



933068

LEGISLATIVE ACTION

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. 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  
amended, to read:

11.045 Lobbying before the Legislature; registration and



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11 reporting; exemptions; penalties.-

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

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

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

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

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

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

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

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

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



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40           b. The entity lobbied;  
41           c. Each principal on behalf of whom the lobbying firm has  
42 acted; and  
43           d. If the proposed legislation included an appropriation or  
44 was an appropriation, the intended recipient of the  
45 appropriation.  
46           (c) For purposes of the reporting requirement provided in  
47 this subsection, the reports must identify proposed legislation  
48 by referencing any legislatively assigned identifying numbers,  
49 including, but not limited to, bill numbers, amendment barcode  
50 numbers, or specific appropriation numbers. If the proposed  
51 legislation does not have an identifying number assigned, the  
52 report must include a description of the subject matter of the  
53 proposed legislation, whether the lobbying firm is supporting or  
54 opposing the proposed legislation and, if seeking to modify the  
55 proposed legislation, how the lobbying firm's modification would  
56 alter the proposal.  
57           (d) The reports shall be filed even if the reporting  
58 lobbying firm did not engage in any lobbying activities  
59 requiring disclosure, in which the report shall be marked "not  
60 applicable."  
61           (e) The reports shall be filed with the office by  
62 electronic means no later than 7 business days after the end of  
63 the preceding month. The reports shall be rendered in the  
64 identical form provided by the respective houses and shall be  
65 open to public inspection.  
66           (f) Each house of the Legislature shall provide by rule, or  
67 both houses may provide by joint rule, a procedure by which a  
68 lobbying firm that fails to timely file a report is notified and



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69 assessed fines. The rule must provide the following:

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

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

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

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

92 5. Any lobbying firm may appeal or dispute a fine, based  
93 upon unusual circumstances surrounding the failure to file on  
94 the designated due date, and may request and is entitled to a  
95 hearing before the General Counsel of the Office of Legislative  
96 Services, who shall recommend to the President of the Senate and  
97 the Speaker of the House of Representatives, or their respective



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

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

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

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

124 (9) ~~(8)~~ Any person required to be registered or to provide  
125 information pursuant to this section or pursuant to rules  
126 established in conformity with this section who knowingly fails



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

135 Section 2. Subsection (2) of section 11.40, Florida  
136 Statutes, is amended to read:

137 11.40 Legislative Auditing Committee.—

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

150 (a) In the case of a local governmental entity or district  
151 school board, direct the Department of Revenue and the  
152 Department of Financial Services to withhold any funds not  
153 pledged for bond debt service satisfaction which are payable to  
154 such entity until the entity complies with the law. The  
155 committee shall specify the date that such action must ~~shall~~



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156 begin, and the directive must be received by the Department of  
157 Revenue and the Department of Financial Services 30 days before  
158 the date of the distribution mandated by law. The Department of  
159 Revenue and the Department of Financial Services may implement  
160 ~~the provisions of~~ this paragraph.

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

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

177 2. A local ordinance, notify the chair or equivalent of the  
178 local general-purpose government pursuant to s. 189.035(2) and  
179 the Department of Economic Opportunity that the special district  
180 has failed to comply with the law. Upon receipt of notification,  
181 the department shall proceed pursuant to s. 189.062 or s.  
182 189.067. If the special district remains in noncompliance after  
183 the process set forth in s. 189.034(3), or if a public hearing  
184 is not held, the Legislative Auditing Committee may request the



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185 department to proceed pursuant to s. 189.067(3).

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

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

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

199 11.45 Definitions; duties; authorities; reports; rules.—

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

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

206 (b) ~~(a)~~ "Audit" means a financial audit, operational audit,  
207 or performance audit.

208 (c) ~~(b)~~ "County agency" means a board of county  
209 commissioners or other legislative and governing body of a  
210 county, however styled, including that of a consolidated or  
211 metropolitan government, a clerk of the circuit court, a  
212 separate or ex officio clerk of the county court, a sheriff, a  
213 property appraiser, a tax collector, a supervisor of elections,





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214 or any other officer in whom any portion of the fiscal duties of  
215 a body or officer expressly stated in this paragraph are ~~the~~  
216 above are under law separately placed by law.

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

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

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

240 (g)(e) "Local governmental entity" means a county agency,  
241 municipality, tourist development council, county tourism  
242 promotion agency, or special district as defined in s. 189.012.



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243 The term, ~~but~~ does not include any housing authority established  
244 under chapter 421.

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

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

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

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

268 2. Structure or design of the program to accomplish its  
269 goals and objectives.

270 3. Adequacy of the program to meet the needs identified by  
271 the Legislature or governing body.



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272 4. Alternative methods of providing program services or  
273 products.

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

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

278 7. Compliance of the program with appropriate policies,  
279 rules, or laws.

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

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

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

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

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



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

314  
315 The Auditor General shall perform his or her duties  
316 independently but under the general policies established by the  
317 Legislative Auditing Committee. This subsection does not limit  
318 the Auditor General's discretionary authority to conduct other  
319 audits or engagements of governmental entities as authorized in  
320 subsection (3).

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

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

327 (x) Tourist development councils and county tourism  
328 promotion agencies.

329 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—



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

340 Section 4. Section 20.602, Florida Statutes, is created to  
341 read:

342 20.602 Standards of conduct; officers and board members of  
343 Department of Economic Opportunity corporate entities.-

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

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

348 1. Any corporation created under chapter 288;

349 2. Space Florida;

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

352 4. The Florida Housing Finance Corporation; or

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

356 (b) Officers and members of the board of directors of a  
357 corporate parent or subsidiary corporation of a corporation  
358 described in paragraph (a).



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

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

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

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

377 (a) His or her corporation;

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

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

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

387 Section 5. Paragraph (d) of subsection (2) of section



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388 28.35, Florida Statutes, is amended to read:

389 28.35 Florida Clerks of Court Operations Corporation.—

390 (2) The duties of the corporation shall include the  
391 following:

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

414 1. "Workload measures" means the measurement of the  
415 activities and frequency of the work required for the clerk to  
416 adequately perform the court-related duties of the office as



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417 defined by the membership of the Florida Clerks of Court  
418 Operations Corporation.

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

425 Section 6. Present subsections (6) and (7) of section  
426 43.16, Florida Statutes, are redesignated as subsections (7) and  
427 (8), respectively, and a new subsection (6) is added to that  
428 section, to read:

429 43.16 Justice Administrative Commission; membership, powers  
430 and duties.—

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

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

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

439 (c) Support economical and efficient operations.

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

441 (e) Safeguard assets.

442 Section 7. Section 112.3126, Florida Statutes, is created  
443 to read:

444 112.3126 Employment restrictions; legislators.—

445 (1) As used in this section, the term "private entity"





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446 means any nongovernmental entity, such as a corporation,  
447 partnership, company or nonprofit organization, any other legal  
448 entity, or any natural person.

449 (2) (a) A member of, or candidate for, the Legislature may  
450 not accept employment with a private entity that directly  
451 receives funding through state revenues appropriated by the  
452 General Appropriations Act if he or she knows, or with the  
453 exercise of reasonable care should know, that the position is  
454 being offered by the employer for the purpose of gaining  
455 influence or other advantage based on the legislator's office or  
456 candidacy. Any employment with a private entity that directly  
457 receives funding through state revenues appropriated by the  
458 General Appropriations Act accepted by a member or candidate  
459 must meet all of the following conditions:

460 1. The position was already in existence or was created by  
461 the employer without the knowledge or anticipation of the  
462 legislator's interest in such position;

463 2. The position was open to other applicants;

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

466 4. The legislator meets or exceeds the required  
467 qualifications for the position.

468 (b) A member of the Legislature who is employed by such  
469 private entity before his or her legislative service begins may  
470 continue his or her employment. However, he or she may not  
471 accept promotion, advancement, additional compensation, or  
472 anything of value that he or she knows, or with the exercise of  
473 reasonable care should know, is provided or given to influence  
474 or attempt to influence his or her legislative office, or that



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475 is otherwise inconsistent with the promotion, advancement,  
476 additional compensation, or anything of value provided or given  
477 an employee who is similarly situated.

478 Section 8. Subsection (7) of section 112.313, Florida  
479 Statutes, is amended to read:

480 112.313 Standards of conduct for public officers, employees  
481 of agencies, and local government attorneys.—

482 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

483 (a) A ~~No~~ public officer or employee of an agency may not  
484 ~~shall~~ have or hold any employment or contractual relationship  
485 with any business entity or any agency that ~~which~~ is subject to  
486 the regulation of, or is doing business with, an agency of which  
487 he or she is an officer or employee, excluding those  
488 organizations and their officers who, when acting in their  
489 official capacity, enter into or negotiate a collective  
490 bargaining contract with the state or any municipality, county,  
491 or other political subdivision of the state; and ~~nor shall~~ an  
492 officer or employee of an agency may not have or hold any  
493 employment or contractual relationship that will create a  
494 continuing or frequently recurring conflict between his or her  
495 private interests and the performance of his or her public  
496 duties or that would impede the full and faithful discharge of  
497 his or her public duties. For purposes of this subsection, if a  
498 public officer or employee of an agency holds a controlling  
499 interest in a business entity or is an officer, a director, or a  
500 member who manages such an entity, contractual relationships  
501 held by the business entity are deemed to be held by the public  
502 officer or employee.

503 1. When the agency referred to is a ~~that certain kind of~~



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504 special tax district created by general or special law and is  
505 limited specifically to constructing, maintaining, managing, and  
506 financing improvements in the land area over which the agency  
507 has jurisdiction, or when the agency has been organized pursuant  
508 to chapter 298, ~~then~~ employment with, or entering into a  
509 contractual relationship with, such a business entity by a  
510 public officer or employee of such an agency is ~~shall~~ not ~~be~~  
511 prohibited by this subsection or ~~be~~ deemed a conflict per se.  
512 However, conduct by such officer or employee that is prohibited  
513 by, or otherwise frustrates the intent of, this section must  
514 ~~shall~~ be deemed a conflict of interest in violation of the  
515 standards of conduct set forth by this section.

516 2. When the agency referred to is a legislative body and  
517 the regulatory power over the business entity resides in another  
518 agency, or when the regulatory power that ~~which~~ the legislative  
519 body exercises over the business entity or agency is strictly  
520 through the enactment of laws or ordinances, ~~then~~ employment or  
521 a contractual relationship with such a business entity by a  
522 public officer or employee of a legislative body is ~~shall~~ not ~~be~~  
523 prohibited by this subsection or ~~be~~ deemed a conflict.

524 (b) This subsection does ~~shall~~ not prohibit a public  
525 officer or employee from practicing in a particular profession  
526 or occupation when such practice by persons holding such public  
527 office or employment is required or permitted by law or  
528 ordinance.

529 Section 9. Subsections (1) and (2) of section 112.3144,  
530 Florida Statutes, are amended to read:

531 112.3144 Full and public disclosure of financial  
532 interests.—



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533           (1) In addition to officers specified in s. 8, Art. II of  
534 the State Constitution or other state law, all elected municipal  
535 officers are required to file a full and public disclosure of  
536 their financial interests. An officer who is required ~~by s. 8,~~  
537 ~~Art. II of the State Constitution~~ to file a full and public  
538 disclosure of ~~his or her~~ financial interests for any calendar or  
539 fiscal year shall file that disclosure with the ~~Florida~~  
540 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~  
541 An officer who is required to complete annual ethics training  
542 pursuant to s. 112.3142 must certify on his or her full and  
543 public disclosure of financial interests that he or she has  
544 completed the required training.

