subdivision of the state; and ~~nor shall~~ an  
508 officer or employee of an agency may not have or hold any  
509 employment or contractual relationship that will create a  
510 continuing or frequently recurring conflict between his or her  
511 private interests and the performance of his or her public  
512 duties or that would impede the full and faithful discharge of  
513 his or her public duties. For purposes of this subsection, if a  
514 public officer or employee of an agency holds a controlling  
515 interest in a business entity or is an officer, a director, or a  
516 member who manages such an entity, contractual relationships  
517 held by the business entity are deemed to be held by the public  
518 officer or employee.

519 1. When the agency referred to is a ~~that certain kind of~~  
520 special tax district created by general or special law and is  
521 limited specifically to constructing, maintaining, managing, and  
522 financing improvements in the land area over which the agency  
523 has jurisdiction, or when the agency has been organized pursuant  
524 to chapter 298, ~~then~~ employment with, or entering into a  
525 contractual relationship with, such a business entity by a  
526 public officer or employee of such an agency is ~~shall not be~~  
527 prohibited by this subsection or ~~be~~ deemed a conflict per se.  
528 However, conduct by such officer or employee that is prohibited  
529 by, or otherwise frustrates the intent of, this section must

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530 ~~shall~~ be deemed a conflict of interest in violation of the  
531 standards of conduct set forth by this section.

532 2. When the agency referred to is a legislative body and  
533 the regulatory power over the business entity resides in another  
534 agency, or when the regulatory power that ~~which~~ the legislative  
535 body exercises over the business entity or agency is strictly  
536 through the enactment of laws or ordinances, ~~then~~ employment or  
537 a contractual relationship with such a business entity by a  
538 public officer or employee of a legislative body is ~~shall~~ not ~~be~~  
539 prohibited by this subsection or ~~be~~ deemed a conflict.

540 (b) This subsection does ~~shall~~ not prohibit a public  
541 officer or employee from practicing in a particular profession  
542 or occupation when such practice by persons holding such public  
543 office or employment is required or permitted by law or  
544 ordinance.

545 Section 10. Subsections (1) and (2) of section 112.3144,  
546 Florida Statutes, are amended to read:

547 112.3144 Full and public disclosure of financial  
548 interests.—

549 (1) In addition to officers specified in s. 8, Art. II of  
550 the State Constitution or other state law, all elected municipal  
551 officers are required to file a full and public disclosure of  
552 their financial interests. An officer who is required ~~by s. 8,~~  
553 ~~Art. II of the State Constitution~~ to file a full and public  
554 disclosure of ~~his or her~~ financial interests for any calendar or  
555 fiscal year shall file that disclosure with the ~~Florida~~

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556 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~  
557 An officer who is required to complete annual ethics training  
558 pursuant to s. 112.3142 must certify on his or her full and  
559 public disclosure of financial interests that he or she has  
560 completed the required training.

561 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~  
562 ~~the State Constitution,~~ to file a full and public disclosure of  
563 financial interests and who has filed a full and public  
564 disclosure of financial interests for any calendar or fiscal  
565 year ~~is shall~~ not be required to file a statement of financial  
566 interests pursuant to s. 112.3145(2) and (3) for the same year  
567 or for any part thereof notwithstanding any requirement of this  
568 part. If an incumbent in an elective office has filed the full  
569 and public disclosure of financial interests to qualify for  
570 election to the same office or if a candidate for office holds  
571 another office subject to the annual filing requirement, the  
572 qualifying officer shall forward an electronic copy of the full  
573 and public disclosure of financial interests to the commission  
574 no later than July 1. The electronic copy of the full and public  
575 disclosure of financial interests satisfies the annual  
576 disclosure requirement of this section. A candidate who does not  
577 qualify until after the annual full and public disclosure of  
578 financial interests has been filed pursuant to this section  
579 shall file a copy of his or her disclosure with the officer  
580 before whom he or she qualifies.

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581 Section 11. The amendment made to s. 112.3144, Florida  
582 Statutes, by this act applies to disclosures filed for the 2016  
583 calendar year and all subsequent calendar years.

584 Section 12. Subsection (1) of section 112.31455, Florida  
585 Statutes, is amended to read:

586 112.31455 Collection methods for unpaid automatic fines  
587 for failure to timely file disclosure of financial interests.-

588 (1) Before referring any unpaid fine accrued pursuant to  
589 s. 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 a fine is a current public officer or  
592 current public employee. If so, the commission may notify the  
593 Chief Financial Officer or the governing body of the appropriate  
594 county, municipality, school district, or special district of  
595 the total amount of any fine owed to the commission by such  
596 individual.

597 (a) After receipt and verification of the notice from the  
598 commission, the Chief Financial Officer or the governing body of  
599 the county, municipality, school district, or special district  
600 shall begin withholding the lesser of 10 percent or the maximum  
601 amount allowed under federal law from any salary-related  
602 payment. The withheld payments shall be remitted to the  
603 commission until the fine is satisfied.

604 (b) The Chief Financial Officer or the governing body of  
605 the county, municipality, school district, or special district  
606 may retain an amount of each withheld payment, as provided in s.



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607 77.0305, to cover the administrative costs incurred under this  
608 section.

609 Section 13. Subsections (7) through (15) of section  
610 112.3215, Florida Statutes, are renumbered as subsections (8)  
611 through (16), respectively, a new subsection (7) is added to  
612 that section, and paragraph (a) of present subsection (8) and  
613 present subsection (11) of that section are amended, to read:

614 112.3215 Lobbying before the executive branch or the  
615 Constitution Revision Commission; registration and reporting;  
616 investigation by commission.-

617 (7) If a lobbying firm lobbies the Governor to approve or  
618 veto any bill passed by the Legislature or a specific  
619 appropriation in the General Appropriations Act, the lobbying  
620 firm must file a monthly report disclosing such activity with  
621 the commission.

622 (a) The monthly report must contain the same information  
623 required under s. 11.045(5). The reports must be filed with the  
624 commission no later than 7 business days after the end of the  
625 preceding month. A lobbying firm may satisfy the filing  
626 requirements of this subsection by using the form used under s.  
627 11.045(5).

628 (b) The reports shall be filed even if the reporting  
629 lobbying firm did not engage in any lobbying activities  
630 requiring disclosure, in which case the report shall be marked  
631 "not applicable."

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632 (c) The commission shall provide by rule the grounds for  
633 waiving a fine, the procedures by which a lobbying firm that  
634 fails to timely file a report shall be notified and assessed  
635 finest, and the procedure for appealing the fines. The rule shall  
636 provide for the following:

637 1. Upon determining that the report is late, the person  
638 designated to review the timeliness of reports shall immediately  
639 notify the lobbying firm as to the failure to timely file the  
640 report and that a fine is being assessed for each late day. The  
641 fine shall be \$50 per day per report for each late day, up to a  
642 maximum of \$5,000 per late report.

643 2. Upon receipt of the report, the person designated to  
644 review the timeliness of reports shall determine the amount of  
645 the fine due based upon when a report is actually received by  
646 the commission.

647 3. Such fine shall be paid within 30 days after the notice  
648 of payment due is transmitted by the commission, unless appeal  
649 is made to the commission. The moneys shall be deposited into  
650 the Executive Branch Lobby Registration Trust Fund.

651 4. A fine may not be assessed against a lobbying firm the  
652 first time any reports for which the lobbying firm is  
653 responsible are not timely filed. However, to receive the one-  
654 time fine waiver, all reports for which the lobbying firm is  
655 responsible must be filed within 30 days after the notice that  
656 any reports have not been timely filed is transmitted by the

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657 commission. A fine shall be assessed for any subsequent late-  
658 filed reports.

659 5. Any lobbying firm may appeal or dispute a fine, based  
660 upon unusual circumstances surrounding the failure to file on  
661 the designated due date, and may request and shall be entitled  
662 to a hearing before the commission, which shall have the  
663 authority to waive the fine in whole or in part for good cause  
664 shown. Any such request shall be made within 30 days after the  
665 notice of payment due is transmitted by the commission. In such  
666 case, the lobbying firm shall, within the 30-day period, notify  
667 the person designated to review the timeliness of reports in  
668 writing of its intention to bring the matter before the  
669 commission.

670 6. The person designated to review the timeliness of  
671 reports shall notify the commission of the failure of a lobbying  
672 firm to file a report after notice or of the failure of a  
673 lobbying firm to pay the fine imposed. All lobbyist  
674 registrations for lobbyists who are partners, owners, officers,  
675 or employees of a lobbying firm that fails to timely pay a fine  
676 are automatically suspended until the fine is paid or waived,  
677 and the commission shall promptly notify all affected principals  
678 of each suspension and each reinstatement.

679 7. Notwithstanding any provision of chapter 120, any fine  
680 imposed under this subsection that is not waived by final order  
681 of the commission and that remains unpaid more than 60 days  
682 after the notice of payment due or more than 60 days after the

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683 commission renders a final order on the lobbying firm's appeal  
684 shall be collected by the Department of Financial Services as a  
685 claim, debt, or other obligation owed to the state, and the  
686 department may assign the collection of such fine to a  
687 collection agent as provided in s. 17.20.

688 (9) (a) ~~(8) (a)~~ The commission shall investigate every sworn  
689 complaint that is filed with it alleging that a person covered  
690 by this section has failed to register, has failed to submit a  
691 compensation report, has made a prohibited expenditure, has  
692 failed to file a report required by subsection (7), or has  
693 knowingly submitted false information in any report or  
694 registration required in this section.

695 (12) ~~(11)~~ Any person who is required to be registered or to  
696 provide information under this section or under rules adopted  
697 pursuant to this section and who knowingly fails to disclose any  
698 material fact that is required by this section or by rules  
699 adopted pursuant to this section, or who knowingly provides  
700 false information on any report required by this section or by  
701 rules adopted pursuant to this section, commits a noncriminal  
702 infraction, punishable by a fine not to exceed \$5,000. Such  
703 penalty is in addition to any other penalty assessed by the  
704 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

705 Section 14. Section 112.3261, Florida Statutes, is amended  
706 to read:

707 112.3261 Lobbying before governmental entities ~~water~~  
708 ~~management districts~~; registration and reporting.—

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

710 (a) "Governmental entity" or "entity" ~~"District"~~ means a  
711 water management district created in s. 373.069 and operating  
712 under the authority of chapter 373, a hospital district, a  
713 children's services district, an expressway authority as the  
714 term "authority" is defined in s. 348.0002, a port authority as  
715 defined in s. 315.02, a county or municipality that has not  
716 adopted lobbyist registration and reporting requirements, or an  
717 independent special district with annual revenues of more than  
718 \$5 million which exercises ad valorem taxing authority.

