



758354

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/13/2016	.	
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The Committee on Ethics and Elections (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Florida Anti-Corruption Act of 2016."

Section 2. Present subsections (5) through (9) of section 11.045, Florida Statutes, are renumbered as subsections (6) through (10), respectively, a new subsection (5) is added to that section, and present subsection (8) of that section is



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11 amended, to read:

12 11.045 Lobbying before the Legislature; registration and
13 reporting; exemptions; penalties.-

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

15 1. "Lobbying activities" means any action designed to
16 support, oppose, or influence proposed legislation or proposed
17 legislative action. The term includes, but is not limited to,
18 any verbal, written, or electronic communication with any
19 legislator or legislative employee undertaken for the purpose of
20 directly or indirectly supporting, opposing, or influencing
21 legislation or requesting proposed legislation to be filed.

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

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

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

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

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

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

39 a. The proposed legislation or proposed legislative action



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40 that the lobbying firm has attempted to support, oppose, or
41 influence;

42 b. The entity lobbied;

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

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

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

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

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

68 (f) Each house of the Legislature shall provide by rule, or



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69 both houses may provide by joint rule, a procedure by which a
70 lobbying firm that fails to timely file a report is notified and
71 assessed fines. The rule must provide the following:

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

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

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

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

94 5. Any lobbying firm may appeal or dispute a fine, based
95 upon unusual circumstances surrounding the failure to file on
96 the designated due date, and may request and is entitled to a
97 hearing before the General Counsel of the Office of Legislative



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98 Services, who shall recommend to the President of the Senate and
99 the Speaker of the House of Representatives, or their respective
100 designees, that the fine be waived in whole or in part for good
101 cause shown. The President of the Senate and the Speaker of the
102 House of Representatives, or their respective designees, may
103 concur in the recommendation and waive the fine in whole or in
104 part. Any such request must be made within 30 days after the
105 notice of payment due is transmitted by the office. In such
106 case, the lobbying firm shall, within the 30-day period, notify
107 the person designated to review the timeliness of reports in
108 writing of his or her intention to request a hearing.

109 6. A lobbying firm may request that the filing of a report
110 be waived upon good cause shown, based on unusual circumstances.
111 The request must be filed with the General Counsel of the Office
112 of Legislative Services, who shall make a recommendation
113 concerning the waiver request to the President of the Senate and
114 the Speaker of the House of Representatives. The President of
115 the Senate and the Speaker of the House of Representatives may
116 grant or deny the request.

117 7. All lobbyist registrations for lobbyists who are
118 partners, owners, officers, or employees of a lobbying firm that
119 fails to timely pay a fine are automatically suspended until the
120 fine is paid or waived, and the office shall promptly notify all
121 affected principals of any suspension or reinstatement.

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

126 (9)~~(8)~~ Any person required to be registered or to provide



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

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

139 11.40 Legislative Auditing Committee.-

140 (2) Following notification by the Auditor General, the
141 Department of Financial Services, ~~or~~ the Division of Bond
142 Finance of the State Board of Administration, the Governor or
143 his or her designee, or the Commissioner of Education or his or
144 her designee of the failure of a local governmental entity,
145 district school board, charter school, or charter technical
146 career center to comply with the applicable provisions within s.
147 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the
148 Legislative Auditing Committee may schedule a hearing to
149 determine if the entity should be subject to further state
150 action. If the committee determines that the entity should be
151 subject to further state action, the committee shall:

152 (a) In the case of a local governmental entity or district
153 school board, direct the Department of Revenue and the
154 Department of Financial Services to withhold any funds not
155 pledged for bond debt service satisfaction which are payable to



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156 such entity until the entity complies with the law. The
157 committee shall specify the date that such action must ~~shall~~
158 begin, and the directive must be received by the Department of
159 Revenue and the Department of Financial Services 30 days before
160 the date of the distribution mandated by law. The Department of
161 Revenue and the Department of Financial Services may implement
162 ~~the provisions of~~ this paragraph.

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

164 1. A special act, notify the President of the Senate, the
165 Speaker of the House of Representatives, the standing committees
166 of the Senate and the House of Representatives charged with
167 special district oversight as determined by the presiding
168 officers of each respective chamber, the legislators who
169 represent a portion of the geographical jurisdiction of the
170 special district pursuant to s. 189.034(2), and the Department
171 of Economic Opportunity that the special district has failed to
172 comply with the law. Upon receipt of notification, the
173 Department of Economic Opportunity shall proceed pursuant to s.
174 189.062 or s. 189.067. If the special district remains in
175 noncompliance after the process set forth in s. 189.034(3), or
176 if a public hearing is not held, the Legislative Auditing
177 Committee may request the department to proceed pursuant to s.
178 189.067(3).

179 2. A local ordinance, notify the chair or equivalent of the
180 local general-purpose government pursuant to s. 189.035(2) and
181 the Department of Economic Opportunity that the special district
182 has failed to comply with the law. Upon receipt of notification,
183 the department shall proceed pursuant to s. 189.062 or s.
184 189.067. If the special district remains in noncompliance after



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185 the process set forth in s. 189.034(3), or if a public hearing
186 is not held, the Legislative Auditing Committee may request the
187 department to proceed pursuant to s. 189.067(3).

188 3. Any manner other than a special act or local ordinance,
189 notify the Department of Economic Opportunity that the special
190 district has failed to comply with the law. Upon receipt of
191 notification, the department shall proceed pursuant to s.
192 189.062 or s. 189.067(3).

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

196 Section 4. Subsection (1), paragraph (j) of subsection (2),
197 paragraph (u) of subsection (3), and paragraph (i) of subsection
198 (7) of section 11.45, Florida Statutes, are amended, and
199 paragraph (x) is added to subsection (3) of that section, to
200 read:

201 11.45 Definitions; duties; authorities; reports; rules.—

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

203 (a) "Abuse" means behavior that is deficient or improper
204 when compared with behavior that a prudent person would consider
205 a reasonable and necessary operational practice given the facts
206 and circumstances. The term includes the misuse of authority or
207 position for personal gain.

208 (b) ~~(a)~~ "Audit" means a financial audit, operational audit,
209 or performance audit.

210 (c) ~~(b)~~ "County agency" means a board of county
211 commissioners or other legislative and governing body of a
212 county, however styled, including that of a consolidated or
213 metropolitan government, a clerk of the circuit court, a



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214 separate or ex officio clerk of the county court, a sheriff, a
215 property appraiser, a tax collector, a supervisor of elections,
216 or any other officer in whom any portion of the fiscal duties of
217 a body or officer expressly stated in this paragraph are the
218 ~~above are under law~~ separately placed by law.

219 (d) ~~(e)~~ "Financial audit" means an examination of financial
220 statements in order to express an opinion on the fairness with
221 which they are presented in conformity with generally accepted
222 accounting principles and an examination to determine whether
223 operations are properly conducted in accordance with legal and
224 regulatory requirements. Financial audits must be conducted in
225 accordance with auditing standards generally accepted in the
226 United States and government auditing standards as adopted by
227 the Board of Accountancy. When applicable, the scope of
228 financial audits must ~~shall~~ encompass the additional activities
229 necessary to establish compliance with the Single Audit Act
230 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other
231 applicable federal law.

232 (e) "Fraud" means obtaining something of value through
233 willful misrepresentation, including, but not limited to, the
234 intentional misstatements or omissions of amounts or disclosures
235 in financial statements to deceive users of financial
236 statements, theft of an entity's assets, bribery, or the use of
237 one's position for personal enrichment through the deliberate
238 misuse or misapplication of an organization's resources.

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

242 (g) ~~(e)~~ "Local governmental entity" means a county agency,



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243 municipality, tourist development council, county tourism
244 promotion agency, or special district as defined in s. 189.012.
245 The term, ~~but~~ does not include any housing authority established
246 under chapter 421.

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

249 (i)~~(g)~~ "Operational audit" means an audit whose purpose is
250 to evaluate management's performance in establishing and
251 maintaining internal controls, including controls designed to
252 prevent and detect fraud, waste, and abuse, and in administering
253 assigned responsibilities in accordance with applicable laws,
254 administrative rules, contracts, grant agreements, and other
255 guidelines. Operational audits must be conducted in accordance
256 with government auditing standards. Such audits examine internal
257 controls that are designed and placed in operation to promote
258 and encourage the achievement of management's control objectives
259 in the categories of compliance, economic and efficient
260 operations, reliability of financial records and reports, and
261 safeguarding of assets, and identify weaknesses in those
262 internal controls.

263 (j)~~(h)~~ "Performance audit" means an examination of a
264 program, activity, or function of a governmental entity,
265 conducted in accordance with applicable government auditing
266 standards or auditing and evaluation standards of other
267 appropriate authoritative bodies. The term includes an
268 examination of issues related to:

- 269 1. Economy, efficiency, or effectiveness of the program.
270 2. Structure or design of the program to accomplish its
271 goals and objectives.



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272 3. Adequacy of the program to meet the needs identified by
273 the Legislature or governing body.

274 4. Alternative methods of providing program services or
275 products.

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

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

280 7. Compliance of the program with appropriate policies,
281 rules, or laws.

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

284 (k)~~(i)~~ "Political subdivision" means a separate agency or
285 unit of local government created or established by law and
286 includes, but is not limited to, the following and the officers
287 thereof: authority, board, branch, bureau, city, commission,
288 consolidated government, county, department, district,
289 institution, metropolitan government, municipality, office,
290 officer, public corporation, town, or village.

291 (l)~~(j)~~ "State agency" means a separate agency or unit of
292 state government created or established by law and includes, but
293 is not limited to, the following and the officers thereof:
294 authority, board, branch, bureau, commission, department,
295 division, institution, office, officer, or public corporation,
296 as the case may be, except any such agency or unit within the
297 legislative branch of state government other than the Florida
298 Public Service Commission.

299 (m) "Waste" means the act of using or expending resources
300 unreasonably, carelessly, extravagantly, or for no useful



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301 purpose.

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

303 (j) Conduct audits of local governmental entities when
304 determined to be necessary by the Auditor General, when directed
305 by the Legislative Auditing Committee, or when otherwise
306 required by law. No later than 18 months after the release of
307 the audit report, the Auditor General shall perform such
308 appropriate followup procedures as he or she deems necessary to
309 determine the audited entity's progress in addressing the
310 findings and recommendations contained within the Auditor
311 General's previous report. The Auditor General shall notify each
312 member of the audited entity's governing body and the
313 Legislative Auditing Committee of the results of his or her
314 determination. For purposes of this paragraph, local
315 governmental entities do not include water management districts.

316
317 The Auditor General shall perform his or her duties
318 independently but under the general policies established by the
319 Legislative Auditing Committee. This subsection does not limit
320 the Auditor General's discretionary authority to conduct other
321 audits or engagements of governmental entities as authorized in
322 subsection (3).

323 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
324 General may, pursuant to his or her own authority, or at the
325 direction of the Legislative Auditing Committee, conduct audits
326 or other engagements as determined appropriate by the Auditor
327 General of:

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

329 (x) Tourist development councils and county tourism



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330 promotion agencies.

331 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

332 (i) The Auditor General shall annually transmit by July 15,
333 to the President of the Senate, the Speaker of the House of
334 Representatives, and the Department of Financial Services, a
335 list of all school districts, charter schools, charter technical
336 career centers, Florida College System institutions, state
337 universities, and local governmental entities ~~water management~~
338 ~~districts~~ that have failed to comply with the transparency
339 requirements as identified in the audit reports reviewed
340 pursuant to paragraph (b) and those conducted pursuant to
341 subsection (2).

342 Section 5. Section 20.602, Florida Statutes, is created to
343 read:

344 20.602 Standards of conduct; officers and board members of
345 Department of Economic Opportunity corporate entities.—

346 (1) The following officers and board members are subject to
347 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
348 112.3143(2):

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

350 1. Any corporation created under chapter 288;

351 2. Space Florida;

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

354 4. The Florida Housing Finance Corporation; or

355 5. Any other corporation created by the Department of
356 Economic Opportunity in accordance with its powers and duties
357 under s. 20.60.

358 (b) Officers and members of the board of directors of a



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359 corporate parent or subsidiary corporation of a corporation
360 described in paragraph (a).

361 (c) Officers and members of the board of directors of a
362 corporation created to carry out the missions of a corporation
363 described in paragraph (a).

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

367 (2) For purposes of applying ss. 112.313(1)-(8), (10),
368 (12), and (15); 112.3135; and 112.3143(2) to activities of the
369 officers and members of the board of directors specified in
370 subsection (1), those persons shall be considered public
371 officers or employees and the corporation shall be considered
372 their agency.

373 (3) For a period of 2 years after retirement from or
374 termination of service, or for a period of 10 years if removed
375 or terminated for cause or for misconduct, as defined in s.
376 443.036(29), an officer or a member of the board of directors
377 specified in subsection (1) may not represent another person or
378 entity for compensation before:

379 (a) His or her corporation;

380 (b) A division, a subsidiary, or the board of directors of
381 a corporation created to carry out the mission of his or her
382 corporation; or

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

385 (4) This section does not supersede any additional or more
386 stringent standards of conduct applicable to an officer or a
387 member of the board of directors of an entity specified in



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388 subsection (1) prescribed by any other provision of law.

389 Section 6. Paragraph (d) of subsection (2) of section
390 28.35, Florida Statutes, is amended to read:

391 28.35 Florida Clerks of Court Operations Corporation.—

392 (2) The duties of the corporation shall include the
393 following:

394 (d) Developing and certifying a uniform system of workload
395 measures and applicable workload standards for court-related
396 functions as developed by the corporation and clerk workload
397 performance in meeting the workload performance standards. These
398 workload measures and workload performance standards shall be
399 designed to facilitate an objective determination of the
400 performance of each clerk in accordance with minimum standards
401 for fiscal management, operational efficiency, and effective
402 collection of fines, fees, service charges, and court costs. The
403 corporation shall develop the workload measures and workload
404 performance standards in consultation with the Legislature. When
405 the corporation finds a clerk has not met the workload
406 performance standards, the corporation shall identify the nature
407 of each deficiency and any corrective action recommended and
408 taken by the affected clerk of the court. For quarterly periods
409 ending on the last day of March, June, September, and December
410 of each year, the corporation shall notify the Legislature of
411 any clerk not meeting workload performance standards and provide
412 a copy of any corrective action plans. Such notifications shall
413 be submitted no later than 45 days after the end of the
414 preceding quarterly period. As used in this subsection, the
415 term:

416 1. "Workload measures" means the measurement of the



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417 activities and frequency of the work required for the clerk to
418 adequately perform the court-related duties of the office as
419 defined by the membership of the Florida Clerks of Court
420 Operations Corporation.