545           (2) A person who is required, ~~pursuant to s. 8, Art. II of~~  
546 ~~the State Constitution,~~ to file a full and public disclosure of  
547 financial interests and who has filed a full and public  
548 disclosure of financial interests for any calendar or fiscal  
549 year is shall not ~~be~~ required to file a statement of financial  
550 interests pursuant to s. 112.3145(2) and (3) for the same year  
551 or for any part thereof notwithstanding any requirement of this  
552 part. If an incumbent in an elective office has filed the full  
553 and public disclosure of financial interests to qualify for  
554 election to the same office or if a candidate for office holds  
555 another office subject to the annual filing requirement, the  
556 qualifying officer shall forward an electronic copy of the full  
557 and public disclosure of financial interests to the commission  
558 no later than July 1. The electronic copy of the full and public  
559 disclosure of financial interests satisfies the annual  
560 disclosure requirement of this section. A candidate who does not  
561 qualify until after the annual full and public disclosure of



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562 financial interests has been filed pursuant to this section  
563 shall file a copy of his or her disclosure with the officer  
564 before whom he or she qualifies.

565 Section 10. The amendment made to s. 112.3144, Florida  
566 Statutes, by this act applies to disclosures filed for the 2016  
567 calendar year and all subsequent calendar years.

568 Section 11. Subsection (1) of section 112.31455, Florida  
569 Statutes, is amended to read:

570 112.31455 Collection methods for unpaid automatic fines for  
571 failure to timely file disclosure of financial interests.-

572 (1) Before referring any unpaid fine accrued pursuant to s.  
573 112.3144(5) or s. 112.3145(7) to the Department of Financial  
574 Services, the commission shall attempt to determine whether the  
575 individual owing such a fine is a current public officer or  
576 current public employee. If so, the commission may notify the  
577 Chief Financial Officer or the governing body of the appropriate  
578 county, municipality, school district, or special district of  
579 the total amount of any fine owed to the commission by such  
580 individual.

581 (a) After receipt and verification of the notice from the  
582 commission, the Chief Financial Officer or the governing body of  
583 the county, municipality, school district, or special district  
584 shall begin withholding the lesser of 10 percent or the maximum  
585 amount allowed under federal law from any salary-related  
586 payment. The withheld payments shall be remitted to the  
587 commission until the fine is satisfied.

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



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591 77.0305, to cover the administrative costs incurred under this  
592 section.

593 Section 12. Present subsections (7) through (15) of section  
594 112.3215, Florida Statutes, are renumbered as subsections (8)  
595 through (16), respectively, a new subsection (7) is added to  
596 that section, and paragraph (a) of present subsection (8) and  
597 present subsection (11) of that section are amended, to read:

598 112.3215 Lobbying before the executive branch or the  
599 Constitution Revision Commission; registration and reporting;  
600 investigation by commission.—

601 (7) If a lobbying firm lobbies the Governor to approve or  
602 veto any bill passed by the Legislature or a specific  
603 appropriation in the General Appropriations Act, the lobbying  
604 firm must file a monthly report disclosing such activity with  
605 the commission.

606 (a) The monthly report must contain the same information  
607 required under s. 11.045(5). The reports must be filed with the  
608 commission no later than 7 business days after the end of the  
609 preceding month. A lobbying firm may satisfy the filing  
610 requirements of this subsection by using the form used under s.  
611 11.045(5).

612 (b) The reports shall be filed even if the reporting  
613 lobbying firm did not engage in any lobbying activities  
614 requiring disclosure, in which the report shall be marked "not  
615 applicable."

616 (c) The commission shall provide by rule the grounds for  
617 waiving a fine, the procedures by which a lobbying firm that  
618 fails to timely file a report shall be notified and assessed  
619 finances, and the procedure for appealing the fines. The rule shall



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620 provide for the following:

621 1. Upon determining that the report is late, the person  
622 designated to review the timeliness of reports shall immediately  
623 notify the lobbying firm as to the failure to timely file the  
624 report and that a fine is being assessed for each late day. The  
625 fine shall be \$50 per day per report for each late day up to a  
626 maximum of \$5,000 per late report.

627 2. Upon receipt of the report, the person designated to  
628 review the timeliness of reports shall determine the amount of  
629 the fine due based upon when a report is actually received by  
630 the commission.

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

635 4. A fine may not be assessed against a lobbying firm the  
636 first time any reports for which the lobbying firm is  
637 responsible are not timely filed. However, to receive the one-  
638 time fine waiver, all reports for which the lobbying firm is  
639 responsible must be filed within 30 days after the notice that  
640 any reports have not been timely filed is transmitted by the  
641 commission. A fine shall be assessed for any subsequent late-  
642 filed reports.

643 5. Any lobbying firm may appeal or dispute a fine, based  
644 upon unusual circumstances surrounding the failure to file on  
645 the designated due date, and may request and shall be entitled  
646 to a hearing before the commission, which shall have the  
647 authority to waive the fine in whole or in part for good cause  
648 shown. Any such request shall be made within 30 days after the



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649 notice of payment due is transmitted by the commission. In such  
650 case, the lobbying firm shall, within the 30-day period, notify  
651 the person designated to review the timeliness of reports in  
652 writing of his or her intention to bring the matter before the  
653 commission.

654 6. The person designated to review the timeliness of  
655 reports shall notify the commission of the failure of a lobbying  
656 firm to file a report after notice or of the failure of a  
657 lobbying firm to pay the fine imposed. All lobbyist  
658 registrations for lobbyists who are partners, owners, officers,  
659 or employees of a lobbying firm that fails to timely pay a fine  
660 are automatically suspended until the fine is paid or waived,  
661 and the commission shall promptly notify all affected principals  
662 of each suspension and each reinstatement.

663 7. Notwithstanding any provision of chapter 120, any fine  
664 imposed under this subsection that is not waived by final order  
665 of the commission and that remains unpaid more than 60 days  
666 after the notice of payment due or more than 60 days after the  
667 commission renders a final order on the lobbying firm's appeal  
668 shall be collected by the Department of Financial Services as a  
669 claim, debt, or other obligation owed to the state, and the  
670 department may assign the collection of such fine to a  
671 collection agent as provided in s. 17.20.

672 (9) (a) ~~(8) (a)~~ The commission shall investigate every sworn  
673 complaint that is filed with it alleging that a person covered  
674 by this section has failed to register, has failed to submit a  
675 compensation report, has made a prohibited expenditure, has  
676 failed to file a report required by subsection (7), or has  
677 knowingly submitted false information in any report or





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678 registration required in this section.

679 (12)~~(11)~~ Any person who is required to be registered or to  
680 provide information under this section or under rules adopted  
681 pursuant to this section and who knowingly fails to disclose any  
682 material fact that is required by this section or by rules  
683 adopted pursuant to this section, or who knowingly provides  
684 false information on any report required by this section or by  
685 rules adopted pursuant to this section, commits a noncriminal  
686 infraction, punishable by a fine not to exceed \$5,000. Such  
687 penalty is in addition to any other penalty assessed by the  
688 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

689 Section 13. Section 112.3261, Florida Statutes, is amended  
690 to read:

691 112.3261 Lobbying before governmental entities ~~water~~  
692 ~~management districts~~; registration and reporting.—

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

694 (a) "Governmental entity" or "entity" ~~"District"~~ means a  
695 water management district created in s. 373.069 and operating  
696 under the authority of chapter 373, a hospital district, a  
697 children's services district, an expressway authority as the  
698 term "authority" is defined in s. 348.0002, the term "port  
699 authority" as defined in s. 315.02, a county or municipality  
700 that has not adopted lobbyist registration and reporting  
701 requirements, or an independent special district with annual  
702 revenues of more than \$5 million which exercises ad valorem  
703 taxing authority.

704 (b) "Lobbies" means seeking, on behalf of another person,  
705 to influence a governmental entity ~~district~~ with respect to a  
706 decision of the entity ~~district~~ in an area of policy or



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707 procurement or an attempt to obtain the goodwill of an a  
708 ~~district~~ official or employee of a governmental entity. The term  
709 "~~lobbies~~" shall be interpreted and applied consistently with the  
710 rules of the commission implementing s. 112.3215.

711 (c) "Lobbyist" has the same meaning as provided in s.  
712 112.3215.

713 (d) "Principal" has the same meaning as provided in s.  
714 112.3215.

715 (2) A person may not lobby a governmental entity ~~district~~  
716 until such person has registered as a lobbyist with that entity  
717 ~~district~~. Such registration shall be due upon initially being  
718 retained to lobby and is renewable on a calendar-year basis  
719 thereafter. Upon registration, the person shall provide a  
720 statement signed by the principal or principal's representative  
721 stating that the registrant is authorized to represent the  
722 principal. The principal shall also identify and designate its  
723 main business on the statement authorizing that lobbyist  
724 pursuant to a classification system approved by the governmental  
725 entity ~~district~~. Any changes to the information required by this  
726 section must be disclosed within 15 days by filing a new  
727 registration form. The registration form must ~~shall~~ require each  
728 lobbyist to disclose, under oath, the following:

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

730 (b) The name and business address of each principal  
731 represented.

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



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736           (d) A governmental entity shall create a lobbyist  
737 registration form modeled after the ~~In lieu of creating its own~~  
738 ~~lobbyist registration forms, a district may accept a completed~~  
739 legislative branch or executive branch lobbyist registration  
740 form, which must be returned to the governmental entity.

741           (3) A governmental entity ~~district~~ shall make lobbyist  
742 registrations available to the public. If a governmental entity  
743 ~~district~~ maintains a website, a database of currently registered  
744 lobbyists and principals must be available on the entity's  
745 ~~district's~~ website.

746           (4) A lobbyist shall promptly send a written statement to  
747 the governmental entity ~~district~~ canceling the registration for  
748 a principal upon termination of the lobbyist's representation of  
749 that principal. A governmental entity ~~district~~ may remove the  
750 name of a lobbyist from the list of registered lobbyists if the  
751 principal notifies the entity ~~district~~ that a person is no  
752 longer authorized to represent that principal.

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

757           (6) A governmental entity ~~district~~ shall be diligent to  
758 ascertain whether persons required to register pursuant to this  
759 section have complied. A governmental entity ~~district~~ may not  
760 knowingly authorize a person who is not registered pursuant to  
761 this section to lobby the entity ~~district~~.

762           (7) Upon receipt of a sworn complaint alleging that a  
763 lobbyist or principal has failed to register with a governmental  
764 entity ~~district~~ or has knowingly submitted false information in



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765 a report or registration required under this section, the  
766 commission shall investigate a lobbyist or principal pursuant to  
767 the procedures established under s. 112.324. The commission  
768 shall provide the Governor with a report of its findings and  
769 recommendations in any investigation conducted pursuant to this  
770 subsection. The Governor is authorized to enforce the  
771 commission's findings and recommendations.

772 (8) A governmental entity ~~Water management districts~~ may  
773 adopt rules to establish procedures to govern the registration  
774 of lobbyists, including the adoption of forms and the  
775 establishment of a lobbyist registration fee.

