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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2016	.	
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The Committee on Governmental Oversight and Accountability  
(Ring) recommended the following:

1           **Senate Substitute for Amendment (933068) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Subsection (2) of section 11.40, Florida  
7 Statutes, is amended to read:

8           11.40 Legislative Auditing Committee.—

9           (2) Following notification by the Auditor General, the  
10 Department of Financial Services, ~~or~~ the Division of Bond



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11 Finance of the State Board of Administration, the Governor or  
12 his or her designee, or the Commissioner of Education or his or  
13 her designee of the failure of a local governmental entity,  
14 district school board, charter school, or charter technical  
15 career center to comply with the applicable provisions within s.  
16 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the  
17 Legislative Auditing Committee may schedule a hearing to  
18 determine if the entity should be subject to further state  
19 action. If the committee determines that the entity should be  
20 subject to further state action, the committee shall:

21 (a) In the case of a local governmental entity or district  
22 school board, direct the Department of Revenue and the  
23 Department of Financial Services to withhold any funds not  
24 pledged for bond debt service satisfaction which are payable to  
25 such entity until the entity complies with the law. The  
26 committee shall specify the date that such action must ~~shall~~  
27 begin, and the directive must be received by the Department of  
28 Revenue and the Department of Financial Services 30 days before  
29 the date of the distribution mandated by law. The Department of  
30 Revenue and the Department of Financial Services may implement  
31 ~~the provisions of~~ this paragraph.

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

33 1. A special act, notify the President of the Senate, the  
34 Speaker of the House of Representatives, the standing committees  
35 of the Senate and the House of Representatives charged with  
36 special district oversight as determined by the presiding  
37 officers of each respective chamber, the legislators who  
38 represent a portion of the geographical jurisdiction of the  
39 special district pursuant to s. 189.034(2), and the Department



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40 of Economic Opportunity that the special district has failed to  
41 comply with the law. Upon receipt of notification, the  
42 Department of Economic Opportunity shall proceed pursuant to s.  
43 189.062 or s. 189.067. If the special district remains in  
44 noncompliance after the process set forth in s. 189.034(3), or  
45 if a public hearing is not held, the Legislative Auditing  
46 Committee may request the department to proceed pursuant to s.  
47 189.067(3).

48 2. A local ordinance, notify the chair or equivalent of the  
49 local general-purpose government pursuant to s. 189.035(2) and  
50 the Department of Economic Opportunity that the special district  
51 has failed to comply with the law. Upon receipt of notification,  
52 the department shall proceed pursuant to s. 189.062 or s.  
53 189.067. If the special district remains in noncompliance after  
54 the process set forth in s. 189.034(3), or if a public hearing  
55 is not held, the Legislative Auditing Committee may request the  
56 department to proceed pursuant to s. 189.067(3).

57 3. Any manner other than a special act or local ordinance,  
58 notify the Department of Economic Opportunity that the special  
59 district has failed to comply with the law. Upon receipt of  
60 notification, the department shall proceed pursuant to s.  
61 189.062 or s. 189.067(3).

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

65 Section 2. Subsection (1), paragraph (j) of subsection (2),  
66 paragraph (u) of subsection (3), and paragraph (i) of subsection  
67 (7) of section 11.45, Florida Statutes, are amended, and  
68 paragraph (x) is added to subsection (3) of that section, to



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69 read:

70 11.45 Definitions; duties; authorities; reports; rules.—

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

72 (a) "Abuse" means behavior that is deficient or improper  
73 when compared with behavior that a prudent person would consider  
74 a reasonable and necessary operational practice given the facts  
75 and circumstances. The term includes the misuse of authority or  
76 position for personal gain.

77 (b) ~~(a)~~ "Audit" means a financial audit, operational audit,  
78 or performance audit.

79 (c) ~~(b)~~ "County agency" means a board of county  
80 commissioners or other legislative and governing body of a  
81 county, however styled, including that of a consolidated or  
82 metropolitan government, a clerk of the circuit court, a  
83 separate or ex officio clerk of the county court, a sheriff, a  
84 property appraiser, a tax collector, a supervisor of elections,  
85 or any other officer in whom any portion of the fiscal duties of  
86 a body or officer expressly stated in this paragraph are ~~the~~  
87 ~~above are under law~~ separately placed by law.

88 (d) ~~(c)~~ "Financial audit" means an examination of financial  
89 statements in order to express an opinion on the fairness with  
90 which they are presented in conformity with generally accepted  
91 accounting principles and an examination to determine whether  
92 operations are properly conducted in accordance with legal and  
93 regulatory requirements. Financial audits must be conducted in  
94 accordance with auditing standards generally accepted in the  
95 United States and government auditing standards as adopted by  
96 the Board of Accountancy. When applicable, the scope of  
97 financial audits must ~~shall~~ encompass the additional activities



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98 necessary to establish compliance with the Single Audit Act  
99 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other  
100 applicable federal law.

101 (e) "Fraud" means obtaining something of value through  
102 willful misrepresentation, including, but not limited to, the  
103 intentional misstatements or omissions of amounts or disclosures  
104 in financial statements to deceive users of financial  
105 statements, theft of an entity's assets, bribery, or the use of  
106 one's position for personal enrichment through the deliberate  
107 misuse or misapplication of an organization's resources.

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

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

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

118 (i)~~(g)~~ "Operational audit" means an audit whose purpose is  
119 to evaluate management's performance in establishing and  
120 maintaining internal controls, including controls designed to  
121 prevent and detect fraud, waste, and abuse, and in administering  
122 assigned responsibilities in accordance with applicable laws,  
123 administrative rules, contracts, grant agreements, and other  
124 guidelines. Operational audits must be conducted in accordance  
125 with government auditing standards. Such audits examine internal  
126 controls that are designed and placed in operation to promote



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127 and encourage the achievement of management's control objectives  
128 in the categories of compliance, economic and efficient  
129 operations, reliability of financial records and reports, and  
130 safeguarding of assets, and identify weaknesses in those  
131 internal controls.

132 (j)~~(h)~~ "Performance audit" means an examination of a  
133 program, activity, or function of a governmental entity,  
134 conducted in accordance with applicable government auditing  
135 standards or auditing and evaluation standards of other  
136 appropriate authoritative bodies. The term includes an  
137 examination of issues related to:

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

139 2. Structure or design of the program to accomplish its  
140 goals and objectives.

141 3. Adequacy of the program to meet the needs identified by  
142 the Legislature or governing body.

143 4. Alternative methods of providing program services or  
144 products.

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

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

149 7. Compliance of the program with appropriate policies,  
150 rules, or laws.

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

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



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156 thereof: authority, board, branch, bureau, city, commission,  
157 consolidated government, county, department, district,  
158 institution, metropolitan government, municipality, office,  
159 officer, public corporation, town, or village.

160 (1)~~(j)~~ "State agency" means a separate agency or unit of  
161 state government created or established by law and includes, but  
162 is not limited to, the following and the officers thereof:  
163 authority, board, branch, bureau, commission, department,  
164 division, institution, office, officer, or public corporation,  
165 as the case may be, except any such agency or unit within the  
166 legislative branch of state government other than the Florida  
167 Public Service Commission.

168 (m) "Waste" means the act of using or expending resources  
169 unreasonably, carelessly, extravagantly, or for no useful  
170 purpose.

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

172 (j) Conduct audits of local governmental entities when  
173 determined to be necessary by the Auditor General, when directed  
174 by the Legislative Auditing Committee, or when otherwise  
175 required by law. No later than 18 months after the release of  
176 the audit report, the Auditor General shall perform such  
177 appropriate followup procedures as he or she deems necessary to  
178 determine the audited entity's progress in addressing the  
179 findings and recommendations contained within the Auditor  
180 General's previous report. The Auditor General shall notify each  
181 member of the audited entity's governing body and the  
182 Legislative Auditing Committee of the results of his or her  
183 determination. For purposes of this paragraph, local  
184 governmental entities do not include water management districts.



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185  
186 The Auditor General shall perform his or her duties  
187 independently but under the general policies established by the  
188 Legislative Auditing Committee. This subsection does not limit  
189 the Auditor General's discretionary authority to conduct other  
190 audits or engagements of governmental entities as authorized in  
191 subsection (3).

192 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor  
193 General may, pursuant to his or her own authority, or at the  
194 direction of the Legislative Auditing Committee, conduct audits  
195 or other engagements as determined appropriate by the Auditor  
196 General of:

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

198 (x) Tourist development councils and county tourism  
199 promotion agencies.

200 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

201 (i) The Auditor General shall annually transmit by July 15,  
202 to the President of the Senate, the Speaker of the House of  
203 Representatives, and the Department of Financial Services, a  
204 list of all school districts, charter schools, charter technical  
205 career centers, Florida College System institutions, state  
206 universities, and local governmental entities ~~water management~~  
207 ~~districts~~ that have failed to comply with the transparency  
208 requirements as identified in the audit reports reviewed  
209 pursuant to paragraph (b) and those conducted pursuant to  
210 subsection (2).

211 Section 3. Section 20.602, Florida Statutes, is created to  
212 read:

213 20.602 Standards of conduct; officers and board members of





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214 Department of Economic Opportunity corporate entities.-  
215 (1) The following officers and board members are subject to  
216 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
217 112.3143(2):  
218 (a) Officers and members of the board of directors of:  
219 1. Any corporation created under chapter 288;  
220 2. Space Florida;  
221 3. CareerSource Florida, Inc., or the programs or entities  
222 created by CareerSource Florida, Inc., pursuant to s. 445.004;  
223 4. The Florida Housing Finance Corporation; or  
224 5. Any other corporation created by the Department of  
225 Economic Opportunity in accordance with its powers and duties  
226 under s. 20.60.  
227 (b) Officers and members of the board of directors of a  
228 corporate parent or subsidiary corporation of a corporation  
229 described in paragraph (a).  
230 (c) Officers and members of the board of directors of a  
231 corporation created to carry out the missions of a corporation  
232 described in paragraph (a).  
233 (d) Officers and members of the board of directors of a  
234 corporation with which a corporation described in paragraph (a)  
235 is required by law to contract with to carry out its missions.  
236 (2) For purposes of applying ss. 112.313(1)-(8), (10),  
237 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
238 officers and members of the board of directors specified in  
239 subsection (1), those persons shall be considered public  
240 officers or employees and the corporation shall be considered  
241 their agency.  
242 (3) For a period of 2 years after retirement from or



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243 termination of service, or for a period of 10 years if removed  
244 or terminated for cause or for misconduct, as defined in s.  
245 443.036(29), an officer or a member of the board of directors  
246 specified in subsection (1) may not represent another person or  
247 entity for compensation before:

248 (a) His or her corporation;

249 (b) A division, a subsidiary, or the board of directors of  
250 a corporation created to carry out the mission of his or her  
251 corporation; or

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

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

258 Section 4. Paragraph (d) of subsection (2) of section  
259 28.35, Florida Statutes, is amended to read:

260 28.35 Florida Clerks of Court Operations Corporation.—

261 (2) The duties of the corporation shall include the  
262 following:

263 (d) Developing and certifying a uniform system of workload  
264 measures and applicable workload standards for court-related  
265 functions as developed by the corporation and clerk workload  
266 performance in meeting the workload performance standards. These  
267 workload measures and workload performance standards shall be  
268 designed to facilitate an objective determination of the  
269 performance of each clerk in accordance with minimum standards  
270 for fiscal management, operational efficiency, and effective  
271 collection of fines, fees, service charges, and court costs. The



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272 corporation shall develop the workload measures and workload  
273 performance standards in consultation with the Legislature. When  
274 the corporation finds a clerk has not met the workload  
275 performance standards, the corporation shall identify the nature  
276 of each deficiency and any corrective action recommended and  
277 taken by the affected clerk of the court. For quarterly periods  
278 ending on the last day of March, June, September, and December  
279 of each year, the corporation shall notify the Legislature of  
280 any clerk not meeting workload performance standards and provide  
281 a copy of any corrective action plans. Such notifications shall  
282 be submitted no later than 45 days after the end of the  
283 preceding quarterly period. As used in this subsection, the  
284 term:

285 1. "Workload measures" means the measurement of the  
286 activities and frequency of the work required for the clerk to  
287 adequately perform the court-related duties of the office as  
288 defined by the membership of the Florida Clerks of Court  
289 Operations Corporation.