421 2. "Workload performance standards" means the standards
422 developed to measure the timeliness and effectiveness of the
423 activities that are accomplished by the clerk in the performance
424 of the court-related duties of the office as defined by the
425 membership of the Florida Clerks of Court Operations
426 Corporation.

427 Section 7. Present subsections (6) and (7) of section
428 43.16, Florida Statutes, are redesignated as subsections (7) and
429 (8), respectively, and a new subsection (6) is added to that
430 section, to read:

431 43.16 Justice Administrative Commission; membership, powers
432 and duties.—

433 (6) The commission, each state attorney, each public
434 defender, the criminal conflict and civil regional counsel, the
435 capital collateral regional counsel, and the Guardian Ad Litem
436 Program shall establish and maintain internal controls designed
437 to:

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

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

441 (c) Support economical and efficient operations.

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

443 (e) Safeguard assets.

444 Section 8. Section 112.3126, Florida Statutes, is created
445 to read:



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446 112.3126 Employment restrictions; legislators.-

447 (1) As used in this section, the term "private entity"
448 means any nongovernmental entity, such as a corporation,
449 partnership, company or nonprofit organization, any other legal
450 entity, or any natural person.

451 (2) A member of the Legislature may not accept employment
452 with a private entity that directly receives funding through
453 state revenues appropriated by the General Appropriations Act. A
454 member of the Legislature who is employed by such private entity
455 before his or her legislative service begins may continue his or
456 her employment. However, he or she may not accept promotion,
457 advancement, additional compensation, or anything of value that
458 he or she knows, or with the exercise of reasonable care should
459 know, is provided or given as a result of his or her election or
460 position, or that is otherwise inconsistent with the promotion,
461 advancement, additional compensation, or anything of value
462 provided or given an employee who is similarly situated.

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

465 112.313 Standards of conduct for public officers, employees
466 of agencies, and local government attorneys.-

467 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.-

468 (a) A ~~Ne~~ public officer or employee of an agency may not
469 ~~shall~~ have or hold any employment or contractual relationship
470 with any business entity or any agency that ~~which~~ is subject to
471 the regulation of, or is doing business with, an agency of which
472 he or she is an officer or employee, excluding those
473 organizations and their officers who, when acting in their
474 official capacity, enter into or negotiate a collective



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475 bargaining contract with the state or any municipality, county,
476 or other political subdivision of the state; and ~~nor shall~~ an
477 officer or employee of an agency may not have or hold any
478 employment or contractual relationship that will create a
479 continuing or frequently recurring conflict between his or her
480 private interests and the performance of his or her public
481 duties or that would impede the full and faithful discharge of
482 his or her public duties. For purposes of this subsection, if a
483 public officer or employee of an agency holds a controlling
484 interest in a business entity or is an officer, a director, or a
485 member who manages such an entity, contractual relationships
486 held by the business entity are deemed to be held by the public
487 officer or employee.

488 1. When the agency referred to is a ~~that certain kind of~~
489 special tax district created by general or special law and is
490 limited specifically to constructing, maintaining, managing, and
491 financing improvements in the land area over which the agency
492 has jurisdiction, or when the agency has been organized pursuant
493 to chapter 298, ~~then~~ employment with, or entering into a
494 contractual relationship with, such a business entity by a
495 public officer or employee of such an agency is ~~shall not be~~
496 prohibited by this subsection or ~~be~~ deemed a conflict per se.
497 However, conduct by such officer or employee that is prohibited
498 by, or otherwise frustrates the intent of, this section must
499 ~~shall~~ be deemed a conflict of interest in violation of the
500 standards of conduct set forth by this section.

501 2. When the agency referred to is a legislative body and
502 the regulatory power over the business entity resides in another
503 agency, or when the regulatory power that ~~which~~ the legislative



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504 body exercises over the business entity or agency is strictly
505 through the enactment of laws or ordinances, ~~then~~ employment or
506 a contractual relationship with such a business entity by a
507 public officer or employee of a legislative body is ~~shall~~ not ~~be~~
508 prohibited by this subsection or ~~be~~ deemed a conflict.

509 (b) This subsection does ~~shall~~ not prohibit a public
510 officer or employee from practicing in a particular profession
511 or occupation when such practice by persons holding such public
512 office or employment is required or permitted by law or
513 ordinance.

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

516 112.3144 Full and public disclosure of financial
517 interests.-

518 (1) In addition to officers specified in s. 8, Art. II of
519 the State Constitution or other state law, all elected municipal
520 officers are required to file a full and public disclosure of
521 their financial interests. An officer who is required ~~by s. 8,~~
522 ~~Art. II of the State Constitution~~ to file a full and public
523 disclosure of ~~his or her~~ financial interests for any calendar or
524 fiscal year shall file that disclosure with the ~~Florida~~
525 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~
526 An officer who is required to complete annual ethics training
527 pursuant to s. 112.3142 must certify on his or her full and
528 public disclosure of financial interests that he or she has
529 completed the required training.

530 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~
531 ~~the State Constitution,~~ to file a full and public disclosure of
532 financial interests and who has filed a full and public



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533 disclosure of financial interests for any calendar or fiscal
534 year ~~is shall~~ not be required to file a statement of financial
535 interests pursuant to s. 112.3145(2) and (3) for the same year
536 or for any part thereof notwithstanding any requirement of this
537 part. If an incumbent in an elective office has filed the full
538 and public disclosure of financial interests to qualify for
539 election to the same office or if a candidate for office holds
540 another office subject to the annual filing requirement, the
541 qualifying officer shall forward an electronic copy of the full
542 and public disclosure of financial interests to the commission
543 no later than July 1. The electronic copy of the full and public
544 disclosure of financial interests satisfies the annual
545 disclosure requirement of this section. A candidate who does not
546 qualify until after the annual full and public disclosure of
547 financial interests has been filed pursuant to this section
548 shall file a copy of his or her disclosure with the officer
549 before whom he or she qualifies.

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

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

555 112.31455 Collection methods for unpaid automatic fines for
556 failure to timely file disclosure of financial interests.-

557 (1) Before referring any unpaid fine accrued pursuant to s.
558 112.3144(5) or s. 112.3145(7) to the Department of Financial
559 Services, the commission shall attempt to determine whether the
560 individual owing such a fine is a current public officer or
561 current public employee. If so, the commission may notify the



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562 Chief Financial Officer or the governing body of the appropriate
563 county, municipality, school district, or special district of
564 the total amount of any fine owed to the commission by such
565 individual.

566 (a) After receipt and verification of the notice from the
567 commission, the Chief Financial Officer or the governing body of
568 the county, municipality, school district, or special district
569 shall begin withholding the lesser of 10 percent or the maximum
570 amount allowed under federal law from any salary-related
571 payment. The withheld payments shall be remitted to the
572 commission until the fine is satisfied.

573 (b) The Chief Financial Officer or the governing body of
574 the county, municipality, school district, or special district
575 may retain an amount of each withheld payment, as provided in s.
576 77.0305, to cover the administrative costs incurred under this
577 section.

578 Section 13. Present subsections (7) through (15) of section
579 112.3215, Florida Statutes, are renumbered as subsections (8)
580 through (16), respectively, a new subsection (7) is added to
581 that section, and paragraph (a) of present subsection (8) and
582 present subsection (11) of that section are amended, to read:

583 112.3215 Lobbying before the executive branch or the
584 Constitution Revision Commission; registration and reporting;
585 investigation by commission.—

586 (7) If a lobbying firm lobbies the Governor to approve or
587 veto any bill passed by the Legislature or a specific
588 appropriation in the General Appropriations Act, the lobbying
589 firm must file a monthly report disclosing such activity with
590 the commission.



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591 (a) The monthly report must contain the same information
592 required under s. 11.045(5). The reports must be filed with the
593 commission no later than 7 business days after the end of the
594 preceding month. A lobbying firm may satisfy the filing
595 requirements of this subsection by using the form used under s.
596 11.045(5).

597 (b) The reports shall be filed even if the reporting
598 lobbying firm did not engage in any lobbying activities
599 requiring disclosure, in which the report shall be marked "not
600 applicable."

601 (c) The commission shall provide by rule the grounds for
602 waiving a fine, the procedures by which a lobbying firm that
603 fails to timely file a report shall be notified and assessed
604 fines, and the procedure for appealing the fines. The rule shall
605 provide for the following:

606 1. Upon determining that the report is late, the person
607 designated to review the timeliness of reports shall immediately
608 notify the lobbying firm as to the failure to timely file the
609 report and that a fine is being assessed for each late day. The
610 fine shall be \$50 per day per report for each late day up to a
611 maximum of \$5,000 per late report.

612 2. Upon receipt of the report, the person designated to
613 review the timeliness of reports shall determine the amount of
614 the fine due based upon when a report is actually received by
615 the commission.

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



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620 4. A fine may not be assessed against a lobbying firm the
621 first time any reports for which the lobbying firm is
622 responsible are not timely filed. However, to receive the one-
623 time fine waiver, all reports for which the lobbying firm is
624 responsible must be filed within 30 days after the notice that
625 any reports have not been timely filed is transmitted by the
626 commission. A fine shall be assessed for any subsequent late-
627 filed reports.

628 5. Any lobbying firm may appeal or dispute a fine, based
629 upon unusual circumstances surrounding the failure to file on
630 the designated due date, and may request and shall be entitled
631 to a hearing before the commission, which shall have the
632 authority to waive the fine in whole or in part for good cause
633 shown. Any such request shall be made within 30 days after the
634 notice of payment due is transmitted by the commission. In such
635 case, the lobbying firm shall, within the 30-day period, notify
636 the person designated to review the timeliness of reports in
637 writing of his or her intention to bring the matter before the
638 commission.

639 6. The person designated to review the timeliness of
640 reports shall notify the commission of the failure of a lobbying
641 firm to file a report after notice or of the failure of a
642 lobbying firm to pay the fine imposed. All lobbyist
643 registrations for lobbyists who are partners, owners, officers,
644 or employees of a lobbying firm that fails to timely pay a fine
645 are automatically suspended until the fine is paid or waived,
646 and the commission shall promptly notify all affected principals
647 of each suspension and each reinstatement.

648 7. Notwithstanding any provision of chapter 120, any fine



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649 imposed under this subsection that is not waived by final order
650 of the commission and that remains unpaid more than 60 days
651 after the notice of payment due or more than 60 days after the
652 commission renders a final order on the lobbying firm's appeal
653 shall be collected by the Department of Financial Services as a
654 claim, debt, or other obligation owed to the state, and the
655 department may assign the collection of such fine to a
656 collection agent as provided in s. 17.20.

657 (9) (a) ~~(8) (a)~~ The commission shall investigate every sworn
658 complaint that is filed with it alleging that a person covered
659 by this section has failed to register, has failed to submit a
660 compensation report, has made a prohibited expenditure, has
661 failed to file a report required by subsection (7), or has
662 knowingly submitted false information in any report or
663 registration required in this section.

664 (12) ~~(11)~~ Any person who is required to be registered or to
665 provide information under this section or under rules adopted
666 pursuant to this section and who knowingly fails to disclose any
667 material fact that is required by this section or by rules
668 adopted pursuant to this section, or who knowingly provides
669 false information on any report required by this section or by
670 rules adopted pursuant to this section, commits a noncriminal
671 infraction, punishable by a fine not to exceed \$5,000. Such
672 penalty is in addition to any other penalty assessed by the
673 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

674 Section 14. Section 112.324, Florida Statutes, is amended
675 to read:

676 112.324 Investigative procedures ~~on complaints of~~
677 ~~violations and referrals~~; public records and meeting



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678 exemptions.-

679 (1) The commission shall investigate an alleged violation
680 of this part or other alleged breach of the public trust within
681 the jurisdiction of the commission as provided in s. 8(f), Art.
682 II of the State Constitution:

683 (a) Upon a written complaint executed on a form prescribed
684 by the commission and signed under oath or affirmation by any
685 person; ~~or~~

686 (b) Upon receipt of a written referral of a possible
687 violation of this part or other possible breach of the public
688 trust from the Governor, the Department of Law Enforcement, a
689 state attorney, or a United States Attorney which at least six
690 members of the commission determine is sufficient to indicate a
691 violation of this part or any other breach of the public trust;
692 or

693 (c) Upon receipt of reliable and publicly disseminated
694 information that is determined by at least seven members of the
695 commission to be sufficient to indicate a violation of this part
696 or any other breach of the public trust, provided that
697 commission staff did not undertake any formal investigation of
698 the matter other than collecting publicly disseminated
699 information before a determination of legal sufficiency is made
700 by the commission.

701
702 Within 5 days after receipt of a complaint by the commission, ~~or~~
703 a determination by at least six members of the commission that
704 the referral received is deemed sufficient, or a determination
705 of legal sufficiency is made by at least seven members of the
706 commission in response to reliable and publicly disseminated



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707 information, a copy shall be transmitted to the alleged
708 violator.

709 (2) (a) The complaint and records relating to the complaint
710 or to any preliminary investigation held by the commission or
711 its agents, by a Commission on Ethics and Public Trust
712 established by any county defined in s. 125.011(1) or by any
713 municipality defined in s. 165.031, or by any county or
714 municipality that has established a local investigatory process
715 to enforce more stringent standards of conduct and disclosure
716 requirements as provided in s. 112.326 are confidential and
717 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
718 Constitution.

719 (b) Written referrals and records relating to such
720 referrals held by the commission or its agents, the Governor,
721 the Department of Law Enforcement, or a state attorney, and
722 records relating to any preliminary investigation of such
723 referrals held by the commission or its agents, are confidential
724 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
725 Constitution.

726 (c) Any portion of a proceeding conducted by the
727 commission, a Commission on Ethics and Public Trust, or a county
728 or municipality that has established such local investigatory
729 process, pursuant to a complaint or preliminary investigation,
730 is exempt from s. 286.011, s. 24(b), Art. I of the State
731 Constitution, and s. 120.525.