776 Section 14. Paragraph (c) of subsection (3) of section  
777 129.03, Florida Statutes, is amended to read:

778 129.03 Preparation and adoption of budget.—

779 (3) The county budget officer, after tentatively  
780 ascertaining the proposed fiscal policies of the board for the  
781 next fiscal year, shall prepare and present to the board a  
782 tentative budget for the next fiscal year for each of the funds  
783 provided in this chapter, including all estimated receipts,  
784 taxes to be levied, and balances expected to be brought forward  
785 and all estimated expenditures, reserves, and balances to be  
786 carried over at the end of the year.

787 (c) The board shall hold public hearings to adopt tentative  
788 and final budgets pursuant to s. 200.065. The hearings shall be  
789 primarily for the purpose of hearing requests and complaints  
790 from the public regarding the budgets and the proposed tax  
791 levies and for explaining the budget and any proposed or adopted  
792 amendments. The tentative budget must be posted on the county's  
793 official website at least 2 days before the public hearing to



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794 consider such budget and must remain on the website for at least  
795 45 days. The final budget must be posted on the website within  
796 30 days after adoption and must remain on the website for at  
797 least 2 years. The tentative budgets, adopted tentative budgets,  
798 and final budgets shall be filed in the office of the county  
799 auditor as a public record. Sufficient reference in words and  
800 figures to identify the particular transactions must ~~shall~~ be  
801 made in the minutes of the board to record its actions with  
802 reference to the budgets.

803 Section 15. Paragraph (f) of subsection (2) of section  
804 129.06, Florida Statutes, is amended to read:

805 129.06 Execution and amendment of budget.—

806 (2) The board at any time within a fiscal year may amend a  
807 budget for that year, and may within the first 60 days of a  
808 fiscal year amend the budget for the prior fiscal year, as  
809 follows:

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

815 1. The public hearing must be advertised at least 2 days,  
816 but not more than 5 days, before the date of the hearing. The  
817 advertisement must appear in a newspaper of paid general  
818 circulation and must identify the name of the taxing authority,  
819 the date, place, and time of the hearing, and the purpose of the  
820 hearing. The advertisement must also identify each budgetary  
821 fund to be amended, the source of the funds, the use of the  
822 funds, and the total amount of each fund's appropriations.



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

827           Section 16. Subsections (3) and (5) of section 166.241,  
828 Florida Statutes, are amended to read:

829           166.241 Fiscal years, budgets, and budget amendments.—

830           (3) The tentative budget must be posted on the  
831 municipality's official website at least 2 days before the  
832 budget hearing, held pursuant to s. 200.065 or other law, to  
833 consider such budget, and must remain on the website for at  
834 least 45 days. The final adopted budget must be posted on the  
835 municipality's official website within 30 days after adoption  
836 and must remain on the website for at least 2 years. If the  
837 municipality does not operate an official website, the  
838 municipality must, within a reasonable period of time as  
839 established by the county or counties in which the municipality  
840 is located, transmit the tentative budget and final budget to  
841 the manager or administrator of such county or counties who  
842 shall post the budgets on the county's website.

843           (5) If the governing body of a municipality amends the  
844 budget pursuant to paragraph (4) (c), the adopted amendment must  
845 be posted on the official website of the municipality within 5  
846 days after adoption and must remain on the website for at least  
847 2 years. If the municipality does not operate an official  
848 website, the municipality must, within a reasonable period of  
849 time as established by the county or counties in which the  
850 municipality is located, transmit the adopted amendment to the  
851 manager or administrator of such county or counties who shall



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852 post the adopted amendment on the county's website.

853 Section 17. Subsections (4) and (7) of section 189.016,  
854 Florida Statutes, are amended to read:

855 189.016 Reports; budgets; audits.-

856 (4) The tentative budget must be posted on the special  
857 district's official website at least 2 days before the budget  
858 hearing, held pursuant to s. 200.065 or other law, to consider  
859 such budget, and must remain on the website for at least 45  
860 days. The final adopted budget must be posted on the special  
861 district's official website within 30 days after adoption and  
862 must remain on the website for at least 2 years. If the special  
863 district does not operate an official website, the special  
864 district must, within a reasonable period of time as established  
865 by the local general-purpose government or governments in which  
866 the special district is located or the local governing authority  
867 to which the district is dependent, transmit the tentative  
868 budget or final budget to the manager or administrator of the  
869 local general-purpose government or the local governing  
870 authority. The manager or administrator shall post the tentative  
871 budget or final budget on the website of the local general-  
872 purpose government or governing authority. This subsection and  
873 subsection (3) do not apply to water management districts as  
874 defined in s. 373.019.

875 (7) If the governing body of a special district amends the  
876 budget pursuant to paragraph (6)(c), the adopted amendment must  
877 be posted on the official website of the special district within  
878 5 days after adoption and must remain on the website for at  
879 least 2 years. If the special district does not operate an  
880 official website, the special district must, within a reasonable



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881 period of time as established by the local general-purpose  
882 government or governments in which the special district is  
883 located or the local governing authority to which the district  
884 is dependent, transmit the adopted amendment to the manager or  
885 administrator of the local general-purpose government or  
886 governing authority. The manager or administrator shall post the  
887 adopted amendment on the website of the local general-purpose  
888 government or governing authority.

889 Section 18. Present subsections (1) through (5) of section  
890 215.425, Florida Statutes, are renumbered as subsections (2)  
891 through (6), respectively, present subsection (2) and paragraph  
892 (a) of present subsection (4) of that section are amended, and a  
893 new subsection (1) and subsections (7) through (13) are added to  
894 that section, to read:

895 215.425 Extra compensation claims prohibited; bonuses;  
896 severance pay.—

897 (1) As used in this section, the term "public funds" means  
898 any taxes, tuition, grants, fines, fees, or other charges or any  
899 other type of revenue collected by the state or any county,  
900 municipality, special district, school district, Florida College  
901 System institution, state university, or other separate unit of  
902 government created pursuant to law, including any office,  
903 department, agency, division, subdivision, political  
904 subdivision, board, bureau, or commission of such entities.

905 (3) ~~(2)~~ Notwithstanding subsection (2), if the payment and  
906 receipt does not otherwise violate part III of chapter 112, the  
907 following funds may be used to provide extra compensation or  
908 severance pay in excess of the amount specified in subparagraph  
909 (5) (a) 1.:





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910 (a) Revenues received by state universities through or from  
911 faculty practice plans; health services support organizations;  
912 hospitals with which state universities are affiliated; direct-  
913 support organizations; or federal, auxiliary, or private  
914 sources, except for tuition.

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

919 (c) Revenues that are received by a hospital licensed under  
920 chapter 395 which has entered into a Medicaid provider contract  
921 and that:

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

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

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

927 4. Are not appropriated by the Legislature or by any  
928 county, municipality, special district, school district, Florida  
929 College System institution, state university, or other separate  
930 unit of government created pursuant to law, including any  
931 office, department, agency, division, subdivision, political  
932 subdivision, board, bureau, commission, authority, or  
933 institution of such entities, except for revenues otherwise  
934 authorized to be used pursuant to subparagraphs 2. and 3. ~~This~~  
935 section does not apply to:

936 ~~(a) a bonus or severance pay that is paid wholly from~~  
937 ~~nontax revenues and nonstate-appropriated funds, the payment and~~  
938 ~~receipt of which does not otherwise violate part III of chapter~~



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939 ~~112, and which is paid to an officer, agent, employee, or~~  
940 ~~contractor of a public hospital that is operated by a county or~~  
941 ~~a special district; or~~

942 (d)(b) A clothing and maintenance allowance given to  
943 plainclothes deputies pursuant to s. 30.49.

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

947 (5)(a)(4)(a) ~~On or after July 1, 2011,~~ A unit of  
948 government, on or after July 1, 2011, or a state university, on  
949 or after July 1, 2012, that is a party to ~~enters into~~ a contract  
950 or employment agreement, or renewal or renegotiation of an  
951 existing contract or employment agreement, that contains a  
952 provision for severance pay with an officer, agent, employee, or  
953 contractor must include the following provisions in the  
954 contract:

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

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

962 (7) Upon discovery or notification that a unit of  
963 government has provided prohibited compensation to any officer,  
964 agent, employee, or contractor in violation of this section,  
965 such unit of government shall investigate and take all necessary  
966 action to recover the prohibited compensation.

967 (a) If the violation was unintentional, the unit of



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968 government shall recover the prohibited compensation from the  
969 individual receiving the prohibited compensation through normal  
970 recovery methods for overpayments.

971 (b) If the violation was willful, the unit of government  
972 shall recover the prohibited compensation from either the  
973 individual receiving the prohibited compensation or the  
974 individual or individuals responsible for approving the  
975 prohibited compensation. Each individual determined to have  
976 willfully violated this section is jointly and severally liable  
977 for repayment of the prohibited compensation.

978 (8) A person who willfully violates this section commits a  
979 misdemeanor of the first degree, punishable as provided in s.  
980 775.082 or s. 775.083.

981 (9) An officer who exercises the powers and duties of a  
982 state or county officer and willfully violates this section is  
983 subject to the Governor's power under s. 7(a), Art. IV of the  
984 State Constitution. An officer who exercises powers and duties  
985 other than those of a state or county officer and willfully  
986 violates this section is subject to the suspension and removal  
987 procedures under s. 112.51.

988 (10) (a) A person who reports a violation of this section is  
989 eligible for a reward of at least \$500, or the lesser of 10  
990 percent of the funds recovered or \$10,000 per incident of a  
991 prohibited compensation payment recovered by the unit of  
992 government, depending upon the extent to which the person  
993 substantially contributed to the discovery, notification, and  
994 recovery of such prohibited payment.

995 (b) In the event that the recovery of the prohibited  
996 compensation is based primarily on disclosures of specific



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997 information, other than information provided by such person,  
998 relating to allegations or transactions in a criminal, civil, or  
999 administrative hearing; in a legislative, administrative,  
1000 inspector general, or other government report; in an auditor  
1001 general report, hearing, audit, or investigation; or from the  
1002 news media, such person is not eligible for a reward, or for an  
1003 award of a portion of the proceeds or payment of attorney fees  
1004 and costs pursuant to s. 68.085.

1005 (c) If it is determined that the person who reported a  
1006 violation of this section was involved in the authorization,  
1007 approval, or receipt of the prohibited compensation or is  
1008 convicted of criminal conduct arising from his or her role in  
1009 the authorization, approval, or receipt of the prohibited  
1010 compensation, such person is not eligible for a reward, or for  
1011 an award of a portion of the proceeds or payment of attorney  
1012 fees and costs pursuant to s. 68.085.

1013 (11) An employee who is discharged, demoted, suspended,  
1014 threatened, harassed, or in any manner discriminated against in  
1015 the terms and conditions of employment by his or her employer  
1016 because of lawful acts done by the employee on behalf of the  
1017 employee or others in furtherance of an action under this  
1018 section, including investigation for initiation of, testimony  
1019 for, or assistance in an action filed or to be filed under this  
1020 section, has a cause of action under s. 112.3187.

1021 (12) If the unit of government fails to recover prohibited  
1022 compensation for a willful violation of this section upon  
1023 discovery and notification of such prohibited payment within 90  
1024 days, a cause of action may be brought to:

1025 (a) Recover state funds in accordance with ss. 68.082 and



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1026 68.083.  
1027 (b) Recover other funds by the Department of Legal Affairs  
1028 using the procedures set forth in ss. 68.082 and 68.083, except  
1029 that venue shall lie in the circuit court of the county in which  
1030 the unit of government is located.