719 (b) "Lobbies" means seeking, on behalf of another person,  
720 to influence a governmental entity ~~district~~ with respect to a  
721 decision of the entity ~~district~~ in an area of policy or  
722 procurement or an attempt to obtain the goodwill of an a  
723 ~~district~~ official or employee of a governmental entity. The term  
724 ~~"lobbies"~~ shall be interpreted and applied consistently with the  
725 rules of the commission implementing s. 112.3215.

726 (c) "Lobbyist" has the same meaning as provided in s.  
727 112.3215.

728 (d) "Principal" has the same meaning as provided in s.  
729 112.3215.

730 (2) A person may not lobby a governmental entity ~~district~~  
731 until such person has registered as a lobbyist with that entity  
732 ~~district~~. Such registration shall be due upon initially being  
733 retained to lobby and is renewable on a calendar-year basis  
734 thereafter. Upon registration, the person shall provide a

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735 statement signed by the principal or principal's representative  
736 stating that the registrant is authorized to represent the  
737 principal. The principal shall also identify and designate its  
738 main business on the statement authorizing that lobbyist  
739 pursuant to a classification system approved by the governmental  
740 entity ~~district~~. Any changes to the information required by this  
741 section must be disclosed within 15 days by filing a new  
742 registration form. The registration form must ~~shall~~ require each  
743 lobbyist to disclose, under oath, the following:

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

745 (b) The name and business address of each principal  
746 represented.

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

751 (d) A governmental entity shall create a lobbyist  
752 registration form modeled after the ~~In lieu of creating its own~~  
753 ~~lobbyist registration forms, a district may accept a completed~~  
754 legislative branch or executive branch lobbyist registration  
755 form, which must be returned to the governmental entity.

756 (3) A governmental entity ~~district~~ shall make lobbyist  
757 registrations available to the public. If a governmental entity  
758 ~~district~~ maintains a website, a database of currently registered  
759 lobbyists and principals must be available on the entity's  
760 ~~district's~~ website.

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761 (4) A lobbyist shall promptly send a written statement to  
762 the governmental entity ~~district~~ canceling the registration for  
763 a principal upon termination of the lobbyist's representation of  
764 that principal. A governmental entity ~~district~~ may remove the  
765 name of a lobbyist from the list of registered lobbyists if the  
766 principal notifies the entity ~~district~~ that a person is no  
767 longer authorized to represent that principal.

768 (5) A governmental entity ~~district~~ may establish an annual  
769 lobbyist registration fee, not to exceed \$40, for each principal  
770 represented. The governmental entity ~~district~~ may use  
771 registration fees only to administer this section.

772 (6) A governmental entity ~~district~~ shall be diligent to  
773 ascertain whether persons required to register pursuant to this  
774 section have complied. A governmental entity ~~district~~ may not  
775 knowingly authorize a person who is not registered pursuant to  
776 this section to lobby the entity ~~district~~.

777 (7) Upon receipt of a sworn complaint alleging that a  
778 lobbyist or principal has failed to register with a governmental  
779 entity ~~district~~ or has knowingly submitted false information in  
780 a report or registration required under this section, the  
781 commission shall investigate a lobbyist or principal pursuant to  
782 the procedures established under s. 112.324. The commission  
783 shall provide the Governor with a report of its findings and  
784 recommendations in any investigation conducted pursuant to this  
785 subsection. The Governor is authorized to enforce the  
786 commission's findings and recommendations.

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787 (8) A governmental entity ~~Water management districts~~ may  
788 adopt rules to establish procedures to govern the registration  
789 of lobbyists, including the adoption of forms and the  
790 establishment of a lobbyist registration fee.

791 Section 15. Paragraph (c) of subsection (3) of section  
792 129.03, Florida Statutes, is amended to read:

793 129.03 Preparation and adoption of budget.—

794 (3) The county budget officer, after tentatively  
795 ascertaining the proposed fiscal policies of the board for the  
796 next fiscal year, shall prepare and present to the board a  
797 tentative budget for the next fiscal year for each of the funds  
798 provided in this chapter, including all estimated receipts,  
799 taxes to be levied, and balances expected to be brought forward  
800 and all estimated expenditures, reserves, and balances to be  
801 carried over at the end of the year.

802 (c) The board shall hold public hearings to adopt  
803 tentative and final budgets pursuant to s. 200.065. The hearings  
804 shall be primarily for the purpose of hearing requests and  
805 complaints from the public regarding the budgets and the  
806 proposed tax levies and for explaining the budget and any  
807 proposed or adopted amendments. The tentative budget must be  
808 posted on the county's official website at least 2 days before  
809 the public hearing to consider such budget and must remain on  
810 the website for at least 45 days. The final budget must be  
811 posted on the website within 30 days after adoption and must  
812 remain on the website for at least 2 years. The tentative



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813 budgets, adopted tentative budgets, and final budgets shall be  
814 filed in the office of the county auditor as a public record.  
815 Sufficient reference in words and figures to identify the  
816 particular transactions must ~~shall~~ be made in the minutes of the  
817 board to record its actions with reference to the budgets.

818 Section 16. Paragraph (f) of subsection (2) of section  
819 129.06, Florida Statutes, is amended to read:

820 129.06 Execution and amendment of budget.—

821 (2) The board at any time within a fiscal year may amend a  
822 budget for that year, and may within the first 60 days of a  
823 fiscal year amend the budget for the prior fiscal year, as  
824 follows:

825 (f) Unless otherwise prohibited by law, if an amendment to  
826 a budget is required for a purpose not specifically authorized  
827 in paragraphs (a)-(e), the amendment may be authorized by  
828 resolution or ordinance of the board of county commissioners  
829 adopted following a public hearing.

830 1. The public hearing must be advertised at least 2 days,  
831 but not more than 5 days, before the date of the hearing. The  
832 advertisement must appear in a newspaper of paid general  
833 circulation and must identify the name of the taxing authority,  
834 the date, place, and time of the hearing, and the purpose of the  
835 hearing. The advertisement must also identify each budgetary  
836 fund to be amended, the source of the funds, the use of the  
837 funds, and the total amount of each fund's appropriations.

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

842           Section 17. Section 162.30, Florida Statutes, is amended  
843 to read:

844           162.30 Civil actions to enforce county and municipal  
845 ordinances; award of attorney fees and costs.—

846           (1) In addition to other provisions of law authorizing the  
847 enforcement of county and municipal codes and ordinances, a  
848 county or municipality may enforce any violation of a county or  
849 municipal code or ordinance by filing a civil action in the same  
850 manner as instituting a civil action. The action shall be  
851 brought in county or circuit court, whichever is appropriate  
852 depending upon the relief sought. Counties and municipalities  
853 are authorized and required to pay any counsel appointed by the  
854 court to represent a private party in such action if the  
855 provision of counsel at public expense is required by the  
856 Constitution of the United States or the Constitution of the  
857 State of Florida and if the party is indigent as established  
858 pursuant to s. 27.52. The county or municipality shall bear all  
859 court fees and costs of any such action, and may, if it  
860 prevails, recover the court fees and costs and expense of the  
861 court-appointed counsel as part of its judgment. The state shall  
862 bear no expense of actions brought under this section except

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863 those that it would bear in an ordinary civil action between  
864 private parties in county court.

865 (2) A county or municipality may provide by code or  
866 ordinance for the recovery of attorney fees and costs by a  
867 prevailing party in a civil action brought under this part. Any  
868 existing code or ordinance that only provides for the recovery  
869 of attorney fees and costs by the county or municipality shall  
870 be construed to provide for the recovery of attorney fees and  
871 costs by a prevailing party other than the county or  
872 municipality.

873 Section 18. Subsections (3) and (5) of section 166.241,  
874 Florida Statutes, are amended to read:

875 166.241 Fiscal years, budgets, and budget amendments.—

876 (3) The tentative budget must be posted on the  
877 municipality's official website at least 2 days before the  
878 budget hearing, held pursuant to s. 200.065 or other law, to  
879 consider such budget and must remain on the website for at least  
880 45 days. The final adopted budget must be posted on the  
881 municipality's official website within 30 days after adoption  
882 and must remain on the website for at least 2 years. If the  
883 municipality does not operate an official website, the  
884 municipality must, within a reasonable period of time as  
885 established by the county or counties in which the municipality  
886 is located, transmit the tentative budget and final budget to  
887 the manager or administrator of such county or counties who  
888 shall post the budgets on the county's website.

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889 (5) If the governing body of a municipality amends the  
890 budget pursuant to paragraph (4)(c), the adopted amendment must  
891 be posted on the official website of the municipality within 5  
892 days after adoption and must remain on the website for at least  
893 2 years. If the municipality does not operate an official  
894 website, the municipality must, within a reasonable period of  
895 time as established by the county or counties in which the  
896 municipality is located, transmit the adopted amendment to the  
897 manager or administrator of such county or counties who shall  
898 post the adopted amendment on the county's website.

899 Section 19. Subsections (4) and (7) of section 189.016,  
900 Florida Statutes, are amended to read:

901 189.016 Reports; budgets; audits.—

902 (4) The tentative budget must be posted on the special  
903 district's official website at least 2 days before the budget  
904 hearing, held pursuant to s. 200.065 or other law, to consider  
905 such budget and must remain on the website for at least 45 days.  
906 The final adopted budget must be posted on the special  
907 district's official website within 30 days after adoption and  
908 must remain on the website for at least 2 years. If the special  
909 district does not operate an official website, the special  
910 district must, within a reasonable period of time as established  
911 by the local general-purpose government or governments in which  
912 the special district is located or the local governing authority  
913 to which the district is dependent, transmit the tentative  
914 budget or final budget to the manager or administrator of the

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915 local general-purpose government or the local governing  
916 authority. The manager or administrator shall post the tentative  
917 budget or final budget on the website of the local general-  
918 purpose government or governing authority. This subsection and  
919 subsection (3) do not apply to water management districts as  
920 defined in s. 373.019.

921 (7) If the governing body of a special district amends the  
922 budget pursuant to paragraph (6)(c), the adopted amendment must  
923 be posted on the official website of the special district within  
924 5 days after adoption and must remain on the website for at  
925 least 2 years. If the special district does not operate an  
926 official website, the special district must, within a reasonable  
927 period of time as established by the local general-purpose  
928 government or governments in which the special district is  
929 located or the local governing authority to which the district  
930 is dependent, transmit the adopted amendment to the manager or  
931 administrator of the local general-purpose government or  
932 governing authority. The manager or administrator shall post the  
933 adopted amendment on the website of the local general-purpose  
934 government or governing authority.