732 (d) Any portion of a proceeding of the commission in which
733 a determination regarding a referral is discussed or acted upon
734 is exempt from s. 286.011 and s. 24(b), Art. I of the State
735 Constitution, and s. 120.525.



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736 (e) The exemptions in paragraphs (a)-(d) apply until:
737 1. The complaint is dismissed as legally insufficient;
738 2. The alleged violator requests in writing that such
739 records and proceedings be made public;
740 3. The commission determines that it will not investigate
741 the referral; or
742 4. The commission, a Commission on Ethics and Public Trust,
743 or a county or municipality that has established such local
744 investigatory process determines, based on such investigation,
745 whether probable cause exists to believe that a violation has
746 occurred.

747 (f) A complaint or referral under this part against a
748 candidate in any general, special, or primary election may not
749 be filed nor may any intention of filing such a complaint or
750 referral be disclosed on the day of any such election or within
751 the 30 days immediately preceding the date of the election,
752 unless the complaint or referral is based upon personal
753 information or information other than hearsay.

754 (g) This subsection is subject to the Open Government
755 Sunset Review Act in accordance with s. 119.15 and shall stand
756 repealed on October 2, 2018, unless reviewed and saved from
757 repeal through reenactment by the Legislature.

758 (3) A preliminary investigation shall be undertaken by the
759 commission of each legally sufficient complaint, ~~or~~ referral, or
760 determination based on reliable and publicly disseminated
761 information over which the commission has jurisdiction to
762 determine whether there is probable cause to believe that a
763 violation has occurred. If, upon completion of the preliminary
764 investigation, the commission finds no probable cause to believe



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765 that this part has been violated or that any other breach of the
766 public trust has been committed, the commission shall dismiss
767 the matter ~~complaint or referral~~ with the issuance of a public
768 report to the complainant and the alleged violator, stating with
769 particularity its reasons for dismissal. At that time, ~~the~~
770 ~~complaint or referral and~~ all materials relating to the matter,
771 including any complaint or referral, shall become ~~a matter of~~
772 public record. If the commission finds from the preliminary
773 investigation probable cause to believe that this part has been
774 violated or that any other breach of the public trust has been
775 committed, it shall so notify the complainant and the alleged
776 violator in writing. Such notification and all documents made or
777 received in the disposition of the matter ~~complaint or referral~~
778 shall then become public records. Upon request submitted to the
779 commission in writing, any person who the commission finds
780 probable cause to believe has violated any provision of this
781 part or has committed any other breach of the public trust shall
782 be entitled to a public hearing. Such person shall be deemed to
783 have waived the right to a public hearing if the request is not
784 received within 14 days following the mailing of the probable
785 cause notification required by this subsection. However, the
786 commission may on its own motion, require a public hearing, may
787 conduct such further investigation as it deems necessary, and
788 may enter into such stipulations and settlements as it finds to
789 be just and in the best interest of the state. The commission is
790 without jurisdiction to, and no respondent may voluntarily or
791 involuntarily, enter into a stipulation or settlement which
792 imposes any penalty, including, but not limited to, a sanction
793 or admonition or any other penalty contained in s. 112.317.



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794 Penalties shall be imposed only by the appropriate disciplinary
795 authority as designated in this section.

796 (4) If, in cases pertaining to members of the Legislature,
797 upon completion of a full and final investigation by the
798 commission, the commission finds that there has been a violation
799 of this part or of any provision of s. 8, Art. II of the State
800 Constitution, the commission shall forward a copy of the
801 complaint, ~~or~~ referral, or information upon which the proceeding
802 was initiated, and its findings by certified mail to the
803 President of the Senate or the Speaker of the House of
804 Representatives, whichever is applicable, who shall refer the
805 matter ~~complaint or referral~~ to the appropriate committee for
806 investigation and action which shall be governed by the rules of
807 its respective house. It is the duty of the committee to report
808 its final action upon the matter to the commission within 90
809 days of the date of transmittal to the respective house. Upon
810 request of the committee, the commission shall submit a
811 recommendation as to what penalty, if any, should be imposed. In
812 the case of a member of the Legislature, the house in which the
813 member serves has the power to invoke the penalty provisions of
814 this part.

815 (5) If, in cases against impeachable officers, upon
816 completion of a full and final investigation by the commission,
817 the commission finds that there has been a violation of this
818 part or of any provision of s. 8, Art. II of the State
819 Constitution, and the commission finds that the violation may
820 constitute grounds for impeachment, the commission shall forward
821 a copy of the complaint, ~~or~~ referral, or information upon which
822 the proceeding was initiated, and its findings by certified mail



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823 to the Speaker of the House of Representatives, who shall refer
824 the matter ~~complaint or referral~~ to the appropriate committee
825 for investigation and action which shall be governed by the
826 rules of the House of Representatives. It is the duty of the
827 committee to report its final action upon the matter to the
828 commission within 90 days of the date of transmittal.

829 (6) If the commission finds that there has been a violation
830 of this part or of any provision of s. 8, Art. II of the State
831 Constitution by an impeachable officer other than the Governor,
832 and the commission recommends public censure and reprimand,
833 forfeiture of a portion of the officer's salary, a civil
834 penalty, or restitution, the commission shall report its
835 findings and recommendation of disciplinary action to the
836 Governor, who has the power to invoke the penalty provisions of
837 this part.

838 (7) If the commission finds that there has been a violation
839 of this part or of any provision of s. 8, Art. II of the State
840 Constitution by the Governor, and the commission recommends
841 public censure and reprimand, forfeiture of a portion of the
842 Governor's salary, a civil penalty, or restitution, the
843 commission shall report its findings and recommendation of
844 disciplinary action to the Attorney General, who shall have the
845 power to invoke the penalty provisions of this part.

846 (8) ~~If,~~ In cases other than those ~~complaints or referrals~~
847 against impeachable officers or members of the Legislature, if
848 the commission finds, upon completion of a full and final
849 investigation by the commission, ~~the commission finds~~ that there
850 has been a violation of this part or of s. 8, Art. II of the
851 State Constitution, it is the duty of the commission to report



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852 its findings and recommend appropriate action to the proper
853 disciplinary official or body as follows, and such official or
854 body has the power to invoke the penalty provisions of this
855 part, including the power to order the appropriate elections
856 official to remove a candidate from the ballot for a violation
857 of s. 112.3145 or s. 8(a) and (i), Art. II of the State
858 Constitution:

859 (a) The President of the Senate and the Speaker of the
860 House of Representatives, jointly, in any case concerning the
861 Public Counsel, members of the Public Service Commission,
862 members of the Public Service Commission Nominating Council, the
863 Auditor General, or the director of the Office of Program Policy
864 Analysis and Government Accountability.

865 (b) The Supreme Court, in any case concerning an employee
866 of the judicial branch.

867 (c) The President of the Senate, in any case concerning an
868 employee of the Senate; the Speaker of the House of
869 Representatives, in any case concerning an employee of the House
870 of Representatives; or the President and the Speaker, jointly,
871 in any case concerning an employee of a committee of the
872 Legislature whose members are appointed solely by the President
873 and the Speaker or in any case concerning an employee of the
874 Public Counsel, Public Service Commission, Auditor General, or
875 Office of Program Policy Analysis and Government Accountability.

876 (d) Except as otherwise provided by this part, the
877 Governor, in the case of any other public officer, public
878 employee, former public officer or public employee, candidate or
879 former candidate, or person who is not a public officer or
880 employee, other than lobbyists and lobbying firms under s.



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881 112.3215 for violations of s. 112.3215.

882 (e) The President of the Senate or the Speaker of the House
883 of Representatives, whichever is applicable, in any case
884 concerning a former member of the Legislature who has violated a
885 provision applicable to former members or whose violation
886 occurred while a member of the Legislature.

887 (9) In addition to reporting its findings to the proper
888 disciplinary body or official, the commission shall report these
889 findings to the state attorney or any other appropriate official
890 or agency having authority to initiate prosecution when
891 violation of criminal law is indicated.

892 (10) Notwithstanding the foregoing procedures of this
893 section, a sworn complaint against any member or employee of the
894 Commission on Ethics for violation of this part or of s. 8, Art.
895 II of the State Constitution shall be filed with the President
896 of the Senate and the Speaker of the House of Representatives.
897 Each presiding officer shall, after determining that there are
898 sufficient grounds for review, appoint three members of their
899 respective bodies to a special joint committee who shall
900 investigate the complaint. The members shall elect a chair from
901 among their number. If the special joint committee finds
902 insufficient evidence to establish probable cause to believe a
903 violation of this part or of s. 8, Art. II of the State
904 Constitution has occurred, it shall dismiss the complaint. If,
905 upon completion of its preliminary investigation, the committee
906 finds sufficient evidence to establish probable cause to believe
907 a violation has occurred, the chair thereof shall transmit such
908 findings to the Governor who shall convene a meeting of the
909 Governor, the President of the Senate, the Speaker of the House



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910 of Representatives, and the Chief Justice of the Supreme Court
911 to take such final action on the complaint as they shall deem
912 appropriate, consistent with the penalty provisions of this
913 part. Upon request of a majority of the Governor, the President
914 of the Senate, the Speaker of the House of Representatives, and
915 the Chief Justice of the Supreme Court, the special joint
916 committee shall submit a recommendation as to what penalty, if
917 any, should be imposed.

918 (11) (a) Notwithstanding subsections (1)-(8), the commission
919 may dismiss any complaint, ~~or referral,~~ or matter based upon the
920 receipt of reliable and publicly disseminated information, at
921 any stage of disposition if it determines that the violation
922 that is alleged or has occurred is a de minimis violation
923 attributable to inadvertent or unintentional error. In
924 determining whether a violation was de minimis, the commission
925 shall consider whether the interests of the public were
926 protected despite the violation. This subsection does not apply
927 to complaints or referrals pursuant to ss. 112.3144 and
928 112.3145.

929 (b) For the purposes of this subsection, a de minimis
930 violation is any violation that is unintentional and not
931 material in nature.

932 (12) Notwithstanding the provisions of subsections (1)-(8),
933 the commission may, at its discretion, dismiss any matter
934 ~~complaint or referral~~ at any stage of disposition should it
935 determine that the public interest would not be served by
936 proceeding further, in which case the commission shall issue a
937 public report stating with particularity its reasons for the
938 dismissal.



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939 Section 15. Section 112.3261, Florida Statutes, is amended
940 to read:

941 112.3261 Lobbying before governmental entities ~~water~~
942 ~~management districts~~; registration and reporting.—

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

944 (a) "Governmental entity" or "entity" ~~"District"~~ means a
945 water management district created in s. 373.069 and operating
946 under the authority of chapter 373, a hospital district, a
947 children's services district, an expressway authority as the
948 term "authority" is defined in s. 348.0002, the term "port
949 authority" as defined in s. 315.02, a county or municipality
950 that has not adopted lobbyist registration and reporting
951 requirements, or an independent special district with annual
952 revenues of more than \$5 million which exercises ad valorem
953 taxing authority.

954 (b) "Lobbies" means seeking, on behalf of another person,
955 to influence a governmental entity ~~district~~ with respect to a
956 decision of the entity ~~district~~ in an area of policy or
957 procurement or an attempt to obtain the goodwill of an a
958 ~~district~~ official or employee of a governmental entity. The term
959 ~~"lobbies"~~ shall be interpreted and applied consistently with the
960 rules of the commission implementing s. 112.3215.

961 (c) "Lobbyist" has the same meaning as provided in s.
962 112.3215.

963 (d) "Principal" has the same meaning as provided in s.
964 112.3215.

965 (2) A person may not lobby a governmental entity ~~district~~
966 until such person has registered as a lobbyist with that entity
967 ~~district~~. Such registration shall be due upon initially being



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968 retained to lobby and is renewable on a calendar-year basis
969 thereafter. Upon registration, the person shall provide a
970 statement signed by the principal or principal's representative
971 stating that the registrant is authorized to represent the
972 principal. The principal shall also identify and designate its
973 main business on the statement authorizing that lobbyist
974 pursuant to a classification system approved by the governmental
975 entity ~~district~~. Any changes to the information required by this
976 section must be disclosed within 15 days by filing a new
977 registration form. The registration form must ~~shall~~ require each
978 lobbyist to disclose, under oath, the following:

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

980 (b) The name and business address of each principal
981 represented.

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

986 (d) A governmental entity shall create a lobbyist
987 registration form modeled after the ~~In lieu of creating its own~~
988 ~~lobbyist registration forms, a district may accept a completed~~
989 legislative branch or executive branch lobbyist registration
990 form, which must be returned to the governmental entity.

991 (3) A governmental entity ~~district~~ shall make lobbyist
992 registrations available to the public. If a governmental entity
993 ~~district~~ maintains a website, a database of currently registered
994 lobbyists and principals must be available on the entity's
995 ~~district's~~ website.

996 (4) A lobbyist shall promptly send a written statement to



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997 the governmental entity ~~district~~ canceling the registration for
998 a principal upon termination of the lobbyist's representation of
999 that principal. A governmental entity ~~district~~ may remove the
1000 name of a lobbyist from the list of registered lobbyists if the
1001 principal notifies the entity ~~district~~ that a person is no
1002 longer authorized to represent that principal.

1003 (5) A governmental entity ~~district~~ may establish an annual
1004 lobbyist registration fee, not to exceed \$40, for each principal
1005 represented. The governmental entity ~~district~~ may use
1006 registration fees only to administer this section.

1007 (6) A governmental entity ~~district~~ shall be diligent to
1008 ascertain whether persons required to register pursuant to this
1009 section have complied. A governmental entity ~~district~~ may not
1010 knowingly authorize a person who is not registered pursuant to
1011 this section to lobby the entity ~~district~~.

1012 (7) Upon receipt of a sworn complaint alleging that a
1013 lobbyist or principal has failed to register with a governmental
1014 entity ~~district~~ or has knowingly submitted false information in
1015 a report or registration required under this section, the
1016 commission shall investigate a lobbyist or principal pursuant to
1017 the procedures established under s. 112.324. The commission
1018 shall provide the Governor with a report of its findings and
1019 recommendations in any investigation conducted pursuant to this
1020 subsection. The Governor is authorized to enforce the
1021 commission's findings and recommendations.

1022 (8) A governmental entity ~~Water management districts~~ may
1023 adopt rules to establish procedures to govern the registration
1024 of lobbyists, including the adoption of forms and the
1025 establishment of a lobbyist registration fee.



