

1 A bill to be entitled
2 An act relating to ethics reform; repealing s. 11.061,
3 F.S., relating to state, state university, and
4 community college employee lobbyists; creating s.
5 106.114, F.S.; providing definitions; prohibiting
6 certain public service announcements by specified
7 governmental entities, persons acting on behalf of
8 such entities, and elected officials; providing
9 applicability; amending s. 112.313, F.S.; revising
10 applicability of certain provisions relating to
11 contractual relationships; prohibiting a public
12 officer or employee of an agency from soliciting
13 specified employment or contractual relationships;
14 requiring certain offers and solicitations of
15 employment or contractual relationships to be
16 disclosed to certain persons; requiring such
17 disclosures to the Commission on Ethics in certain
18 circumstances; authorizing the commission to
19 investigate such disclosures; providing a definition;
20 prohibiting legislators, statewide elected officers,
21 appointed state officers, and agency directors from
22 certain compensated representation for a specified
23 period following vacation of office; deleting a
24 provision prohibiting former legislators from acting
25 as lobbyists before certain entities and persons for a

26 | specified period following vacation of office;
27 | providing applicability; creating s. 112.3181, F.S.;
28 | prohibiting statewide elected officers and legislators
29 | from soliciting employment offers or investment advice
30 | arising out of official or political activities;
31 | prohibiting such officers or legislators from
32 | soliciting or accepting investment advice from or
33 | soliciting or entering into certain profitmaking
34 | relationships with or advised by lobbyists or
35 | principals; providing definitions; requiring lobbyists
36 | and principals to disclose certain prohibited
37 | solicitations to the commission; authorizing the
38 | commission to investigate such disclosures; providing
39 | disclosure requirements; requiring the commission to
40 | publish disclosures on its website; authorizing the
41 | commission to adopt rules; amending s. 112.3185, F.S.;
42 | providing definitions; prohibiting certain officers
43 | and employees from soliciting employment or
44 | contractual relationships from or negotiating
45 | employment or contractual relationships with certain
46 | employers; providing exceptions; requiring disclosure
47 | of certain offers of employment or contractual
48 | relationships; reenacting and amending s. 112.3215,
49 | F.S.; revising definitions; requiring a lobbyist to
50 | electronically register with the commission; revising

51 lobbyist registration, compensation report, principal
 52 designation cancellation, and investigation
 53 requirements; revising lobbyist registration fees;
 54 authorizing the commission to dismiss certain
 55 complaints and investigations; providing
 56 applicability; providing an effective date.

57

58 Be It Enacted by the Legislature of the State of Florida:

59

60 Section 1. Section 11.061, Florida Statutes, is repealed.

61 Section 2. Section 106.114, Florida Statutes, is created

62 to read:

63 106.114 Elected official advertising.-

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

65 (a) "Governmental entity" means any executive, judicial,
 66 or quasi-judicial department; state university; community
 67 college; water management district; or political subdivision.

68 (b) "Public service announcement" means any message
 69 communicated by radio, television, electronic communication, or
 70 billboard that promotes or announces an issue of public
 71 importance, concern, or welfare.

72 (2) A governmental entity, a person acting on behalf of a
 73 governmental entity, or an elected official may not use or
 74 authorize the use of an elected official's name, image,
 75 likeness, official uniform, badge, or other symbol of office in

76 | a public service announcement beginning on the date that the
 77 | public official becomes a candidate for reelection or election
 78 | to public office and ending on the date of the general election
 79 | for which the candidate intends to qualify if such announcement
 80 | is paid with public funds or if the time or space for such
 81 | announcement is donated by the media. This subsection does not
 82 | apply to bona fide news events, such as public debates broadcast
 83 | by a licensed broadcaster.