935 Section 20. Section 215.425, Florida Statutes, is amended  
936 to read:

937 215.425 Extra compensation claims prohibited; bonuses;  
938 severance pay.—

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

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941 or any other type of revenue collected by the state or any  
942 county, municipality, special district, school district, Florida  
943 College System institution, state university, or other separate  
944 unit of government created pursuant to law, including any  
945 office, department, agency, division, subdivision, political  
946 subdivision, board, bureau, or commission of such entities.  
947 However, if the payment and receipt do not otherwise violate  
948 part III of chapter 112, the following are not considered public  
949 funds:

950 (a) Revenues received by the Board of Governors or state  
951 universities through or from faculty practice plans; health  
952 services support organizations; hospitals with which state  
953 universities are affiliated; direct-support organizations; or  
954 federal, auxiliary, or private sources, except for tuition.

955 (b) Revenues received by Florida College System  
956 institutions through or from faculty practice plans; health  
957 services support organizations; direct-support organizations; or  
958 federal, auxiliary, or private sources, except for tuition.

959 (c) Revenues that are received by a hospital licensed  
960 under chapter 395 which has entered into a Medicaid provider  
961 contract and that:

- 962 1. Are not derived from the levy of an ad valorem tax;  
963 2. Are not derived from patient services paid through the  
964 Medicaid or Medicare program;

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965 3. Are derived from patient services pursuant to contracts  
966 with private insurers or private managed care entities or paid  
967 by the patient or private entities; or

968 4. Are not appropriated by the Legislature or by any  
969 county, municipality, special district, school district, Florida  
970 College System institution, state university, or other separate  
971 unit of government created pursuant to law, including any  
972 office, department, agency, division, subdivision, political  
973 subdivision, board, bureau, commission, authority, or  
974 institution of such entities, except for revenues otherwise  
975 authorized to be used pursuant to subparagraphs 2. and 3.

976 (d) A clothing and maintenance allowance given to  
977 plainclothes deputies pursuant to s. 30.49.

978 (e) Revenues or fees received by a seaport or airport from  
979 sources other than through the levy of a tax, or funds  
980 appropriated by any county or municipality or the Legislature.

981 (2)-(1) Except as provided in subsections (3) and (4), no  
982 extra compensation shall be made from public funds to any  
983 officer, agent, employee, or contractor after the service has  
984 been rendered or the contract made; nor shall any public funds  
985 money be appropriated or paid on any claim the subject matter of  
986 which has not been provided for by preexisting laws, unless such  
987 compensation or claim is allowed by a law enacted by two-thirds  
988 of the members elected to each house of the Legislature.

989 However, when adopting salary schedules for a fiscal year, a  
990 district school board or community college district board of

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991 trustees may apply the schedule for payment of all services  
992 rendered subsequent to July 1 of that fiscal year.

993 ~~(2) This section does not apply to:~~

994 ~~(a) A bonus or severance pay that is paid wholly from~~  
995 ~~nontax revenues and nonstate appropriated funds, the payment and~~  
996 ~~receipt of which does not otherwise violate part III of chapter~~  
997 ~~112, and which is paid to an officer, agent, employee, or~~  
998 ~~contractor of a public hospital that is operated by a county or~~  
999 ~~a special district; or~~

1000 ~~(b) A clothing and maintenance allowance given to~~  
1001 ~~plainclothes deputies pursuant to s. 30.49.~~

1002 (3) Any policy, ordinance, rule, or resolution designed to  
1003 implement a bonus scheme must:

1004 (a) Base the award of a bonus on work performance;

1005 (b) Describe the performance standards and evaluation  
1006 process by which a bonus will be awarded;

1007 (c) Notify all employees who meet the prescribed criteria  
1008 for a particular bonus scheme of the policy, ordinance, rule, or  
1009 resolution before the beginning of the evaluation period on  
1010 which a bonus will be based; and

1011 (d) Consider all employees who meet the prescribed  
1012 criteria for a particular bonus scheme for the bonus.

1013 (4) (a) ~~On or after July 1, 2011,~~ A unit of government, on  
1014 or after July 1, 2011, or a state university, on or after July  
1015 1, 2012, which ~~that~~ enters into a contract or employment  
1016 agreement, or a renewal or renegotiation of an existing contract



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1017 or employment agreement, which ~~that~~ contains a provision for  
1018 severance pay with an officer, agent, employee, or contractor  
1019 must include the following provisions in the contract:

1020 1. A requirement that severance pay paid from public funds  
1021 ~~provided~~ may not exceed an amount greater than 20 weeks of  
1022 compensation.

1023 2. A prohibition of provision of severance pay paid from  
1024 public funds when the officer, agent, employee, or contractor  
1025 has been fired for misconduct, as defined in s. 443.036(29), by  
1026 the unit of government. However, the existence of a contract  
1027 that includes a provision providing for severance pay does not  
1028 limit the application of paragraph (b) to the settlement of a  
1029 dispute.

1030 (b) On or after July 1, 2011, an officer, agent, employee,  
1031 or contractor may receive severance pay that is not provided for  
1032 in a contract or employment agreement if the severance pay  
1033 represents the settlement of an employment dispute. In  
1034 determining the amount of severance pay that may be paid in  
1035 accordance with this section, the unit of government or the  
1036 state university shall consider the nature of the claim, the  
1037 circumstances giving rise to the dispute, and the potential cost  
1038 of resolving the dispute ~~Such severance pay may not exceed an~~  
1039 ~~amount greater than 6 weeks of compensation.~~ The settlement may  
1040 not include provisions that limit the ability of any party to  
1041 the settlement to discuss the dispute or settlement.

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1042 (5) Any agreement or contract, executed on or after July  
1043 1, 2011, which involves extra compensation between a unit of  
1044 government and an officer, agent, employee, or contractor may  
1045 not include provisions that limit the ability of any party to  
1046 the agreement or contract to discuss the agreement or contract.

1047 (6) Upon discovery or notification that a unit of  
1048 government has provided prohibited compensation to any officer,  
1049 agent, employee, or contractor in violation of this section,  
1050 such unit of government shall investigate and take all  
1051 reasonable action to recover the prohibited compensation.

1052 (a) If the violation was unintentional, the unit of  
1053 government shall take all reasonable action to recover the  
1054 prohibited compensation from the individual receiving the  
1055 prohibited compensation through normal recovery methods for  
1056 overpayments.

1057 (b) If the violation was willful, the unit of government  
1058 shall take all reasonable action to recover the prohibited  
1059 compensation from the individual receiving the prohibited  
1060 compensation or the employee or employees of the unit of  
1061 government who willfully violated this section. Each individual  
1062 determined to have willfully violated this section is jointly  
1063 and severally liable for repayment of the prohibited  
1064 compensation.

1065 (7) An officer who exercises the powers and duties of a  
1066 state or county officer and willfully violates this section is  
1067 subject to the Governor's power under s. 7(a), Art. IV of the

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1068 State Constitution. An officer who exercises powers and duties  
1069 other than those of a state or county officer and willfully  
1070 violates this section is subject to the suspension and removal  
1071 procedures under s. 112.51.

1072 (8) An employee who is discharged, demoted, suspended,  
1073 threatened, harassed, or in any manner discriminated against in  
1074 the terms and conditions of employment by his or her employer  
1075 because of lawful acts done by the employee on behalf of the  
1076 employee or others in furtherance of an action under this  
1077 section, including investigation for initiation of, testimony  
1078 for, or assistance in an action filed or to be filed under this  
1079 section, has a cause of action under s. 112.3187.

1080 (9) Subsections (6), (7), and (8) apply prospectively to  
1081 contracts and employment agreements, and the renewal or  
1082 renegotiation of an existing contract or employment agreement,  
1083 effective on or after October 1, 2016.

1084 Section 21. Section 215.86, Florida Statutes, is amended  
1085 to read:

1086 215.86 Management systems and controls.—Each state agency  
1087 and the judicial branch as defined in s. 216.011 shall establish  
1088 and maintain management systems and internal controls designed  
1089 to:

1090 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

1091 (2) Promote and encourage compliance with applicable laws,  
1092 rules, contracts, and grant agreements.†

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1093        (3) Support economical and ~~economic,~~ efficient, and  
1094 effective operations.

1095        (4) Ensure reliability of financial records and reports.

1096        (5) Safeguard and safeguarding of assets. Accounting  
1097 systems and procedures shall be designed to fulfill the  
1098 requirements of generally accepted accounting principles.

1099        Section 22. Paragraph (a) of subsection (2) of section  
1100 215.97, Florida Statutes, is amended to read:

1101        215.97 Florida Single Audit Act.—

1102        (2) Definitions; as used in this section, the term:

1103        (a) "Audit threshold" means the threshold amount used to  
1104 determine when a state single audit or project-specific audit of  
1105 a nonstate entity shall be conducted in accordance with this  
1106 section. Each nonstate entity that expends a total amount of  
1107 state financial assistance equal to or in excess of \$750,000  
1108 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be  
1109 required to have a state single audit, or a project-specific  
1110 audit, for such fiscal year in accordance with the requirements  
1111 of this section. ~~Every 2 years the Auditor General,~~ After  
1112 consulting with the Executive Office of the Governor, the  
1113 Department of Financial Services, and all state awarding  
1114 agencies, the Auditor General shall periodically review the  
1115 threshold amount for requiring audits under this section and may  
1116 recommend any appropriate statutory change to revise the  
1117 threshold amount in the annual report submitted pursuant to s.

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1118 11.45(7)(h) to the Legislature ~~adjust such threshold amount~~  
1119 ~~consistent with the purposes of this section.~~

1120 Section 23. Subsection (11) of section 215.985, Florida  
1121 Statutes, is amended to read:

1122 215.985 Transparency in government spending.—

1123 (11) Each water management district shall provide a  
1124 monthly financial statement in the form and manner prescribed by  
1125 the Department of Financial Services to the district's ~~its~~  
1126 governing board and make such monthly financial statement  
1127 available for public access on its website.

1128 Section 24. Paragraph (d) of subsection (1) and subsection  
1129 (2) of section 218.32, Florida Statutes, are amended to read:

1130 218.32 Annual financial reports; local governmental  
1131 entities.—

1132 (1)

1133 (d) Each local governmental entity that is required to  
1134 provide for an audit under s. 218.39(1) must submit a copy of  
1135 the audit report and annual financial report to the department  
1136 within 45 days after the completion of the audit report but no  
1137 later than 9 months after the end of the fiscal year. In  
1138 conducting an audit of a local governmental entity pursuant to  
1139 s. 218.39, an independent certified public accountant shall  
1140 determine whether the entity's annual financial report is in  
1141 agreement with the audited financial statements. The  
1142 accountant's audit report must be supported by the same level of  
1143 detail as required for the annual financial report. If the

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1144 accountant's audit report is not in agreement with the annual  
1145 financial report, the accountant shall specify and explain the  
1146 significant differences that exist between the annual financial  
1147 report and the audit report.