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1026 Section 16. Paragraph (c) of subsection (3) of section
1027 129.03, Florida Statutes, is amended to read:

1028 129.03 Preparation and adoption of budget.—

1029 (3) The county budget officer, after tentatively
1030 ascertaining the proposed fiscal policies of the board for the
1031 next fiscal year, shall prepare and present to the board a
1032 tentative budget for the next fiscal year for each of the funds
1033 provided in this chapter, including all estimated receipts,
1034 taxes to be levied, and balances expected to be brought forward
1035 and all estimated expenditures, reserves, and balances to be
1036 carried over at the end of the year.

1037 (c) The board shall hold public hearings to adopt tentative
1038 and final budgets pursuant to s. 200.065. The hearings shall be
1039 primarily for the purpose of hearing requests and complaints
1040 from the public regarding the budgets and the proposed tax
1041 levies and for explaining the budget and any proposed or adopted
1042 amendments. The tentative budget must be posted on the county's
1043 official website at least 2 days before the public hearing to
1044 consider such budget and must remain on the website for at least
1045 45 days. The final budget must be posted on the website within
1046 30 days after adoption and must remain on the website for at
1047 least 2 years. The tentative budgets, adopted tentative budgets,
1048 and final budgets shall be filed in the office of the county
1049 auditor as a public record. Sufficient reference in words and
1050 figures to identify the particular transactions must ~~shall~~ be
1051 made in the minutes of the board to record its actions with
1052 reference to the budgets.

1053 Section 17. Paragraph (f) of subsection (2) of section
1054 129.06, Florida Statutes, is amended to read:



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1055 129.06 Execution and amendment of budget.-

1056 (2) The board at any time within a fiscal year may amend a
1057 budget for that year, and may within the first 60 days of a
1058 fiscal year amend the budget for the prior fiscal year, as
1059 follows:

1060 (f) Unless otherwise prohibited by law, if an amendment to
1061 a budget is required for a purpose not specifically authorized
1062 in paragraphs (a)-(e), the amendment may be authorized by
1063 resolution or ordinance of the board of county commissioners
1064 adopted following a public hearing.

1065 1. The public hearing must be advertised at least 2 days,
1066 but not more than 5 days, before the date of the hearing. The
1067 advertisement must appear in a newspaper of paid general
1068 circulation and must identify the name of the taxing authority,
1069 the date, place, and time of the hearing, and the purpose of the
1070 hearing. The advertisement must also identify each budgetary
1071 fund to be amended, the source of the funds, the use of the
1072 funds, and the total amount of each fund's appropriations.

1073 2. If the board amends the budget pursuant to this
1074 paragraph, the adopted amendment must be posted on the county's
1075 official website within 5 days after adoption and must remain on
1076 the website for at least 2 years.

1077 Section 18. Subsections (3) and (5) of section 166.241,
1078 Florida Statutes, are amended to read:

1079 166.241 Fiscal years, budgets, and budget amendments.-

1080 (3) The tentative budget must be posted on the
1081 municipality's official website at least 2 days before the
1082 budget hearing, held pursuant to s. 200.065 or other law, to
1083 consider such budget, and must remain on the website for at



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1084 least 45 days. The final adopted budget must be posted on the
1085 municipality's official website within 30 days after adoption
1086 and must remain on the website for at least 2 years. If the
1087 municipality does not operate an official website, the
1088 municipality must, within a reasonable period of time as
1089 established by the county or counties in which the municipality
1090 is located, transmit the tentative budget and final budget to
1091 the manager or administrator of such county or counties who
1092 shall post the budgets on the county's website.

1093 (5) If the governing body of a municipality amends the
1094 budget pursuant to paragraph (4)(c), the adopted amendment must
1095 be posted on the official website of the municipality within 5
1096 days after adoption and must remain on the website for at least
1097 2 years. If the municipality does not operate an official
1098 website, the municipality must, within a reasonable period of
1099 time as established by the county or counties in which the
1100 municipality is located, transmit the adopted amendment to the
1101 manager or administrator of such county or counties who shall
1102 post the adopted amendment on the county's website.

1103 Section 19. Subsections (4) and (7) of section 189.016,
1104 Florida Statutes, are amended to read:

1105 189.016 Reports; budgets; audits.—

1106 (4) The tentative budget must be posted on the special
1107 district's official website at least 2 days before the budget
1108 hearing, held pursuant to s. 200.065 or other law, to consider
1109 such budget, and must remain on the website for at least 45
1110 days. The final adopted budget must be posted on the special
1111 district's official website within 30 days after adoption and
1112 must remain on the website for at least 2 years. If the special



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1113 district does not operate an official website, the special
1114 district must, within a reasonable period of time as established
1115 by the local general-purpose government or governments in which
1116 the special district is located or the local governing authority
1117 to which the district is dependent, transmit the tentative
1118 budget or final budget to the manager or administrator of the
1119 local general-purpose government or the local governing
1120 authority. The manager or administrator shall post the tentative
1121 budget or final budget on the website of the local general-
1122 purpose government or governing authority. This subsection and
1123 subsection (3) do not apply to water management districts as
1124 defined in s. 373.019.

1125 (7) If the governing body of a special district amends the
1126 budget pursuant to paragraph (6)(c), the adopted amendment must
1127 be posted on the official website of the special district within
1128 5 days after adoption and must remain on the website for at
1129 least 2 years. If the special district does not operate an
1130 official website, the special district must, within a reasonable
1131 period of time as established by the local general-purpose
1132 government or governments in which the special district is
1133 located or the local governing authority to which the district
1134 is dependent, transmit the adopted amendment to the manager or
1135 administrator of the local general-purpose government or
1136 governing authority. The manager or administrator shall post the
1137 adopted amendment on the website of the local general-purpose
1138 government or governing authority.

1139 Section 20. Present subsections (1) through (5) of section
1140 215.425, Florida Statutes, are renumbered as subsections (2)
1141 through (6), respectively, present subsection (2) and paragraph



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1142 (a) of present subsection (4) of that section are amended, and a
1143 new subsection (1) and subsections (7) through (13) are added to
1144 that section, to read:

1145 215.425 Extra compensation claims prohibited; bonuses;
1146 severance pay.-

1147 (1) As used in this section, the term "public funds" means
1148 any taxes, tuition, grants, fines, fees, or other charges or any
1149 other type of revenue collected by the state or any county,
1150 municipality, special district, school district, Florida College
1151 System institution, state university, or other separate unit of
1152 government created pursuant to law, including any office,
1153 department, agency, division, subdivision, political
1154 subdivision, board, bureau, or commission of such entities.

1155 (3)~~(2)~~ Notwithstanding subsection (2), if the payment and
1156 receipt does not otherwise violate part III of chapter 112, the
1157 following funds may be used to provide extra compensation:

1158 (a) Revenues received by state universities through or from
1159 faculty practice plans; health services support organizations;
1160 hospitals with which state universities are affiliated; direct-
1161 support organizations; or federal, auxiliary, or private
1162 sources, except for tuition.

1163 (b) Revenues received by Florida College System
1164 institutions through or from faculty practice plans; health
1165 services support organizations; direct-support organizations; or
1166 federal, auxiliary, or private sources, except for tuition.

1167 (c) Revenues that are received by a hospital licensed under
1168 chapter 395 which has entered into a Medicaid provider contract
1169 and that:

1170 1. Are not derived from the levy of an ad valorem tax;



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1171 2. Are not derived from patient services paid through the
1172 Medicaid or Medicare program;

1173 3. Are derived from patient services pursuant to contracts
1174 with private insurers or private managed care entities; or

1175 4. Are not appropriated by the Legislature or by any
1176 county, municipality, special district, school district, Florida
1177 College System institution, state university, or other separate
1178 unit of government created pursuant to law, including any
1179 office, department, agency, division, subdivision, political
1180 subdivision, board, bureau, commission, authority, or
1181 institution of such entities, except for revenues otherwise
1182 authorized to be used pursuant to subparagraphs 2. and 3. ~~This~~
1183 section does not apply to:

1184 ~~(a) a bonus or severance pay that is paid wholly from~~
1185 ~~nontax revenues and nonstate-appropriated funds, the payment and~~
1186 ~~receipt of which does not otherwise violate part III of chapter~~
1187 ~~112, and which is paid to an officer, agent, employee, or~~
1188 ~~contractor of a public hospital that is operated by a county or~~
1189 ~~a special district; or~~

1190 ~~(d) (b)~~ A clothing and maintenance allowance given to
1191 plainclothes deputies pursuant to s. 30.49.

1192 (e) Revenues or fees received by a seaport or airport from
1193 sources other than through the levy of a tax, or funds
1194 appropriated by any county or municipality or the Legislature.

1195 ~~(5) (a) (4) (a)~~ On or after July 1, 2011, A unit of
1196 government, on or after July 1, 2011, or a state university, on
1197 or after July 1, 2012, that is a party to enters into a contract
1198 or employment agreement, or renewal or renegotiation of an
1199 existing contract or employment agreement, that contains a



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1200 provision for severance pay with an officer, agent, employee, or
1201 contractor must include the following provisions in the
1202 contract:

1203 1. A requirement that severance pay paid from public funds
1204 ~~provided~~ may not exceed an amount greater than 20 weeks of
1205 compensation.

1206 2. A prohibition of provision of severance pay paid from
1207 public funds when the officer, agent, employee, or contractor
1208 has been fired for misconduct, as defined in s. 443.036(29), by
1209 the unit of government.

1210 (7) Upon discovery or notification that a unit of
1211 government has provided prohibited compensation to any officer,
1212 agent, employee, or contractor in violation of this section,
1213 such unit of government shall investigate and take all necessary
1214 action to recover the prohibited compensation.

1215 (a) If the violation was unintentional, the unit of
1216 government shall recover the prohibited compensation from the
1217 individual receiving the prohibited compensation through normal
1218 recovery methods for overpayments.

1219 (b) If the violation was willful, the unit of government
1220 shall recover the prohibited compensation from either the
1221 individual receiving the prohibited compensation or the
1222 individual or individuals responsible for approving the
1223 prohibited compensation. Each individual determined to have
1224 willfully violated this section is jointly and severally liable
1225 for repayment of the prohibited compensation.

1226 (8) A person who willfully violates this section commits a
1227 misdemeanor of the first degree, punishable as provided in s.
1228 775.082 or s. 775.083.



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1229 (9) An officer who exercises the powers and duties of a
1230 state or county officer and willfully violates this section is
1231 subject to the Governor's power under s. 7(a), Art. IV of the
1232 State Constitution. An officer who exercises powers and duties
1233 other than those of a state or county officer and willfully
1234 violates this section is subject to the suspension and removal
1235 procedures under s. 112.51.

1236 (10) (a) A person who reports a violation of this section is
1237 eligible for a reward of at least \$500, or the lesser of 10
1238 percent of the funds recovered or \$10,000 per incident of a
1239 prohibited compensation payment recovered by the unit of
1240 government, depending upon the extent to which the person
1241 substantially contributed to the discovery, notification, and
1242 recovery of such prohibited payment.

1243 (b) In the event that the recovery of the prohibited
1244 compensation is based primarily on disclosures of specific
1245 information, other than information provided by such person,
1246 relating to allegations or transactions in a criminal, civil, or
1247 administrative hearing; in a legislative, administrative,
1248 inspector general, or other government report; in an auditor
1249 general report, hearing, audit, or investigation; or from the
1250 news media, such person is not eligible for a reward, or for an
1251 award of a portion of the proceeds or payment of attorney fees
1252 and costs pursuant to s. 68.085.

1253 (c) If it is determined that the person who reported a
1254 violation of this section was involved in the authorization,
1255 approval, or receipt of the prohibited compensation or is
1256 convicted of criminal conduct arising from his or her role in
1257 the authorization, approval, or receipt of the prohibited



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1258 compensation, such person is not eligible for a reward, or for
1259 an award of a portion of the proceeds or payment of attorney
1260 fees and costs pursuant to s. 68.085.

1261 (11) An employee who is discharged, demoted, suspended,
1262 threatened, harassed, or in any manner discriminated against in
1263 the terms and conditions of employment by his or her employer
1264 because of lawful acts done by the employee on behalf of the
1265 employee or others in furtherance of an action under this
1266 section, including investigation for initiation of, testimony
1267 for, or assistance in an action filed or to be filed under this
1268 section, has a cause of action under s. 112.3187.

1269 (12) If the unit of government fails to recover prohibited
1270 compensation for a willful violation of this section upon
1271 discovery and notification of such prohibited payment within 90
1272 days, a cause of action may be brought to:

1273 (a) Recover state funds in accordance with ss. 68.082 and
1274 68.083.

1275 (b) Recover other funds by the Department of Legal Affairs
1276 using the procedures set forth in ss. 68.082 and 68.083, except
1277 that venue shall lie in the circuit court of the county in which
1278 the unit of government is located.

1279 (c) Recover other funds by a person using the procedures
1280 set forth in ss. 68.082 and 68.083, except that venue shall lie
1281 in the circuit court of the county in which the unit of
1282 government is located.

1283 (13) Subsections (7)-(12) apply prospectively to contracts
1284 or employment agreements, or the renewal or renegotiation of an
1285 existing contract or employment agreement, effective on or after
1286 October 1, 2016.



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1287 Section 21. Section 215.86, Florida Statutes, is amended to
1288 read:

1289 215.86 Management systems and controls.—Each state agency
1290 and the judicial branch as defined in s. 216.011 shall establish
1291 and maintain management systems and internal controls designed
1292 to:

1293 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

1294 (2) Promote and encourage compliance with applicable laws,
1295 rules, contracts, grant agreements, and best practices.†

1296 (3) Support economical and ~~economic,~~ efficient, and
1297 effective operations.†

1298 (4) Ensure reliability of financial records and reports.†

1299 (5) Safeguard and ~~safeguarding of~~ assets. Accounting
1300 systems and procedures shall be designed to fulfill the
1301 requirements of generally accepted accounting principles.