1031 (c) Recover other funds by a person using the procedures  
1032 set forth in ss. 68.082 and 68.083, except that venue shall lie  
1033 in the circuit court of the county in which the unit of  
1034 government is located.

1035 (13) Subsections (7)-(12) apply prospectively to contracts  
1036 or employment agreements, or the renewal or renegotiation of an  
1037 existing contract or employment agreement, effective on or after  
1038 October 1, 2016.

1039 Section 19. Section 215.86, Florida Statutes, is amended to  
1040 read:

1041 215.86 Management systems and controls.—Each state agency  
1042 and the judicial branch as defined in s. 216.011 shall establish  
1043 and maintain management systems and internal controls designed  
1044 to:

1045 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

1046 (2) Promote and encourage compliance with applicable laws,  
1047 rules, contracts, grant agreements, and best practices.†

1048 (3) Support economical and ~~economic,~~ efficient, ~~and~~  
1049 effective operations.†

1050 (4) Ensure reliability of financial records and reports.†

1051 (5) Safeguard ~~and safeguarding of~~ assets. Accounting  
1052 systems and procedures shall be designed to fulfill the  
1053 requirements of generally accepted accounting principles.

1054 Section 20. Paragraph (a) of subsection (2) of section



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1055 215.97, Florida Statutes, is amended to read:  
1056 215.97 Florida Single Audit Act.—  
1057 (2) Definitions; as used in this section, the term:  
1058 (a) "Audit threshold" means the threshold amount used to  
1059 determine when a state single audit or project-specific audit of  
1060 a nonstate entity shall be conducted in accordance with this  
1061 section. Each nonstate entity that expends a total amount of  
1062 state financial assistance equal to or in excess of \$750,000  
1063 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be  
1064 required to have a state single audit~~,~~ or a project-specific  
1065 audit~~,~~ for such fiscal year in accordance with the requirements  
1066 of this section. ~~Every 2 years the Auditor General,~~ After  
1067 consulting with the Executive Office of the Governor, the  
1068 Department of Financial Services, and all state awarding  
1069 agencies, the Auditor General shall periodically review the  
1070 threshold amount for requiring audits under this section and may  
1071 recommend any appropriate statutory change to revise the  
1072 threshold amount in the annual report submitted pursuant to s.  
1073 11.45(7)(h) to the Legislature may adjust such threshold amount  
1074 ~~consistent with the purposes of this section.~~

1075 Section 21. Subsection (11) of section 215.985, Florida  
1076 Statutes, is amended to read:  
1077 215.985 Transparency in government spending.—  
1078 (11) Each water management district shall provide a monthly  
1079 financial statement in the form and manner prescribed by the  
1080 Department of Financial Services to the district's ~~its~~ governing  
1081 board and make such monthly financial statement available for  
1082 public access on its website.

1083 Section 22. Paragraph (d) of subsection (1) and subsection



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1084 (2) of section 218.32, Florida Statutes, are amended to read:  
1085 218.32 Annual financial reports; local governmental  
1086 entities.—

1087 (1)

1088 (d) Each local governmental entity that is required to  
1089 provide for an audit under s. 218.39(1) must submit a copy of  
1090 the audit report and annual financial report to the department  
1091 within 45 days after the completion of the audit report but no  
1092 later than 9 months after the end of the fiscal year. In  
1093 conducting an audit of a local governmental entity pursuant to  
1094 s. 218.39, an independent certified public accountant shall  
1095 determine whether the entity's annual financial report is in  
1096 agreement with the audited financial statements. The  
1097 accountant's audit report must be supported by the same level of  
1098 detail as required for the annual financial report. If the  
1099 accountant's audit report is not in agreement with the annual  
1100 financial report, the accountant shall specify and explain the  
1101 significant differences that exist between the annual financial  
1102 report and the audit report.

1103 (2) The department shall annually by December 1 file a  
1104 verified report with the Governor, the Legislature, the Auditor  
1105 General, and the Special District Accountability Program of the  
1106 Department of Economic Opportunity showing the revenues, both  
1107 locally derived and derived from intergovernmental transfers,  
1108 and the expenditures of each local governmental entity, regional  
1109 planning council, local government finance commission, and  
1110 municipal power corporation that is required to submit an annual  
1111 financial report. In preparing the verified report, the  
1112 department may request additional information from the local



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1113 governmental entity. The information requested must be provided  
1114 to the department within 45 days after the request. If the local  
1115 governmental entity does not comply with the request, the  
1116 department shall notify the Legislative Auditing Committee,  
1117 which may take action pursuant to s. 11.40(2). The report must  
1118 include, but is not limited to:

1119 (a) The total revenues and expenditures of each local  
1120 governmental entity that is a component unit included in the  
1121 annual financial report of the reporting entity.

1122 (b) The amount of outstanding long-term debt by each local  
1123 governmental entity. For purposes of this paragraph, the term  
1124 "long-term debt" means any agreement or series of agreements to  
1125 pay money, which, at inception, contemplate terms of payment  
1126 exceeding 1 year in duration.

1127 Section 23. Present subsection (3) of section 218.33,  
1128 Florida Statutes, is redesignated as subsection (4), and a new  
1129 subsection (3) is added to that section, to read:

1130 218.33 Local governmental entities; establishment of  
1131 uniform fiscal years and accounting practices and procedures.—

1132 (3) Each local governmental entity shall establish and  
1133 maintain internal controls designed to:

1134 (a) Prevent and detect fraud, waste, and abuse.

1135 (b) Promote and encourage compliance with applicable laws,  
1136 rules, contracts, grant agreements, and best practices.

1137 (c) Support economical and efficient operations.

1138 (d) Ensure reliability of financial records and reports.

1139 (e) Safeguard assets.

1140 Section 24. Present subsections (8) through (12) of section  
1141 218.39, Florida Statutes, are redesignated as subsections (9)





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1142 through (13), respectively, and a new subsection (8) is added to  
1143 that section, to read:

1144 218.39 Annual financial audit reports.—

1145 (8) If the audit report includes a recommendation that was  
1146 included in the preceding financial audit report but remains  
1147 unaddressed, the governing body of the audited entity, within 60  
1148 days after the delivery of the audit report to the governing  
1149 body, shall indicate during a regularly scheduled public meeting  
1150 whether it intends to take corrective action, the intended  
1151 corrective action, and the timeframe for the corrective action.  
1152 If the governing body indicates that it does not intend to take  
1153 corrective action, it shall explain its decision at the public  
1154 meeting.

1155 Section 25. Subsection (2) of section 218.391, Florida  
1156 Statutes, is amended, and subsection (9) is added to that  
1157 section, to read:

1158 218.391 Auditor selection procedures.—

1159 (2) The governing body of a ~~charter~~ county, municipality,  
1160 special district, district school board, charter school, or  
1161 charter technical career center shall establish an audit  
1162 committee.

1163 (a) The audit committee for a county ~~Each noncharter county~~  
1164 ~~shall establish an audit committee that,~~ at a minimum, shall  
1165 consist of each of the county officers elected pursuant to the  
1166 county charter or s. 1(d), Art. VIII of the State Constitution,  
1167 or their respective designees ~~a designee,~~ and one member of the  
1168 board of county commissioners or its designee.

1169 (b) The audit committee for a municipality, special  
1170 district, district school board, charter school, or charter



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1171 technical career center shall consist of at least three members.  
1172 One member of the audit committee must be a member of the  
1173 governing body of an entity specified in this paragraph, who  
1174 shall also serve as the chair of the committee.

1175 (c) An employee, chief executive officer, or chief  
1176 financial officer of the county, municipality, special district,  
1177 district school board, charter school, or charter technical  
1178 career center may not serve as a member of an audit committee  
1179 established under this subsection.

1180 (d) The primary purpose of the audit committee is to assist  
1181 the governing body in selecting an auditor to conduct the annual  
1182 financial audit required in s. 218.39; however, the audit  
1183 committee may serve other audit oversight purposes as determined  
1184 by the entity's governing body. The public ~~may~~ shall not be  
1185 excluded from the proceedings under this section.

1186 (9) An audit report submitted pursuant to s. 218.39 must  
1187 include an affidavit executed by the chair of the audit  
1188 committee affirming that the committee complied with the  
1189 requirements of subsections (3)-(6) in selecting an auditor. If  
1190 the Auditor General determines that an entity failed to comply  
1191 with the requirements of subsections (3)-(6) in selecting an  
1192 auditor, the entity shall select a replacement auditor in  
1193 accordance with this section to conduct audits for subsequent  
1194 fiscal years if the original audit was performed under a  
1195 multiyear contract. If the replacement of an auditor would  
1196 preclude the entity from timely completing the annual financial  
1197 audit required by s. 218.39, the entity shall replace an auditor  
1198 in accordance with this section for the subsequent annual  
1199 financial audit. A multiyear contract between an entity or an



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1200 auditor may not prohibit or restrict an entity from complying  
1201 with this subsection.

1202 Section 26. Subsection (2) of section 286.0114, Florida  
1203 Statutes, is amended to read:

1204 286.0114 Public meetings; reasonable opportunity to be  
1205 heard; attorney fees.—

1206 (2) Members of the public shall be given a reasonable  
1207 opportunity to be heard on a proposition before a board or  
1208 commission. The opportunity to be heard need not occur at the  
1209 same meeting at which the board or commission takes official  
1210 action on the proposition if the opportunity occurs at a meeting  
1211 that is during the decisionmaking process and is within  
1212 reasonable proximity in time before the meeting at which the  
1213 board or commission takes the official action. A board or  
1214 commission may not require a member of the public to provide an  
1215 advance written copy of his or her testimony or comments as a  
1216 precondition of being given the opportunity to be heard at a  
1217 meeting. This section does not prohibit a board or commission  
1218 from maintaining orderly conduct or proper decorum in a public  
1219 meeting. The opportunity to be heard is subject to rules or  
1220 policies adopted by the board or commission, as provided in  
1221 subsection (4).

1222 Section 27. Paragraph (b) of subsection (2) of section  
1223 288.92, Florida Statutes, is amended to read:

1224 288.92 Divisions of Enterprise Florida, Inc.—

1225 (2)

1226 (b)1. The following officers and board members are subject  
1227 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
1228 112.3143(2):



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1229 a. Officers and members of the board of directors of the  
1230 divisions of Enterprise Florida, Inc.

1231 b. Officers and members of the board of directors of  
1232 subsidiaries of Enterprise Florida, Inc.

1233 c. Officers and members of the board of directors of  
1234 corporations created to carry out the missions of Enterprise  
1235 Florida, Inc.

1236 d. Officers and members of the board of directors of  
1237 corporations with which a division is required by law to  
1238 contract to carry out its missions.

1239 2. For a period of 2 years after retirement from or  
1240 termination of service to a division, or for a period of 10  
1241 years if removed or terminated for cause or for misconduct, as  
1242 defined in s. 443.036(29), the officers and board members  
1243 specified in subparagraph 1. may not represent another person or  
1244 entity for compensation before:

1245 a. Enterprise Florida, Inc.;

1246 b. A division, a subsidiary, or the board of directors of  
1247 corporations created to carry out the missions of Enterprise  
1248 Florida, Inc.; or

1249 c. A division with which Enterprise Florida, Inc., is  
1250 required by law to contract to carry out its missions.