1148 (2) The department shall annually by December 1 file a  
1149 verified report with the Governor, the Legislature, the Auditor  
1150 General, and the Special District Accountability Program of the  
1151 Department of Economic Opportunity showing the revenues, both  
1152 locally derived and derived from intergovernmental transfers,  
1153 and the expenditures of each local governmental entity, regional  
1154 planning council, local government finance commission, and  
1155 municipal power corporation that is required to submit an annual  
1156 financial report. In preparing the verified report, the  
1157 department may request additional information from the local  
1158 governmental entity. The information requested must be provided  
1159 to the department within 45 days after the request. If the local  
1160 governmental entity does not comply with the request, the  
1161 department shall notify the Legislative Auditing Committee,  
1162 which may take action pursuant to s. 11.40(2). The report must  
1163 include, but is not limited to:

1164 (a) The total revenues and expenditures of each local  
1165 governmental entity that is a component unit included in the  
1166 annual financial report of the reporting entity.

1167 (b) The amount of outstanding long-term debt by each local  
1168 governmental entity. For purposes of this paragraph, the term  
1169 "long-term debt" means any agreement or series of agreements to

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1170 pay money, which, at inception, contemplate terms of payment  
1171 exceeding 1 year in duration.

1172 Section 25. Subsection (3) of section 218.33, Florida  
1173 Statutes, is renumbered as subsection (4), and a new subsection  
1174 (3) is added to that section to read:

1175 218.33 Local governmental entities; establishment of  
1176 uniform fiscal years and accounting practices and procedures.—

1177 (3) Each local governmental entity shall establish and  
1178 maintain internal controls designed to:

1179 (a) Prevent and detect fraud, waste, and abuse.

1180 (b) Promote and encourage compliance with applicable laws,  
1181 rules, contracts, grant agreements, and best practices.

1182 (c) Support economical and efficient operations.

1183 (d) Ensure reliability of financial records and reports.

1184 (e) Safeguard assets.

1185 Section 26. Subsections (8) through (12) of section  
1186 218.39, Florida Statutes, are renumbered as subsections (9)  
1187 through (13), respectively, and a new subsection (8) is added to  
1188 that section to read:

1189 218.39 Annual financial audit reports.—

1190 (8) If the audit report includes a recommendation that was  
1191 included in the preceding financial audit report but remains  
1192 unaddressed, the governing body of the audited entity, within 60  
1193 days after the delivery of the audit report to the governing  
1194 body, shall indicate during a regularly scheduled public meeting  
1195 whether it intends to take corrective action, the intended

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1196 corrective action, and the timeframe for the corrective action.  
1197 If the governing body indicates that it does not intend to take  
1198 corrective action, it shall explain its decision at the public  
1199 meeting.

1200 Section 27. Subsection (2) of section 218.391, Florida  
1201 Statutes, is amended, and subsection (9) is added to that  
1202 section, to read:

1203 218.391 Auditor selection procedures.—

1204 (2) The governing body of a ~~charter~~ county, municipality,  
1205 special district, district school board, charter school, or  
1206 charter technical career center shall establish an audit  
1207 committee.

1208 (a) The audit committee for a county ~~Each noncharter~~  
1209 ~~county shall establish an audit committee that,~~ at a minimum,  
1210 shall consist of each of the county officers elected pursuant to  
1211 the county charter or s. 1(d), Art. VIII of the State  
1212 Constitution, or their respective designees ~~a designee,~~ and one  
1213 member of the board of county commissioners or its designee.

1214 (b) The audit committee for a municipality, special  
1215 district, district school board, charter school, or charter  
1216 technical career center shall consist of at least three members.  
1217 One member of the audit committee must be a member of the  
1218 governing body of an entity specified in this paragraph, who  
1219 shall also serve as the chair of the committee.

1220 (c) An employee, chief executive officer, or chief  
1221 financial officer of the county, municipality, special district,



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1222 district school board, charter school, or charter technical  
1223 career center may not serve as a member of an audit committee  
1224 established under this subsection.

1225 (d) The primary purpose of the audit committee is to  
1226 assist the governing body in selecting an auditor to conduct the  
1227 annual financial audit required in s. 218.39; however, the audit  
1228 committee may serve other audit oversight purposes as determined  
1229 by the entity's governing body. The public may ~~shall~~ not be  
1230 excluded from the proceedings under this section.

1231 (9) An audit report submitted pursuant to s. 218.39 must  
1232 include an affidavit executed by the chair of the audit  
1233 committee affirming that the committee complied with the  
1234 requirements of subsections (3)-(6) in selecting an auditor. If  
1235 the Auditor General determines that an entity failed to comply  
1236 with the requirements of subsections (3)-(6) in selecting an  
1237 auditor, the entity shall select a replacement auditor in  
1238 accordance with this section to conduct audits for subsequent  
1239 fiscal years if the original audit was performed under a  
1240 multiyear contract. If the replacement of an auditor would  
1241 preclude the entity from timely completing the annual financial  
1242 audit required by s. 218.39, the entity shall replace an auditor  
1243 in accordance with this section for the subsequent annual  
1244 financial audit. A multiyear contract between an entity and an  
1245 auditor may not prohibit or restrict an entity from complying  
1246 with this subsection.

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1247 Section 28. Subsection (2) of section 286.0114, Florida  
1248 Statutes, is amended to read:

1249 286.0114 Public meetings; reasonable opportunity to be  
1250 heard; attorney fees.—

1251 (2) Members of the public shall be given a reasonable  
1252 opportunity to be heard on a proposition before a board or  
1253 commission. The opportunity to be heard need not occur at the  
1254 same meeting at which the board or commission takes official  
1255 action on the proposition if the opportunity occurs at a meeting  
1256 that is during the decisionmaking process and is within  
1257 reasonable proximity in time before the meeting at which the  
1258 board or commission takes the official action. A board or  
1259 commission may not require a member of the public to provide an  
1260 advance written copy of his or her testimony or comments as a  
1261 condition of being given the opportunity to be heard at a  
1262 meeting. This section does not prohibit a board or commission  
1263 from maintaining orderly conduct or proper decorum in a public  
1264 meeting. The opportunity to be heard is subject to rules or  
1265 policies adopted by the board or commission, as provided in  
1266 subsection (4).

1267 Section 29. Paragraph (b) of subsection (2) of section  
1268 288.92, Florida Statutes, is amended to read:

1269 288.92 Divisions of Enterprise Florida, Inc.—

1270 (2)

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1271 (b)1. The following officers and board members are subject  
1272 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
1273 112.3143(2):

1274 a. Officers and members of the board of directors of the  
1275 divisions of Enterprise Florida, Inc.

1276 b. Officers and members of the board of directors of  
1277 subsidiaries of Enterprise Florida, Inc.

1278 c. Officers and members of the board of directors of  
1279 corporations created to carry out the missions of Enterprise  
1280 Florida, Inc.

1281 d. Officers and members of the board of directors of  
1282 corporations with which a division is required by law to  
1283 contract to carry out its missions.

1284 2. For a period of 2 years after retirement from or  
1285 termination of service to a division, or for a period of 10  
1286 years if removed or terminated for cause or for misconduct, as  
1287 defined in s. 443.036(29), the officers and board members  
1288 specified in subparagraph 1. may not represent another person or  
1289 entity for compensation before:

1290 a. Enterprise Florida, Inc.;

1291 b. A division, a subsidiary, or the board of directors of  
1292 corporations created to carry out the missions of Enterprise  
1293 Florida, Inc.; or

1294 c. A division with which Enterprise Florida, Inc., is  
1295 required by law to contract to carry out its missions.

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1296       ~~3.2.~~ For purposes of applying ss. 112.313(1)-(8), (10),  
1297 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
1298 officers and members of the board of directors specified in  
1299 subparagraph 1., those persons shall be considered public  
1300 officers or employees and the corporation shall be considered  
1301 their agency.

1302       ~~4.3.~~ It is not a violation of s. 112.3143(2) or (4) for  
1303 the officers or members of the board of directors of the Florida  
1304 Tourism Industry Marketing Corporation to:

1305           a. Vote on the 4-year marketing plan required under s.  
1306 288.923 or vote on any individual component of or amendment to  
1307 the plan.

1308           b. Participate in the establishment or calculation of  
1309 payments related to the private match requirements of s.  
1310 288.904(3). The officer or member must file an annual disclosure  
1311 describing the nature of his or her interests or the interests  
1312 of his or her principals, including corporate parents and  
1313 subsidiaries of his or her principal, in the private match  
1314 requirements. This annual disclosure requirement satisfies the  
1315 disclosure requirement of s. 112.3143(4). This disclosure must  
1316 be placed ~~either~~ on the Florida Tourism Industry Marketing  
1317 Corporation's website or included in the minutes of each meeting  
1318 of the Florida Tourism Industry Marketing Corporation's board of  
1319 directors at which the private match requirements are discussed  
1320 or voted upon.

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1321 Section 30. Paragraph (a) of subsection (3) of section  
1322 288.9604, Florida Statutes, is amended to read:

1323 288.9604 Creation of the authority.—

1324 (3)(a)1. A director may not receive compensation for his  
1325 or her services, but is entitled to necessary expenses,  
1326 including travel expenses, incurred in the discharge of his or  
1327 her duties. Each director shall hold office until his or her  
1328 successor has been appointed.

1329 2. Directors are subject to ss. 112.313(1)-(8), (10),  
1330 (12), and (15); 112.3135; and 112.3143(2). For purposes of  
1331 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
1332 112.3143(2) to activities of directors, directors shall be  
1333 considered public officers and the corporation shall be  
1334 considered their agency.

1335 3. A director of the corporation may not represent another  
1336 person or entity for compensation before the corporation for a  
1337 period of 2 years following his or her service on the board of  
1338 directors.

1339 Section 31. Paragraph (e) of subsection (4), paragraph (d)  
1340 of subsection (5), and paragraph (d) of subsection (6) of  
1341 section 373.536, Florida Statutes, are amended to read:

1342 373.536 District budget and hearing thereon.—

1343 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1344 (e) ~~By September 1, 2012,~~ Each district shall provide a  
1345 monthly financial statement in the form and manner prescribed by  
1346 the Department of Financial Services to the district's governing

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1347 board and make such monthly financial statement available for  
1348 public access on its website.