1302 Section 22. Paragraph (a) of subsection (2) of section
1303 215.97, Florida Statutes, is amended to read:

1304 215.97 Florida Single Audit Act.—

1305 (2) Definitions; as used in this section, the term:

1306 (a) "Audit threshold" means the threshold amount used to
1307 determine when a state single audit or project-specific audit of
1308 a nonstate entity shall be conducted in accordance with this
1309 section. Each nonstate entity that expends a total amount of
1310 state financial assistance equal to or in excess of \$750,000
1311 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be
1312 required to have a state single audit, or a project-specific
1313 audit, for such fiscal year in accordance with the requirements
1314 of this section. ~~Every 2 years the Auditor General,~~ After
1315 consulting with the Executive Office of the Governor, the



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1316 Department of Financial Services, and all state awarding
1317 agencies, the Auditor General shall periodically review the
1318 threshold amount for requiring audits under this section and may
1319 recommend any appropriate statutory change to revise the
1320 threshold amount in the annual report submitted pursuant to s.
1321 11.45(7) (h) to the Legislature ~~may adjust such threshold amount~~
1322 ~~consistent with the purposes of this section.~~

1323 Section 23. Subsection (11) of section 215.985, Florida
1324 Statutes, is amended to read:

1325 215.985 Transparency in government spending.—

1326 (11) Each water management district shall provide a monthly
1327 financial statement in the form and manner prescribed by the
1328 Department of Financial Services to the district's ~~its~~ governing
1329 board and make such monthly financial statement available for
1330 public access on its website.

1331 Section 24. Paragraph (d) of subsection (1) and subsection
1332 (2) of section 218.32, Florida Statutes, are amended to read:

1333 218.32 Annual financial reports; local governmental
1334 entities.—

1335 (1)

1336 (d) Each local governmental entity that is required to
1337 provide for an audit under s. 218.39(1) must submit a copy of
1338 the audit report and annual financial report to the department
1339 within 45 days after the completion of the audit report but no
1340 later than 9 months after the end of the fiscal year. In
1341 conducting an audit of a local governmental entity pursuant to
1342 s. 218.39, an independent certified public accountant shall
1343 determine whether the entity's annual financial report is in
1344 agreement with the audited financial statements. The



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1345 accountant's audit report must be supported by the same level of
1346 detail as required for the annual financial report. If the
1347 accountant's audit report is not in agreement with the annual
1348 financial report, the accountant shall specify and explain the
1349 significant differences that exist between the annual financial
1350 report and the audit report.

1351 (2) The department shall annually by December 1 file a
1352 verified report with the Governor, the Legislature, the Auditor
1353 General, and the Special District Accountability Program of the
1354 Department of Economic Opportunity showing the revenues, both
1355 locally derived and derived from intergovernmental transfers,
1356 and the expenditures of each local governmental entity, regional
1357 planning council, local government finance commission, and
1358 municipal power corporation that is required to submit an annual
1359 financial report. In preparing the verified report, the
1360 department may request additional information from the local
1361 governmental entity. The information requested must be provided
1362 to the department within 45 days after the request. If the local
1363 governmental entity does not comply with the request, the
1364 department shall notify the Legislative Auditing Committee,
1365 which may take action pursuant to s. 11.40(2). The report must
1366 include, but is not limited to:

1367 (a) The total revenues and expenditures of each local
1368 governmental entity that is a component unit included in the
1369 annual financial report of the reporting entity.

1370 (b) The amount of outstanding long-term debt by each local
1371 governmental entity. For purposes of this paragraph, the term
1372 "long-term debt" means any agreement or series of agreements to
1373 pay money, which, at inception, contemplate terms of payment



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1374 exceeding 1 year in duration.

1375 Section 25. Present subsection (3) of section 218.33,
1376 Florida Statutes, is redesignated as subsection (4), and a new
1377 subsection (3) is added to that section, to read:

1378 218.33 Local governmental entities; establishment of
1379 uniform fiscal years and accounting practices and procedures.—

1380 (3) Each local governmental entity shall establish and
1381 maintain internal controls designed to:

1382 (a) Prevent and detect fraud, waste, and abuse.

1383 (b) Promote and encourage compliance with applicable laws,
1384 rules, contracts, grant agreements, and best practices.

1385 (c) Support economical and efficient operations.

1386 (d) Ensure reliability of financial records and reports.

1387 (e) Safeguard assets.

1388 Section 26. Present subsections (8) through (12) of section
1389 218.39, Florida Statutes, are redesignated as subsections (9)
1390 through (13), respectively, and a new subsection (8) is added to
1391 that section, to read:

1392 218.39 Annual financial audit reports.—

1393 (8) If the audit report includes a recommendation that was
1394 included in the preceding financial audit report but remains
1395 unaddressed, the governing body of the audited entity, within 60
1396 days after the delivery of the audit report to the governing
1397 body, shall indicate during a regularly scheduled public meeting
1398 whether it intends to take corrective action, the intended
1399 corrective action, and the timeframe for the corrective action.

1400 If the governing body indicates that it does not intend to take
1401 corrective action, it shall explain its decision at the public
1402 meeting.



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1403 Section 27. Subsection (2) of section 218.391, Florida
1404 Statutes, is amended, and subsection (9) is added to that
1405 section, to read:

1406 218.391 Auditor selection procedures.—

1407 (2) The governing body of a ~~charter~~ county, municipality,
1408 special district, district school board, charter school, or
1409 charter technical career center shall establish an audit
1410 committee.

1411 (a) The audit committee for a county ~~Each noncharter county~~
1412 ~~shall establish an audit committee that,~~ at a minimum, shall
1413 consist of each of the county officers elected pursuant to the
1414 county charter or s. 1(d), Art. VIII of the State Constitution,
1415 or their respective designees ~~a designee,~~ and one member of the
1416 board of county commissioners or its designee.

1417 (b) The audit committee for a municipality, special
1418 district, district school board, charter school, or charter
1419 technical career center shall consist of at least three members.
1420 One member of the audit committee must be a member of the
1421 governing body of an entity specified in this paragraph, who
1422 shall also serve as the chair of the committee.

1423 (c) An employee, chief executive officer, or chief
1424 financial officer of the county, municipality, special district,
1425 district school board, charter school, or charter technical
1426 career center may not serve as a member of an audit committee
1427 established under this subsection.

1428 (d) The primary purpose of the audit committee is to assist
1429 the governing body in selecting an auditor to conduct the annual
1430 financial audit required in s. 218.39; however, the audit
1431 committee may serve other audit oversight purposes as determined



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1432 by the entity's governing body. The public may ~~shall~~ not be
1433 excluded from the proceedings under this section.

1434 (9) An audit report submitted pursuant to s. 218.39 must
1435 include an affidavit executed by the chair of the audit
1436 committee affirming that the committee complied with the
1437 requirements of subsections (3)-(6) in selecting an auditor. If
1438 the Auditor General determines that an entity failed to comply
1439 with the requirements of subsections (3)-(6) in selecting an
1440 auditor, the entity shall select a replacement auditor in
1441 accordance with this section to conduct audits for subsequent
1442 fiscal years if the original audit was performed under a
1443 multiyear contract. If the replacement of an auditor would
1444 preclude the entity from timely completing the annual financial
1445 audit required by s. 218.39, the entity shall replace an auditor
1446 in accordance with this section for the subsequent annual
1447 financial audit. A multiyear contract between an entity or an
1448 auditor may not prohibit or restrict an entity from complying
1449 with this subsection.

1450 Section 28. Subsection (2) of section 286.0114, Florida
1451 Statutes, is amended to read:

1452 286.0114 Public meetings; reasonable opportunity to be
1453 heard; attorney fees.—

1454 (2) Members of the public shall be given a reasonable
1455 opportunity to be heard on a proposition before a board or
1456 commission. The opportunity to be heard need not occur at the
1457 same meeting at which the board or commission takes official
1458 action on the proposition if the opportunity occurs at a meeting
1459 that is during the decisionmaking process and is within
1460 reasonable proximity in time before the meeting at which the



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1461 board or commission takes the official action. A board or
1462 commission may not require a member of the public to provide an
1463 advance written copy of his or her testimony or comments as a
1464 precondition of being given the opportunity to be heard at a
1465 meeting. This section does not prohibit a board or commission
1466 from maintaining orderly conduct or proper decorum in a public
1467 meeting. The opportunity to be heard is subject to rules or
1468 policies adopted by the board or commission, as provided in
1469 subsection (4).

1470 Section 29. Paragraph (b) of subsection (2) of section
1471 288.92, Florida Statutes, is amended to read:

1472 288.92 Divisions of Enterprise Florida, Inc.—

1473 (2)

1474 (b)1. The following officers and board members are subject
1475 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1476 112.3143(2):

1477 a. Officers and members of the board of directors of the
1478 divisions of Enterprise Florida, Inc.

1479 b. Officers and members of the board of directors of
1480 subsidiaries of Enterprise Florida, Inc.

1481 c. Officers and members of the board of directors of
1482 corporations created to carry out the missions of Enterprise
1483 Florida, Inc.

1484 d. Officers and members of the board of directors of
1485 corporations with which a division is required by law to
1486 contract to carry out its missions.

1487 2. For a period of 2 years after retirement from or
1488 termination of service to a division, or for a period of 10
1489 years if removed or terminated for cause or for misconduct, as



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1490 defined in s. 443.036(29), the officers and board members
1491 specified in subparagraph 1. may not represent another person or
1492 entity for compensation before:

1493 a. Enterprise Florida, Inc.;

1494 b. A division, a subsidiary, or the board of directors of
1495 corporations created to carry out the missions of Enterprise
1496 Florida, Inc.; or

1497 c. A division with which Enterprise Florida, Inc., is
1498 required by law to contract to carry out its missions.

1499 3.2- For purposes of applying ss. 112.313(1)-(8), (10),
1500 (12), and (15); 112.3135; and 112.3143(2) to activities of the
1501 officers and members of the board of directors specified in
1502 subparagraph 1., those persons shall be considered public
1503 officers or employees and the corporation shall be considered
1504 their agency.

1505 4.3- It is not a violation of s. 112.3143(2) or (4) for the
1506 officers or members of the board of directors of the Florida
1507 Tourism Industry Marketing Corporation to:

1508 a. Vote on the 4-year marketing plan required under s.
1509 288.923 or vote on any individual component of or amendment to
1510 the plan.

1511 b. Participate in the establishment or calculation of
1512 payments related to the private match requirements of s.
1513 288.904(3). The officer or member must file an annual disclosure
1514 describing the nature of his or her interests or the interests
1515 of his or her principals, including corporate parents and
1516 subsidiaries of his or her principal, in the private match
1517 requirements. This annual disclosure requirement satisfies the
1518 disclosure requirement of s. 112.3143(4). This disclosure must



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1519 be placed ~~either~~ on the Florida Tourism Industry Marketing
1520 Corporation's website or included in the minutes of each meeting
1521 of the Florida Tourism Industry Marketing Corporation's board of
1522 directors at which the private match requirements are discussed
1523 or voted upon.

1524 Section 30. Paragraph (a) of subsection (3) of section
1525 288.9604, Florida Statutes, is amended to read:

1526 288.9604 Creation of the authority.—

1527 (3) (a) 1. A director may not receive compensation for his or
1528 her services, but is entitled to necessary expenses, including
1529 travel expenses, incurred in the discharge of his or her duties.
1530 Each director shall hold office until his or her successor has
1531 been appointed.

1532 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),
1533 and (15); 112.3135; and 112.3143(2). For purposes of applying
1534 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
1535 112.3143(2) to activities of directors, directors shall be
1536 considered public officers and the corporation shall be
1537 considered their agency.

1538 3. A director of the corporation may not represent another
1539 person or entity for compensation before the corporation for a
1540 period of 2 years following his or her service on the board of
1541 directors.

1542 Section 31. Paragraph (e) of subsection (4), paragraph (d)
1543 of subsection (5), and paragraph (d) of subsection (6) of
1544 section 373.536, Florida Statutes, are amended to read:

1545 373.536 District budget and hearing thereon.—

1546 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1547 (e) ~~By September 1, 2012,~~ Each district shall provide a



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1548 monthly financial statement in the form and manner prescribed by
1549 the Department of Financial Services to the district's governing
1550 board and make such monthly financial statement available for
1551 public access on its website.

1552 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
1553 APPROVAL.—

1554 (d) Each district shall, by August 1 of each year, submit
1555 for review a tentative budget and a description of any
1556 significant changes from the preliminary budget submitted to the
1557 Legislature pursuant to s. 373.535 to the Governor, the
1558 President of the Senate, the Speaker of the House of
1559 Representatives, the chairs of all legislative committees and
1560 subcommittees having substantive or fiscal jurisdiction over
1561 water management districts, as determined by the President of
1562 the Senate or the Speaker of the House of Representatives, as
1563 applicable, the secretary of the department, and the governing
1564 body of each county in which the district has jurisdiction or
1565 derives any funds for the operations of the district. The
1566 tentative budget must be posted on the district's official
1567 website at least 2 days before budget hearings held pursuant to
1568 s. 200.065 or other law and must remain on the website for at
1569 least 45 days.

1570 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
1571 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1572 (d) The final adopted budget must be posted on the water
1573 management district's official website within 30 days after
1574 adoption and must remain on the website for at least 2 years.