290 2. "Workload performance standards" means the standards  
291 developed to measure the timeliness and effectiveness of the  
292 activities that are accomplished by the clerk in the performance  
293 of the court-related duties of the office as defined by the  
294 membership of the Florida Clerks of Court Operations  
295 Corporation.

296 Section 5. Present subsections (6) and (7) of section  
297 43.16, Florida Statutes, are redesignated as subsections (7) and  
298 (8), respectively, and a new subsection (6) is added to that  
299 section, to read:

300 43.16 Justice Administrative Commission; membership, powers



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301 and duties.-

302 (6) The commission, each state attorney, each public  
303 defender, the criminal conflict and civil regional counsel, the  
304 capital collateral regional counsel, and the Guardian Ad Litem  
305 Program shall establish and maintain internal controls designed  
306 to:

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

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

310 (c) Support economical and efficient operations.

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

312 (e) Safeguard assets.

313 Section 6. Section 112.3126, Florida Statutes, is created  
314 to read:

315 112.3126 Employment restrictions; legislators.-

316 (1) As used in this section, the term "private entity"  
317 means any nongovernmental entity, such as a corporation,  
318 partnership, company or nonprofit organization, any other legal  
319 entity, or any natural person.

320 (2) (a) A member of, or candidate for, the Legislature may  
321 not accept employment with a private entity that directly  
322 receives funding through state revenues appropriated by the  
323 General Appropriations Act if he or she knows, or with the  
324 exercise of reasonable care should know, that the position is  
325 being offered by the employer for the purpose of gaining  
326 influence or other advantage based on the legislator's office or  
327 candidacy. Any employment with a private entity that directly  
328 receives funding through state revenues appropriated by the  
329 General Appropriations Act accepted by a member or candidate



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330 must meet all of the following conditions:

331 1. The position was already in existence or was created by  
332 the employer without the knowledge or anticipation of the  
333 legislator's interest in such position;

334 2. The position was open to other applicants;

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

337 4. The legislator meets or exceeds the required  
338 qualifications for the position.

339 (b) A member of the Legislature who is employed by such  
340 private entity before his or her legislative service begins may  
341 continue his or her employment. However, he or she may not  
342 accept promotion, advancement, additional compensation, or  
343 anything of value that he or she knows, or with the exercise of  
344 reasonable care should know, is provided or given to influence  
345 or attempt to influence his or her legislative office, or that  
346 is otherwise inconsistent with the promotion, advancement,  
347 additional compensation, or anything of value provided or given  
348 an employee who is similarly situated.

349 Section 7. Subsection (7) of section 112.313, Florida  
350 Statutes, is amended to read:

351 112.313 Standards of conduct for public officers, employees  
352 of agencies, and local government attorneys.—

353 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

354 (a) A ~~No~~ public officer or employee of an agency may not  
355 ~~shall~~ have or hold any employment or contractual relationship  
356 with any business entity or any agency that ~~which~~ is subject to  
357 the regulation of, or is doing business with, an agency of which  
358 he or she is an officer or employee, excluding those



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359 organizations and their officers who, when acting in their  
360 official capacity, enter into or negotiate a collective  
361 bargaining contract with the state or any municipality, county,  
362 or other political subdivision of the state; and ~~nor shall~~ an  
363 officer or employee of an agency may not have or hold any  
364 employment or contractual relationship that will create a  
365 continuing or frequently recurring conflict between his or her  
366 private interests and the performance of his or her public  
367 duties or that would impede the full and faithful discharge of  
368 his or her public duties. For purposes of this subsection, if a  
369 public officer or employee of an agency holds a controlling  
370 interest in a business entity or is an officer, a director, or a  
371 member who manages such an entity, contractual relationships  
372 held by the business entity are deemed to be held by the public  
373 officer or employee.

374 1. When the agency referred to is a ~~that certain kind of~~  
375 special tax district created by general or special law and is  
376 limited specifically to constructing, maintaining, managing, and  
377 financing improvements in the land area over which the agency  
378 has jurisdiction, or when the agency has been organized pursuant  
379 to chapter 298, ~~then~~ employment with, or entering into a  
380 contractual relationship with, such a business entity by a  
381 public officer or employee of such an agency is ~~shall~~ not ~~be~~  
382 prohibited by this subsection or ~~be~~ deemed a conflict per se.  
383 However, conduct by such officer or employee that is prohibited  
384 by, or otherwise frustrates the intent of, this section must  
385 ~~shall~~ be deemed a conflict of interest in violation of the  
386 standards of conduct set forth by this section.

387 2. When the agency referred to is a legislative body and



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388 the regulatory power over the business entity resides in another  
389 agency, or when the regulatory power that ~~which~~ the legislative  
390 body exercises over the business entity or agency is strictly  
391 through the enactment of laws or ordinances, ~~then~~ employment or  
392 a contractual relationship with such a business entity by a  
393 public officer or employee of a legislative body is ~~shall~~ not ~~be~~  
394 prohibited by this subsection or ~~be~~ deemed a conflict.

395 (b) This subsection does ~~shall~~ not prohibit a public  
396 officer or employee from practicing in a particular profession  
397 or occupation when such practice by persons holding such public  
398 office or employment is required or permitted by law or  
399 ordinance.

400 Section 8. Subsections (1) and (2) of section 112.3144,  
401 Florida Statutes, are amended to read:

402 112.3144 Full and public disclosure of financial  
403 interests.—

404 (1) In addition to officers specified in s. 8, Art. II of  
405 the State Constitution or other state law, all elected municipal  
406 officers are required to file a full and public disclosure of  
407 their financial interests. An officer who is required ~~by s. 8,~~  
408 ~~Art. II of the State Constitution~~ to file a full and public  
409 disclosure of ~~his or her~~ financial interests for any calendar or  
410 fiscal year shall file that disclosure with the ~~Florida~~  
411 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~  
412 An officer who is required to complete annual ethics training  
413 pursuant to s. 112.3142 must certify on his or her full and  
414 public disclosure of financial interests that he or she has  
415 completed the required training.

416 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~



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417 ~~the State Constitution,~~ to file a full and public disclosure of  
418 financial interests and who has filed a full and public  
419 disclosure of financial interests for any calendar or fiscal  
420 year is ~~shall~~ not ~~be~~ required to file a statement of financial  
421 interests pursuant to s. 112.3145(2) and (3) for the same year  
422 or for any part thereof notwithstanding any requirement of this  
423 part. If an incumbent in an elective office has filed the full  
424 and public disclosure of financial interests to qualify for  
425 election to the same office or if a candidate for office holds  
426 another office subject to the annual filing requirement, the  
427 qualifying officer shall forward an electronic copy of the full  
428 and public disclosure of financial interests to the commission  
429 no later than July 1. The electronic copy of the full and public  
430 disclosure of financial interests satisfies the annual  
431 disclosure requirement of this section. A candidate who does not  
432 qualify until after the annual full and public disclosure of  
433 financial interests has been filed pursuant to this section  
434 shall file a copy of his or her disclosure with the officer  
435 before whom he or she qualifies.

436       Section 9. The amendment made to s. 112.3144, Florida  
437 Statutes, by this act applies to disclosures filed for the 2016  
438 calendar year and all subsequent calendar years.

439       Section 10. Subsection (1) of section 112.31455, Florida  
440 Statutes, is amended to read:

441       112.31455 Collection methods for unpaid automatic fines for  
442 failure to timely file disclosure of financial interests.—

443       (1) Before referring any unpaid fine accrued pursuant to s.  
444 112.3144(5) or s. 112.3145(7) to the Department of Financial  
445 Services, the commission shall attempt to determine whether the





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446 individual owing such a fine is a current public officer or  
447 current public employee. If so, the commission may notify the  
448 Chief Financial Officer or the governing body of the appropriate  
449 county, municipality, school district, or special district of  
450 the total amount of any fine owed to the commission by such  
451 individual.

452 (a) After receipt and verification of the notice from the  
453 commission, the Chief Financial Officer or the governing body of  
454 the county, municipality, school district, or special district  
455 shall begin withholding the lesser of 10 percent or the maximum  
456 amount allowed under federal law from any salary-related  
457 payment. The withheld payments shall be remitted to the  
458 commission until the fine is satisfied.

459 (b) The Chief Financial Officer or the governing body of  
460 the county, municipality, school district, or special district  
461 may retain an amount of each withheld payment, as provided in s.  
462 77.0305, to cover the administrative costs incurred under this  
463 section.

464 Section 11. Section 112.3261, Florida Statutes, is amended  
465 to read:

466 112.3261 Lobbying before governmental entities ~~water~~  
467 ~~management districts~~; registration and reporting.—

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

469 (a) "Governmental entity" or "entity" ~~"District"~~ means a  
470 water management district created in s. 373.069 and operating  
471 under the authority of chapter 373, a hospital district, a  
472 children's services district, an expressway authority as the  
473 term "authority" is defined in s. 348.0002, the term "port  
474 authority" as defined in s. 315.02, a county or municipality



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475 that has not adopted lobbyist registration and reporting  
476 requirements, or an independent special district with annual  
477 revenues of more than \$5 million which exercises ad valorem  
478 taxing authority.

479 (b) "Lobbies" means seeking, on behalf of another person,  
480 to influence a governmental entity ~~district~~ with respect to a  
481 decision of the entity ~~district~~ in an area of policy or  
482 procurement or an attempt to obtain the goodwill of an a  
483 ~~district~~ official or employee of a governmental entity. The term  
484 "~~lobbies~~" shall be interpreted and applied consistently with the  
485 rules of the commission implementing s. 112.3215.

486 (c) "Lobbyist" has the same meaning as provided in s.  
487 112.3215.

488 (d) "Principal" has the same meaning as provided in s.  
489 112.3215.

490 (2) A person may not lobby a governmental entity ~~district~~  
491 until such person has registered as a lobbyist with that entity  
492 ~~district~~. Such registration shall be due upon initially being  
493 retained to lobby and is renewable on a calendar-year basis  
494 thereafter. Upon registration, the person shall provide a  
495 statement signed by the principal or principal's representative  
496 stating that the registrant is authorized to represent the  
497 principal. The principal shall also identify and designate its  
498 main business on the statement authorizing that lobbyist  
499 pursuant to a classification system approved by the governmental  
500 entity ~~district~~. Any changes to the information required by this  
501 section must be disclosed within 15 days by filing a new  
502 registration form. The registration form must ~~shall~~ require each  
503 lobbyist to disclose, under oath, the following:



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

505 (b) The name and business address of each principal  
506 represented.

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

511 (d) A governmental entity shall create a lobbyist  
512 registration form modeled after the ~~In lieu of creating its own~~  
513 ~~lobbyist registration forms, a district may accept a completed~~  
514 legislative branch or executive branch lobbyist registration  
515 form, which must be returned to the governmental entity.

516 (3) A governmental entity ~~district~~ shall make lobbyist  
517 registrations available to the public. If a governmental entity  
518 ~~district~~ maintains a website, a database of currently registered  
519 lobbyists and principals must be available on the entity's  
520 ~~district's~~ website.

521 (4) A lobbyist shall promptly send a written statement to  
522 the governmental entity ~~district~~ canceling the registration for  
523 a principal upon termination of the lobbyist's representation of  
524 that principal. A governmental entity ~~district~~ may remove the  
525 name of a lobbyist from the list of registered lobbyists if the  
526 principal notifies the entity ~~district~~ that a person is no  
527 longer authorized to represent that principal.