1349 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
1350 APPROVAL.—

1351 (d) Each district shall, by August 1 of each year, submit  
1352 for review a tentative budget and a description of any  
1353 significant changes from the preliminary budget submitted to the  
1354 Legislature pursuant to s. 373.535 to the Governor, the  
1355 President of the Senate, the Speaker of the House of  
1356 Representatives, the chairs of all legislative committees and  
1357 subcommittees having substantive or fiscal jurisdiction over  
1358 water management districts, as determined by the President of  
1359 the Senate or the Speaker of the House of Representatives, as  
1360 applicable, the secretary of the department, and the governing  
1361 body of each county in which the district has jurisdiction or  
1362 derives any funds for the operations of the district. The  
1363 tentative budget must be posted on the district's official  
1364 website at least 2 days before budget hearings held pursuant to  
1365 s. 200.065 or other law and must remain on the website for at  
1366 least 45 days.

1367 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
1368 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1369 (d) The final adopted budget must be posted on the water  
1370 management district's official website within 30 days after  
1371 adoption and must remain on the website for at least 2 years.

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1372 Section 32. Subsection (7) of section 838.014, Florida  
1373 Statutes, is renumbered as subsection (8), present subsections  
1374 (4) and (6) are amended, and a new subsection (6) is added to  
1375 that section, to read:

1376 838.014 Definitions.—As used in this chapter, the term:

1377 (4) "Governmental entity" means an agency or entity of the  
1378 state, a county, municipality, or special district, or any other  
1379 public entity created or authorized by law ~~"Corruptly" or "with~~  
1380 ~~corrupt intent" means acting knowingly and dishonestly for a~~  
1381 ~~wrongful purpose.~~

1382 (6) "Public contractor" means, for purposes of ss. 838.022  
1383 and 838.22 only:

1384 (a) Any person, as defined in s. 1.01(3), who has entered  
1385 into a contract with a governmental entity; or

1386 (b) Any officer or employee of a person, as defined in s.  
1387 1.01(3), who has entered into a contract with a governmental  
1388 entity.

1389 ~~(7)~~ ~~(6)~~ "Public servant" means:

1390 (a) Any officer or employee of a governmental state,  
1391 ~~county, municipal, or special district agency or entity,~~  
1392 ~~including:~~

1393 ~~(b)~~ any executive, legislative, or judicial branch officer  
1394 or employee;

1395 ~~(b)~~ ~~(e)~~ Any person, except a witness, who acts as a general  
1396 or special magistrate, receiver, auditor, arbitrator, umpire,

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1397 referee, consultant, or hearing officer while performing a  
1398 governmental function; or

1399 ~~(c)-(d)~~ A candidate for election or appointment to any of  
1400 the officer positions listed in this subsection, or an  
1401 individual who has been elected to, but has yet to officially  
1402 assume the responsibilities of, public office.

1403 Section 33. Subsection (1) of section 838.015, Florida  
1404 Statutes, is amended to read:

1405 838.015 Bribery.—

1406 (1) "Bribery" means ~~corruptly~~ to knowingly and  
1407 intentionally give, offer, or promise to any public servant, or,  
1408 if a public servant, ~~corruptly~~ to knowingly and intentionally  
1409 request, solicit, accept, or agree to accept for himself or  
1410 herself or another, any pecuniary or other benefit not  
1411 authorized by law with an intent or purpose to influence the  
1412 performance of any act or omission which the person believes to  
1413 be, or the public servant represents as being, within the  
1414 official discretion of a public servant, in violation of a  
1415 public duty, or in performance of a public duty.

1416 Section 34. Subsections (1) and (2) of section 838.016,  
1417 Florida Statutes, are amended to read:

1418 838.016 Unlawful compensation or reward for official  
1419 behavior.—

1420 (1) It is unlawful for any person ~~corruptly~~ to knowingly  
1421 and intentionally give, offer, or promise to any public servant,  
1422 or, if a public servant, ~~corruptly~~ to knowingly and



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1423 intentionally request, solicit, accept, or agree to accept, any  
1424 pecuniary or other benefit not authorized by law, for the past,  
1425 present, or future performance, nonperformance, or violation of  
1426 any act or omission which the person believes to have been, or  
1427 the public servant represents as having been, either within the  
1428 official discretion of the public servant, in violation of a  
1429 public duty, or in performance of a public duty. This section  
1430 does not ~~Nothing herein shall be construed to~~ preclude a public  
1431 servant from accepting rewards for services performed in  
1432 apprehending any criminal.

1433 (2) It is unlawful for any person ~~corruptly~~ to knowingly  
1434 and intentionally give, offer, or promise to any public servant,  
1435 or, if a public servant, ~~corruptly~~ to knowingly and  
1436 intentionally request, solicit, accept, or agree to accept, any  
1437 pecuniary or other benefit not authorized by law for the past,  
1438 present, or future exertion of any influence upon or with any  
1439 other public servant regarding any act or omission which the  
1440 person believes to have been, or which is represented to him or  
1441 her as having been, either within the official discretion of the  
1442 other public servant, in violation of a public duty, or in  
1443 performance of a public duty.

1444 Section 35. Subsection (1) of section 838.022, Florida  
1445 Statutes, is amended, and subsection (2) of that section is  
1446 republished, to read:

1447 838.022 Official misconduct.—

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1448 (1) It is unlawful for a public servant or public  
1449 contractor, ~~with corrupt intent~~ to knowingly and intentionally  
1450 obtain a benefit for any person or to cause unlawful harm to  
1451 another ~~by, to~~:

1452 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to  
1453 falsify, any official record or official document;

1454 (b) Concealing, covering up, destroying, mutilating, or  
1455 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any  
1456 official record or official document, except as authorized by  
1457 law or contract, or causing ~~cause~~ another person to perform such  
1458 an act; or

1459 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~  
1460 ~~or prevent~~ the communication of information relating to the  
1461 commission of a felony that directly involves or affects the  
1462 governmental ~~public agency or public~~ entity served by the public  
1463 servant or public contractor.

1464 (2) For the purposes of this section:

1465 (a) The term "public servant" does not include a candidate  
1466 who does not otherwise qualify as a public servant.

1467 (b) An official record or official document includes only  
1468 public records.

1469 Section 36. Section 838.22, Florida Statutes, is amended  
1470 to read:

1471 838.22 Bid tampering.—

1472 (1) It is unlawful for a public servant or a public  
1473 contractor who has contracted with a governmental entity to

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1474 assist in a competitive procurement, ~~with corrupt intent~~ to  
1475 knowingly and intentionally influence or attempt to influence  
1476 the competitive solicitation bidding process undertaken by any  
1477 governmental state, county, municipal, or special district  
1478 agency, or any other public entity, for the procurement of  
1479 commodities or services by, ~~to~~:

1480 (a) Disclosing, except as authorized by law, Disclose  
1481 material information concerning a vendor's response, any  
1482 evaluation results, bid or other aspects of the competitive  
1483 solicitation bidding process when such information is not  
1484 publicly disclosed.

1485 (b) Altering or amending ~~Alter or amend~~ a submitted  
1486 response bid, documents or other materials supporting a  
1487 submitted response bid, or any evaluation bid results relating  
1488 to the competitive solicitation for the purpose of intentionally  
1489 providing a competitive advantage to any person who submits a  
1490 response bid.

1491 (2) It is unlawful for a public servant or a public  
1492 contractor who has contracted with a governmental entity to  
1493 assist in a competitive procurement, ~~with corrupt intent~~ to  
1494 knowingly and intentionally obtain a benefit for any person or  
1495 to cause unlawful harm to another by circumventing, ~~to~~  
1496 ~~circumvent~~ a competitive solicitation bidding process required  
1497 by law or rule through the use of ~~by using~~ a sole-source  
1498 contract for commodities or services.

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1499 (3) It is unlawful for any person to knowingly agree,  
1500 conspire, combine, or confederate, directly or indirectly, with  
1501 a public servant or a public contractor who has contracted with  
1502 a governmental entity to assist in a competitive procurement to  
1503 violate subsection (1) or subsection (2).

1504 (4) It is unlawful for any person to knowingly enter into  
1505 a contract for commodities or services which was secured by a  
1506 public servant or a public contractor who has contracted with a  
1507 governmental entity to assist in a competitive procurement  
1508 acting in violation of subsection (1) or subsection (2).

1509 (5) Any person who violates this section commits a felony  
1510 of the second degree, punishable as provided in s. 775.082, s.  
1511 775.083, or s. 775.084.

1512 Section 37. Subsection (27) of section 1001.42, Florida  
1513 Statutes, is renumbered as subsection (28), a new subsection  
1514 (27) is added to that section, and paragraph (1) of subsection  
1515 (12) of that section is amended, to read:

1516 1001.42 Powers and duties of district school board.—The  
1517 district school board, acting as a board, shall exercise all  
1518 powers and perform all duties listed below:

1519 (12) FINANCE.—Take steps to assure students adequate  
1520 educational facilities through the financial procedure  
1521 authorized in chapters 1010 and 1011 and as prescribed below:

1522 (1) *Internal auditor.*—May employ an internal auditor to  
1523 perform ongoing financial verification of the financial records

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1524 of the school district and such other audits and reviews as the  
1525 district school board directs for the purpose of determining:

1526 1. The adequacy of internal controls designed to prevent  
1527 and detect fraud, waste, and abuse.

1528 2. Compliance with applicable laws, rules, contracts,  
1529 grant agreements, district school board-approved policies, and  
1530 best practices.

1531 3. The efficiency of operations.

1532 4. The reliability of financial records and reports.

1533 5. The safeguarding of assets.

1534

1535 The internal auditor shall report directly to the district  
1536 school board or its designee.

1537 (27) VISITATION OF SCHOOLS.—Visit each school, observe the  
1538 management and instruction, give suggestions for improvement,  
1539 and advise citizens with the view of promoting interest in  
1540 education and improving the school.

1541 Section 38. Paragraph (j) of subsection (9) of section  
1542 1002.33, Florida Statutes, is amended to read:

1543 1002.33 Charter schools.—

1544 (9) CHARTER SCHOOL REQUIREMENTS.—

1545 (j) The governing body of the charter school shall be  
1546 responsible for:

1547 1. Establishing and maintaining internal controls designed  
1548 to:

1549 a. Prevent and detect fraud, waste, and abuse.

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1550 b. Promote and encourage compliance with applicable laws,  
1551 rules, contracts, grant agreements, and best practices.