1575 Section 32. Section 838.014, Florida Statutes, is amended
1576 to read:



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- 1577 838.014 Definitions.—As used in this chapter, the term:
- 1578 (1) "Benefit" means gain or advantage, or anything regarded
- 1579 by the person to be benefited as a gain or advantage, including
- 1580 the doing of an act beneficial to any person in whose welfare he
- 1581 or she is interested, including any commission, gift, gratuity,
- 1582 property, commercial interest, or any other thing of economic
- 1583 value not authorized by law.
- 1584 (2) "Bid" includes a response to an "invitation to bid,"
- 1585 "invitation to negotiate," "request for a quote," or "request
- 1586 for proposals" as those terms are defined in s. 287.012.
- 1587 (3) "Commodity" means any goods, merchandise, wares,
- 1588 produce, chose in action, land, article of commerce, or other
- 1589 tangible or intangible property, real, personal, or mixed, for
- 1590 use, consumption, production, enjoyment, or resale.
- 1591 (4) "Governmental entity" means an agency or entity of the
- 1592 state, a county, a municipality, or a special district or any
- 1593 other public entity created or authorized by law ~~"Corruptly" or~~
- 1594 ~~"with corrupt intent" means acting knowingly and dishonestly for~~
- 1595 ~~a wrongful purpose.~~
- 1596 (5) "Harm" means pecuniary or other loss, disadvantage, or
- 1597 injury to the person affected.
- 1598 (6) "Public contractor" means:
- 1599 (a) Any person, as defined in s. 1.01, who has entered into
- 1600 a contract with a governmental entity; or
- 1601 (b) Any officer or employee of a person, as defined in s.
- 1602 1.01, who has entered into a contract with a governmental
- 1603 entity.
- 1604 (7) "Public servant" means:
- 1605 (a) Any officer or employee of a governmental state,



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1606 ~~county, municipal, or special district agency or entity,~~
1607 ~~including:~~
1608 ~~(b)~~ any executive, legislative, or judicial branch officer
1609 or employee;
1610 ~~(b)(e)~~ Any person, except a witness, who acts as a general
1611 or special magistrate, receiver, auditor, arbitrator, umpire,
1612 referee, consultant, or hearing officer while performing a
1613 governmental function; or
1614 ~~(c)(d)~~ A candidate for election or appointment to any of
1615 the positions listed in this subsection, or an individual who
1616 has been elected to, but has yet to officially assume the
1617 responsibilities of, public office.
1618 ~~(8)(7)~~ "Service" means any kind of activity performed in
1619 whole or in part for economic benefit.
1620 Section 33. Section 838.015, Florida Statutes, is amended
1621 to read:
1622 838.015 Bribery.—
1623 (1) For purposes of this section, "bribery" means:
1624 (a) ~~corruptly~~ To knowingly and intentionally give, offer,
1625 or promise any pecuniary or other benefit not authorized by law
1626 to any public servant, which is intended to influence the
1627 performance of any act or omission which the person believes to
1628 be, or the public servant represents as being, either within the
1629 official discretion of the public servant, in violation of a
1630 public duty, or in performance of a public duty; ~~or,~~
1631 (b) If a public servant, ~~corruptly~~ to knowingly and
1632 intentionally request, solicit, accept, or agree to accept for
1633 himself or herself or another, any pecuniary or other benefit
1634 not authorized by law which is given, offered, or promised with



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1635 an intent or a purpose to influence the performance of any act
1636 or omission which the person believes to be, or the public
1637 servant represents as being, either within the official
1638 discretion of a public servant, in violation of a public duty,
1639 or in performance of a public duty; or

1640 (c) If a public contractor, to knowingly and intentionally
1641 request, solicit, accept, or agree to accept for himself or
1642 herself or another any pecuniary or other benefit not authorized
1643 by law which is given, offered, or promised with an intent or a
1644 purpose to influence the performance of any act or omission
1645 which the person believes to be, or the public contractor
1646 represents as being, either within the official discretion of
1647 the public contractor as granted by the contract with the
1648 governmental entity, in violation of a duty required by the
1649 contract with the governmental entity, or in performance of a
1650 duty required by the contract with the governmental entity.

1651 (2) Prosecution under this section does ~~shall~~ not require
1652 any allegation or proof that the public servant or public
1653 contractor who ultimately sought to be unlawfully influenced was
1654 qualified to act in the desired way, that the public servant had
1655 assumed office, that the matter was properly pending before him
1656 or her or might by law properly be brought before him or her,
1657 that the public servant or public contractor possessed
1658 jurisdiction over the matter, or that his or her official action
1659 was necessary to achieve the person's purpose.

1660 (3) Any person who commits bribery commits a felony of the
1661 second degree, punishable as provided in s. 775.082, s. 775.083,
1662 or s. 775.084.

1663 Section 34. Section 838.016, Florida Statutes, is amended



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1664 to read:

1665 838.016 Unlawful compensation or reward for official
1666 behavior.—

1667 (1) It is unlawful for:

1668 (a) Any person ~~corruptly~~ to knowingly and intentionally
1669 give, offer, or promise to any public servant, ~~or, if a public~~
1670 ~~servant, corruptly to request, solicit, accept, or agree to~~
1671 ~~accept,~~ any pecuniary or other benefit not authorized by law,
1672 for the past, present, or future performance, nonperformance, or
1673 violation of any act or omission which the person believes to
1674 have been, or the public servant represents as having been,
1675 either within the official discretion of the public servant, in
1676 violation of a public duty, or in performance of a public duty.

1677 (b) Any public servant to knowingly and intentionally
1678 request, solicit, accept, or agree to accept any pecuniary or
1679 other benefit not authorized by law for the past, present, or
1680 future performance, nonperformance, or violation of any act or
1681 omission which the person believes to have been, or the public
1682 servant represents as having been, either within the official
1683 discretion of the public servant, in violation of a public duty,
1684 or in performance of a public duty.

1685 (c) Any public contractor to knowingly and intentionally
1686 request, solicit, accept, or agree to accept any pecuniary or
1687 other benefit not authorized by law for the past, present, or
1688 future performance, nonperformance, or violation of any act or
1689 omission which the person believes to have been, or the public
1690 contractor represents as having been, either within the official
1691 discretion of the public contractor as granted by the contract
1692 with the governmental entity, in violation of a duty required by



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1693 the contract with the governmental entity, or in performance of
1694 a duty required by the contract with the governmental entity.

1695
1696 This subsection may not ~~Nothing herein shall~~ be construed to
1697 preclude a public servant or public contractor from accepting
1698 rewards for services performed in apprehending any criminal.

1699 (2) It is unlawful for:

1700 (a) Any person ~~corruptly~~ to knowingly and intentionally
1701 give, offer, or promise to any public servant, ~~or, if a public~~
1702 ~~servant, corruptly to request, solicit, accept, or agree to~~
1703 ~~accept,~~ any pecuniary or other benefit not authorized by law for
1704 the past, present, or future exertion of any influence upon or
1705 with any other public servant regarding any act or omission
1706 which the person believes to have been, or which is represented
1707 to him or her as having been, either within the official
1708 discretion of the other public servant, in violation of a public
1709 duty, or in performance of a public duty.

1710 (b) Any public servant to request, solicit, accept, or
1711 agree to accept any pecuniary or other benefit not authorized by
1712 law for the past, present, or future exertion of any influence
1713 upon or with any other public servant regarding any act or
1714 omission which the person believes to have been, or which is
1715 represented to him or her as having been, either within the
1716 official discretion of the public servant, in violation of a
1717 public duty, or in performance of a public duty.

1718 (c) Any public contractor to request, solicit, accept, or
1719 agree to accept any pecuniary or other benefit not authorized by
1720 law for the past, present, or future exertion of any influence
1721 upon or with any other public contractor regarding any act or



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1722 omission which the person believes to have been, or which is
1723 represented to him or her as having been, either within the
1724 official discretion of the public contractor as granted by the
1725 contract with the governmental entity, in violation of a duty
1726 required by the contract with the governmental entity, or in
1727 performance of a duty required by the contract with the
1728 governmental entity.

1729 (3) Prosecution under this section does ~~shall~~ not require
1730 that the exercise of influence or official discretion, ~~or~~
1731 violation of a public duty or performance of a public duty, or a
1732 public contractor's violation of a duty required by a contract
1733 with a governmental entity or performance of a duty required by
1734 a contract with a governmental entity for which a pecuniary or
1735 other benefit was given, offered, promised, requested, or
1736 solicited was accomplished or was within the influence, official
1737 discretion, ~~or~~ public duty, or contractual duty of the public
1738 servant or public contractor whose action or omission was sought
1739 to be rewarded or compensated.

1740 (4) Whoever violates the provisions of this section commits
1741 a felony of the second degree, punishable as provided in s.
1742 775.082, s. 775.083, or s. 775.084.

1743 Section 35. Section 838.022, Florida Statutes, is amended
1744 to read:

1745 838.022 Official misconduct.—

1746 (1) It is unlawful for a public servant or a public
1747 contractor, with corrupt intent to knowingly and intentionally
1748 obtain a benefit for any person or to cause unlawful harm to
1749 another, by ~~to~~:

1750 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to



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1751 falsify, any official record or official document;

1752 (b) Concealing, covering up, destroying, mutilating, or
1753 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
1754 official record or official document except as authorized by law
1755 or contract or causing ~~cause~~ another person to perform such an
1756 act; or

1757 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~
1758 ~~or prevent~~ the communication of information relating to the
1759 commission of a felony that directly involves or affects the
1760 governmental ~~public agency or public~~ entity served by the public
1761 servant or public contractor.

1762 (2) For the purposes of this section:

1763 (a) The term "public servant" does not include a candidate
1764 who does not otherwise qualify as a public servant.

1765 (b) An official record or official document includes only
1766 public records.

1767 (3) Any person who violates this section commits a felony
1768 of the third degree, punishable as provided in s. 775.082, s.
1769 775.083, or s. 775.084.

1770 Section 36. Section 838.22, Florida Statutes, is amended to
1771 read:

1772 838.22 Unlawful influence of the competitive solicitation
1773 process ~~Bid tampering.~~-

1774 (1) It is unlawful for a public servant or a public
1775 contractor who has contracted with a governmental entity to
1776 assist in a competitive procurement, ~~with corrupt intent~~ to
1777 knowingly and intentionally influence or attempt to influence a
1778 the competitive solicitation ~~bidding process~~ undertaken by any
1779 governmental ~~state, county, municipal, or special district~~



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1780 ~~agency, or any other public entity,~~ for the procurement of
1781 commodities or services, ~~by~~ to:

1782 (a) Disclosing, except as authorized by law, Disclose
1783 material information concerning a vendor's response, any
1784 evaluation results, bid or other aspects of the competitive
1785 solicitation bidding process when such information is not
1786 publicly disclosed.

1787 (b) Altering or amending ~~Alter or amend~~ a submitted
1788 response bid, documents or other materials supporting a
1789 submitted response bid, or any evaluation bid results relating
1790 to the competitive solicitation for the purpose of intentionally
1791 providing a competitive advantage to any person who submits a
1792 response bid.

1793 (2) It is unlawful for a public servant or a public
1794 contractor who has contracted with a governmental entity to
1795 assist in a competitive procurement, ~~with corrupt intent~~ to
1796 knowingly and intentionally obtain a benefit for any person or
1797 to cause unlawful harm to another by circumventing, ~~to~~
1798 ~~circumvent~~ a competitive solicitation bidding process required
1799 by law or rule through the use of ~~by using~~ a sole-source
1800 contract for commodities or services.

1801 (3) It is unlawful for any person to knowingly agree,
1802 conspire, combine, or confederate, directly or indirectly, with
1803 a public servant or a public contractor to violate subsection
1804 (1) or subsection (2).

1805 (4) It is unlawful for any person to knowingly enter into a
1806 contract for commodities or services which was secured by a
1807 public servant or a public contractor acting in violation of
1808 subsection (1) or subsection (2).



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1809 (5) Any person who violates this section commits a felony
1810 of the second degree, punishable as provided in s. 775.082, s.
1811 775.083, or s. 775.084.

1812 Section 37. Paragraph (1) of subsection (12) of section
1813 1001.42, Florida Statutes, is amended to read:

1814 1001.42 Powers and duties of district school board.—The
1815 district school board, acting as a board, shall exercise all
1816 powers and perform all duties listed below:

1817 (12) FINANCE.—Take steps to assure students adequate
1818 educational facilities through the financial procedure
1819 authorized in chapters 1010 and 1011 and as prescribed below:

1820 (1) *Internal auditor*.—May employ an internal auditor to
1821 perform ongoing financial verification of the financial records
1822 of the school district and such other audits and reviews as the
1823 district school board directs for the purpose of determining:

1824 1. The adequacy of internal controls designed to prevent
1825 and detect fraud, waste, and abuse.

1826 2. Compliance with applicable laws, rules, contracts, grant
1827 agreements, district school board-approved policies, and best
1828 practices.

1829 3. The efficiency of operations.

1830 4. The reliability of financial records and reports.

1831 5. The safeguarding of assets.

1832

1833 The internal auditor shall report directly to the district
1834 school board or its designee.

1835 Section 38. Paragraph (j) of subsection (9) of section
1836 1002.33, Florida Statutes, is amended to read:

1837 1002.33 Charter schools.—



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1838 (9) CHARTER SCHOOL REQUIREMENTS.—
1839 (j) The governing body of the charter school shall be
1840 responsible for:
1841 1. Establishing and maintaining internal controls designed
1842 to:
1843 a. Prevent and detect fraud, waste, and abuse.
1844 b. Promote and encourage compliance with applicable laws,
1845 rules, contracts, grant agreements, and best practices.
1846 c. Support economical and efficient operations.
1847 d. Ensure reliability of financial records and reports.
1848 e. Safeguard assets.
1849 ~~2.1-~~ Ensuring that the charter school has retained the
1850 services of a certified public accountant or auditor for the
1851 annual financial audit, pursuant to s. 1002.345(2), who shall
1852 submit the report to the governing body.
1853 ~~3.2-~~ Reviewing and approving the audit report, including
1854 audit findings and recommendations for the financial recovery
1855 plan.
1856 ~~4.a.3.a-~~ Performing the duties in s. 1002.345, including
1857 monitoring a corrective action plan.
1858 b. Monitoring a financial recovery plan in order to ensure
1859 compliance.
1860 ~~5.4-~~ Participating in governance training approved by the
1861 department which must include government in the sunshine,
1862 conflicts of interest, ethics, and financial responsibility.
1863 Section 39. Present subsections (6) through (10) of section
1864 1002.37, Florida Statutes, are redesignated as subsections (7)
1865 through (11), respectively, a new subsection (6) is added to
1866 that section, and present subsections (6) and (11) of that



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1867 section are amended, to read:

1868 1002.37 The Florida Virtual School.—

1869 (6) The Florida Virtual School shall have an annual
1870 financial audit of its accounts and records conducted by an
1871 independent auditor who is a certified public accountant
1872 licensed under chapter 473. The independent auditor shall
1873 conduct the audit in accordance with rules adopted by the
1874 Auditor General pursuant to s. 11.45 and, upon completion of the
1875 audit, shall prepare an audit report in accordance with such
1876 rules. The audit report must include a written statement of the
1877 board of trustees describing corrective action to be taken in
1878 response to each of the recommendations of the independent
1879 auditor included in the audit report. The independent auditor
1880 shall submit the audit report to the board of trustees and the
1881 Auditor General no later than 9 months after the end of the
1882 preceding fiscal year.