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

532 (6) A governmental entity ~~district~~ shall be diligent to



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533 ascertain whether persons required to register pursuant to this  
534 section have complied. A governmental entity ~~district~~ may not  
535 knowingly authorize a person who is not registered pursuant to  
536 this section to lobby the entity ~~district~~.

537 (7) Upon receipt of a sworn complaint alleging that a  
538 lobbyist or principal has failed to register with a governmental  
539 entity ~~district~~ or has knowingly submitted false information in  
540 a report or registration required under this section, the  
541 commission shall investigate a lobbyist or principal pursuant to  
542 the procedures established under s. 112.324. The commission  
543 shall provide the Governor with a report of its findings and  
544 recommendations in any investigation conducted pursuant to this  
545 subsection. The Governor is authorized to enforce the  
546 commission's findings and recommendations.

547 (8) A governmental entity ~~Water management districts~~ may  
548 adopt rules to establish procedures to govern the registration  
549 of lobbyists, including the adoption of forms and the  
550 establishment of a lobbyist registration fee.

551 Section 12. Paragraph (c) of subsection (3) of section  
552 129.03, Florida Statutes, is amended to read:

553 129.03 Preparation and adoption of budget.—

554 (3) The county budget officer, after tentatively  
555 ascertaining the proposed fiscal policies of the board for the  
556 next fiscal year, shall prepare and present to the board a  
557 tentative budget for the next fiscal year for each of the funds  
558 provided in this chapter, including all estimated receipts,  
559 taxes to be levied, and balances expected to be brought forward  
560 and all estimated expenditures, reserves, and balances to be  
561 carried over at the end of the year.



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562 (c) The board shall hold public hearings to adopt tentative  
563 and final budgets pursuant to s. 200.065. The hearings shall be  
564 primarily for the purpose of hearing requests and complaints  
565 from the public regarding the budgets and the proposed tax  
566 levies and for explaining the budget and any proposed or adopted  
567 amendments. The tentative budget must be posted on the county's  
568 official website at least 2 days before the public hearing to  
569 consider such budget and must remain on the website for at least  
570 45 days. The final budget must be posted on the website within  
571 30 days after adoption and must remain on the website for at  
572 least 2 years. The tentative budgets, adopted tentative budgets,  
573 and final budgets shall be filed in the office of the county  
574 auditor as a public record. Sufficient reference in words and  
575 figures to identify the particular transactions must ~~shall~~ be  
576 made in the minutes of the board to record its actions with  
577 reference to the budgets.

578 Section 13. Paragraph (f) of subsection (2) of section  
579 129.06, Florida Statutes, is amended to read:

580 129.06 Execution and amendment of budget.-

581 (2) The board at any time within a fiscal year may amend a  
582 budget for that year, and may within the first 60 days of a  
583 fiscal year amend the budget for the prior fiscal year, as  
584 follows:

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

590 1. The public hearing must be advertised at least 2 days,



591 but not more than 5 days, before the date of the hearing. The  
592 advertisement must appear in a newspaper of paid general  
593 circulation and must identify the name of the taxing authority,  
594 the date, place, and time of the hearing, and the purpose of the  
595 hearing. The advertisement must also identify each budgetary  
596 fund to be amended, the source of the funds, the use of the  
597 funds, and the total amount of each fund's appropriations.

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

602 Section 14. Subsections (3) and (5) of section 166.241,  
603 Florida Statutes, are amended to read:

604 166.241 Fiscal years, budgets, and budget amendments.—

605 (3) The tentative budget must be posted on the  
606 municipality's official website at least 2 days before the  
607 budget hearing, held pursuant to s. 200.065 or other law, to  
608 consider such budget, and must remain on the website for at  
609 least 45 days. The final adopted budget must be posted on the  
610 municipality's official website within 30 days after adoption  
611 and must remain on the website for at least 2 years. If the  
612 municipality does not operate an official website, the  
613 municipality must, within a reasonable period of time as  
614 established by the county or counties in which the municipality  
615 is located, transmit the tentative budget and final budget to  
616 the manager or administrator of such county or counties who  
617 shall post the budgets on the county's website.

618 (5) If the governing body of a municipality amends the  
619 budget pursuant to paragraph (4) (c), the adopted amendment must



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620 be posted on the official website of the municipality within 5  
621 days after adoption and must remain on the website for at least  
622 2 years. If the municipality does not operate an official  
623 website, the municipality must, within a reasonable period of  
624 time as established by the county or counties in which the  
625 municipality is located, transmit the adopted amendment to the  
626 manager or administrator of such county or counties who shall  
627 post the adopted amendment on the county's website.

628 Section 15. Subsections (4) and (7) of section 189.016,  
629 Florida Statutes, are amended to read:

630 189.016 Reports; budgets; audits.—

631 (4) The tentative budget must be posted on the special  
632 district's official website at least 2 days before the budget  
633 hearing, held pursuant to s. 200.065 or other law, to consider  
634 such budget, and must remain on the website for at least 45  
635 days. The final adopted budget must be posted on the special  
636 district's official website within 30 days after adoption and  
637 must remain on the website for at least 2 years. If the special  
638 district does not operate an official website, the special  
639 district must, within a reasonable period of time as established  
640 by the local general-purpose government or governments in which  
641 the special district is located or the local governing authority  
642 to which the district is dependent, transmit the tentative  
643 budget or final budget to the manager or administrator of the  
644 local general-purpose government or the local governing  
645 authority. The manager or administrator shall post the tentative  
646 budget or final budget on the website of the local general-  
647 purpose government or governing authority. This subsection and  
648 subsection (3) do not apply to water management districts as



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649 defined in s. 373.019.

650 (7) If the governing body of a special district amends the  
651 budget pursuant to paragraph (6) (c), the adopted amendment must  
652 be posted on the official website of the special district within  
653 5 days after adoption and must remain on the website for at  
654 least 2 years. If the special district does not operate an  
655 official website, the special district must, within a reasonable  
656 period of time as established by the local general-purpose  
657 government or governments in which the special district is  
658 located or the local governing authority to which the district  
659 is dependent, transmit the adopted amendment to the manager or  
660 administrator of the local general-purpose government or  
661 governing authority. The manager or administrator shall post the  
662 adopted amendment on the website of the local general-purpose  
663 government or governing authority.

664 Section 16. Present subsections (1) through (5) of section  
665 215.425, Florida Statutes, are renumbered as subsections (2)  
666 through (6), respectively, present subsection (2) and paragraph  
667 (a) of present subsection (4) of that section are amended, and a  
668 new subsection (1) and subsections (7) through (13) are added to  
669 that section, to read:

670 215.425 Extra compensation claims prohibited; bonuses;  
671 severance pay.—

672 (1) As used in this section, the term "public funds" means  
673 any taxes, tuition, grants, fines, fees, or other charges or any  
674 other type of revenue collected by the state or any county,  
675 municipality, special district, school district, Florida College  
676 System institution, state university, or other separate unit of  
677 government created pursuant to law, including any office,





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678 department, agency, division, subdivision, political  
679 subdivision, board, bureau, or commission of such entities.

680 (3)~~(2)~~ Notwithstanding subsection (2), if the payment and  
681 receipt does not otherwise violate part III of chapter 112, the  
682 following funds may be used to provide extra compensation or  
683 severance pay in excess of the amount specified in subparagraph  
684 (5) (a) 1.:

685 (a) Revenues received by state universities through or from  
686 faculty practice plans; health services support organizations;  
687 hospitals with which state universities are affiliated; direct-  
688 support organizations; or federal, auxiliary, or private  
689 sources, except for tuition.

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

694 (c) Revenues that are received by a hospital licensed under  
695 chapter 395 which has entered into a Medicaid provider contract  
696 and that:

697 1. Are not derived from the levy of an ad valorem tax;

698 2. Are not derived from patient services paid through the  
699 Medicaid or Medicare program;

700 3. Are derived from patient services pursuant to contracts  
701 with private insurers or private managed care entities; or

702 4. Are not appropriated by the Legislature or by any  
703 county, municipality, special district, school district, Florida  
704 College System institution, state university, or other separate  
705 unit of government created pursuant to law, including any  
706 office, department, agency, division, subdivision, political



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707 subdivision, board, bureau, commission, authority, or  
708 institution of such entities, except for revenues otherwise  
709 authorized to be used pursuant to subparagraphs 2. and 3. This  
710 section does not apply to:

711 ~~(a) a bonus or severance pay that is paid wholly from~~  
712 ~~non-tax revenues and nonstate-appropriated funds, the payment and~~  
713 ~~receipt of which does not otherwise violate part III of chapter~~  
714 ~~112, and which is paid to an officer, agent, employee, or~~  
715 ~~contractor of a public hospital that is operated by a county or~~  
716 ~~a special district; or~~

717 ~~(d)(b)~~ A clothing and maintenance allowance given to  
718 plainclothes deputies pursuant to s. 30.49.

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

722 ~~(5)(a)(4)(a)~~ ~~On or after July 1, 2011,~~ A unit of  
723 government, on or after July 1, 2011, or a state university, on  
724 or after July 1, 2012, that is a party to enters into a contract  
725 or employment agreement, or renewal or renegotiation of an  
726 existing contract or employment agreement, that contains a  
727 provision for severance pay with an officer, agent, employee, or  
728 contractor must include the following provisions in the  
729 contract:

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

733 2. A prohibition of provision of severance pay paid from  
734 public funds when the officer, agent, employee, or contractor  
735 has been fired for misconduct, as defined in s. 443.036(29), by



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736 the unit of government.

737 (7) Upon discovery or notification that a unit of  
738 government has provided prohibited compensation to any officer,  
739 agent, employee, or contractor in violation of this section,  
740 such unit of government shall investigate and take all necessary  
741 action to recover the prohibited compensation.

742 (a) If the violation was unintentional, the unit of  
743 government shall recover the prohibited compensation from the  
744 individual receiving the prohibited compensation through normal  
745 recovery methods for overpayments.

746 (b) If the violation was willful, the unit of government  
747 shall recover the prohibited compensation from either the  
748 individual receiving the prohibited compensation or the  
749 individual or individuals responsible for approving the  
750 prohibited compensation. Each individual determined to have  
751 willfully violated this section is jointly and severally liable  
752 for repayment of the prohibited compensation.

753 (8) A person who willfully violates this section commits a  
754 misdemeanor of the first degree, punishable as provided in s.  
755 775.082 or s. 775.083.

756 (9) An officer who exercises the powers and duties of a  
757 state or county officer and willfully violates this section is  
758 subject to the Governor's power under s. 7(a), Art. IV of the  
759 State Constitution. An officer who exercises powers and duties  
760 other than those of a state or county officer and willfully  
761 violates this section is subject to the suspension and removal  
762 procedures under s. 112.51.

763 (10) (a) A person who reports a violation of this section is  
764 eligible for a reward of at least \$500, or the lesser of 10



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765 percent of the funds recovered or \$10,000 per incident of a  
766 prohibited compensation payment recovered by the unit of  
767 government, depending upon the extent to which the person  
768 substantially contributed to the discovery, notification, and  
769 recovery of such prohibited payment.

770 (b) In the event that the recovery of the prohibited  
771 compensation is based primarily on disclosures of specific  
772 information, other than information provided by such person,  
773 relating to allegations or transactions in a criminal, civil, or  
774 administrative hearing; in a legislative, administrative,  
775 inspector general, or other government report; in an auditor  
776 general report, hearing, audit, or investigation; or from the  
777 news media, such person is not eligible for a reward, or for an  
778 award of a portion of the proceeds or payment of attorney fees  
779 and costs pursuant to s. 68.085.