1251 ~~3.2.~~ For purposes of applying ss. 112.313(1)-(8), (10),  
1252 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
1253 officers and members of the board of directors specified in  
1254 subparagraph 1., those persons shall be considered public  
1255 officers or employees and the corporation shall be considered  
1256 their agency.

1257 ~~4.3.~~ It is not a violation of s. 112.3143(2) or (4) for the



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1258 officers or members of the board of directors of the Florida  
1259 Tourism Industry Marketing Corporation to:

1260 a. Vote on the 4-year marketing plan required under s.  
1261 288.923 or vote on any individual component of or amendment to  
1262 the plan.

1263 b. Participate in the establishment or calculation of  
1264 payments related to the private match requirements of s.  
1265 288.904(3). The officer or member must file an annual disclosure  
1266 describing the nature of his or her interests or the interests  
1267 of his or her principals, including corporate parents and  
1268 subsidiaries of his or her principal, in the private match  
1269 requirements. This annual disclosure requirement satisfies the  
1270 disclosure requirement of s. 112.3143(4). This disclosure must  
1271 be placed ~~either~~ on the Florida Tourism Industry Marketing  
1272 Corporation's website or included in the minutes of each meeting  
1273 of the Florida Tourism Industry Marketing Corporation's board of  
1274 directors at which the private match requirements are discussed  
1275 or voted upon.

1276 Section 28. Paragraph (a) of subsection (3) of section  
1277 288.9604, Florida Statutes, is amended to read:

1278 288.9604 Creation of the authority.—

1279 (3)(a)1. A director may not receive compensation for his or  
1280 her services, but is entitled to necessary expenses, including  
1281 travel expenses, incurred in the discharge of his or her duties.  
1282 Each director shall hold office until his or her successor has  
1283 been appointed.

1284 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),  
1285 and (15); 112.3135; and 112.3143(2). For purposes of applying  
1286 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and



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1287 112.3143(2) to activities of directors, directors shall be  
1288 considered public officers and the corporation shall be  
1289 considered their agency.

1290 3. A director of the corporation may not represent another  
1291 person or entity for compensation before the corporation for a  
1292 period of 2 years following his or her service on the board of  
1293 directors.

1294 Section 29. Paragraph (e) of subsection (4), paragraph (d)  
1295 of subsection (5), and paragraph (d) of subsection (6) of  
1296 section 373.536, Florida Statutes, are amended to read:

1297 373.536 District budget and hearing thereon.—

1298 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1299 (e) ~~By September 1, 2012,~~ Each district shall provide a  
1300 monthly financial statement in the form and manner prescribed by  
1301 the Department of Financial Services to the district's governing  
1302 board and make such monthly financial statement available for  
1303 public access on its website.

1304 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
1305 APPROVAL.—

1306 (d) Each district shall, by August 1 of each year, submit  
1307 for review a tentative budget and a description of any  
1308 significant changes from the preliminary budget submitted to the  
1309 Legislature pursuant to s. 373.535 to the Governor, the  
1310 President of the Senate, the Speaker of the House of  
1311 Representatives, the chairs of all legislative committees and  
1312 subcommittees having substantive or fiscal jurisdiction over  
1313 water management districts, as determined by the President of  
1314 the Senate or the Speaker of the House of Representatives, as  
1315 applicable, the secretary of the department, and the governing



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1316 body of each county in which the district has jurisdiction or  
1317 derives any funds for the operations of the district. The  
1318 tentative budget must be posted on the district's official  
1319 website at least 2 days before budget hearings held pursuant to  
1320 s. 200.065 or other law and must remain on the website for at  
1321 least 45 days.

1322 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
1323 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1324 (d) The final adopted budget must be posted on the water  
1325 management district's official website within 30 days after  
1326 adoption and must remain on the website for at least 2 years.

1327 Section 30. Subsection (7) of section 838.014, Florida  
1328 Statutes, is renumbered as subsection (8), present subsections  
1329 (4) and (6) are amended, and a new subsection (6) is added to  
1330 that section, to read:

1331 838.014 Definitions.—As used in this chapter, the term:

1332 (4) "Governmental entity" means an agency or entity of the  
1333 state, a county, municipality, or special district or any other  
1334 public entity created or authorized by law ~~"Corruptly" or "with~~  
1335 ~~corrupt intent" means acting knowingly and dishonestly for a~~  
1336 ~~wrongful purpose.~~

1337 (6) "Public contractor" means, for purposes of ss. 838.022  
1338 and 838.22 only:

1339 (a) Any person, as defined in s. 1.01(3), who has entered  
1340 into a contract with a governmental entity; or

1341 (b) Any officer or employee of a person, as defined in s.  
1342 1.01(3), who has entered into a contract with a governmental  
1343 entity.

1344 (7)~~(6)~~ "Public servant" means:



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1345 (a) Any officer or employee of a governmental state,  
1346 ~~county, municipal, or special district agency or entity,~~  
1347 including

1348 ~~(b)~~ any executive, legislative, or judicial branch officer  
1349 or employee;

1350 (b) ~~(e)~~ Any person, except a witness, who acts as a general  
1351 or special magistrate, receiver, auditor, arbitrator, umpire,  
1352 referee, consultant, or hearing officer while performing a  
1353 governmental function; or

1354 (c) ~~(d)~~ A candidate for election or appointment to any of  
1355 the officer positions listed in this subsection, or an  
1356 individual who has been elected to, but has yet to officially  
1357 assume the responsibilities of, public office.

1358 Section 31. Subsection (1) of section 838.015, Florida  
1359 Statutes, is amended to read:

1360 838.015 Bribery.—

1361 (1) "Bribery" means ~~corruptly~~ to knowingly and  
1362 intentionally give, offer, or promise to any public servant, or,  
1363 if a public servant, ~~corruptly~~ to knowingly and intentionally  
1364 request, solicit, accept, or agree to accept for himself or  
1365 herself or another, any pecuniary or other benefit not  
1366 authorized by law with an intent or purpose to influence the  
1367 performance of any act or omission which the person believes to  
1368 be, or the public servant represents as being, within the  
1369 official discretion of a public servant, in violation of a  
1370 public duty, or in performance of a public duty.

1371 Section 32. Subsections (1) and (2) of section 838.016,  
1372 Florida Statutes, are amended to read:

1373 838.016 Unlawful compensation or reward for official





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1374 behavior.-

1375 (1) It is unlawful for any person ~~corruptly~~ to knowingly  
1376 and intentionally give, offer, or promise to any public servant,  
1377 or, if a public servant, ~~corruptly~~ to knowingly and  
1378 intentionally request, solicit, accept, or agree to accept, any  
1379 pecuniary or other benefit not authorized by law, for the past,  
1380 present, or future performance, nonperformance, or violation of  
1381 any act or omission which the person believes to have been, or  
1382 the public servant represents as having been, either within the  
1383 official discretion of the public servant, in violation of a  
1384 public duty, or in performance of a public duty. This section  
1385 does not ~~Nothing herein shall be construed to~~ preclude a public  
1386 servant from accepting rewards for services performed in  
1387 apprehending any criminal.

1388 (2) It is unlawful for any person ~~corruptly~~ to knowingly  
1389 and intentionally give, offer, or promise to any public servant,  
1390 or, if a public servant, ~~corruptly~~ to knowingly and  
1391 intentionally request, solicit, accept, or agree to accept, any  
1392 pecuniary or other benefit not authorized by law for the past,  
1393 present, or future exertion of any influence upon or with any  
1394 other public servant regarding any act or omission which the  
1395 person believes to have been, or which is represented to him or  
1396 her as having been, either within the official discretion of the  
1397 other public servant, in violation of a public duty, or in  
1398 performance of a public duty.

1399 Section 33. Subsection (1) of section 838.022, Florida  
1400 Statutes, is amended, and subsection (2) of that section is  
1401 republished, to read:

1402 838.022 Official misconduct.-



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1403 (1) It is unlawful for a public servant or public  
1404 contractor, with corrupt intent to knowingly and intentionally  
1405 obtain a benefit for any person or to cause unlawful harm to  
1406 another, by ~~to~~:

1407 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to  
1408 falsify, any official record or official document;

1409 (b) Concealing, covering up, destroying, mutilating, or  
1410 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any  
1411 official record or official document, except as authorized by  
1412 law or contract, or causing ~~cause~~ another person to perform such  
1413 an act; or

1414 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~  
1415 ~~or prevent~~ the communication of information relating to the  
1416 commission of a felony that directly involves or affects the  
1417 government ~~public agency or public~~ entity served by the public  
1418 servant or public contractor.

1419 (2) For the purposes of this section:

1420 (a) The term "public servant" does not include a candidate  
1421 who does not otherwise qualify as a public servant.

1422 (b) An official record or official document includes only  
1423 public records.

1424 Section 34. Section 838.22, Florida Statutes, is amended to  
1425 read:

1426 838.22 Bid tampering.—

1427 (1) It is unlawful for a public servant or a public  
1428 contractor who has contracted with a governmental entity to  
1429 assist in a competitive procurement, with corrupt intent to  
1430 knowingly and intentionally influence or attempt to influence  
1431 the competitive solicitation ~~bidding process~~ undertaken by any



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1432 ~~governmental state, county, municipal, or special district~~  
1433 ~~agency, or any other public entity,~~ for the procurement of  
1434 commodities or services, by ~~to~~:

1435 (a) Disclosing, except as authorized by law, ~~Disclose~~  
1436 material information concerning a vendor's response, any  
1437 evaluation results, ~~bid~~ or other aspects of the competitive  
1438 solicitation bidding process when such information is not  
1439 publicly disclosed.

1440 (b) Altering or amending ~~Alter or amend~~ a submitted  
1441 response bid, documents or other materials supporting a  
1442 submitted response bid, or any evaluation bid results relating  
1443 to the competitive solicitation for the purpose of intentionally  
1444 providing a competitive advantage to any person who submits a  
1445 response bid.

1446 (2) It is unlawful for a public servant or a public  
1447 contractor who has contracted with a governmental entity to  
1448 assist in a competitive procurement, ~~with corrupt intent~~ to  
1449 knowingly and intentionally obtain a benefit for any person or  
1450 to cause unlawful harm to another by circumventing, ~~to~~  
1451 ~~circumvent~~ a competitive solicitation bidding process required  
1452 by law or rule through the use of ~~by using~~ a sole-source  
1453 contract for commodities or services.

1454 (3) It is unlawful for any person to knowingly agree,  
1455 conspire, combine, or confederate, directly or indirectly, with  
1456 a public servant or a public contractor who has contracted with  
1457 a governmental entity to assist in a competitive procurement to  
1458 violate subsection (1) or subsection (2).

1459 (4) It is unlawful for any person to knowingly enter into a  
1460 contract for commodities or services which was secured by a



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1461 public servant or a public contractor who has contracted with a  
1462 governmental entity to assist in a competitive procurement  
1463 acting in violation of subsection (1) or subsection (2).

1464 (5) Any person who violates this section commits a felony  
1465 of the second degree, punishable as provided in s. 775.082, s.  
1466 775.083, or s. 775.084.