84 | Section 3. Subsections (7), (9), and (15) of section
 85 | 112.313, Florida Statutes, are amended to read:

86 | 112.313 Standards of conduct for public officers,
 87 | employees of agencies, and local government attorneys.—

88 | (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

89 | (a) A ~~Ne~~ public officer or employee of an agency may not
 90 | ~~shall~~ have or hold any employment or contractual relationship
 91 | with any business entity or any agency that ~~which~~ is subject to
 92 | the regulation of, or is doing business with, the officer's or
 93 | employee's an agency. This paragraph does not apply to ~~of which~~
 94 | ~~he or she is an officer or employee, excluding those~~
 95 | organizations and their officers who, when acting in their
 96 | official capacity, enter into or negotiate a collective
 97 | bargaining contract with the state or any municipality, county,
 98 | or other political subdivision of the state. Such; ~~nor shall an~~
 99 | officer or employee may also not ~~of an agency~~ have or hold any
 100 | employment or contractual relationship that will create a

101 continuing or frequently recurring conflict between his or her
 102 private interests and the performance of his or her public
 103 duties or that would impede the full and faithful discharge of
 104 his or her public duties.

105 1. When the agency referred to is a ~~that certain kind of~~
 106 special tax district created by general or special law and is
 107 limited specifically to constructing, maintaining, managing, and
 108 financing improvements in the land area over which the agency
 109 has jurisdiction, or when the agency has been organized pursuant
 110 to chapter 298, ~~then~~ employment with, or entering into a
 111 contractual relationship with, such a business entity by a
 112 public officer or employee of such an agency is ~~shall~~ not ~~be~~
 113 prohibited by this subsection or ~~be~~ deemed a conflict ~~per-se~~.
 114 However, conduct by such officer or employee that is prohibited
 115 by, or otherwise frustrates the intent of, this section must
 116 ~~shall~~ be deemed a conflict of interest in violation of the
 117 standards of conduct set forth by this section.

118 2. When the agency referred to is a legislative body and
 119 the regulatory power over the business entity resides in another
 120 agency, or when the regulatory power that ~~which~~ the legislative
 121 body exercises over the business entity or agency is strictly
 122 through the enactment of laws or ordinances, ~~then~~ employment
 123 with, or entering into a contractual relationship with, a
 124 business entity by a public officer or employee of such a
 125 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection

126 or ~~be~~ deemed a conflict based on the regulatory power of the
127 legislative body, unless prohibited or deemed a conflict by
128 another law.

129 (b) This subsection does ~~shall~~ not prohibit a public
130 officer or employee from practicing in a particular profession
131 or occupation when such practice by persons holding such public
132 office or employment is required or permitted by law or
133 ordinance.

134 (c) A public officer or employee of an agency may not
135 solicit any employment or contractual relationship prohibited by
136 this subsection.

137 (d) A public officer or employee of an agency must
138 disclose to the head of his or her agency, the general counsel
139 or inspector general of his or her agency, or any other officer
140 or attorney designated by the head of his or her agency any
141 offer of employment or contractual relationship that is
142 prohibited by this subsection.

143 (e) If a public officer or employee of an agency, or a
144 person acting on his or her behalf, solicits employment with any
145 business entity or any agency that is subject to the regulation
146 of, or is doing business with, the officer's or employer's
147 agency in violation of paragraph (c), the solicited business
148 entity or agency must disclose such solicitation to the head of
149 the officer's or employee's agency. If such solicitation is by
150 or on behalf of the head of the agency or a member of a body

151 that is the head of the agency, the solicited business entity or
152 agency must disclose such solicitation to the commission. The
153 commission may investigate such disclosure as if it were a valid
154 complaint under this part.

155 (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR
156 LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

157 (a)1. It is the intent of the Legislature to implement by
158 statute the provisions of s. 8(e), Art. II of the State
159 Constitution relating to legislators, statewide elected
160 officers, appointed state officers, and designated public
161 employees.

162 2. As used in this paragraph:

163 a. "Employee" means:

164 (I) Any person employed in the executive or legislative
165 branch of government holding a position in the Senior Management
166 Service as defined in s. 110.402 or any person holding a
167 position in the Selected Exempt Service as defined in s. 110.602
168 or any person having authority over policy or procurement
169 employed by the Department of the Lottery.

170 (II) The Auditor General, the director of the Office of
171 Program Policy Analysis and Government Accountability, the
172 Sergeant at Arms and Secretary of the Senate, and the Sergeant
173 at Arms and Clerk of the House of Representatives.

174 (III) The executive director and deputy executive director
175 of the Commission on Ethics.