780 (c) If it is determined that the person who reported a  
781 violation of this section was involved in the authorization,  
782 approval, or receipt of the prohibited compensation or is  
783 convicted of criminal conduct arising from his or her role in  
784 the authorization, approval, or receipt of the prohibited  
785 compensation, such person is not eligible for a reward, or for  
786 an award of a portion of the proceeds or payment of attorney  
787 fees and costs pursuant to s. 68.085.

788 (11) An employee who is discharged, demoted, suspended,  
789 threatened, harassed, or in any manner discriminated against in  
790 the terms and conditions of employment by his or her employer  
791 because of lawful acts done by the employee on behalf of the  
792 employee or others in furtherance of an action under this  
793 section, including investigation for initiation of, testimony



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794 for, or assistance in an action filed or to be filed under this  
795 section, has a cause of action under s. 112.3187.

796 (12) If the unit of government fails to recover prohibited  
797 compensation for a willful violation of this section upon  
798 discovery and notification of such prohibited payment within 90  
799 days, a cause of action may be brought to:

800 (a) Recover state funds in accordance with ss. 68.082 and  
801 68.083.

802 (b) Recover other funds by the Department of Legal Affairs  
803 using the procedures set forth in ss. 68.082 and 68.083, except  
804 that venue shall lie in the circuit court of the county in which  
805 the unit of government is located.

806 (c) Recover other funds by a person using the procedures  
807 set forth in ss. 68.082 and 68.083, except that venue shall lie  
808 in the circuit court of the county in which the unit of  
809 government is located.

810 (13) Subsections (7)-(12) apply prospectively to contracts  
811 or employment agreements, or the renewal or renegotiation of an  
812 existing contract or employment agreement, effective on or after  
813 October 1, 2016.

814 Section 17. Section 215.86, Florida Statutes, is amended to  
815 read:

816 215.86 Management systems and controls.—Each state agency  
817 and the judicial branch as defined in s. 216.011 shall establish  
818 and maintain management systems and internal controls designed  
819 to:

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

821 (2) Promote and encourage compliance with applicable laws,  
822 rules, contracts, grant agreements, and best practices.†



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823           (3) Support economical and ~~economic~~, efficient, and  
824 effective operations.

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

826           (5) Safeguard and safeguarding of assets. Accounting  
827 systems and procedures shall be designed to fulfill the  
828 requirements of generally accepted accounting principles.

829           Section 18. Paragraph (a) of subsection (2) of section  
830 215.97, Florida Statutes, is amended to read:

831           215.97 Florida Single Audit Act.—

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

833           (a) "Audit threshold" means the threshold amount used to  
834 determine when a state single audit or project-specific audit of  
835 a nonstate entity shall be conducted in accordance with this  
836 section. Each nonstate entity that expends a total amount of  
837 state financial assistance equal to or in excess of \$750,000  
838 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be  
839 required to have a state single audit, or a project-specific  
840 audit, for such fiscal year in accordance with the requirements  
841 of this section. ~~Every 2 years the Auditor General,~~ After  
842 consulting with the Executive Office of the Governor, the  
843 Department of Financial Services, and all state awarding  
844 agencies, the Auditor General shall periodically review the  
845 threshold amount for requiring audits under this section and may  
846 recommend any appropriate statutory change to revise the  
847 threshold amount in the annual report submitted pursuant to s.  
848 11.45(7)(h) to the Legislature ~~may adjust such threshold amount~~  
849 ~~consistent with the purposes of this section.~~

850           Section 19. Subsection (11) of section 215.985, Florida  
851 Statutes, is amended to read:



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852 215.985 Transparency in government spending.—

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

858 Section 20. Paragraph (d) of subsection (1) and subsection  
859 (2) of section 218.32, Florida Statutes, are amended to read:

860 218.32 Annual financial reports; local governmental  
861 entities.—

862 (1)

863 (d) Each local governmental entity that is required to  
864 provide for an audit under s. 218.39(1) must submit a copy of  
865 the audit report and annual financial report to the department  
866 within 45 days after the completion of the audit report but no  
867 later than 9 months after the end of the fiscal year. In  
868 conducting an audit of a local governmental entity pursuant to  
869 s. 218.39, an independent certified public accountant shall  
870 determine whether the entity's annual financial report is in  
871 agreement with the audited financial statements. The  
872 accountant's audit report must be supported by the same level of  
873 detail as required for the annual financial report. If the  
874 accountant's audit report is not in agreement with the annual  
875 financial report, the accountant shall specify and explain the  
876 significant differences that exist between the annual financial  
877 report and the audit report.

878 (2) The department shall annually by December 1 file a  
879 verified report with the Governor, the Legislature, the Auditor  
880 General, and the Special District Accountability Program of the



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881 Department of Economic Opportunity showing the revenues, both  
882 locally derived and derived from intergovernmental transfers,  
883 and the expenditures of each local governmental entity, regional  
884 planning council, local government finance commission, and  
885 municipal power corporation that is required to submit an annual  
886 financial report. In preparing the verified report, the  
887 department may request additional information from the local  
888 governmental entity. The information requested must be provided  
889 to the department within 45 days after the request. If the local  
890 governmental entity does not comply with the request, the  
891 department shall notify the Legislative Auditing Committee,  
892 which may take action pursuant to s. 11.40(2). The report must  
893 include, but is not limited to:

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

897 (b) The amount of outstanding long-term debt by each local  
898 governmental entity. For purposes of this paragraph, the term  
899 "long-term debt" means any agreement or series of agreements to  
900 pay money, which, at inception, contemplate terms of payment  
901 exceeding 1 year in duration.

902 Section 21. Present subsection (3) of section 218.33,  
903 Florida Statutes, is redesignated as subsection (4), and a new  
904 subsection (3) is added to that section, to read:

905 218.33 Local governmental entities; establishment of  
906 uniform fiscal years and accounting practices and procedures.—

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

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





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

912           (c) Support economical and efficient operations.

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

914           (e) Safeguard assets.

915           Section 22. Present subsections (8) through (12) of section  
916 218.39, Florida Statutes, are redesignated as subsections (9)  
917 through (13), respectively, and a new subsection (8) is added to  
918 that section, to read:

919           218.39 Annual financial audit reports.-

920           (8) If the audit report includes a recommendation that was  
921 included in the preceding financial audit report but remains  
922 unaddressed, the governing body of the audited entity, within 60  
923 days after the delivery of the audit report to the governing  
924 body, shall indicate during a regularly scheduled public meeting  
925 whether it intends to take corrective action, the intended  
926 corrective action, and the timeframe for the corrective action.  
927 If the governing body indicates that it does not intend to take  
928 corrective action, it shall explain its decision at the public  
929 meeting.

930           Section 23. Subsection (2) of section 218.391, Florida  
931 Statutes, is amended, and subsection (9) is added to that  
932 section, to read:

933           218.391 Auditor selection procedures.-

934           (2) The governing body of a ~~charter~~ county, municipality,  
935 special district, district school board, charter school, or  
936 charter technical career center shall establish an audit  
937 committee.

938           (a) The audit committee for a county ~~Each noncharter county~~



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939 ~~shall establish an audit committee that~~, at a minimum, shall  
940 consist of each of the county officers elected pursuant to the  
941 county charter or s. 1(d), Art. VIII of the State Constitution,  
942 or their respective designees ~~a designee~~, and one member of the  
943 board of county commissioners or its designee.

944 (b) The audit committee for a municipality, special  
945 district, district school board, charter school, or charter  
946 technical career center shall consist of at least three members.  
947 One member of the audit committee must be a member of the  
948 governing body of an entity specified in this paragraph, who  
949 shall also serve as the chair of the committee.

950 (c) An employee, chief executive officer, or chief  
951 financial officer of the county, municipality, special district,  
952 district school board, charter school, or charter technical  
953 career center may not serve as a member of an audit committee  
954 established under this subsection.

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

961 (9) An audit report submitted pursuant to s. 218.39 must  
962 include an affidavit executed by the chair of the audit  
963 committee affirming that the committee complied with the  
964 requirements of subsections (3)-(6) in selecting an auditor. If  
965 the Auditor General determines that an entity failed to comply  
966 with the requirements of subsections (3)-(6) in selecting an  
967 auditor, the entity shall select a replacement auditor in



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968 accordance with this section to conduct audits for subsequent  
969 fiscal years if the original audit was performed under a  
970 multiyear contract. If the replacement of an auditor would  
971 preclude the entity from timely completing the annual financial  
972 audit required by s. 218.39, the entity shall replace an auditor  
973 in accordance with this section for the subsequent annual  
974 financial audit. A multiyear contract between an entity or an  
975 auditor may not prohibit or restrict an entity from complying  
976 with this subsection.

977 Section 24. Subsection (2) of section 286.0114, Florida  
978 Statutes, is amended to read:

979 286.0114 Public meetings; reasonable opportunity to be  
980 heard; attorney fees.-

981 (2) Members of the public shall be given a reasonable  
982 opportunity to be heard on a proposition before a board or  
983 commission. The opportunity to be heard need not occur at the  
984 same meeting at which the board or commission takes official  
985 action on the proposition if the opportunity occurs at a meeting  
986 that is during the decisionmaking process and is within  
987 reasonable proximity in time before the meeting at which the  
988 board or commission takes the official action. A board or  
989 commission may not require a member of the public to provide an  
990 advance written copy of his or her testimony or comments as a  
991 precondition of being given the opportunity to be heard at a  
992 meeting. This section does not prohibit a board or commission  
993 from maintaining orderly conduct or proper decorum in a public  
994 meeting. The opportunity to be heard is subject to rules or  
995 policies adopted by the board or commission, as provided in  
996 subsection (4).



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997 Section 25. Paragraph (b) of subsection (2) of section  
998 288.92, Florida Statutes, is amended to read:

999 288.92 Divisions of Enterprise Florida, Inc.—

1000 (2)

1001 (b)1. The following officers and board members are subject  
1002 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
1003 112.3143(2):

1004 a. Officers and members of the board of directors of the  
1005 divisions of Enterprise Florida, Inc.

1006 b. Officers and members of the board of directors of  
1007 subsidiaries of Enterprise Florida, Inc.

1008 c. Officers and members of the board of directors of  
1009 corporations created to carry out the missions of Enterprise  
1010 Florida, Inc.

1011 d. Officers and members of the board of directors of  
1012 corporations with which a division is required by law to  
1013 contract to carry out its missions.

1014 2. For a period of 2 years after retirement from or  
1015 termination of service to a division, or for a period of 10  
1016 years if removed or terminated for cause or for misconduct, as  
1017 defined in s. 443.036(29), the officers and board members  
1018 specified in subparagraph 1. may not represent another person or  
1019 entity for compensation before:

1020 a. Enterprise Florida, Inc.;

1021 b. A division, a subsidiary, or the board of directors of  
1022 corporations created to carry out the missions of Enterprise  
1023 Florida, Inc.; or

1024 c. A division with which Enterprise Florida, Inc., is  
1025 required by law to contract to carry out its missions.



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1026           ~~3.2.~~ For purposes of applying ss. 112.313(1)-(8), (10),  
1027 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
1028 officers and members of the board of directors specified in  
1029 subparagraph 1., those persons shall be considered public  
1030 officers or employees and the corporation shall be considered  
1031 their agency.

1032           ~~4.3.~~ It is not a violation of s. 112.3143(2) or (4) for the  
1033 officers or members of the board of directors of the Florida  
1034 Tourism Industry Marketing Corporation to:

1035           a. Vote on the 4-year marketing plan required under s.  
1036 288.923 or vote on any individual component of or amendment to  
1037 the plan.

1038           b. Participate in the establishment or calculation of  
1039 payments related to the private match requirements of s.  
1040 288.904(3). The officer or member must file an annual disclosure  
1041 describing the nature of his or her interests or the interests  
1042 of his or her principals, including corporate parents and  
1043 subsidiaries of his or her principal, in the private match  
1044 requirements. This annual disclosure requirement satisfies the  
1045 disclosure requirement of s. 112.3143(4). This disclosure must  
1046 be placed ~~either~~ on the Florida Tourism Industry Marketing  
1047 Corporation's website or included in the minutes of each meeting  
1048 of the Florida Tourism Industry Marketing Corporation's board of  
1049 directors at which the private match requirements are discussed  
1050 or voted upon.