1883 (7) ~~(6)~~ The board of trustees shall annually submit to the
1884 Governor, the Legislature, the Commissioner of Education, and
1885 the State Board of Education the audit report prepared pursuant
1886 to subsection (6) and a complete and detailed report setting
1887 forth:

1888 (a) The operations and accomplishments of the Florida
1889 Virtual School within the state and those occurring outside the
1890 state as Florida Virtual School Global.

1891 (b) The marketing and operational plan for the Florida
1892 Virtual School and Florida Virtual School Global, including
1893 recommendations regarding methods for improving the delivery of
1894 education through the Internet and other distance learning
1895 technology.



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1896 (c) The assets and liabilities of the Florida Virtual
1897 School and Florida Virtual School Global at the end of the
1898 fiscal year.

1899 ~~(d) A copy of an annual financial audit of the accounts and~~
1900 ~~records of the Florida Virtual School and Florida Virtual School~~
1901 ~~Global, conducted by an independent certified public accountant~~
1902 ~~and performed in accordance with rules adopted by the Auditor~~
1903 ~~General.~~

1904 ~~(e)~~ Recommendations regarding the unit cost of providing
1905 services to students through the Florida Virtual School and
1906 Florida Virtual School Global. In order to most effectively
1907 develop public policy regarding any future funding of the
1908 Florida Virtual School, it is imperative that the cost of the
1909 program is accurately identified. The identified cost of the
1910 program must be based on reliable data.

1911 ~~(e)~~~~(f)~~ Recommendations regarding an accountability
1912 mechanism to assess the effectiveness of the services provided
1913 by the Florida Virtual School and Florida Virtual School Global.

1914 ~~(11) The Auditor General shall conduct an operational audit~~
1915 ~~of the Florida Virtual School, including Florida Virtual School~~
1916 ~~Global. The scope of the audit shall include, but not be limited~~
1917 ~~to, the administration of responsibilities relating to~~
1918 ~~personnel; procurement and contracting; revenue production;~~
1919 ~~school funds, including internal funds; student enrollment~~
1920 ~~records; franchise agreements; information technology~~
1921 ~~utilization, assets, and security; performance measures and~~
1922 ~~standards; and accountability. The final report on the audit~~
1923 ~~shall be submitted to the President of the Senate and the~~
1924 ~~Speaker of the House of Representatives no later than January~~



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1925 ~~31, 2014.~~

1926 Section 40. Subsection (5) is added to section 1010.01,
1927 Florida Statutes, to read:

1928 1010.01 Uniform records and accounts.—

1929 (5) Each school district, Florida College System
1930 institution, and state university shall establish and maintain
1931 internal controls designed to:

1932 (a) Prevent and detect fraud, waste, and abuse.

1933 (b) Promote and encourage compliance with applicable laws,
1934 rules, contracts, grant agreements, and best practices.

1935 (c) Support economical and efficient operations.

1936 (d) Ensure reliability of financial records and reports.

1937 (e) Safeguard assets.

1938 Section 41. Subsection (2) of section 1010.30, Florida
1939 Statutes, is amended to read:

1940 1010.30 Audits required.—

1941 (2) If a school district, Florida College System
1942 institution, or university audit report includes a
1943 recommendation that was included in the preceding financial
1944 audit report but remains unaddressed, ~~an audit contains a~~
1945 ~~significant finding,~~ the district school board, the Florida
1946 College System institution board of trustees, or the university
1947 board of trustees, within 60 days after the delivery of the
1948 audit report to the school district, Florida College System
1949 institution, or university, shall indicate ~~conduct an audit~~
1950 ~~overview~~ during a regularly scheduled public meeting whether it
1951 intends to take corrective action, the intended corrective
1952 action, and the timeframe for the corrective action. If the
1953 district school board, Florida College System institution board



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1954 of trustees, or university board of trustees indicates that it
1955 does not intend to take corrective action, it shall explain its
1956 decision at the public meeting.

1957 Section 42. Subsection (4) of section 11.0455, Florida
1958 Statutes, is amended to read:

1959 11.0455 Electronic filing of compensation reports and other
1960 information.—

1961 (4) Each report filed pursuant to this section is deemed to
1962 meet the certification requirements of s. 11.045(3)(a)4., and as
1963 such subjects the person responsible for filing and the lobbying
1964 firm to the provisions of s. 11.045(8) and (9) ~~s. 11.045(7) and~~
1965 ~~(8)~~. Persons given a secure sign-on to the electronic filing
1966 system are responsible for protecting it from disclosure and are
1967 responsible for all filings using such credentials, unless they
1968 have notified the office that their credentials have been
1969 compromised.

1970 Section 43. Subsection (2) of section 68.082, Florida
1971 Statutes, is amended to read:

1972 68.082 False claims against the state; definitions;
1973 liability.—

1974 (2) Any person who:

1975 (a) Knowingly presents or causes to be presented a false or
1976 fraudulent claim for payment or approval;

1977 (b) Knowingly authorizes, approves, or receives payment of
1978 prohibited compensation in violation of s. 215.425;

1979 (c) ~~(b)~~ Knowingly makes, uses, or causes to be made or used
1980 a false record or statement material to a false or fraudulent
1981 claim;

1982 (d) ~~(e)~~ Conspires to commit a violation of this subsection;



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1983 (e)~~(d)~~ Has possession, custody, or control of property or
1984 money used or to be used by the state and knowingly delivers or
1985 causes to be delivered less than all of that money or property;

1986 (f)~~(e)~~ Is authorized to make or deliver a document
1987 certifying receipt of property used or to be used by the state
1988 and, intending to defraud the state, makes or delivers the
1989 receipt without knowing that the information on the receipt is
1990 true;

1991 (g)~~(f)~~ Knowingly buys or receives, as a pledge of an
1992 obligation or a debt, public property from an officer or
1993 employee of the state who may not sell or pledge the property;
1994 or

1995 (h)~~(g)~~ Knowingly makes, uses, or causes to be made or used
1996 a false record or statement material to an obligation to pay or
1997 transmit money or property to the state, or knowingly conceals
1998 or knowingly and improperly avoids or decreases an obligation to
1999 pay or transmit money or property to the state

2000
2001 is liable to the state for a civil penalty of not less than
2002 \$5,500 and not more than \$11,000 and for treble the amount of
2003 damages the state sustains because of the act of that person.

2004 Section 44. Subsection (1) of section 68.083, Florida
2005 Statutes, is amended to read:

2006 68.083 Civil actions for false claims.—

2007 (1) The department may diligently investigate a violation
2008 under s. 68.082. If the department finds that a person has
2009 violated or is violating s. 68.082, the department may bring a
2010 civil action under the Florida False Claims Act against the
2011 person. The Department of Financial Services may bring a civil



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2012 action under this section if the action arises from an
2013 investigation by that department and the Department of Legal
2014 Affairs has not filed an action under this act. For a violation
2015 of s. 68.082 regarding prohibited compensation paid from state
2016 funds, the Department of Financial Services may bring a civil
2017 action under this section if the action arises from an
2018 investigation by that department concerning a violation of s.
2019 215.425 by the state and the Department of Legal Affairs has not
2020 filed an action under this act.

2021 Section 45. Subsection (5) of section 99.061, Florida
2022 Statutes, is amended to read:

2023 99.061 Method of qualifying for nomination or election to
2024 federal, state, county, or district office.—

2025 (5) At the time of qualifying for office, each candidate
2026 for a constitutional office or an elected municipal office shall
2027 file a full and public disclosure of financial interests
2028 pursuant to s. 8, Art. II of the State Constitution, which must
2029 be verified under oath or affirmation pursuant to s.
2030 92.525(1)(a), and a candidate for any other office, ~~including~~
2031 ~~local elective office,~~ shall file a statement of financial
2032 interests pursuant to s. 112.3145.

2033 Section 46. Subsection (3) of section 218.503, Florida
2034 Statutes, is amended to read:

2035 218.503 Determination of financial emergency.—

2036 (3) Upon notification that one or more of the conditions in
2037 subsection (1) have occurred or will occur if action is not
2038 taken to assist the local governmental entity or district school
2039 board, the Governor or his or her designee shall contact the
2040 local governmental entity or the Commissioner of Education or



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2041 his or her designee shall contact the district school board, as
2042 appropriate, to determine what actions have been taken by the
2043 local governmental entity or the district school board to
2044 resolve or prevent the condition. The information requested must
2045 be provided within 45 days after the date of the request. If the
2046 local governmental entity or the district school board does not
2047 comply with the request, the Governor or his or her designee or
2048 the Commissioner of Education or his or her designee shall
2049 notify ~~the members of~~ the Legislative Auditing Committee, which
2050 ~~who~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The
2051 Governor or the Commissioner of Education, as appropriate, shall
2052 determine whether the local governmental entity or the district
2053 school board needs state assistance to resolve or prevent the
2054 condition. If state assistance is needed, the local governmental
2055 entity or district school board is considered to be in a state
2056 of financial emergency. The Governor or the Commissioner of
2057 Education, as appropriate, has the authority to implement
2058 measures as set forth in ss. 218.50-218.504 to assist the local
2059 governmental entity or district school board in resolving the
2060 financial emergency. Such measures may include, but are not
2061 limited to:

2062 (a) Requiring approval of the local governmental entity's
2063 budget by the Governor or approval of the district school
2064 board's budget by the Commissioner of Education.

2065 (b) Authorizing a state loan to a local governmental entity
2066 and providing for repayment of same.

2067 (c) Prohibiting a local governmental entity or district
2068 school board from issuing bonds, notes, certificates of
2069 indebtedness, or any other form of debt until such time as it is



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2070 no longer subject to this section.

2071 (d) Making such inspections and reviews of records,
2072 information, reports, and assets of the local governmental
2073 entity or district school board as are needed. The appropriate
2074 local officials shall cooperate in such inspections and reviews.

2075 (e) Consulting with officials and auditors of the local
2076 governmental entity or the district school board and the
2077 appropriate state officials regarding any steps necessary to
2078 bring the books of account, accounting systems, financial
2079 procedures, and reports into compliance with state requirements.

2080 (f) Providing technical assistance to the local
2081 governmental entity or the district school board.

2082 (g)1. Establishing a financial emergency board to oversee
2083 the activities of the local governmental entity or the district
2084 school board. If a financial emergency board is established for
2085 a local governmental entity, the Governor shall appoint board
2086 members and select a chair. If a financial emergency board is
2087 established for a district school board, the State Board of
2088 Education shall appoint board members and select a chair. The
2089 financial emergency board shall adopt such rules as are
2090 necessary for conducting board business. The board may:

2091 a. Make such reviews of records, reports, and assets of the
2092 local governmental entity or the district school board as are
2093 needed.

2094 b. Consult with officials and auditors of the local
2095 governmental entity or the district school board and the
2096 appropriate state officials regarding any steps necessary to
2097 bring the books of account, accounting systems, financial
2098 procedures, and reports of the local governmental entity or the



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2099 district school board into compliance with state requirements.

2100 c. Review the operations, management, efficiency,
2101 productivity, and financing of functions and operations of the
2102 local governmental entity or the district school board.

2103 d. Consult with other governmental entities for the
2104 consolidation of all administrative direction and support
2105 services, including, but not limited to, services for asset
2106 sales, economic and community development, building inspections,
2107 parks and recreation, facilities management, engineering and
2108 construction, insurance coverage, risk management, planning and
2109 zoning, information systems, fleet management, and purchasing.

2110 2. The recommendations and reports made by the financial
2111 emergency board must be submitted to the Governor for local
2112 governmental entities or to the Commissioner of Education and
2113 the State Board of Education for district school boards for
2114 appropriate action.

2115 (h) Requiring and approving a plan, to be prepared by
2116 officials of the local governmental entity or the district
2117 school board in consultation with the appropriate state
2118 officials, prescribing actions that will cause the local
2119 governmental entity or district school board to no longer be
2120 subject to this section. The plan must include, but need not be
2121 limited to:

2122 1. Provision for payment in full of obligations outlined in
2123 subsection (1), designated as priority items, which are
2124 currently due or will come due.

2125 2. Establishment of priority budgeting or zero-based
2126 budgeting in order to eliminate items that are not affordable.

2127 3. The prohibition of a level of operations which can be



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2128 sustained only with nonrecurring revenues.

2129 4. Provisions implementing the consolidation, sourcing, or
2130 discontinuance of all administrative direction and support
2131 services, including, but not limited to, services for asset
2132 sales, economic and community development, building inspections,
2133 parks and recreation, facilities management, engineering and
2134 construction, insurance coverage, risk management, planning and
2135 zoning, information systems, fleet management, and purchasing.

2136 Section 47. Paragraph (g) of subsection (3) of section
2137 921.0022, Florida Statutes, is amended to read:

2138 921.0022 Criminal Punishment Code; offense severity ranking
2139 chart.—

2140 (3) OFFENSE SEVERITY RANKING CHART

2141 (g) LEVEL 7

2142

Florida Statute	Felony Degree	Description
2143 316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
2144 316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
2145 316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton



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2146	327.35 (3) (c) 2.	3rd	disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2147	402.319 (2)	2nd	Vessel BUI resulting in serious bodily injury.
2148	409.920 (2) (b) 1.a.	3rd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2149	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; \$10,000 or less.
2150	456.065 (2)	3rd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2151	456.065 (2)	2nd	Practicing a health care profession without a license.
			Practicing a health care



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2152			profession without a license which results in serious bodily injury.
	458.327 (1)	3rd	Practicing medicine without a license.
2153			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2154			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2155			
	461.012 (1)	3rd	Practicing podiatric medicine without a license.
2156			
	462.17	3rd	Practicing naturopathy without a license.
2157			
	463.015 (1)	3rd	Practicing optometry without a license.
2158			
	464.016 (1)	3rd	Practicing nursing without a license.
2159			
	465.015 (2)	3rd	Practicing pharmacy



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2160			without a license.
	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
2161			
	467.201	3rd	Practicing midwifery without a license.
2162			
	468.366	3rd	Delivering respiratory care services without a license.
2163			
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
2164			
	483.901(9)	3rd	Practicing medical physics without a license.
2165			
	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
2166			
	484.053	3rd	Dispensing hearing aids without a license.
2167			
	494.0018(2)	1st	Conviction of any violation of chapter 494



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2168	560.123 (8) (b) 1.	3rd	in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2169	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2170	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2171	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
			Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.