1552 c. Support economical and efficient operations.

1553 d. Ensure reliability of financial records and reports.

1554 e. Safeguard assets.

1555 ~~2.1.~~ Ensuring that the charter school has retained the  
1556 services of a certified public accountant or auditor for the  
1557 annual financial audit, pursuant to s. 1002.345(2), who shall  
1558 submit the report to the governing body.

1559 ~~3.2.~~ Reviewing and approving the audit report, including  
1560 audit findings and recommendations for the financial recovery  
1561 plan.

1562 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including  
1563 monitoring a corrective action plan.

1564 b. Monitoring a financial recovery plan in order to ensure  
1565 compliance.

1566 ~~5.4.~~ Participating in governance training approved by the  
1567 department which must include government in the sunshine,  
1568 conflicts of interest, ethics, and financial responsibility.

1569 Section 39. Subsections (6) through (10) of section  
1570 1002.37, Florida Statutes, are renumbered as subsections (7)  
1571 through (11), respectively, a new subsection (6) is added to  
1572 that section, and present subsections (6) and (11) of that  
1573 section are amended, to read:

1574 1002.37 The Florida Virtual School.—

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1575       (6) The Florida Virtual School shall have an annual  
1576 financial audit of its accounts and records conducted by an  
1577 independent auditor who is a certified public accountant  
1578 licensed under chapter 473. The independent auditor shall  
1579 conduct the audit in accordance with rules adopted by the  
1580 Auditor General pursuant to s. 11.45 and, upon completion of the  
1581 audit, shall prepare an audit report in accordance with such  
1582 rules. The audit report must include a written statement by the  
1583 board of trustees describing corrective action to be taken in  
1584 response to each of the recommendations of the independent  
1585 auditor included in the audit report. The independent auditor  
1586 shall submit the audit report to the board of trustees and the  
1587 Auditor General no later than 9 months after the end of the  
1588 preceding fiscal year.

1589       (7) ~~(6)~~ The board of trustees shall annually submit to the  
1590 Governor, the Legislature, the Commissioner of Education, and  
1591 the State Board of Education the audit report prepared pursuant  
1592 to subsection (6) and a complete and detailed report setting  
1593 forth:

1594           (a) The operations and accomplishments of the Florida  
1595 Virtual School within the state and those occurring outside the  
1596 state as Florida Virtual School Global.

1597           (b) The marketing and operational plan for the Florida  
1598 Virtual School and Florida Virtual School Global, including  
1599 recommendations regarding methods for improving the delivery of

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1600 education through the Internet and other distance learning  
1601 technology.

1602 (c) The assets and liabilities of the Florida Virtual  
1603 School and Florida Virtual School Global at the end of the  
1604 fiscal year.

1605 ~~(d) A copy of an annual financial audit of the accounts  
1606 and records of the Florida Virtual School and Florida Virtual  
1607 School Global, conducted by an independent certified public  
1608 accountant and performed in accordance with rules adopted by the  
1609 Auditor General.~~

1610 (d)~~(e)~~ Recommendations regarding the unit cost of  
1611 providing services to students through the Florida Virtual  
1612 School and Florida Virtual School Global. In order to most  
1613 effectively develop public policy regarding any future funding  
1614 of the Florida Virtual School, it is imperative that the cost of  
1615 the program is accurately identified. The identified cost of the  
1616 program must be based on reliable data.

1617 (e)~~(f)~~ Recommendations regarding an accountability  
1618 mechanism to assess the effectiveness of the services provided  
1619 by the Florida Virtual School and Florida Virtual School Global.

1620 ~~(11) The Auditor General shall conduct an operational  
1621 audit of the Florida Virtual School, including Florida Virtual  
1622 School Global. The scope of the audit shall include, but not be  
1623 limited to, the administration of responsibilities relating to  
1624 personnel; procurement and contracting; revenue production;  
1625 school funds, including internal funds; student enrollment~~



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1626 ~~records; franchise agreements; information technology~~  
1627 ~~utilization, assets, and security; performance measures and~~  
1628 ~~standards; and accountability. The final report on the audit~~  
1629 ~~shall be submitted to the President of the Senate and the~~  
1630 ~~Speaker of the House of Representatives no later than January~~  
1631 ~~31, 2014.~~

1632 Section 40. Subsection (5) is added to section 1010.01,  
1633 Florida Statutes, to read:

1634 1010.01 Uniform records and accounts.—

1635 (5) Each school district, Florida College System  
1636 institution, and state university shall establish and maintain  
1637 internal controls designed to:

1638 (a) Prevent and detect fraud, waste, and abuse.

1639 (b) Promote and encourage compliance with applicable laws,  
1640 rules, contracts, grant agreements, and best practices.

1641 (c) Support economical and efficient operations.

1642 (d) Ensure reliability of financial records and reports.

1643 (e) Safeguard assets.

1644 Section 41. Subsection (2) of section 1010.30, Florida  
1645 Statutes, is amended to read:

1646 1010.30 Audits required.—

1647 (2) If a school district, Florida College System  
1648 institution, or university audit report includes a  
1649 recommendation that was included in the preceding financial  
1650 audit report but remains unaddressed ~~an audit contains a~~  
1651 ~~significant finding,~~ the district school board, the Florida

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1652 College System institution board of trustees, or the university  
1653 board of trustees, within 60 days after the delivery of the  
1654 audit report to the school district, Florida College System  
1655 institution, or university, shall indicate ~~conduct an audit~~  
1656 ~~overview~~ during a regularly scheduled public meeting whether it  
1657 intends to take corrective action, the intended corrective  
1658 action, and the timeframe for the corrective action. If the  
1659 district school board, Florida College System institution board  
1660 of trustees, or university board of trustees indicates that it  
1661 does not intend to take corrective action, it shall explain its  
1662 decision at the public meeting.

1663 Section 42. Subsection (5) of section 99.061, Florida  
1664 Statutes, is amended to read:

1665 99.061 Method of qualifying for nomination or election to  
1666 federal, state, county, or district office.—

1667 (5) At the time of qualifying for office, each candidate  
1668 for a constitutional office or an elected municipal office shall  
1669 file a full and public disclosure of financial interests  
1670 pursuant to s. 8, Art. II of the State Constitution, which must  
1671 be verified under oath or affirmation pursuant to s.

1672 92.525(1) (a), and a candidate for any other office, ~~including~~  
1673 ~~local elective office,~~ shall file a statement of financial  
1674 interests pursuant to s. 112.3145.

1675 Section 43. Subsection (3) of section 218.503, Florida  
1676 Statutes, is amended to read:

1677 218.503 Determination of financial emergency.—

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1678 (3) Upon notification that one or more of the conditions  
1679 in subsection (1) have occurred or will occur if action is not  
1680 taken to assist the local governmental entity or district school  
1681 board, the Governor or his or her designee shall contact the  
1682 local governmental entity or the Commissioner of Education or  
1683 his or her designee shall contact the district school board, as  
1684 appropriate, to determine what actions have been taken by the  
1685 local governmental entity or the district school board to  
1686 resolve or prevent the condition. The information requested must  
1687 be provided within 45 days after the date of the request. If the  
1688 local governmental entity or the district school board does not  
1689 comply with the request, the Governor or his or her designee or  
1690 the Commissioner of Education or his or her designee shall  
1691 notify ~~the members of~~ the Legislative Auditing Committee, which  
1692 ~~who~~ may take action pursuant to s. 11.40(2) ~~11.40~~. The Governor  
1693 or the Commissioner of Education, as appropriate, shall  
1694 determine whether the local governmental entity or the district  
1695 school board needs state assistance to resolve or prevent the  
1696 condition. If state assistance is needed, the local governmental  
1697 entity or district school board is considered to be in a state  
1698 of financial emergency. The Governor or the Commissioner of  
1699 Education, as appropriate, has the authority to implement  
1700 measures as set forth in ss. 218.50-218.504 to assist the local  
1701 governmental entity or district school board in resolving the  
1702 financial emergency. Such measures may include, but are not  
1703 limited to:

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1704 (a) Requiring approval of the local governmental entity's  
1705 budget by the Governor or approval of the district school  
1706 board's budget by the Commissioner of Education.

1707 (b) Authorizing a state loan to a local governmental  
1708 entity and providing for repayment of same.

1709 (c) Prohibiting a local governmental entity or district  
1710 school board from issuing bonds, notes, certificates of  
1711 indebtedness, or any other form of debt until such time as it is  
1712 no longer subject to this section.

1713 (d) Making such inspections and reviews of records,  
1714 information, reports, and assets of the local governmental  
1715 entity or district school board as are needed. The appropriate  
1716 local officials shall cooperate in such inspections and reviews.

1717 (e) Consulting with officials and auditors of the local  
1718 governmental entity or the district school board and the  
1719 appropriate state officials regarding any steps necessary to  
1720 bring the books of account, accounting systems, financial  
1721 procedures, and reports into compliance with state requirements.

1722 (f) Providing technical assistance to the local  
1723 governmental entity or the district school board.

1724 (g)1. Establishing a financial emergency board to oversee  
1725 the activities of the local governmental entity or the district  
1726 school board. If a financial emergency board is established for  
1727 a local governmental entity, the Governor shall appoint board  
1728 members and select a chair. If a financial emergency board is  
1729 established for a district school board, the State Board of

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1730 Education shall appoint board members and select a chair. The  
1731 financial emergency board shall adopt such rules as are  
1732 necessary for conducting board business. The board may:

1733 a. Make such reviews of records, reports, and assets of  
1734 the local governmental entity or the district school board as  
1735 are needed.

1736 b. Consult with officials and auditors of the local  
1737 governmental entity or the district school board and the  
1738 appropriate state officials regarding any steps necessary to  
1739 bring the books of account, accounting systems, financial  
1740 procedures, and reports of the local governmental entity or the  
1741 district school board into compliance with state requirements.

1742 c. Review the operations, management, efficiency,  
1743 productivity, and financing of functions and operations of the  
1744 local governmental entity or the district school board.

1745 d. Consult with other governmental entities for the  
1746 consolidation of all administrative direction and support  
1747 services, including, but not limited to, services for asset  
1748 sales, economic and community development, building inspections,  
1749 parks and recreation, facilities management, engineering and  
1750 construction, insurance coverage, risk management, planning and  
1751 zoning, information systems, fleet management, and purchasing.

1752 2. The recommendations and reports made by the financial  
1753 emergency board must be submitted to the Governor for local  
1754 governmental entities or to the Commissioner of Education and

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1755 the State Board of Education for district school boards for  
1756 appropriate action.