1051           Section 26. Paragraph (a) of subsection (3) of section  
1052 288.9604, Florida Statutes, is amended to read:

1053           288.9604 Creation of the authority.—

1054           (3)(a)1. A director may not receive compensation for his or



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1055 her services, but is entitled to necessary expenses, including  
1056 travel expenses, incurred in the discharge of his or her duties.  
1057 Each director shall hold office until his or her successor has  
1058 been appointed.

1059 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),  
1060 and (15); 112.3135; and 112.3143(2). For purposes of applying  
1061 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
1062 112.3143(2) to activities of directors, directors shall be  
1063 considered public officers and the corporation shall be  
1064 considered their agency.

1065 3. A director of the corporation may not represent another  
1066 person or entity for compensation before the corporation for a  
1067 period of 2 years following his or her service on the board of  
1068 directors.

1069 Section 27. Paragraph (e) of subsection (4), paragraph (d)  
1070 of subsection (5), and paragraph (d) of subsection (6) of  
1071 section 373.536, Florida Statutes, are amended to read:

1072 373.536 District budget and hearing thereon.—

1073 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1074 (e) ~~By September 1, 2012,~~ Each district shall provide a  
1075 monthly financial statement in the form and manner prescribed by  
1076 the Department of Financial Services to the district's governing  
1077 board and make such monthly financial statement available for  
1078 public access on its website.

1079 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
1080 APPROVAL.—

1081 (d) Each district shall, by August 1 of each year, submit  
1082 for review a tentative budget and a description of any  
1083 significant changes from the preliminary budget submitted to the



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1084 Legislature pursuant to s. 373.535 to the Governor, the  
1085 President of the Senate, the Speaker of the House of  
1086 Representatives, the chairs of all legislative committees and  
1087 subcommittees having substantive or fiscal jurisdiction over  
1088 water management districts, as determined by the President of  
1089 the Senate or the Speaker of the House of Representatives, as  
1090 applicable, the secretary of the department, and the governing  
1091 body of each county in which the district has jurisdiction or  
1092 derives any funds for the operations of the district. The  
1093 tentative budget must be posted on the district's official  
1094 website at least 2 days before budget hearings held pursuant to  
1095 s. 200.065 or other law and must remain on the website for at  
1096 least 45 days.

1097 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
1098 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1099 (d) The final adopted budget must be posted on the water  
1100 management district's official website within 30 days after  
1101 adoption and must remain on the website for at least 2 years.

1102 Section 28. Subsection (7) of section 838.014, Florida  
1103 Statutes, is renumbered as subsection (8), present subsections  
1104 (4) and (6) are amended, and a new subsection (6) is added to  
1105 that section, to read:

1106 838.014 Definitions.—As used in this chapter, the term:

1107 (4) "Governmental entity" means an agency or entity of the  
1108 state, a county, municipality, or special district or any other  
1109 public entity created or authorized by law ~~"Corruptly" or "with~~  
1110 ~~corrupt intent" means acting knowingly and dishonestly for a~~  
1111 ~~wrongful purpose.~~

1112 (6) "Public contractor" means, for purposes of ss. 838.022



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1113 and 838.22 only:

1114 (a) Any person, as defined in s. 1.01(3), who has entered  
1115 into a contract with a governmental entity; or

1116 (b) Any officer or employee of a person, as defined in s.  
1117 1.01(3), who has entered into a contract with a governmental  
1118 entity.

1119 (7)-(6) "Public servant" means:

1120 (a) Any officer or employee of a governmental state,  
1121 county, municipal, or special district agency or entity,;  
1122 including

1123 (b) any executive, legislative, or judicial branch officer  
1124 or employee;

1125 (b)-(e) Any person, except a witness, who acts as a general  
1126 or special magistrate, receiver, auditor, arbitrator, umpire,  
1127 referee, consultant, or hearing officer while performing a  
1128 governmental function; or

1129 (c)-(d) A candidate for election or appointment to any of  
1130 the officer positions listed in this subsection, or an  
1131 individual who has been elected to, but has yet to officially  
1132 assume the responsibilities of, public office.

1133 Section 29. Subsection (1) of section 838.015, Florida  
1134 Statutes, is amended to read:

1135 838.015 Bribery.-

1136 (1) "Bribery" means ~~corruptly~~ to knowingly and  
1137 intentionally give, offer, or promise to any public servant, or,  
1138 if a public servant, ~~corruptly~~ to knowingly and intentionally  
1139 request, solicit, accept, or agree to accept for himself or  
1140 herself or another, any pecuniary or other benefit not  
1141 authorized by law with an intent or purpose to influence the





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1142 performance of any act or omission which the person believes to  
1143 be, or the public servant represents as being, within the  
1144 official discretion of a public servant, in violation of a  
1145 public duty, or in performance of a public duty.

1146 Section 30. Subsections (1) and (2) of section 838.016,  
1147 Florida Statutes, are amended to read:

1148 838.016 Unlawful compensation or reward for official  
1149 behavior.—

1150 (1) It is unlawful for any person ~~corruptly~~ to knowingly  
1151 and intentionally give, offer, or promise to any public servant,  
1152 or, if a public servant, ~~corruptly~~ to knowingly and  
1153 intentionally request, solicit, accept, or agree to accept, any  
1154 pecuniary or other benefit not authorized by law, for the past,  
1155 present, or future performance, nonperformance, or violation of  
1156 any act or omission which the person believes to have been, or  
1157 the public servant represents as having been, either within the  
1158 official discretion of the public servant, in violation of a  
1159 public duty, or in performance of a public duty. This section  
1160 does not ~~Nothing herein shall be construed to~~ preclude a public  
1161 servant from accepting rewards for services performed in  
1162 apprehending any criminal.

1163 (2) It is unlawful for any person ~~corruptly~~ to knowingly  
1164 and intentionally give, offer, or promise to any public servant,  
1165 or, if a public servant, ~~corruptly~~ to knowingly and  
1166 intentionally request, solicit, accept, or agree to accept, any  
1167 pecuniary or other benefit not authorized by law for the past,  
1168 present, or future exertion of any influence upon or with any  
1169 other public servant regarding any act or omission which the  
1170 person believes to have been, or which is represented to him or



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1171 her as having been, either within the official discretion of the  
1172 other public servant, in violation of a public duty, or in  
1173 performance of a public duty.

1174 Section 31. Subsection (1) of section 838.022, Florida  
1175 Statutes, is amended, and subsection (2) of that section is  
1176 republished, to read:

1177 838.022 Official misconduct.—

1178 (1) It is unlawful for a public servant or public  
1179 contractor, with corrupt intent to knowingly and intentionally  
1180 obtain a benefit for any person or to cause unlawful harm to  
1181 another, by ~~to~~:

1182 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to  
1183 falsify, any official record or official document;

1184 (b) Concealing, covering up, destroying, mutilating, or  
1185 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any  
1186 official record or official document, except as authorized by  
1187 law or contract, or causing ~~cause~~ another person to perform such  
1188 an act; or

1189 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~  
1190 ~~or prevent~~ the communication of information relating to the  
1191 commission of a felony that directly involves or affects the  
1192 government ~~public agency or public~~ entity served by the public  
1193 servant or public contractor.

1194 (2) For the purposes of this section:

1195 (a) The term "public servant" does not include a candidate  
1196 who does not otherwise qualify as a public servant.

1197 (b) An official record or official document includes only  
1198 public records.

1199 Section 32. Section 838.22, Florida Statutes, is amended to



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1200 read:

1201 838.22 Bid tampering.—

1202 (1) It is unlawful for a public servant or a public  
1203 contractor who has contracted with a governmental entity to  
1204 assist in a competitive procurement, with corrupt intent to  
1205 knowingly and intentionally influence or attempt to influence  
1206 the competitive solicitation bidding process undertaken by any  
1207 governmental state, county, municipal, or special district  
1208 agency, or any other public entity, for the procurement of  
1209 commodities or services, by ~~to~~:

1210 (a) Disclosing, except as authorized by law, Disclose  
1211 material information concerning a vendor's response, any  
1212 evaluation results, bid or other aspects of the competitive  
1213 solicitation bidding process when such information is not  
1214 publicly disclosed.

1215 (b) Altering or amending ~~Alter or amend~~ a submitted  
1216 response bid, documents or other materials supporting a  
1217 submitted response bid, or any evaluation bid results relating  
1218 to the competitive solicitation for the purpose of intentionally  
1219 providing a competitive advantage to any person who submits a  
1220 response bid.

1221 (2) It is unlawful for a public servant or a public  
1222 contractor who has contracted with a governmental entity to  
1223 assist in a competitive procurement, with corrupt intent to  
1224 knowingly and intentionally obtain a benefit for any person or  
1225 to cause unlawful harm to another by circumventing, to  
1226 circumvent a competitive solicitation bidding process required  
1227 by law or rule through the use of ~~by using~~ a sole-source  
1228 contract for commodities or services.



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1229           (3) It is unlawful for any person to knowingly agree,  
1230           conspire, combine, or confederate, directly or indirectly, with  
1231           a public servant or a public contractor who has contracted with  
1232           a governmental entity to assist in a competitive procurement to  
1233           violate subsection (1) or subsection (2).

1234           (4) It is unlawful for any person to knowingly enter into a  
1235           contract for commodities or services which was secured by a  
1236           public servant or a public contractor who has contracted with a  
1237           governmental entity to assist in a competitive procurement  
1238           acting in violation of subsection (1) or subsection (2).

1239           (5) Any person who violates this section commits a felony  
1240           of the second degree, punishable as provided in s. 775.082, s.  
1241           775.083, or s. 775.084.

1242           Section 33. Paragraph (1) of subsection (12) of section  
1243           1001.42, Florida Statutes, is amended, a new subsection (27) is  
1244           added to that section, and present subsection (27) of that  
1245           section is renumbered as subsection (28), to read:

1246           1001.42 Powers and duties of district school board.—The  
1247           district school board, acting as a board, shall exercise all  
1248           powers and perform all duties listed below:

1249           (12) FINANCE.—Take steps to assure students adequate  
1250           educational facilities through the financial procedure  
1251           authorized in chapters 1010 and 1011 and as prescribed below:

1252           (1) *Internal auditor*.—May employ an internal auditor to  
1253           perform ongoing financial verification of the financial records  
1254           of the school district and such other audits and reviews as the  
1255           district school board directs for the purpose of determining:

1256           1. The adequacy of internal controls designed to prevent  
1257           and detect fraud, waste, and abuse.



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1258           2. Compliance with applicable laws, rules, contracts, grant  
1259 agreements, district school board-approved policies, and best  
1260 practices.

1261           3. The efficiency of operations.

1262           4. The reliability of financial records and reports.

1263           5. The safeguarding of assets.

1264

1265 The internal auditor shall report directly to the district  
1266 school board or its designee.

1267           (27) VISITATION OF SCHOOLS.—Visit the schools, observe the  
1268 management and instruction, give suggestions for improvement,  
1269 and advise citizens with the view of promoting interest in  
1270 education and improving the school.

1271           Section 34. Paragraph (j) of subsection (9) of section  
1272 1002.33, Florida Statutes, is amended to read:

1273           1002.33 Charter schools.—

1274           (9) CHARTER SCHOOL REQUIREMENTS.—

1275           (j) The governing body of the charter school shall be  
1276 responsible for:

1277           1. Establishing and maintaining internal controls designed  
1278 to:

1279           a. Prevent and detect fraud, waste, and abuse.

1280           b. Promote and encourage compliance with applicable laws,  
1281 rules, contracts, grant agreements, and best practices.

1282           c. Support economical and efficient operations.