1467 Section 35. Present subsections (6) through (10) of section  
1468 1002.37, Florida Statutes, are redesignated as subsections (7)  
1469 through (11), respectively, a new subsection (6) is added to  
1470 that section, and present subsections (6) and (11) of that  
1471 section are amended, to read:

1472 1002.37 The Florida Virtual School.—

1473 (6) The Florida Virtual School shall have an annual  
1474 financial audit of its accounts and records conducted by an  
1475 independent auditor who is a certified public accountant  
1476 licensed under chapter 473. The independent auditor shall  
1477 conduct the audit in accordance with rules adopted by the  
1478 Auditor General pursuant to s. 11.45 and, upon completion of the  
1479 audit, shall prepare an audit report in accordance with such  
1480 rules. The audit report must include a written statement of the  
1481 board of trustees describing corrective action to be taken in  
1482 response to each of the recommendations of the independent  
1483 auditor included in the audit report. The independent auditor  
1484 shall submit the audit report to the board of trustees and the  
1485 Auditor General no later than 9 months after the end of the  
1486 preceding fiscal year.

1487 (7) ~~(6)~~ The board of trustees shall annually submit to the  
1488 Governor, the Legislature, the Commissioner of Education, and  
1489 the State Board of Education the audit report prepared pursuant



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1490 to subsection (6) and a complete and detailed report setting  
1491 forth:

1492 (a) The operations and accomplishments of the Florida  
1493 Virtual School within the state and those occurring outside the  
1494 state as Florida Virtual School Global.

1495 (b) The marketing and operational plan for the Florida  
1496 Virtual School and Florida Virtual School Global, including  
1497 recommendations regarding methods for improving the delivery of  
1498 education through the Internet and other distance learning  
1499 technology.

1500 (c) The assets and liabilities of the Florida Virtual  
1501 School and Florida Virtual School Global at the end of the  
1502 fiscal year.

1503 ~~(d) A copy of an annual financial audit of the accounts and~~  
1504 ~~records of the Florida Virtual School and Florida Virtual School~~  
1505 ~~Global, conducted by an independent certified public accountant~~  
1506 ~~and performed in accordance with rules adopted by the Auditor~~  
1507 ~~General.~~

1508 ~~(e)~~ Recommendations regarding the unit cost of providing  
1509 services to students through the Florida Virtual School and  
1510 Florida Virtual School Global. In order to most effectively  
1511 develop public policy regarding any future funding of the  
1512 Florida Virtual School, it is imperative that the cost of the  
1513 program is accurately identified. The identified cost of the  
1514 program must be based on reliable data.

1515 (e) ~~(f)~~ Recommendations regarding an accountability  
1516 mechanism to assess the effectiveness of the services provided  
1517 by the Florida Virtual School and Florida Virtual School Global.

1518 ~~(11) The Auditor General shall conduct an operational audit~~



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1519 ~~of the Florida Virtual School, including Florida Virtual School~~  
1520 ~~Global. The scope of the audit shall include, but not be limited~~  
1521 ~~to, the administration of responsibilities relating to~~  
1522 ~~personnel; procurement and contracting; revenue production;~~  
1523 ~~school funds, including internal funds; student enrollment~~  
1524 ~~records; franchise agreements; information technology~~  
1525 ~~utilization, assets, and security; performance measures and~~  
1526 ~~standards; and accountability. The final report on the audit~~  
1527 ~~shall be submitted to the President of the Senate and the~~  
1528 ~~Speaker of the House of Representatives no later than January~~  
1529 ~~31, 2014.~~

1530 Section 36. Subsection (5) is added to section 1010.01,  
1531 Florida Statutes, to read:

1532 1010.01 Uniform records and accounts.—

1533 (5) Each school district, Florida College System  
1534 institution, and state university shall establish and maintain  
1535 internal controls designed to:

1536 (a) Prevent and detect fraud, waste, and abuse.

1537 (b) Promote and encourage compliance with applicable laws,  
1538 rules, contracts, grant agreements, and best practices.

1539 (c) Support economical and efficient operations.

1540 (d) Ensure reliability of financial records and reports.

1541 (e) Safeguard assets.

1542 Section 37. Subsection (2) of section 1010.30, Florida  
1543 Statutes, is amended to read:

1544 1010.30 Audits required.—

1545 (2) If a school district, Florida College System  
1546 institution, or university audit report includes a  
1547 recommendation that was included in the preceding financial



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1548 audit report but remains unaddressed, an audit contains a  
1549 significant finding, the district school board, the Florida  
1550 College System institution board of trustees, or the university  
1551 board of trustees, within 60 days after the delivery of the  
1552 audit report to the school district, Florida College System  
1553 institution, or university, shall indicate ~~conduct an audit~~  
1554 ~~overview~~ during a regularly scheduled public meeting whether it  
1555 intends to take corrective action, the intended corrective  
1556 action, and the timeframe for the corrective action. If the  
1557 district school board, Florida College System institution board  
1558 of trustees, or university board of trustees indicates that it  
1559 does not intend to take corrective action, it shall explain its  
1560 decision at the public meeting.

1561 Section 38. Subsection (4) of section 11.0455, Florida  
1562 Statutes, is amended to read:

1563 11.0455 Electronic filing of compensation reports and other  
1564 information.-

1565 (4) Each report filed pursuant to this section is deemed to  
1566 meet the certification requirements of s. 11.045(3)(a)4., and as  
1567 such subjects the person responsible for filing and the lobbying  
1568 firm to the provisions of s. 11.045(8) and (9) ~~s. 11.045(7) and~~  
1569 ~~(8)~~. Persons given a secure sign-on to the electronic filing  
1570 system are responsible for protecting it from disclosure and are  
1571 responsible for all filings using such credentials, unless they  
1572 have notified the office that their credentials have been  
1573 compromised.

1574 Section 39. Subsection (2) of section 68.082, Florida  
1575 Statutes, is amended to read:

1576 68.082 False claims against the state; definitions;



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1577 liability.-  
1578 (2) Any person who:  
1579 (a) Knowingly presents or causes to be presented a false or  
1580 fraudulent claim for payment or approval;  
1581 (b) Knowingly authorizes, approves, or receives payment of  
1582 prohibited compensation in violation of s. 215.425;  
1583 (c)~~(b)~~ Knowingly makes, uses, or causes to be made or used  
1584 a false record or statement material to a false or fraudulent  
1585 claim;  
1586 (d)~~(e)~~ Conspires to commit a violation of this subsection;  
1587 (e)~~(d)~~ Has possession, custody, or control of property or  
1588 money used or to be used by the state and knowingly delivers or  
1589 causes to be delivered less than all of that money or property;  
1590 (f)~~(e)~~ Is authorized to make or deliver a document  
1591 certifying receipt of property used or to be used by the state  
1592 and, intending to defraud the state, makes or delivers the  
1593 receipt without knowing that the information on the receipt is  
1594 true;  
1595 (g)~~(f)~~ Knowingly buys or receives, as a pledge of an  
1596 obligation or a debt, public property from an officer or  
1597 employee of the state who may not sell or pledge the property;  
1598 or  
1599 (h)~~(g)~~ Knowingly makes, uses, or causes to be made or used  
1600 a false record or statement material to an obligation to pay or  
1601 transmit money or property to the state, or knowingly conceals  
1602 or knowingly and improperly avoids or decreases an obligation to  
1603 pay or transmit money or property to the state  
1604  
1605 is liable to the state for a civil penalty of not less than





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1606 \$5,500 and not more than \$11,000 and for treble the amount of  
1607 damages the state sustains because of the act of that person.

1608 Section 40. Subsection (1) of section 68.083, Florida  
1609 Statutes, is amended to read:

1610 68.083 Civil actions for false claims.-

1611 (1) The department may diligently investigate a violation  
1612 under s. 68.082. If the department finds that a person has  
1613 violated or is violating s. 68.082, the department may bring a  
1614 civil action under the Florida False Claims Act against the  
1615 person. The Department of Financial Services may bring a civil  
1616 action under this section if the action arises from an  
1617 investigation by that department and the Department of Legal  
1618 Affairs has not filed an action under this act. For a violation  
1619 of s. 68.082 regarding prohibited compensation paid from state  
1620 funds, the Department of Financial Services may bring a civil  
1621 action under this section if the action arises from an  
1622 investigation by that department concerning a violation of s.  
1623 215.425 by the state and the Department of Legal Affairs has not  
1624 filed an action under this act.

1625 Section 41. Subsection (5) of section 99.061, Florida  
1626 Statutes, is amended to read:

1627 99.061 Method of qualifying for nomination or election to  
1628 federal, state, county, or district office.-

1629 (5) At the time of qualifying for office, each candidate  
1630 for a constitutional office or an elected municipal office shall  
1631 file a full and public disclosure of financial interests  
1632 pursuant to s. 8, Art. II of the State Constitution, which must  
1633 be verified under oath or affirmation pursuant to s.  
1634 92.525(1) (a), and a candidate for any other office, ~~including~~



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1635 ~~local elective office,~~ shall file a statement of financial  
1636 interests pursuant to s. 112.3145.

1637 Section 42. Subsection (3) of section 218.503, Florida  
1638 Statutes, is amended to read:

1639 218.503 Determination of financial emergency.—

1640 (3) Upon notification that one or more of the conditions in  
1641 subsection (1) have occurred or will occur if action is not  
1642 taken to assist the local governmental entity or district school  
1643 board, the Governor or his or her designee shall contact the  
1644 local governmental entity or the Commissioner of Education or  
1645 his or her designee shall contact the district school board, as  
1646 appropriate, to determine what actions have been taken by the  
1647 local governmental entity or the district school board to  
1648 resolve or prevent the condition. The information requested must  
1649 be provided within 45 days after the date of the request. If the  
1650 local governmental entity or the district school board does not  
1651 comply with the request, the Governor or his or her designee or  
1652 the Commissioner of Education or his or her designee shall  
1653 notify ~~the members of~~ the Legislative Auditing Committee, which  
1654 ~~who~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The  
1655 Governor or the Commissioner of Education, as appropriate, shall  
1656 determine whether the local governmental entity or the district  
1657 school board needs state assistance to resolve or prevent the  
1658 condition. If state assistance is needed, the local governmental  
1659 entity or district school board is considered to be in a state  
1660 of financial emergency. The Governor or the Commissioner of  
1661 Education, as appropriate, has the authority to implement  
1662 measures as set forth in ss. 218.50-218.504 to assist the local  
1663 governmental entity or district school board in resolving the



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1664 financial emergency. Such measures may include, but are not  
1665 limited to:

1666 (a) Requiring approval of the local governmental entity's  
1667 budget by the Governor or approval of the district school  
1668 board's budget by the Commissioner of Education.

1669 (b) Authorizing a state loan to a local governmental entity  
1670 and providing for repayment of same.

1671 (c) Prohibiting a local governmental entity or district  
1672 school board from issuing bonds, notes, certificates of  
1673 indebtedness, or any other form of debt until such time as it is  
1674 no longer subject to this section.

1675 (d) Making such inspections and reviews of records,  
1676 information, reports, and assets of the local governmental  
1677 entity or district school board as are needed. The appropriate  
1678 local officials shall cooperate in such inspections and reviews.

1679 (e) Consulting with officials and auditors of the local  
1680 governmental entity or the district school board and the  
1681 appropriate state officials regarding any steps necessary to  
1682 bring the books of account, accounting systems, financial  
1683 procedures, and reports into compliance with state requirements.