1757 (h) Requiring and approving a plan, to be prepared by  
1758 officials of the local governmental entity or the district  
1759 school board in consultation with the appropriate state  
1760 officials, prescribing actions that will cause the local  
1761 governmental entity or district school board to no longer be  
1762 subject to this section. The plan must include, but need not be  
1763 limited to:

1764 1. Provision for payment in full of obligations outlined  
1765 in subsection (1), designated as priority items, which are  
1766 currently due or will come due.

1767 2. Establishment of priority budgeting or zero-based  
1768 budgeting in order to eliminate items that are not affordable.

1769 3. The prohibition of a level of operations which can be  
1770 sustained only with nonrecurring revenues.

1771 4. Provisions implementing the consolidation, sourcing, or  
1772 discontinuance of all administrative direction and support  
1773 services, including, but not limited to, services for asset  
1774 sales, economic and community development, building inspections,  
1775 parks and recreation, facilities management, engineering and  
1776 construction, insurance coverage, risk management, planning and  
1777 zoning, information systems, fleet management, and purchasing.

1778 Section 44. Subsection (2) of section 1002.455, Florida  
1779 Statutes, is amended to read:

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1780 1002.455 Student eligibility for K-12 virtual  
1781 instruction.-

1782 (2) A student is eligible to participate in virtual  
1783 instruction if:

1784 (a) The student spent the prior school year in attendance  
1785 at a public school in the state and was enrolled and reported by  
1786 the school district for funding during October and February for  
1787 purposes of the Florida Education Finance Program surveys;

1788 (b) The student is a dependent child of a member of the  
1789 United States Armed Forces who was transferred within the last  
1790 12 months to this state from another state or from a foreign  
1791 country pursuant to a permanent change of station order;

1792 (c) The student was enrolled during the prior school year  
1793 in a virtual instruction program under s. 1002.45 or a full-time  
1794 Florida Virtual School program under s. 1002.37(9)(a)  
1795 ~~1002.37(8)(a)~~;

1796 (d) The student has a sibling who is currently enrolled in  
1797 a virtual instruction program and the sibling was enrolled in  
1798 that program at the end of the prior school year;

1799 (e) The student is eligible to enter kindergarten or first  
1800 grade; or

1801 (f) The student is eligible to enter grades 2 through 5  
1802 and is enrolled full-time in a school district virtual  
1803 instruction program, virtual charter school, or the Florida  
1804 Virtual School.

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1805 Section 45. For the purpose of incorporating the amendment  
1806 made by this act to section 838.022, Florida Statutes, in a  
1807 reference thereto, paragraph (a) of subsection (2) of section  
1808 112.534, Florida Statutes, is reenacted to read:

1809 112.534 Failure to comply; official misconduct.—

1810 (2)(a) All the provisions of s. 838.022 shall apply to  
1811 this part.

1812 Section 46. For the purpose of incorporating the amendment  
1813 made by this act to section 838.022, Florida Statutes, in a  
1814 reference thereto, paragraph (d) of subsection (4) of section  
1815 117.01, Florida Statutes, is reenacted to read:

1816 117.01 Appointment, application, suspension, revocation,  
1817 application fee, bond, and oath.—

1818 (4) The Governor may suspend a notary public for any of  
1819 the grounds provided in s. 7, Art. IV of the State Constitution.  
1820 Grounds constituting malfeasance, misfeasance, or neglect of  
1821 duty include, but are not limited to, the following:

1822 (d) Official misconduct as defined in s. 838.022.

1823 Section 47. For the purpose of incorporating the amendment  
1824 made by this act to section 838.014, Florida Statutes, in a  
1825 reference thereto, subsection (11) of section 817.568, Florida  
1826 Statutes, is reenacted to read:

1827 817.568 Criminal use of personal identification  
1828 information.—

1829 (11) A person who willfully and without authorization  
1830 fraudulently uses personal identification information concerning



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1831 an individual who is 60 years of age or older; a disabled adult  
 1832 as defined in s. 825.101; a public servant as defined in s.  
 1833 838.014; a veteran as defined in s. 1.01; a first responder as  
 1834 defined in s. 125.01045; an individual who is employed by the  
 1835 State of Florida; or an individual who is employed by the  
 1836 Federal Government without first obtaining the consent of that  
 1837 individual commits a felony of the second degree, punishable as  
 1838 provided in s. 775.082, s. 775.083, or s. 775.084.

1839 Section 48. For the purpose of incorporating the  
 1840 amendments made by this act to sections 838.015, 838.016, and  
 1841 838.22, Florida Statutes, in references thereto, paragraph (g)  
 1842 of subsection (3) of section 921.0022, Florida Statutes, is  
 1843 reenacted to read:

1844 921.0022 Criminal Punishment Code; offense severity  
 1845 ranking chart.—

1846 (3) OFFENSE SEVERITY RANKING CHART  
 1847 (g) LEVEL 7

1848

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.

1849

1850

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1851	316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1852	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
1853	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1854	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1855	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1856			

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1857	456.065(2)	3rd	Practicing a health care profession without a license.
1858	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1859	458.327(1)	3rd	Practicing medicine without a license.
1860	459.013(1)	3rd	Practicing osteopathic medicine without a license.
1861	460.411(1)	3rd	Practicing chiropractic medicine without a license.
1862	461.012(1)	3rd	Practicing podiatric medicine without a license.
1863	462.17	3rd	Practicing naturopathy without a license.
1864	463.015(1)	3rd	Practicing optometry without a license.

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1865	464.016(1)	3rd	Practicing nursing without a license.
1866	465.015(2)	3rd	Practicing pharmacy without a license.
1867	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
1868	467.201	3rd	Practicing midwifery without a license.
1869	468.366	3rd	Delivering respiratory care services without a license.
1870	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
1871	483.901(9)	3rd	Practicing medical physics without a license.
1872	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
	484.053	3rd	Dispensing hearing aids without

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1873	494.0018(2)	1st	a license. Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1874	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1875	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1876	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1877	775.21(10)(a)	3rd	Sexual predator; failure to

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			register; failure to renew driver license or identification card; other registration violations.
1878	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1879	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1880	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1881	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1882	782.071	2nd	Killing of a human being or unborn child by the operation

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1883			of a motor vehicle in a reckless manner (vehicular homicide).
1883	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1884	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1885	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1886	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1887	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1888	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1889	784.07 (2) (d)	1st	Aggravated battery on law

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1890			enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1891			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1892			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
1893			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1894			
	784.083 (1)	1st	Aggravated battery on code inspector.
1895			
	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1896			
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of

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1897			an adult from outside Florida to within the state.
1898	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1899	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1900	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1901	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1902	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1902	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction

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1903			while committing or attempting to commit a felony.
1903	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1904	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1905	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1906	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1907	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1908			

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1909	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1910	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1911	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1912	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1913	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.

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1914

810.02 (3) (e) 2nd Burglary of authorized  
emergency vehicle.

1915

812.014 (2) (a) 1. 1st Property stolen, valued at  
\$100,000 or more or a  
semitrailer deployed by a law  
enforcement officer; property  
stolen while causing other  
property damage; 1st degree  
grand theft.

1916

812.014 (2) (b) 2. 2nd Property stolen, cargo valued  
at less than \$50,000, grand  
theft in 2nd degree.

1917

812.014 (2) (b) 3. 2nd Property stolen, emergency  
medical equipment; 2nd degree  
grand theft.

1918

812.014 (2) (b) 4. 2nd Property stolen, law  
enforcement equipment from  
authorized emergency vehicle.

1919

812.0145 (2) (a) 1st Theft from person 65 years of  
age or older; \$50,000 or more.

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1920	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1921	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1922	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1923	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1924	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1925	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1926	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1927	817.2341	1st	Making false entries of

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	(2) (b) & (3) (b)		material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1928	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1929	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1930	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1931	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1932	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21

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			years of age or older.
1933	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1934	838.015	2nd	Bribery.
1935	838.016	2nd	Unlawful compensation or reward for official behavior.
1936	838.021(3)(a)	2nd	Unlawful harm to a public servant.
1937	838.22	2nd	Bid tampering.
1938	843.0855(2)	3rd	Impersonation of a public officer or employee.
1939	843.0855(3)	3rd	Unlawful simulation of legal process.
1940	843.0855(4)	3rd	Intimidation of a public officer or employee.
1941	847.0135(3)	3rd	Solicitation of a child, via a

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			computer service, to commit an unlawful sex act.
1942	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1943	872.06	2nd	Abuse of a dead human body.
1944	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1945	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1946	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal



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1947			park or publicly owned recreational facility or community center.
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
1948			
	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
1949			
	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1950			
	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1951			

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1952	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1953	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1954	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1955	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1956	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1957	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than

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			5 kilograms.
1958	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1959	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1960	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1961	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1962	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1963	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.

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1964	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1965	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1966	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1967	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1968	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
1969	943.0435(13)	3rd	Failure to report or providing

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1970			false information about a sexual offender; harbor or conceal a sexual offender.
	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1971			
	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
1972			
	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1973			
	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1974			
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address

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1975			verification; providing false registration information.
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1976			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1977			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1978			
1979			Section 49. For the purpose of incorporating the amendment
1980			made by this act to section 838.022, Florida Statutes, in a
1981			reference thereto, paragraph (d) of subsection (3) of section
1982			921.0022, Florida Statutes, is reenacted to read:
1983			921.0022 Criminal Punishment Code; offense severity
1984			ranking chart.—
1985			(3) OFFENSE SEVERITY RANKING CHART
1986			(d) LEVEL 4

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1987	Florida Statute	Felony Degree	Description
1988	316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1989	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
1990	499.0051(2)	3rd	Failure to authenticate pedigree papers.
1991	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1992	517.07(1)	3rd	Failure to register securities.
1993	517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.

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1994	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1995	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1996	784.075	3rd	Battery on detention or commitment facility staff.
1997	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1998	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
1999	784.081 (3)	3rd	Battery on specified official or employee.
2000	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2001	784.083 (3)	3rd	Battery on code inspector.
2002	784.085	3rd	Battery of child by throwing,

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			tossing, projecting, or expelling certain fluids or materials.
2003	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2004	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
2005	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
2006	787.07	3rd	Human smuggling.
2007	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
2008	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or

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			other weapon on school property.
2009	790.115 (2) (c)	3rd	Possessing firearm on school property.
2010	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
2011	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2012	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2013	810.06	3rd	Burglary; possession of tools.
2014	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2015	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000

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2016			or more but less than \$20,000.
	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2017			
	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2018			
	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
2019			
	817.568(2) (a)	3rd	Fraudulent use of personal identification information.
2020			
	817.625(2) (a)	3rd	Fraudulent use of scanning device or reencoder.
2021			
	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
2022			

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2023	837.02 (1)	3rd	Perjury in official proceedings.
2024	837.021 (1)	3rd	Make contradictory statements in official proceedings.
2025	838.022	3rd	Official misconduct.
2026	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
2027	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
2028	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
2029	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
	843.15 (1) (a)	3rd	Failure to appear while on bail

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			for felony (bond estreature or bond jumping).
2030	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
2031	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
2032	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
2033	914.14(2)	3rd	Witnesses accepting bribes.
2034	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
2035	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2036	918.12	3rd	Tampering with jurors.