1283           d. Ensure reliability of financial records and reports.

1284           e. Safeguard assets.

1285           ~~2.1~~ Ensuring that the charter school has retained the  
1286 services of a certified public accountant or auditor for the



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1287 annual financial audit, pursuant to s. 1002.345(2), who shall  
1288 submit the report to the governing body.

1289 ~~3.2.~~ Reviewing and approving the audit report, including  
1290 audit findings and recommendations for the financial recovery  
1291 plan.

1292 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including  
1293 monitoring a corrective action plan.

1294 b. Monitoring a financial recovery plan in order to ensure  
1295 compliance.

1296 ~~5.4.~~ Participating in governance training approved by the  
1297 department which must include government in the sunshine,  
1298 conflicts of interest, ethics, and financial responsibility.

1299  
1300 Section 35. Present subsections (6) through (10) of section  
1301 1002.37, Florida Statutes, are redesignated as subsections (7)  
1302 through (11), respectively, a new subsection (6) is added to  
1303 that section, and present subsections (6) and (11) of that  
1304 section are amended, to read:

1305 1002.37 The Florida Virtual School.—

1306 (6) The Florida Virtual School shall have an annual  
1307 financial audit of its accounts and records conducted by an  
1308 independent auditor who is a certified public accountant  
1309 licensed under chapter 473. The independent auditor shall  
1310 conduct the audit in accordance with rules adopted by the  
1311 Auditor General pursuant to s. 11.45 and, upon completion of the  
1312 audit, shall prepare an audit report in accordance with such  
1313 rules. The audit report must include a written statement of the  
1314 board of trustees describing corrective action to be taken in  
1315 response to each of the recommendations of the independent



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1316 auditor included in the audit report. The independent auditor  
1317 shall submit the audit report to the board of trustees and the  
1318 Auditor General no later than 9 months after the end of the  
1319 preceding fiscal year.

1320 (7)~~(6)~~ The board of trustees shall annually submit to the  
1321 Governor, the Legislature, the Commissioner of Education, and  
1322 the State Board of Education the audit report prepared pursuant  
1323 to subsection (6) and a complete and detailed report setting  
1324 forth:

1325 (a) The operations and accomplishments of the Florida  
1326 Virtual School within the state and those occurring outside the  
1327 state as Florida Virtual School Global.

1328 (b) The marketing and operational plan for the Florida  
1329 Virtual School and Florida Virtual School Global, including  
1330 recommendations regarding methods for improving the delivery of  
1331 education through the Internet and other distance learning  
1332 technology.

1333 (c) The assets and liabilities of the Florida Virtual  
1334 School and Florida Virtual School Global at the end of the  
1335 fiscal year.

1336 ~~(d) A copy of an annual financial audit of the accounts and~~  
1337 ~~records of the Florida Virtual School and Florida Virtual School~~  
1338 ~~Global, conducted by an independent certified public accountant~~  
1339 ~~and performed in accordance with rules adopted by the Auditor~~  
1340 ~~General.~~

1341 ~~(e)~~ Recommendations regarding the unit cost of providing  
1342 services to students through the Florida Virtual School and  
1343 Florida Virtual School Global. In order to most effectively  
1344 develop public policy regarding any future funding of the



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1345 Florida Virtual School, it is imperative that the cost of the  
1346 program is accurately identified. The identified cost of the  
1347 program must be based on reliable data.

1348 (e)~~(f)~~ Recommendations regarding an accountability  
1349 mechanism to assess the effectiveness of the services provided  
1350 by the Florida Virtual School and Florida Virtual School Global.

1351 ~~(11) The Auditor General shall conduct an operational audit~~  
1352 ~~of the Florida Virtual School, including Florida Virtual School~~  
1353 ~~Global. The scope of the audit shall include, but not be limited~~  
1354 ~~to, the administration of responsibilities relating to~~  
1355 ~~personnel; procurement and contracting; revenue production;~~  
1356 ~~school funds, including internal funds; student enrollment~~  
1357 ~~records; franchise agreements; information technology~~  
1358 ~~utilization, assets, and security; performance measures and~~  
1359 ~~standards; and accountability. The final report on the audit~~  
1360 ~~shall be submitted to the President of the Senate and the~~  
1361 ~~Speaker of the House of Representatives no later than January~~  
1362 ~~31, 2014.~~

1363 Section 36. Subsection (5) is added to section 1010.01,  
1364 Florida Statutes, to read:

1365 1010.01 Uniform records and accounts.—

1366 (5) Each school district, Florida College System  
1367 institution, and state university shall establish and maintain  
1368 internal controls designed to:

1369 (a) Prevent and detect fraud, waste, and abuse.

1370 (b) Promote and encourage compliance with applicable laws,  
1371 rules, contracts, grant agreements, and best practices.

1372 (c) Support economical and efficient operations.

1373 (d) Ensure reliability of financial records and reports.





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1374           (e) Safeguard assets.

1375           Section 37. Subsection (2) of section 1010.30, Florida  
1376 Statutes, is amended to read:

1377           1010.30 Audits required.—

1378           (2) If a school district, Florida College System  
1379 institution, or university audit report includes a  
1380 recommendation that was included in the preceding financial  
1381 audit report but remains unaddressed, ~~an audit contains a~~  
1382 significant finding, the district school board, the Florida  
1383 College System institution board of trustees, or the university  
1384 board of trustees, within 60 days after the delivery of the  
1385 audit report to the school district, Florida College System  
1386 institution, or university, shall indicate ~~conduct an audit~~  
1387 overview during a regularly scheduled public meeting whether it  
1388 intends to take corrective action, the intended corrective  
1389 action, and the timeframe for the corrective action. If the  
1390 district school board, Florida College System institution board  
1391 of trustees, or university board of trustees indicates that it  
1392 does not intend to take corrective action, it shall explain its  
1393 decision at the public meeting.

1394           Section 38. Subsection (2) of section 68.082, Florida  
1395 Statutes, is amended to read:

1396           68.082 False claims against the state; definitions;  
1397 liability.—

1398           (2) Any person who:

1399           (a) Knowingly presents or causes to be presented a false or  
1400 fraudulent claim for payment or approval;

1401           (b) Knowingly authorizes, approves, or receives payment of  
1402 prohibited compensation in violation of s. 215.425;



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1403            (c)~~(b)~~ Knowingly makes, uses, or causes to be made or used  
1404 a false record or statement material to a false or fraudulent  
1405 claim;

1406            (d)~~(e)~~ Conspires to commit a violation of this subsection;

1407            (e)~~(d)~~ Has possession, custody, or control of property or  
1408 money used or to be used by the state and knowingly delivers or  
1409 causes to be delivered less than all of that money or property;

1410            (f)~~(e)~~ Is authorized to make or deliver a document  
1411 certifying receipt of property used or to be used by the state  
1412 and, intending to defraud the state, makes or delivers the  
1413 receipt without knowing that the information on the receipt is  
1414 true;

1415            (g)~~(f)~~ Knowingly buys or receives, as a pledge of an  
1416 obligation or a debt, public property from an officer or  
1417 employee of the state who may not sell or pledge the property;  
1418 or

1419            (h)~~(g)~~ Knowingly makes, uses, or causes to be made or used  
1420 a false record or statement material to an obligation to pay or  
1421 transmit money or property to the state, or knowingly conceals  
1422 or knowingly and improperly avoids or decreases an obligation to  
1423 pay or transmit money or property to the state

1424  
1425 is liable to the state for a civil penalty of not less than  
1426 \$5,500 and not more than \$11,000 and for treble the amount of  
1427 damages the state sustains because of the act of that person.

1428            Section 39. Subsection (1) of section 68.083, Florida  
1429 Statutes, is amended to read:

1430            68.083 Civil actions for false claims.-

1431            (1) The department may diligently investigate a violation



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1432 under s. 68.082. If the department finds that a person has  
1433 violated or is violating s. 68.082, the department may bring a  
1434 civil action under the Florida False Claims Act against the  
1435 person. The Department of Financial Services may bring a civil  
1436 action under this section if the action arises from an  
1437 investigation by that department and the Department of Legal  
1438 Affairs has not filed an action under this act. For a violation  
1439 of s. 68.082 regarding prohibited compensation paid from state  
1440 funds, the Department of Financial Services may bring a civil  
1441 action under this section if the action arises from an  
1442 investigation by that department concerning a violation of s.  
1443 215.425 by the state and the Department of Legal Affairs has not  
1444 filed an action under this act.

1445 Section 40. Subsection (5) of section 99.061, Florida  
1446 Statutes, is amended to read:

1447 99.061 Method of qualifying for nomination or election to  
1448 federal, state, county, or district office.—

1449 (5) At the time of qualifying for office, each candidate  
1450 for a constitutional office or an elected municipal office shall  
1451 file a full and public disclosure of financial interests  
1452 pursuant to s. 8, Art. II of the State Constitution, which must  
1453 be verified under oath or affirmation pursuant to s.  
1454 92.525(1)(a), and a candidate for any other office, ~~including~~  
1455 ~~local elective office,~~ shall file a statement of financial  
1456 interests pursuant to s. 112.3145.

1457 Section 41. Subsection (3) of section 218.503, Florida  
1458 Statutes, is amended to read:

1459 218.503 Determination of financial emergency.—

1460 (3) Upon notification that one or more of the conditions in



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1461 subsection (1) have occurred or will occur if action is not  
1462 taken to assist the local governmental entity or district school  
1463 board, the Governor or his or her designee shall contact the  
1464 local governmental entity or the Commissioner of Education or  
1465 his or her designee shall contact the district school board, as  
1466 appropriate, to determine what actions have been taken by the  
1467 local governmental entity or the district school board to  
1468 resolve or prevent the condition. The information requested must  
1469 be provided within 45 days after the date of the request. If the  
1470 local governmental entity or the district school board does not  
1471 comply with the request, the Governor or his or her designee or  
1472 the Commissioner of Education or his or her designee shall  
1473 notify ~~the members of~~ the Legislative Auditing Committee, which  
1474 ~~who~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The  
1475 Governor or the Commissioner of Education, as appropriate, shall  
1476 determine whether the local governmental entity or the district  
1477 school board needs state assistance to resolve or prevent the  
1478 condition. If state assistance is needed, the local governmental  
1479 entity or district school board is considered to be in a state  
1480 of financial emergency. The Governor or the Commissioner of  
1481 Education, as appropriate, has the authority to implement  
1482 measures as set forth in ss. 218.50-218.504 to assist the local  
1483 governmental entity or district school board in resolving the  
1484 financial emergency. Such measures may include, but are not  
1485 limited to:

1486 (a) Requiring approval of the local governmental entity's  
1487 budget by the Governor or approval of the district school  
1488 board's budget by the Commissioner of Education.

1489 (b) Authorizing a state loan to a local governmental entity



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1490 and providing for repayment of same.

1491 (c) Prohibiting a local governmental entity or district  
1492 school board from issuing bonds, notes, certificates of  
1493 indebtedness, or any other form of debt until such time as it is  
1494 no longer subject to this section.

1495 (d) Making such inspections and reviews of records,  
1496 information, reports, and assets of the local governmental  
1497 entity or district school board as are needed. The appropriate  
1498 local officials shall cooperate in such inspections and reviews.

1499 (e) Consulting with officials and auditors of the local  
1500 governmental entity or the district school board and the  
1501 appropriate state officials regarding any steps necessary to  
1502 bring the books of account, accounting systems, financial  
1503 procedures, and reports into compliance with state requirements.

1504 (f) Providing technical assistance to the local  
1505 governmental entity or the district school board.

1506 (g)1. Establishing a financial emergency board to oversee  
1507 the activities of the local governmental entity or the district  
1508 school board. If a financial emergency board is established for  
1509 a local governmental entity, the Governor shall appoint board  
1510 members and select a chair. If a financial emergency board is  
1511 established for a district school board, the State Board of  
1512 Education shall appoint board members and select a chair. The  
1513 financial emergency board shall adopt such rules as are  
1514 necessary for conducting board business. The board may:

1515 a. Make such reviews of records, reports, and assets of the  
1516 local governmental entity or the district school board as are  
1517 needed.