1684 (f) Providing technical assistance to the local  
1685 governmental entity or the district school board.

1686 (g)1. Establishing a financial emergency board to oversee  
1687 the activities of the local governmental entity or the district  
1688 school board. If a financial emergency board is established for  
1689 a local governmental entity, the Governor shall appoint board  
1690 members and select a chair. If a financial emergency board is  
1691 established for a district school board, the State Board of  
1692 Education shall appoint board members and select a chair. The



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1693 financial emergency board shall adopt such rules as are  
1694 necessary for conducting board business. The board may:  
1695       a. Make such reviews of records, reports, and assets of the  
1696 local governmental entity or the district school board as are  
1697 needed.  
1698       b. Consult with officials and auditors of the local  
1699 governmental entity or the district school board and the  
1700 appropriate state officials regarding any steps necessary to  
1701 bring the books of account, accounting systems, financial  
1702 procedures, and reports of the local governmental entity or the  
1703 district school board into compliance with state requirements.  
1704       c. Review the operations, management, efficiency,  
1705 productivity, and financing of functions and operations of the  
1706 local governmental entity or the district school board.  
1707       d. Consult with other governmental entities for the  
1708 consolidation of all administrative direction and support  
1709 services, including, but not limited to, services for asset  
1710 sales, economic and community development, building inspections,  
1711 parks and recreation, facilities management, engineering and  
1712 construction, insurance coverage, risk management, planning and  
1713 zoning, information systems, fleet management, and purchasing.  
1714       2. The recommendations and reports made by the financial  
1715 emergency board must be submitted to the Governor for local  
1716 governmental entities or to the Commissioner of Education and  
1717 the State Board of Education for district school boards for  
1718 appropriate action.  
1719       (h) Requiring and approving a plan, to be prepared by  
1720 officials of the local governmental entity or the district  
1721 school board in consultation with the appropriate state



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1722 officials, prescribing actions that will cause the local  
1723 governmental entity or district school board to no longer be  
1724 subject to this section. The plan must include, but need not be  
1725 limited to:

1726 1. Provision for payment in full of obligations outlined in  
1727 subsection (1), designated as priority items, which are  
1728 currently due or will come due.

1729 2. Establishment of priority budgeting or zero-based  
1730 budgeting in order to eliminate items that are not affordable.

1731 3. The prohibition of a level of operations which can be  
1732 sustained only with nonrecurring revenues.

1733 4. Provisions implementing the consolidation, sourcing, or  
1734 discontinuance of all administrative direction and support  
1735 services, including, but not limited to, services for asset  
1736 sales, economic and community development, building inspections,  
1737 parks and recreation, facilities management, engineering and  
1738 construction, insurance coverage, risk management, planning and  
1739 zoning, information systems, fleet management, and purchasing.

1740 Section 43. Subsection (2) of section 1002.455, Florida  
1741 Statutes, is amended to read:

1742 1002.455 Student eligibility for K-12 virtual instruction.—

1743 (2) A student is eligible to participate in virtual  
1744 instruction if:

1745 (a) The student spent the prior school year in attendance  
1746 at a public school in the state and was enrolled and reported by  
1747 the school district for funding during October and February for  
1748 purposes of the Florida Education Finance Program surveys;

1749 (b) The student is a dependent child of a member of the  
1750 United States Armed Forces who was transferred within the last



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1751 12 months to this state from another state or from a foreign  
1752 country pursuant to a permanent change of station order;

1753 (c) The student was enrolled during the prior school year  
1754 in a virtual instruction program under s. 1002.45 or a full-time  
1755 Florida Virtual School program under s. 1002.37(9)(a) ~~s.~~  
1756 ~~1002.37(8)(a)~~;

1757 (d) The student has a sibling who is currently enrolled in  
1758 a virtual instruction program and the sibling was enrolled in  
1759 that program at the end of the prior school year;

1760 (e) The student is eligible to enter kindergarten or first  
1761 grade; or

1762 (f) The student is eligible to enter grades 2 through 5 and  
1763 is enrolled full-time in a school district virtual instruction  
1764 program, virtual charter school, or the Florida Virtual School.

1765 Section 44. For the purpose of incorporating the amendment  
1766 made by this act to section 838.022, Florida Statutes, in a  
1767 reference thereto, paragraph (a) of subsection (2) of section  
1768 112.534, Florida Statutes, is reenacted to read:

1769 112.534 Failure to comply; official misconduct.—

1770 (2)(a) All the provisions of s. 838.022 shall apply to this  
1771 part.

1772 Section 45. For the purpose of incorporating the amendment  
1773 made by this act to section 838.022, Florida Statutes, in a  
1774 reference thereto, paragraph (d) of subsection (4) of section  
1775 117.01, Florida Statutes, is reenacted to read:

1776 117.01 Appointment, application, suspension, revocation,  
1777 application fee, bond, and oath.—

1778 (4) The Governor may suspend a notary public for any of the  
1779 grounds provided in s. 7, Art. IV of the State Constitution.



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1780 Grounds constituting malfeasance, misfeasance, or neglect of  
1781 duty include, but are not limited to, the following:

1782 (d) Official misconduct as defined in s. 838.022.

1783 Section 46. For the purpose of incorporating the amendment  
1784 made by this act to section 838.014, Florida Statutes, in a  
1785 reference thereto, subsection (11) of section 817.568, Florida  
1786 Statutes, is reenacted to read:

1787 817.568 Criminal use of personal identification  
1788 information.—

1789 (11) A person who willfully and without authorization  
1790 fraudulently uses personal identification information concerning  
1791 an individual who is 60 years of age or older; a disabled adult  
1792 as defined in s. 825.101; a public servant as defined in s.  
1793 838.014; a veteran as defined in s. 1.01; a first responder as  
1794 defined in s. 125.01045; an individual who is employed by the  
1795 State of Florida; or an individual who is employed by the  
1796 Federal Government without first obtaining the consent of that  
1797 individual commits a felony of the second degree, punishable as  
1798 provided in s. 775.082, s. 775.083, or s. 775.084.

1799 Section 47. For the purpose of incorporating the amendments  
1800 made by this act to sections 838.015, 838.016, and 838.22,  
1801 Florida Statutes, in references thereto, paragraph (g) of  
1802 subsection (3) of section 921.0022, Florida Statutes, is  
1803 reenacted to read:

1804 921.0022 Criminal Punishment Code; offense severity ranking  
1805 chart.—

1806 (3) OFFENSE SEVERITY RANKING CHART

1807 (g) LEVEL 7

1808



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1809	Florida Statute	Felony Degree	Description
1810	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
1811	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
1812	316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1813	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
1814	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1815	409.920	3rd	Medicaid provider fraud;





1816	(2) (b) 1.a.		\$10,000 or less.
	409.920	2nd	Medicaid provider fraud; more
	(2) (b) 1.b.		than \$10,000, but less than
1817			\$50,000.
	456.065 (2)	3rd	Practicing a health care
1818			profession without a license.
	456.065 (2)	2nd	Practicing a health care
1819			profession without a license
			which results in serious bodily
			injury.
	458.327 (1)	3rd	Practicing medicine without a
1820			license.
	459.013 (1)	3rd	Practicing osteopathic medicine
1821			without a license.
	460.411 (1)	3rd	Practicing chiropractic
1822			medicine without a license.
	461.012 (1)	3rd	Practicing podiatric medicine
1823			without a license.
	462.17	3rd	Practicing naturopathy without
1824			a license.



1825	463.015 (1)	3rd	Practicing optometry without a license.
1826	464.016 (1)	3rd	Practicing nursing without a license.
1827	465.015 (2)	3rd	Practicing pharmacy without a license.
1828	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1829	467.201	3rd	Practicing midwifery without a license.
1830	468.366	3rd	Delivering respiratory care services without a license.
1831	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1832	483.901 (9)	3rd	Practicing medical physics without a license.
1833	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
	484.053	3rd	Dispensing hearing aids without



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1834			a license.
	494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1835			
	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1836			
	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1837			
	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1838			
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other



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1839			registration violations.
	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1840			
	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1841			
	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1842			
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1843			
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1844			
	782.072	2nd	Killing of a human being by the operation of a vessel in a



1845			reckless manner (vessel homicide).
1846	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1847	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1848	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1849	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1850	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1851	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1852	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1853	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.



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1854	784.081(1)	1st	Aggravated battery on specified official or employee.
1855	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
1856	784.083(1)	1st	Aggravated battery on code inspector.
1857	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
1858	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.
1859	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1860	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
	790.165(2)	2nd	Manufacture, sell, possess, or



1861			deliver hoax bomb.
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1862			
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1863			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1864			
	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1865			
	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.
1866			
	796.05(1)	1st	Live on earnings of a



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1867			prostitute; 2nd offense.
	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1868			
	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1869			
	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1870			
	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.
1871			
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1872			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.





1873	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1874	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1875	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1876	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.
1877	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1878	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1879	812.014 (2) (b) 4.	2nd	Property stolen, law



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1880			enforcement equipment from authorized emergency vehicle.
1881	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1882	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1883	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1884	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1885	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1886	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1887	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.



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1888	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.
1889	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1890	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1891	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.
1892	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1893	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.



1894	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1895	838.015	2nd	Bribery.
1896	838.016	2nd	Unlawful compensation or reward for official behavior.
1897	838.021(3)(a)	2nd	Unlawful harm to a public servant.
1898	838.22	2nd	Bid tampering.
1899	843.0855(2)	3rd	Impersonation of a public officer or employee.
1900	843.0855(3)	3rd	Unlawful simulation of legal process.
1901	843.0855(4)	3rd	Intimidation of a public officer or employee.
1902	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1903	847.0135(4)	2nd	Traveling to meet a minor to



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1904			commit an unlawful sex act.
1905	872.06	2nd	Abuse of a dead human body.
1906	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1907	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1908	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
	893.13 (1) (e) 1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s.



			893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
1909	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
1910	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1911	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1912	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1913	893.135(1)(c)2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1914	893.135(1)(c)2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50



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1915			grams.
	893.135(1)(c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1916			
	893.135(1)(c)3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1917			
	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1918			
	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1919			
	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1920			
	893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1921			
	893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5



			kilograms.
1922	893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1923	893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1924	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1925	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1926	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1927	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1928			





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1929	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1930	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1931	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1932	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1933	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1934	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
	944.607 (12)	3rd	Failure to report or providing



			false information about a sexual offender; harbor or conceal a sexual offender.
1935	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1936	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1937	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1938	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1939			
1940			
1941			
1942			Section 48. For the purpose of incorporating the amendment
1943			made by this act to section 838.022, Florida Statutes, in a



1944 reference thereto, paragraph (d) of subsection (3) of section  
1945 921.0022, Florida Statutes, is reenacted to read:  
1946 921.0022 Criminal Punishment Code; offense severity ranking  
1947 chart.—

1948 (3) OFFENSE SEVERITY RANKING CHART

1949 (d) LEVEL 4

1950

1951

Florida Statute	Felony Degree	Description
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1952

316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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1953

499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
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1954

499.0051 (2)	3rd	Failure to authenticate pedigree papers.
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1955

499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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1956

517.07 (1)	3rd	Failure to register securities.
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1957	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
1958	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1959	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1960	784.075	3rd	Battery on detention or commitment facility staff.
1961	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1962	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
1963	784.081 (3)	3rd	Battery on specified official or employee.
1964	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
1965	784.083 (3)	3rd	Battery on code inspector.
1966			



1967	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1968	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1969	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
1970	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
1971	787.07	3rd	Human smuggling.
1972	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.