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2172	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
2173	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2174	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2175	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2176	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
2177			



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2178	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2179	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2180	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2181	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2182	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
2183	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2184	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators



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2185			facility staff.
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2186			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
2187			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2188			
	784.083 (1)	1st	Aggravated battery on code inspector.
2189			
	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
2190			
	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.
2191			
	790.07 (4)	1st	Specified weapons



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2192			violation subsequent to previous conviction of s. 790.07(1) or (2).
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2193			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2194			
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2195			
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2196			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.



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2197	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2198	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.
2199	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2200	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2201	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2202	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but



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2203			younger than 16 years of age; offender 18 years of age or older.
	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.
2204			
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
2205			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2206			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2207			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2208			
	810.02 (3) (e)	2nd	Burglary of authorized



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2209			emergency vehicle.
	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.
2210			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
2211			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
2212			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
2213			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
2214			



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2215	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
2216	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2217	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2218	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2219	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2220	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2221	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.



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2222	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 a significant cause of the insolvency of that entity.
2223	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
2224	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
2225	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.
2226	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.



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2227	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2228	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2229	838.015	2nd	Bribery.
2230	838.016	2nd	Unlawful compensation or reward for official behavior.
2231	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2232	838.22	2nd	<u>Unlawful influence of the competitive solicitation process</u> Bid tampering.
2233	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2234	843.0855 (3)	3rd	Unlawful simulation of legal process.



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2235	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2236	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2237	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2238	872.06	2nd	Abuse of a dead human body.
2239	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2240	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other



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2241	893.13(1)(e)1.	1st	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.
2242	893.13(4)(a)	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.
2243	893.135(1)(a)1.	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).
	893.135(1)(a)1.	1st	Trafficking in cannabis,



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2244	893.135 (1) (b) 1.a.	1st	more than 25 lbs., less than 2,000 lbs. Trafficking in cocaine, more than 28 grams, less than 200 grams.
2245	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2246	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2247	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2248	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2249	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2250	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than



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2251	893.135(1)(e)1.	1st	28 grams, less than 200 grams.
2252	893.135(1)(f)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2253	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2254	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2255	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2256	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200



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2257			grams.
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2258			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2259			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2260			
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2261			
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.



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2262	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2263	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2264	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2265	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
2266	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2267	944.607 (12)	3rd	Failure to report or providing false information about a sexual



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2268			offender; harbor or conceal a sexual offender.
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2269			
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2270			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2271			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2272			
2273			
2274			



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2275 Section 48. Subsection (2) of section 1002.455, Florida
2276 Statutes, is amended to read:

2277 1002.455 Student eligibility for K-12 virtual instruction.—

2278 (2) A student is eligible to participate in virtual
2279 instruction if:

2280 (a) The student spent the prior school year in attendance
2281 at a public school in the state and was enrolled and reported by
2282 the school district for funding during October and February for
2283 purposes of the Florida Education Finance Program surveys;

2284 (b) The student is a dependent child of a member of the
2285 United States Armed Forces who was transferred within the last
2286 12 months to this state from another state or from a foreign
2287 country pursuant to a permanent change of station order;

2288 (c) The student was enrolled during the prior school year
2289 in a virtual instruction program under s. 1002.45 or a full-time
2290 Florida Virtual School program under s. 1002.37(9) (a) ~~s.~~
2291 ~~1002.37(8) (a)~~;

2292 (d) The student has a sibling who is currently enrolled in
2293 a virtual instruction program and the sibling was enrolled in
2294 that program at the end of the prior school year;

2295 (e) The student is eligible to enter kindergarten or first
2296 grade; or

2297 (f) The student is eligible to enter grades 2 through 5 and
2298 is enrolled full-time in a school district virtual instruction
2299 program, virtual charter school, or the Florida Virtual School.

2300 Section 49. For the purpose of incorporating the amendment
2301 made by this act to section 838.014, Florida Statutes, in a
2302 reference thereto, subsection (11) of section 817.568, Florida
2303 Statutes, is reenacted to read:



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2304 817.568 Criminal use of personal identification
2305 information.—

2306 (11) A person who willfully and without authorization
2307 fraudulently uses personal identification information concerning
2308 an individual who is 60 years of age or older; a disabled adult
2309 as defined in s. 825.101; a public servant as defined in s.
2310 838.014; a veteran as defined in s. 1.01; a first responder as
2311 defined in s. 125.01045; an individual who is employed by the
2312 State of Florida; or an individual who is employed by the
2313 Federal Government without first obtaining the consent of that
2314 individual commits a felony of the second degree, punishable as
2315 provided in s. 775.082, s. 775.083, or s. 775.084.

2316 Section 50. The Legislature finds that a proper and
2317 legitimate state purpose is served when internal controls are
2318 established to prevent and detect fraud, waste, and abuse and to
2319 safeguard and account for government funds and property.
2320 Therefore, the Legislature determines and declares that this act
2321 fulfills an important state interest.

2322 Section 51. This act shall take effect October 1, 2016.

2323
2324 ===== T I T L E A M E N D M E N T =====

2325 And the title is amended as follows:

2326 Delete everything before the enacting clause
2327 and insert:

2328 A bill to be entitled
2329 An act relating to government accountability;
2330 providing a short title; amending s. 11.045, F.S.;
2331 defining terms; requiring each house of the
2332 Legislature to provide by rule reporting requirements



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2333 regarding lobbying firm's lobbying activities;
2334 specifying requirements regarding the content of
2335 reports and filing deadlines; requiring each house of
2336 the Legislature to establish procedures applicable to
2337 untimely filing of reports by rule; providing fines
2338 for late filing of reports; amending s. 11.40, F.S.;
2339 specifying that the Governor, the Commissioner of
2340 Education, or the designee of the Governor or of the
2341 Commissioner of Education may notify the Legislative
2342 Auditing Committee of an entity's failure to comply
2343 with certain auditing and financial reporting
2344 requirements; amending s. 11.45, F.S.; defining the
2345 terms "abuse," "fraud," and "waste"; revising the
2346 definition of the term "local governmental entity";
2347 excluding water management districts from certain
2348 audit requirements; removing a cross-reference;
2349 authorizing the Auditor General to conduct audits of
2350 tourist development councils and county tourism
2351 promotion agencies; revising reporting requirements
2352 applicable to the Auditor General; creating s. 20.602,
2353 F.S.; specifying the applicability of certain
2354 provisions of the Code of Ethics for Public Officers
2355 and Employees to officers and board members of
2356 corporate entities associated with the Department of
2357 Economic Opportunity; prohibiting such officers and
2358 board members from representing a person or an entity
2359 for compensation before certain bodies for a specified
2360 timeframe; providing for construction; amending s.
2361 28.35, F.S.; revising reporting requirements



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2362 applicable to the Florida Clerks of Court Operations
2363 Corporation; amending s. 43.16, F.S.; revising the
2364 responsibilities of the Justice Administrative
2365 Commission, each state attorney, each public defender,
2366 a criminal conflict and civil regional counsel, a
2367 capital collateral regional counsel, and the Guardian
2368 Ad Litem Program, to include the establishment and
2369 maintenance of certain internal controls; creating s.
2370 112.3126, F.S.; defining the term "private entity";
2371 prohibiting a member of the Legislature from accepting
2372 employment with a private entity that directly
2373 receives state funds; providing an exception; amending
2374 s. 112.313, F.S.; specifying that prohibitions on
2375 conflicting employment or contractual relationships
2376 for public officers or employees of an agency apply to
2377 contractual relationships held by certain business
2378 entities; amending s. 112.3144, F.S.; requiring
2379 elected municipal officers to file a full and public
2380 disclosure of financial interests, rather than a
2381 statement of financial interests; providing for
2382 applicability; amending s. 112.31455, F.S.; revising
2383 provisions governing collection methods for unpaid
2384 automatic fines for failure to timely file disclosure
2385 of financial interests to include school districts;
2386 amending s. 112.3215, F.S.; requiring a lobbying firm
2387 to file a report with the Commission on Ethics
2388 disclosing whether the firm lobbied the Governor to
2389 approve or veto a bill or an appropriation; requiring
2390 the commission to establish procedures applicable to



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2391 untimely filing of reports by rule; providing fines
2392 for late filing of reports; conforming provisions to
2393 changes made by the act; amending s. 112.324, F.S.;
2394 authorizing the commission to investigate certain
2395 violations of the public trust upon receipt of
2396 reliable and publicly disseminated information if
2397 certain conditions are met; conforming provisions to
2398 changes made by the act; amending s. 112.3261, F.S.;
2399 revising terms to conform to changes made by the act;
2400 expanding the types of governmental entities that are
2401 subject to lobbyist registration requirements;
2402 requiring a governmental entity to create a lobbyist
2403 registration form; amending ss. 129.03, 129.06,
2404 166.241, and 189.016, F.S.; requiring counties,
2405 municipalities, and special districts to maintain
2406 certain budget documents on the entities' websites for
2407 a specified period; amending s. 215.425, F.S.;
2408 defining the term "public funds"; revising exceptions
2409 to the prohibition on extra compensation claims;
2410 requiring certain contracts to which a unit of
2411 government or state university is a party during a
2412 specified period to contain certain prohibitions on
2413 severance pay; requiring a unit of government to
2414 investigate and take necessary action to recover
2415 prohibited compensation; specifying methods of
2416 recovery for unintentional and willful violations;
2417 providing a penalty; specifying applicability of
2418 procedures regarding suspension and removal of an
2419 officer who commits a willful violation; establishing



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2420 eligibility criteria and amounts for rewards;
2421 specifying circumstances under which an employee has a
2422 cause of action under the Whistle-blower's Act;
2423 establishing causes of action if a unit of government
2424 fails to recover prohibited compensation within a
2425 certain timeframe; providing for applicability;
2426 amending s. 215.86, F.S.; revising the purposes for
2427 which management systems and internal controls must be
2428 established and maintained by each state agency and
2429 the judicial branch; amending s. 215.97, F.S.;
2430 revising the definition of the term "audit threshold";
2431 amending s. 215.985, F.S.; revising the requirements
2432 for a monthly financial statement provided by a water
2433 management district; amending s. 218.32, F.S.;
2434 revising the requirements of the annual financial
2435 audit report of a local governmental entity;
2436 authorizing the Department of Financial Services to
2437 request additional information from a local
2438 governmental entity; requiring a local governmental
2439 entity to respond to such requests within a specified
2440 timeframe; requiring the department to notify the
2441 Legislative Auditing Committee of noncompliance;
2442 amending s. 218.33, F.S.; requiring local governmental
2443 entities to establish and maintain internal controls
2444 to achieve specified purposes; amending s. 218.39,
2445 F.S.; requiring an audited entity to respond to audit
2446 recommendations under specified circumstances;
2447 amending s. 218.391, F.S.; revising the composition of
2448 an audit committee; prohibiting an audit committee



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2449 member from being an employee, a chief executive
2450 officer, or a chief financial officer of the
2451 respective governmental entity; requiring the chair of
2452 an audit committee to sign and execute an affidavit
2453 affirming compliance with auditor selection
2454 procedures; prescribing procedures in the event of
2455 noncompliance with auditor selection procedures;
2456 amending s. 286.0114, F.S.; prohibiting a board or
2457 commission from requiring an advance copy of testimony
2458 or comments from a member of the public as a
2459 precondition to be given the opportunity to be heard
2460 at a public meeting; amending s. 288.92, F.S.;
2461 prohibiting specified officers and board members of
2462 Enterprise Florida, Inc., from representing a person
2463 or entity for compensation before Enterprise Florida,
2464 Inc., and associated entities thereof, for a specified
2465 timeframe; amending s. 288.9604, F.S.; prohibiting a
2466 director of the Florida Development Finance
2467 Corporation from representing a person or an entity
2468 for compensation before the corporation for a
2469 specified timeframe; amending s. 373.536, F.S.;
2470 deleting obsolete language; requiring water management
2471 districts to maintain certain budget documents on the
2472 districts' websites for a specified period; amending
2473 s. 838.014, F.S.; deleting, revising, and providing
2474 definitions; amending s. 838.015, F.S.; revising the
2475 definition of "bribery"; providing a penalty;
2476 conforming a provision to changes made by the act;
2477 amending s. 838.016, F.S.; prohibiting a person from



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2478 knowingly and intentionally giving, offering, or
2479 promising unlawful compensation or reward for official
2480 behavior to a public servant; prohibiting a public
2481 servant or public contractor from knowingly and
2482 intentionally procuring unlawful compensation or
2483 reward for official behavior; providing a penalty;
2484 conforming provisions to changes made by the act;
2485 amending s. 838.022, F.S.; prohibiting a public
2486 servant or public contractor from knowingly and
2487 intentionally engaging in specified activities
2488 constituting official misconduct; providing a penalty;
2489 amending s. 838.22, F.S.; prohibiting a public servant
2490 and certain public contractors from knowingly and
2491 intentionally influencing or attempting to influence
2492 the competitive solicitation process; prohibiting any
2493 person from committing specified acts to influence the
2494 competitive solicitation process; providing a penalty;
2495 revising terminology; amending s. 1001.42, F.S.;

2496 authorizing additional internal audits as directed by
2497 the district school board; amending s. 1002.33, F.S.;

2498 revising the responsibilities of the governing board
2499 of a charter school to include the establishment and
2500 maintenance of internal controls; amending s. 1002.37,
2501 F.S.; requiring completion of an annual financial
2502 audit of the Florida Virtual School; specifying audit
2503 requirements; requiring an audit report to be
2504 submitted to the board of trustees of the Florida
2505 Virtual School and the Auditor General; removing
2506 obsolete provisions; amending s. 1010.01, F.S.;



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2507 requiring each school district, Florida College System
2508 institution, and state university to establish and
2509 maintain certain internal controls; amending s.
2510 1010.30, F.S.; requiring a district school board,
2511 Florida College System institution board of trustees,
2512 or university board of trustees to respond to audit
2513 recommendations under certain circumstances; amending
2514 ss. 11.0455, 68.082, 68.083, 99.061, 218.503,
2515 921.0022, and 1002.455, F.S.; conforming provisions
2516 and cross-references to changes made by the act;
2517 reenacting s. 817.568(11), F.S., relating to criminal
2518 use of personal identification information, to
2519 incorporate the amendment made to s. 838.014, F.S., in
2520 a reference thereto; declaring that the act fulfills
2521 an important state interest; providing an effective
2522 date.