1518 b. Consult with officials and auditors of the local



1519 governmental entity or the district school board and the  
1520 appropriate state officials regarding any steps necessary to  
1521 bring the books of account, accounting systems, financial  
1522 procedures, and reports of the local governmental entity or the  
1523 district school board into compliance with state requirements.

1524 c. Review the operations, management, efficiency,  
1525 productivity, and financing of functions and operations of the  
1526 local governmental entity or the district school board.

1527 d. Consult with other governmental entities for the  
1528 consolidation of all administrative direction and support  
1529 services, including, but not limited to, services for asset  
1530 sales, economic and community development, building inspections,  
1531 parks and recreation, facilities management, engineering and  
1532 construction, insurance coverage, risk management, planning and  
1533 zoning, information systems, fleet management, and purchasing.

1534 2. The recommendations and reports made by the financial  
1535 emergency board must be submitted to the Governor for local  
1536 governmental entities or to the Commissioner of Education and  
1537 the State Board of Education for district school boards for  
1538 appropriate action.

1539 (h) Requiring and approving a plan, to be prepared by  
1540 officials of the local governmental entity or the district  
1541 school board in consultation with the appropriate state  
1542 officials, prescribing actions that will cause the local  
1543 governmental entity or district school board to no longer be  
1544 subject to this section. The plan must include, but need not be  
1545 limited to:

1546 1. Provision for payment in full of obligations outlined in  
1547 subsection (1), designated as priority items, which are



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1548 currently due or will come due.

1549         2. Establishment of priority budgeting or zero-based  
1550 budgeting in order to eliminate items that are not affordable.

1551         3. The prohibition of a level of operations which can be  
1552 sustained only with nonrecurring revenues.

1553         4. Provisions implementing the consolidation, sourcing, or  
1554 discontinuance of all administrative direction and support  
1555 services, including, but not limited to, services for asset  
1556 sales, economic and community development, building inspections,  
1557 parks and recreation, facilities management, engineering and  
1558 construction, insurance coverage, risk management, planning and  
1559 zoning, information systems, fleet management, and purchasing.

1560         Section 42. Subsection (2) of section 1002.455, Florida  
1561 Statutes, is amended to read:

1562         1002.455 Student eligibility for K-12 virtual instruction.—

1563         (2) A student is eligible to participate in virtual  
1564 instruction if:

1565         (a) The student spent the prior school year in attendance  
1566 at a public school in the state and was enrolled and reported by  
1567 the school district for funding during October and February for  
1568 purposes of the Florida Education Finance Program surveys;

1569         (b) The student is a dependent child of a member of the  
1570 United States Armed Forces who was transferred within the last  
1571 12 months to this state from another state or from a foreign  
1572 country pursuant to a permanent change of station order;

1573         (c) The student was enrolled during the prior school year  
1574 in a virtual instruction program under s. 1002.45 or a full-time  
1575 Florida Virtual School program under s. 1002.37(9)(a) ~~s.~~  
1576 ~~1002.37(8)(a)~~;



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1577 (d) The student has a sibling who is currently enrolled in  
1578 a virtual instruction program and the sibling was enrolled in  
1579 that program at the end of the prior school year;

1580 (e) The student is eligible to enter kindergarten or first  
1581 grade; or

1582 (f) The student is eligible to enter grades 2 through 5 and  
1583 is enrolled full-time in a school district virtual instruction  
1584 program, virtual charter school, or the Florida Virtual School.

1585 Section 43. For the purpose of incorporating the amendment  
1586 made by this act to section 838.022, Florida Statutes, in a  
1587 reference thereto, paragraph (a) of subsection (2) of section  
1588 112.534, Florida Statutes, is reenacted to read:

1589 112.534 Failure to comply; official misconduct.—

1590 (2) (a) All the provisions of s. 838.022 shall apply to this  
1591 part.

1592 Section 44. For the purpose of incorporating the amendment  
1593 made by this act to section 838.022, Florida Statutes, in a  
1594 reference thereto, paragraph (d) of subsection (4) of section  
1595 117.01, Florida Statutes, is reenacted to read:

1596 117.01 Appointment, application, suspension, revocation,  
1597 application fee, bond, and oath.—

1598 (4) The Governor may suspend a notary public for any of the  
1599 grounds provided in s. 7, Art. IV of the State Constitution.  
1600 Grounds constituting malfeasance, misfeasance, or neglect of  
1601 duty include, but are not limited to, the following:

1602 (d) Official misconduct as defined in s. 838.022.

1603 Section 45. For the purpose of incorporating the amendment  
1604 made by this act to section 838.014, Florida Statutes, in a  
1605 reference thereto, subsection (11) of section 817.568, Florida





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1606 Statutes, is reenacted to read:

1607 817.568 Criminal use of personal identification  
1608 information.—

1609 (11) A person who willfully and without authorization  
1610 fraudulently uses personal identification information concerning  
1611 an individual who is 60 years of age or older; a disabled adult  
1612 as defined in s. 825.101; a public servant as defined in s.  
1613 838.014; a veteran as defined in s. 1.01; a first responder as  
1614 defined in s. 125.01045; an individual who is employed by the  
1615 State of Florida; or an individual who is employed by the  
1616 Federal Government without first obtaining the consent of that  
1617 individual commits a felony of the second degree, punishable as  
1618 provided in s. 775.082, s. 775.083, or s. 775.084.

1619 Section 46. For the purpose of incorporating the amendments  
1620 made by this act to sections 838.015, 838.016, and 838.22,  
1621 Florida Statutes, in references thereto, paragraph (g) of  
1622 subsection (3) of section 921.0022, Florida Statutes, is  
1623 reenacted to read:

1624 921.0022 Criminal Punishment Code; offense severity ranking  
1625 chart.—

1626 (3) OFFENSE SEVERITY RANKING CHART

1627 (g) LEVEL 7

1628

1629

Florida Statute	Felony Degree	Description
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1630

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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1631	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1632	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.
1633	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1634	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1635	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1636	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1637			



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1638	456.065 (2)	3rd	Practicing a health care profession without a license.
1639	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1640	458.327 (1)	3rd	Practicing medicine without a license.
1641	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1642	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1643	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1644	462.17	3rd	Practicing naturopathy without a license.
1645	463.015 (1)	3rd	Practicing optometry without a license.
1646	464.016 (1)	3rd	Practicing nursing without a license.



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1647	465.015 (2)	3rd	Practicing pharmacy without a license.
1648	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1649	467.201	3rd	Practicing midwifery without a license.
1650	468.366	3rd	Delivering respiratory care services without a license.
1651	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1652	483.901 (9)	3rd	Practicing medical physics without a license.
1653	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1654	484.053	3rd	Dispensing hearing aids without a license.
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and



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1655

there were five or more  
victims.

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.

1656

560.125(5)(a)           3rd    Money services business by  
unauthorized person, currency  
or payment instruments  
exceeding \$300 but less than  
\$20,000.

1657

655.50(10)(b)1.       3rd    Failure to report financial  
transactions exceeding \$300 but  
less than \$20,000 by financial  
institution.

1658

775.21(10)(a)       3rd    Sexual predator; failure to  
register; failure to renew  
driver license or  
identification card; other  
registration violations.

1659

775.21(10)(b)       3rd    Sexual predator working where  
children regularly congregate.

1660

775.21(10)(g)       3rd    Failure to report or providing



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1661			false information about a sexual predator; harbor or conceal a sexual predator.
1662	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1663	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1664	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1665	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.



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1666	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1667	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1668	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1669	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1670	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1671	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1672	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1673	784.081 (1)	1st	Aggravated battery on specified official or employee.
1674	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.



1675	784.083(1)	1st	Aggravated battery on code inspector.
1676	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
1677	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1678	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1679	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1680	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1681	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.





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1682	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1683	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1684	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1685	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.
1686	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1687	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1688			



1689	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1690	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.
1691	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.
1692	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1693	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1694	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
	810.02 (3) (d)	2nd	Burglary of occupied



1695			conveyance; unarmed; no assault or battery.
1696	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1697	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.
1698	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1699	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1700	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1701	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.



1702	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1703	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1704	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1705	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1706	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1707	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1708	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are



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1709			a significant cause of the insolvency of that entity.
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1710			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1711			
	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.
1712			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1713			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1714			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1715			
	838.015	2nd	Bribery.



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1716	838.016	2nd	Unlawful compensation or reward for official behavior.
1717	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1718	838.22	2nd	Bid tampering.
1719	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1720	843.0855 (3)	3rd	Unlawful simulation of legal process.
1721	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1722	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1723	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1724	872.06	2nd	Abuse of a dead human body.
1725	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a



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1726

criminal gang; second or  
subsequent offense.

874.10                    1st,PBL    Knowingly initiates, organizes,  
plans, finances, directs,  
manages, or supervises criminal  
gang-related activity.

1727

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  
park or publicly owned  
recreational facility or  
community center.

1728

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.

1729



- 1730 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).
- 1731 893.135(1) (a)1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
- 1732 893.135(1) (b)1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.
- 1733 893.135(1) (c)1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
- 1734 893.135(1) (c)2.a. 1st Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
- 1735 893.135(1) (c)2.b. 1st Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
- 1736 893.135(1) (c)3.a. 1st Trafficking in oxycodone, 7 grams or more, less than 14 grams.





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- 1737 893.135(1)(c)3.b. 1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.
- 1738 893.135(1)(d)1. 1st Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
- 1739 893.135(1)(e)1. 1st Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
- 1740 893.135(1)(f)1. 1st Trafficking in amphetamine, more than 14 grams, less than 28 grams.
- 1741 893.135(1)(g)1.a. 1st Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
- 1742 893.135(1)(h)1.a. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
- 1743 893.135(1)(j)1.a. 1st Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.



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1744	893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1745	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1746	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1747	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1748	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1749	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
	943.0435(9)(a)	3rd	Sexual offender; failure to



1750

943.0435 (13) 3rd Failure to report or providing  
false information about a  
sexual offender; harbor or  
conceal a sexual offender.

1751

943.0435 (14) 3rd Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

1752

944.607 (9) 3rd Sexual offender; failure to  
comply with reporting  
requirements.

1753

944.607 (10) (a) 3rd Sexual offender; failure to  
submit to the taking of a  
digitized photograph.

1754

944.607 (12) 3rd Failure to report or providing  
false information about a  
sexual offender; harbor or  
conceal a sexual offender.

1755

944.607 (13) 3rd Sexual offender; failure to  
report and reregister; failure



1756			to respond to address verification; providing false registration information.
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1757			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1758			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1759			
1760			
1761			
1762			
1763			Section 47. For the purpose of incorporating the amendment
1764			made by this act to section 838.022, Florida Statutes, in a
1765			reference thereto, paragraph (d) of subsection (3) of section
1766			921.0022, Florida Statutes, is reenacted to read:
1767			921.0022 Criminal Punishment Code; offense severity ranking
1768			chart.—
1769			(3) OFFENSE SEVERITY RANKING CHART



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1770 (d) LEVEL 4

1771

1772

Florida Statute	Felony Degree	Description
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1773

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.
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1774

499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
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1775

499.0051 (2)	3rd	Failure to authenticate pedigree papers.
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1776

499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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1777

517.07 (1)	3rd	Failure to register securities.
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1778

517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
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1779



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1780	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1781	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1782	784.075	3rd	Battery on detention or commitment facility staff.
1783	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1784	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
1785	784.081 (3)	3rd	Battery on specified official or employee.
1786	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
1787	784.083 (3)	3rd	Battery on code inspector.
1788	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.