1973	790.115 (2) (c)	3rd	Possessing firearm on school property.
1974	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
1975	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
1976	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1977	810.06	3rd	Burglary; possession of tools.
1978	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1979	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1980	812.014 (2) (c) 4.- 10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.



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1981	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1982	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1983	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
1984	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
1985	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
1986	837.02(1)	3rd	Perjury in official proceedings.
1987	837.021(1)	3rd	Make contradictory statements in official proceedings.
1988	838.022	3rd	Official misconduct.
1989			



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1990	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1991	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
1992	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1993	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1994	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1995	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1996	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.





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1997	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
1998	914.14(2)	3rd	Witnesses accepting bribes.
1999	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
2000	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2001	918.12	3rd	Tampering with jurors.
2002	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
2003			
2004			
2005			
2006			
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2011			

2005 Section 49. As provided in s. 112.322(3), Florida Statutes,  
2006 the Commission on Ethics is authorized to render advisory  
2007 opinions to any public officer, candidate for public office, or  
2008 public employee regarding the application of part III of chapter  
2009 112, Florida Statutes, including the amendments made by this  
2010 act.

2011 Section 50. The Legislature finds that a proper and



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2012 legitimate state purpose is served when internal controls are  
2013 established to prevent and detect fraud, waste, and abuse and to  
2014 safeguard and account for government funds and property.  
2015 Therefore, the Legislature determines and declares that this act  
2016 fulfills an important state interest.

2017 Section 51. This act shall take effect October 1, 2016.

2018  
2019 ===== T I T L E A M E N D M E N T =====

2020 And the title is amended as follows:

2021 Delete everything before the enacting clause  
2022 and insert:

2023 A bill to be entitled  
2024 An act relating to government accountability; amending  
2025 s. 11.045, F.S.; defining terms; requiring each house  
2026 of the Legislature to provide by rule reporting  
2027 requirements regarding lobbying firm's lobbying  
2028 activities; specifying requirements regarding the  
2029 content of reports and filing deadlines; requiring  
2030 each house of the Legislature to establish procedures  
2031 applicable to untimely filing of reports by rule;  
2032 providing fines for late filing of reports; amending  
2033 s. 11.40, F.S.; specifying that the Governor, the  
2034 Commissioner of Education, or the designee of the  
2035 Governor or of the Commissioner of Education may  
2036 notify the Legislative Auditing Committee of an  
2037 entity's failure to comply with certain auditing and  
2038 financial reporting requirements; amending s. 11.45,  
2039 F.S.; defining the terms "abuse," "fraud," and  
2040 "waste"; revising the definition of the term "local



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2041 governmental entity"; excluding water management  
2042 districts from certain audit requirements; removing a  
2043 cross-reference; authorizing the Auditor General to  
2044 conduct audits of tourist development councils and  
2045 county tourism promotion agencies; revising reporting  
2046 requirements applicable to the Auditor General;  
2047 creating s. 20.602, F.S.; specifying the applicability  
2048 of certain provisions of the Code of Ethics for Public  
2049 Officers and Employees to officers and board members  
2050 of corporate entities associated with the Department  
2051 of Economic Opportunity; prohibiting such officers and  
2052 board members from representing a person or an entity  
2053 for compensation before certain bodies for a specified  
2054 timeframe; providing for construction; amending s.  
2055 28.35, F.S.; revising reporting requirements  
2056 applicable to the Florida Clerks of Court Operations  
2057 Corporation; amending s. 43.16, F.S.; revising the  
2058 responsibilities of the Justice Administrative  
2059 Commission, each state attorney, each public defender,  
2060 a criminal conflict and civil regional counsel, a  
2061 capital collateral regional counsel, and the Guardian  
2062 Ad Litem Program, to include the establishment and  
2063 maintenance of certain internal controls; creating s.  
2064 112.3126, F.S.; defining the term "private entity";  
2065 prohibiting a member of the Legislature or a candidate  
2066 for legislative office from accepting employment with  
2067 a private entity that directly receives funding  
2068 through state revenues under certain circumstances;  
2069 authorizing employment with a private entity if



2070 certain conditions are met; amending s. 112.313, F.S.;  
2071 specifying that prohibitions on conflicting employment  
2072 or contractual relationships for public officers or  
2073 employees of an agency apply to contractual  
2074 relationships held by certain business entities;  
2075 amending s. 112.3144, F.S.; requiring elected  
2076 municipal officers to file a full and public  
2077 disclosure of financial interests, rather than a  
2078 statement of financial interests; providing for  
2079 applicability; amending s. 112.31455, F.S.; revising  
2080 provisions governing collection methods for unpaid  
2081 automatic fines for failure to timely file disclosure  
2082 of financial interests to include school districts;  
2083 amending s. 112.3215, F.S.; requiring a lobbying firm  
2084 to file a report with the Commission on Ethics  
2085 disclosing whether the firm lobbied the Governor to  
2086 approve or veto a bill or an appropriation; requiring  
2087 the commission to establish procedures applicable to  
2088 untimely filing of reports by rule; providing fines  
2089 for late filing of reports; conforming provisions to  
2090 changes made by the act; amending s. 112.3261, F.S.;  
2091 revising terms to conform to changes made by the act;  
2092 expanding the types of governmental entities that are  
2093 subject to lobbyist registration requirements;  
2094 requiring a governmental entity to create a lobbyist  
2095 registration form; amending ss. 129.03, 129.06,  
2096 166.241, and 189.016, F.S.; requiring counties,  
2097 municipalities, and special districts to maintain  
2098 certain budget documents on the entities' websites for



2099 a specified period; amending s. 215.425, F.S.;

2100 defining the term "public funds"; revising exceptions

2101 to the prohibition on extra compensation claims;

2102 requiring certain contracts to which a unit of

2103 government or state university is a party during a

2104 specified period to contain certain prohibitions on

2105 severance pay; requiring a unit of government to

2106 investigate and take necessary action to recover

2107 prohibited compensation; specifying methods of

2108 recovery for unintentional and willful violations;

2109 providing a penalty; specifying applicability of

2110 procedures regarding suspension and removal of an

2111 officer who commits a willful violation; establishing

2112 eligibility criteria and amounts for rewards;

2113 specifying circumstances under which an employee has a

2114 cause of action under the Whistle-blower's Act;

2115 establishing causes of action if a unit of government

2116 fails to recover prohibited compensation within a

2117 certain timeframe; providing for applicability;

2118 amending s. 215.86, F.S.; revising the purposes for

2119 which management systems and internal controls must be

2120 established and maintained by each state agency and

2121 the judicial branch; amending s. 215.97, F.S.;

2122 revising the definition of the term "audit threshold";

2123 amending s. 215.985, F.S.; revising the requirements

2124 for a monthly financial statement provided by a water

2125 management district; amending s. 218.32, F.S.;

2126 revising the requirements of the annual financial

2127 audit report of a local governmental entity;



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2128 authorizing the Department of Financial Services to  
2129 request additional information from a local  
2130 governmental entity; requiring a local governmental  
2131 entity to respond to such requests within a specified  
2132 timeframe; requiring the department to notify the  
2133 Legislative Auditing Committee of noncompliance;  
2134 amending s. 218.33, F.S.; requiring local governmental  
2135 entities to establish and maintain internal controls  
2136 to achieve specified purposes; amending s. 218.39,  
2137 F.S.; requiring an audited entity to respond to audit  
2138 recommendations under specified circumstances;  
2139 amending s. 218.391, F.S.; revising the composition of  
2140 an audit committee; prohibiting an audit committee  
2141 member from being an employee, a chief executive  
2142 officer, or a chief financial officer of the  
2143 respective governmental entity; requiring the chair of  
2144 an audit committee to sign and execute an affidavit  
2145 affirming compliance with auditor selection  
2146 procedures; prescribing procedures in the event of  
2147 noncompliance with auditor selection procedures;  
2148 amending s. 286.0114, F.S.; prohibiting a board or  
2149 commission from requiring an advance copy of testimony  
2150 or comments from a member of the public as a  
2151 precondition to be given the opportunity to be heard  
2152 at a public meeting; amending s. 288.92, F.S.;  
2153 prohibiting specified officers and board members of  
2154 Enterprise Florida, Inc., from representing a person  
2155 or entity for compensation before Enterprise Florida,  
2156 Inc., and associated entities thereof, for a specified



2157 timeframe; amending s. 288.9604, F.S.; prohibiting a  
2158 director of the Florida Development Finance  
2159 Corporation from representing a person or an entity  
2160 for compensation before the corporation for a  
2161 specified timeframe; amending s. 373.536, F.S.;  
2162 deleting obsolete language; requiring water management  
2163 districts to maintain certain budget documents on the  
2164 districts' websites for a specified period; amending  
2165 s. 838.014, F.S.; revising and providing definitions;  
2166 amending s. 838.015, F.S.; revising the definition of  
2167 the term "bribery"; revising requirements for  
2168 prosecution; amending s. 838.016, F.S.; revising the  
2169 prohibition against unlawful compensation or reward  
2170 for official behavior to conform to changes made by  
2171 the act; amending s. 838.022, F.S.; revising the  
2172 prohibition against official misconduct to conform to  
2173 changes made by the act; revising applicability of the  
2174 offense to include public contractors; amending s.  
2175 838.22, F.S.; revising the prohibition against bid  
2176 tampering to conform to changes made by the act;  
2177 revising applicability of the offense to include  
2178 specified public contractors; amending s. 1002.37,  
2179 F.S.; requiring completion of an annual financial  
2180 audit of the Florida Virtual School; specifying audit  
2181 requirements; requiring an audit report to be  
2182 submitted to the board of trustees of the Florida  
2183 Virtual School and the Auditor General; removing  
2184 obsolete provisions; amending s. 1010.01, F.S.;  
2185 requiring each school district, Florida College System



2186 institution, and state university to establish and  
2187 maintain certain internal controls; amending s.  
2188 1010.30, F.S.; requiring a district school board,  
2189 Florida College System institution board of trustees,  
2190 or university board of trustees to respond to audit  
2191 recommendations under certain circumstances; amending  
2192 ss. 11.0455, 68.082, 68.083, 99.061, 218.503, and  
2193 1002.455, F.S.; conforming provisions and cross-  
2194 references to changes made by the act; reenacting s.  
2195 112.534(2)(a), F.S., relating to official misconduct,  
2196 and s. 117.01(4)(d), F.S., relating to appointment,  
2197 application, suspension, revocation, application fee,  
2198 bond, and oath of notaries public, to incorporate the  
2199 amendment made by the act to s. 838.022, F.S., in  
2200 references thereto; reenacting s. 817.568(11), F.S.,  
2201 relating to criminal use of personal identification  
2202 information, to incorporate the amendment made by the  
2203 act to s. 838.014, F.S., in a reference thereto;  
2204 reenacting s. 921.0022(3)(d) and (g), F.S., relating  
2205 to the Criminal Punishment Code offense severity  
2206 ranking chart, to incorporate the amendments made by  
2207 the act to ss. 838.015, 838.016, 838.022, and 838.22,  
2208 F.S., in references thereto; providing for  
2209 applicability; declaring that the act fulfills an  
2210 important state interest; providing an effective date.