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2060 requirements regarding a lobbying firm's lobbying  
2061 activities; specifying requirements regarding the  
2062 content of reports and filing deadlines; requiring  
2063 each house of the Legislature to establish procedures  
2064 applicable to untimely filing of reports by rule;  
2065 providing fines for late filing of reports; amending  
2066 s. 11.0455, F.S.; conforming a cross-reference;  
2067 amending s. 11.40, F.S.; specifying that the Governor,  
2068 the Commissioner of Education, or the designee of the  
2069 Governor or of the commissioner may notify the  
2070 Legislative Auditing Committee of an entity's failure  
2071 to comply with certain auditing and financial  
2072 reporting requirements; amending s. 11.45, F.S.;  
2073 defining the terms "abuse," "fraud," and "waste";  
2074 revising the definition of the term "local  
2075 governmental entity"; excluding water management  
2076 districts from certain audit requirements; removing a  
2077 cross-reference; authorizing the Auditor General to  
2078 conduct audits of tourist development councils and  
2079 county tourism promotion agencies; revising reporting  
2080 requirements applicable to the Auditor General;  
2081 creating s. 20.602, F.S.; specifying the applicability  
2082 of certain provisions of the Code of Ethics for Public  
2083 Officers and Employees to officers and board members  
2084 of corporate entities associated with the Department  
2085 of Economic Opportunity; prohibiting such officers and

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2086 board members from representing a person or an entity  
2087 for compensation before certain bodies for a specified  
2088 timeframe; providing for construction; amending s.  
2089 28.35, F.S.; revising reporting requirements  
2090 applicable to the Florida Clerks of Court Operations  
2091 Corporation; amending s. 43.16, F.S.; revising the  
2092 responsibilities of the Justice Administrative  
2093 Commission, each state attorney, each public defender,  
2094 a criminal conflict and civil regional counsel, a  
2095 capital collateral regional counsel, and the Guardian  
2096 Ad Litem Program, to include the establishment and  
2097 maintenance of certain internal controls; creating s.  
2098 112.3126, F.S.; defining the term "private entity";  
2099 prohibiting a member of the Legislature or a candidate  
2100 for legislative office from accepting employment with  
2101 a private entity that directly receives funding  
2102 through state revenues under certain circumstances;  
2103 authorizing employment with a private entity if  
2104 certain conditions are met; amending s. 112.313, F.S.;  
2105 specifying that prohibitions on conflicting employment  
2106 or contractual relationships for public officers or  
2107 employees of an agency apply to contractual  
2108 relationships held by certain business entities;  
2109 amending s. 112.3144, F.S.; requiring elected  
2110 municipal officers to file a full and public  
2111 disclosure of financial interests, rather than a

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2112 statement of financial interests; providing for  
2113 applicability; amending s. 112.31455, F.S.; revising  
2114 provisions governing collection methods for unpaid  
2115 automatic fines for failure to timely file disclosure  
2116 of financial interests to include school districts;  
2117 amending s. 112.3215, F.S.; requiring a lobbying firm  
2118 to file a report with the Commission on Ethics  
2119 disclosing whether the firm lobbied the Governor to  
2120 approve or veto a bill or an appropriation; requiring  
2121 the commission to establish procedures applicable to  
2122 untimely filing of reports by rule; providing fines  
2123 for late filing of reports; conforming provisions to  
2124 changes made by the act; amending s. 112.3261, F.S.;  
2125 revising terms to conform to changes made by the act;  
2126 expanding the types of governmental entities that are  
2127 subject to lobbyist registration requirements;  
2128 requiring a governmental entity to create a lobbyist  
2129 registration form; amending ss. 129.03, 129.06,  
2130 166.241, and 189.016, F.S.; requiring counties,  
2131 municipalities, and special districts to maintain  
2132 certain budget documents on the entities' websites for  
2133 a specified period; amending s. 162.30, F.S.;  
2134 authorizing a county or municipality to provide for  
2135 the recovery of attorney fees and costs by a  
2136 prevailing party in certain civil actions under  
2137 specified conditions; providing applicability of

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2138 certain codes and ordinances; amending s. 215.425,  
2139 F.S.; defining the term "public funds"; revising  
2140 exceptions to the prohibition on extra compensation  
2141 claims; revising minimum requirements for any policy,  
2142 ordinance, rule, or resolution designed to implement a  
2143 bonus scheme; requiring certain contracts into which a  
2144 unit of government or state university enters to  
2145 contain certain provisions regarding severance pay;  
2146 requiring a unit of government to investigate and take  
2147 reasonable action to recover prohibited compensation;  
2148 specifying methods of recovery for unintentional and  
2149 willful violations; specifying applicability of  
2150 procedures regarding suspension and removal of an  
2151 officer who commits a willful violation; specifying  
2152 circumstances under which an employee has a cause of  
2153 action under the Whistle-blower's Act; providing for  
2154 applicability; amending s. 215.86, F.S.; revising the  
2155 purposes for which management systems and internal  
2156 controls must be established and maintained by each  
2157 state agency and the judicial branch; amending s.  
2158 215.97, F.S.; revising the definition of the term  
2159 "audit threshold"; amending s. 215.985, F.S.; revising  
2160 the requirements for a monthly financial statement  
2161 provided by a water management district; amending s.  
2162 218.32, F.S.; revising the requirements of the annual  
2163 financial audit report of a local governmental entity;

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2164 authorizing the Department of Financial Services to  
2165 request additional information from a local  
2166 governmental entity; requiring a local governmental  
2167 entity to respond to such requests within a specified  
2168 timeframe; requiring the department to notify the  
2169 Legislative Auditing Committee of noncompliance;  
2170 amending s. 218.33, F.S.; requiring local governmental  
2171 entities to establish and maintain internal controls  
2172 to achieve specified purposes; amending s. 218.39,  
2173 F.S.; requiring an audited entity to respond to audit  
2174 recommendations under specified circumstances;  
2175 amending s. 218.391, F.S.; revising the composition of  
2176 an audit committee; prohibiting an audit committee  
2177 member from being an employee, a chief executive  
2178 officer, or a chief financial officer of the  
2179 respective governmental entity; requiring the chair of  
2180 an audit committee to sign and execute an affidavit  
2181 affirming compliance with auditor selection  
2182 procedures; prescribing procedures in the event of  
2183 noncompliance with auditor selection procedures;  
2184 amending s. 286.0114, F.S.; prohibiting a board or  
2185 commission from requiring an advance copy of testimony  
2186 or comments from a member of the public as a  
2187 precondition to being given the opportunity to be  
2188 heard at a public meeting; amending s. 288.92, F.S.;

2189 prohibiting specified officers and board members of

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2190 Enterprise Florida, Inc., from representing a person  
2191 or entity for compensation before Enterprise Florida,  
2192 Inc., and associated entities thereof, for a specified  
2193 timeframe; amending s. 288.9604, F.S.; prohibiting a  
2194 director of the Florida Development Finance  
2195 Corporation from representing a person or an entity  
2196 for compensation before the corporation for a  
2197 specified timeframe; amending s. 373.536, F.S.;

2198 deleting obsolete language; requiring water management  
2199 districts to maintain certain budget documents on the  
2200 districts' websites for a specified period; amending  
2201 s. 838.014, F.S.; revising and providing definitions;  
2202 amending s. 838.015, F.S.; revising the definition of  
2203 the term "bribery"; revising requirements for  
2204 prosecution; amending s. 838.016, F.S.; revising the  
2205 prohibition against unlawful compensation or reward  
2206 for official behavior to conform to changes made by  
2207 the act; amending s. 838.022, F.S.; revising the  
2208 prohibition against official misconduct to conform to  
2209 changes made by the act; revising applicability of the  
2210 offense to include public contractors; amending s.  
2211 838.22, F.S.; revising the prohibition against bid  
2212 tampering to conform to changes made by the act;  
2213 revising applicability of the offense to include  
2214 specified public contractors; amending s. 1001.42,  
2215 F.S.; authorizing additional internal audits as

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2216 directed by the district school board; specifying  
2217 duties of the district school board regarding  
2218 visitation of schools; amending s. 1002.33, F.S.;  
2219 revising the responsibilities of the governing board  
2220 of a charter school to include the establishment and  
2221 maintenance of internal controls; amending s. 1002.37,  
2222 F.S.; requiring completion of an annual financial  
2223 audit of the Florida Virtual School; specifying audit  
2224 requirements; requiring an audit report to be  
2225 submitted to the board of trustees of the Florida  
2226 Virtual School and the Auditor General; removing  
2227 obsolete provisions; amending s. 1010.01, F.S.;  
2228 requiring each school district, Florida College System  
2229 institution, and state university to establish and  
2230 maintain certain internal controls; amending s.  
2231 1010.30, F.S.; requiring a district school board,  
2232 Florida College System institution board of trustees,  
2233 or university board of trustees to respond to audit  
2234 recommendations under certain circumstances; amending  
2235 ss. 99.061, 218.503, and 1002.455, F.S.; conforming  
2236 provisions and cross-references to changes made by the  
2237 act; reenacting s. 112.534(2)(a), F.S., relating to  
2238 official misconduct, and s. 117.01(4)(d), F.S.,  
2239 relating to appointment, application, suspension,  
2240 revocation, application fee, bond, and oath of  
2241 notaries public, to incorporate the amendment made by

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2242 the act to s. 838.022, F.S., in references thereto;  
2243 reenacting s. 817.568(11), F.S., relating to criminal  
2244 use of personal identification information, to  
2245 incorporate the amendment made by the act to s.  
2246 838.014, F.S., in a reference thereto; reenacting s.  
2247 921.0022(3)(d) and (g), F.S., relating to the Criminal  
2248 Punishment Code offense severity ranking chart, to  
2249 incorporate the amendments made by the act to ss.  
2250 838.015, 838.016, 838.022, and 838.22, F.S., in  
2251 references thereto; providing for applicability;  
2252 declaring that the act fulfills an important state  
2253 interest; providing an effective date.