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- |      |               |     |  |
|------|---------------|-----|--|
| 1789 | 787.03(1)     | 3rd | Interference with custody;<br>wrongly takes minor from<br>appointed guardian.  |
| 1790 | 787.04(2)     | 3rd | Take, entice, or remove child<br>beyond state limits with<br>criminal intent pending custody<br>proceedings.                                       |
| 1791 | 787.04(3)     | 3rd | Carrying child beyond state<br>lines with criminal intent to<br>avoid producing child at<br>custody hearing or delivering<br>to designated person. |
| 1792 | 787.07        | 3rd | Human smuggling.   |
| 1793 | 790.115(1)    | 3rd | Exhibiting firearm or weapon<br>within 1,000 feet of a school.   |
| 1794 | 790.115(2)(b) | 3rd | Possessing electric weapon or<br>device, destructive device, or<br>other weapon on school<br>property.   |
| 1795 | 790.115(2)(c) | 3rd | Possessing firearm on school<br>property.  |
|      | 800.04(7)(c)  | 3rd | Lewd or lascivious exhibition;   |



1796			offender less than 18 years.
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
1797			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1798			
	810.06	3rd	Burglary; possession of tools.
1799			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1800			
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1801			
	812.014 (2) (c) 4.- 10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
1802			
	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1803			





1804	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1805	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1806	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
1807	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
1808	837.02 (1)	3rd	Perjury in official proceedings.
1809	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1810	838.022	3rd	Official misconduct.
1811	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
	839.13 (2) (c)	3rd	Falsifying records of the



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1812			Department of Children and Families.
1813	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1814	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1815	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1816	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1817	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
1818	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).



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- 1819 914.14(2) 3rd Witnesses accepting bribes.
- 1820 914.22(1) 3rd Force, threaten, etc., witness,  
victim, or informant.
- 1821 914.23(2) 3rd Retaliation against a witness,  
victim, or informant, no bodily  
injury.
- 1822 918.12 3rd Tampering with jurors.
- 1823 934.215 3rd Use of two-way communications  
device to facilitate commission  
of a crime.

1824

1825

1826

1827 Section 48. As provided in s. 112.322(3), Florida Statutes,  
1828 the Commission on Ethics is authorized to render advisory  
1829 opinions to any public officer, candidate for public office, or  
1830 public employee regarding the application of part III of chapter  
1831 112, Florida Statutes, including the amendments made by this  
1832 act.

1833 Section 49. The Legislature finds that a proper and  
1834 legitimate state purpose is served when internal controls are  
1835 established to prevent and detect fraud, waste, and abuse and to  
1836 safeguard and account for government funds and property.  
1837 Therefore, the Legislature determines and declares that this act



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1838 fulfills an important state interest.

1839 Section 50. This act shall take effect October 1, 2016.

1840

1841 ===== T I T L E A M E N D M E N T =====

1842 And the title is amended as follows:

1843 Delete everything before the enacting clause

1844 and insert:

1845 A bill to be entitled

1846 An act relating to government accountability; amending

1847 s. 11.40, F.S.; specifying that the Governor, the

1848 Commissioner of Education, or the designee of the

1849 Governor or of the Commissioner of Education may

1850 notify the Legislative Auditing Committee of an

1851 entity's failure to comply with certain auditing and

1852 financial reporting requirements; amending s. 11.45,

1853 F.S.; defining the terms "abuse," "fraud," and

1854 "waste"; revising the definition of the term "local

1855 governmental entity"; excluding water management

1856 districts from certain audit requirements; removing a

1857 cross-reference; authorizing the Auditor General to

1858 conduct audits of tourist development councils and

1859 county tourism promotion agencies; revising reporting

1860 requirements applicable to the Auditor General;

1861 creating s. 20.602, F.S.; specifying the applicability

1862 of certain provisions of the Code of Ethics for Public

1863 Officers and Employees to officers and board members

1864 of corporate entities associated with the Department

1865 of Economic Opportunity; prohibiting such officers and

1866 board members from representing a person or an entity



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1867 for compensation before certain bodies for a specified  
1868 timeframe; providing for construction; amending s.  
1869 28.35, F.S.; revising reporting requirements  
1870 applicable to the Florida Clerks of Court Operations  
1871 Corporation; amending s. 43.16, F.S.; revising the  
1872 responsibilities of the Justice Administrative  
1873 Commission, each state attorney, each public defender,  
1874 a criminal conflict and civil regional counsel, a  
1875 capital collateral regional counsel, and the Guardian  
1876 Ad Litem Program, to include the establishment and  
1877 maintenance of certain internal controls; creating s.  
1878 112.3126, F.S.; defining the term "private entity";  
1879 prohibiting a member of the Legislature or a candidate  
1880 for legislative office from accepting employment with  
1881 a private entity that directly receives funding  
1882 through state revenues under certain circumstances;  
1883 authorizing employment with a private entity if  
1884 certain conditions are met; amending s. 112.313, F.S.;  
1885 specifying that prohibitions on conflicting employment  
1886 or contractual relationships for public officers or  
1887 employees of an agency apply to contractual  
1888 relationships held by certain business entities;  
1889 amending s. 112.3144, F.S.; requiring elected  
1890 municipal officers to file a full and public  
1891 disclosure of financial interests, rather than a  
1892 statement of financial interests; providing for  
1893 applicability; amending s. 112.31455, F.S.; revising  
1894 provisions governing collection methods for unpaid  
1895 automatic fines for failure to timely file disclosure



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1896 of financial interests to include school districts;  
1897 amending s. 112.3261, F.S.; revising terms to conform  
1898 to changes made by the act; expanding the types of  
1899 governmental entities that are subject to lobbyist  
1900 registration requirements; requiring a governmental  
1901 entity to create a lobbyist registration form;  
1902 amending ss. 129.03, 129.06, 166.241, and 189.016,  
1903 F.S.; requiring counties, municipalities, and special  
1904 districts to maintain certain budget documents on the  
1905 entities' websites for a specified period; amending s.  
1906 215.425, F.S.; defining the term "public funds";  
1907 revising exceptions to the prohibition on extra  
1908 compensation claims; requiring certain contracts to  
1909 which a unit of government or state university is a  
1910 party during a specified period to contain certain  
1911 prohibitions on severance pay; requiring a unit of  
1912 government to investigate and take necessary action to  
1913 recover prohibited compensation; specifying methods of  
1914 recovery for unintentional and willful violations;  
1915 providing a penalty; specifying applicability of  
1916 procedures regarding suspension and removal of an  
1917 officer who commits a willful violation; establishing  
1918 eligibility criteria and amounts for rewards;  
1919 specifying circumstances under which an employee has a  
1920 cause of action under the Whistle-blower's Act;  
1921 establishing causes of action if a unit of government  
1922 fails to recover prohibited compensation within a  
1923 certain timeframe; providing for applicability;  
1924 amending s. 215.86, F.S.; revising the purposes for



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1925 which management systems and internal controls must be  
1926 established and maintained by each state agency and  
1927 the judicial branch; amending s. 215.97, F.S.;  
1928 revising the definition of the term "audit threshold";  
1929 amending s. 215.985, F.S.; revising the requirements  
1930 for a monthly financial statement provided by a water  
1931 management district; amending s. 218.32, F.S.;  
1932 revising the requirements of the annual financial  
1933 audit report of a local governmental entity;  
1934 authorizing the Department of Financial Services to  
1935 request additional information from a local  
1936 governmental entity; requiring a local governmental  
1937 entity to respond to such requests within a specified  
1938 timeframe; requiring the department to notify the  
1939 Legislative Auditing Committee of noncompliance;  
1940 amending s. 218.33, F.S.; requiring local governmental  
1941 entities to establish and maintain internal controls  
1942 to achieve specified purposes; amending s. 218.39,  
1943 F.S.; requiring an audited entity to respond to audit  
1944 recommendations under specified circumstances;  
1945 amending s. 218.391, F.S.; revising the composition of  
1946 an audit committee; prohibiting an audit committee  
1947 member from being an employee, a chief executive  
1948 officer, or a chief financial officer of the  
1949 respective governmental entity; requiring the chair of  
1950 an audit committee to sign and execute an affidavit  
1951 affirming compliance with auditor selection  
1952 procedures; prescribing procedures in the event of  
1953 noncompliance with auditor selection procedures;



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1954 amending s. 286.0114, F.S.; prohibiting a board or  
1955 commission from requiring an advance copy of testimony  
1956 or comments from a member of the public as a  
1957 precondition to be given the opportunity to be heard  
1958 at a public meeting; amending s. 288.92, F.S.;  
1959 prohibiting specified officers and board members of  
1960 Enterprise Florida, Inc., from representing a person  
1961 or entity for compensation before Enterprise Florida,  
1962 Inc., and associated entities thereof, for a specified  
1963 timeframe; amending s. 288.9604, F.S.; prohibiting a  
1964 director of the Florida Development Finance  
1965 Corporation from representing a person or an entity  
1966 for compensation before the corporation for a  
1967 specified timeframe; amending s. 373.536, F.S.;  
1968 deleting obsolete language; requiring water management  
1969 districts to maintain certain budget documents on the  
1970 districts' websites for a specified period; amending  
1971 s. 838.014, F.S.; revising and providing definitions;  
1972 amending s. 838.015, F.S.; revising the definition of  
1973 the term "bribery"; revising requirements for  
1974 prosecution; amending s. 838.016, F.S.; revising the  
1975 prohibition against unlawful compensation or reward  
1976 for official behavior to conform to changes made by  
1977 the act; amending s. 838.022, F.S.; revising the  
1978 prohibition against official misconduct to conform to  
1979 changes made by the act; revising applicability of the  
1980 offense to include public contractors; amending s.  
1981 838.22, F.S.; revising the prohibition against bid  
1982 tampering to conform to changes made by the act;





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1983 revising applicability of the offense to include  
1984 specified public contractors; amending s. 1001.42,  
1985 F.S.; authorizing additional internal audits as  
1986 directed by the district school board; specifying  
1987 duties of the district school board regarding  
1988 visitation of schools; amending s. 1002.33, F.S.;  
1989 revising the responsibilities of the governing board  
1990 of a charter school to include the establishment and  
1991 maintenance of internal controls; amending s. 1002.37,  
1992 F.S.; requiring completion of an annual financial  
1993 audit of the Florida Virtual School; specifying audit  
1994 requirements; requiring an audit report to be  
1995 submitted to the board of trustees of the Florida  
1996 Virtual School and the Auditor General; removing  
1997 obsolete provisions; amending s. 1010.01, F.S.;  
1998 requiring each school district, Florida College System  
1999 institution, and state university to establish and  
2000 maintain certain internal controls; amending s.  
2001 1010.30, F.S.; requiring a district school board,  
2002 Florida College System institution board of trustees,  
2003 or university board of trustees to respond to audit  
2004 recommendations under certain circumstances; amending  
2005 ss. 68.082, 68.083, 99.061, 218.503, and 1002.455,  
2006 F.S.; conforming provisions and cross-references to  
2007 changes made by the act; reenacting s. 112.534(2)(a),  
2008 F.S., relating to official misconduct, and s.  
2009 117.01(4)(d), F.S., relating to appointment,  
2010 application, suspension, revocation, application fee,  
2011 bond, and oath of notaries public, to incorporate the



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2012 amendment made by the act to s. 838.022, F.S., in  
2013 references thereto; reenacting s. 817.568(11), F.S.,  
2014 relating to criminal use of personal identification  
2015 information, to incorporate the amendment made by the  
2016 act to s. 838.014, F.S., in a reference thereto;  
2017 reenacting s. 921.0022(3)(d) and (g), F.S., relating  
2018 to the Criminal Punishment Code offense severity  
2019 ranking chart, to incorporate the amendments made by  
2020 the act to ss. 838.015, 838.016, 838.022, and 838.22,  
2021 F.S., in references thereto; providing for  
2022 applicability; declaring that the act fulfills an  
2023 important state interest; providing an effective date.