176 (IV) An executive director, staff director, or deputy
177 staff director of each joint committee, standing committee, or
178 select committee of the Legislature; an executive director,
179 staff director, executive assistant, analyst, or attorney of the
180 Office of the President of the Senate, the Office of the Speaker
181 of the House of Representatives, the Senate Majority Party
182 Office, Senate Minority Party Office, House Majority Party
183 Office, or House Minority Party Office; or any person, hired on
184 a contractual basis, having the power normally conferred upon
185 such persons, by whatever title.

186 (V) The Chancellor and Vice Chancellors of the State
187 University System; the general counsel to the Board of Governors
188 of the State University System; and the president, provost, vice
189 presidents, and deans of each state university.

190 (VI) Any person, including an other-personal-services
191 employee, having the power normally conferred upon the positions
192 referenced in this sub-subparagraph.

193 b. "Appointed state officer" means any member of an
194 appointive board, commission, committee, council, or authority
195 of the executive or legislative branch of state government whose
196 powers, jurisdiction, and authority are not solely advisory and
197 include the final determination or adjudication of any personal
198 or property rights, duties, or obligations, other than those
199 relative to its internal operations.

200 c. "State agency" means an entity of the legislative,

201 executive, or judicial branch of state government over which the
 202 Legislature exercises plenary budgetary and statutory control.

203 d. "Agency director" means a secretary, as that term is
 204 defined in s. 20.03, the chief administrative employee or
 205 officer of a department headed by the Governor and the Cabinet,
 206 or the chief administrative employee or officer of any body
 207 established or granted legislative or executive authority by the
 208 State Constitution, including, but not limited to, the State
 209 Board of Education, the Board of Governors of the State
 210 University System, the State Board of Administration, and the
 211 Fish and Wildlife Conservation Commission, but excluding the
 212 Legislature, the judiciary, or any constituent component of
 213 either. "Agency director" also includes any person, including an
 214 other-personal-services employee, having the power normally
 215 conferred upon such secretary, employee, or officer.

216 3.a. A ~~No~~ member of the Legislature, ~~appointed state~~
 217 ~~officer,~~ or statewide elected officer may not shall personally
 218 represent another person or entity for compensation before any
 219 state government body or state agency other than judicial
 220 tribunals or in settlement negotiations after the filing of a
 221 lawsuit the government body or agency of which the individual
 222 ~~was an officer or member~~ for a period of 6 2 years following
 223 vacation of office. A ~~No~~ member of the Legislature may not shall
 224 personally represent another person or entity for compensation
 225 during his or her term of office before any state agency other

226 than judicial tribunals or in settlement negotiations after the
227 filing of a lawsuit.

228 b. An appointed state officer may not personally represent
229 another person or entity for compensation before the government
230 body or agency of which the individual was an officer or member
231 for a period of 2 years following vacation of office ~~For a~~
232 ~~period of 2 years following vacation of office, a former member~~
233 ~~of the Legislature may not act as a lobbyist for compensation~~
234 ~~before an executive branch agency, agency official, or employee.~~
235 ~~The terms used in this sub-subparagraph have the same meanings~~
236 ~~as provided in s. 112.3215.~~

237 4.a. An agency director who is so employed on or after
238 January 8, 2019, may not personally represent another person or
239 entity for compensation before any state agency other than the
240 Legislature or judicial tribunals or in settlement negotiations
241 after the filing of a lawsuit for a period of 2 years following
242 vacation of position, except when employed by and representing
243 another state agency.

244 b. An agency employee, including an agency employee who
245 was employed on July 1, 2001, in a Career Service System
246 position that was transferred to the Selected Exempt Service
247 System under chapter 2001-43, Laws of Florida, may not
248 personally represent another person or entity for compensation
249 before the agency with which he or she was employed for a period
250 of 2 years following vacation of position, except when unless

251 employed by and representing another state agency ~~of state~~
252 government.

253 5. Any person violating this paragraph is ~~shall be~~ subject
254 to the penalties provided in s. 112.317 and a civil penalty of
255 an amount equal to the compensation which the person receives
256 for the prohibited conduct.

257 ~~6. This paragraph is not applicable to:~~

258 ~~a. A person employed by the Legislature or other agency~~
259 ~~prior to July 1, 1989;~~

260 ~~b. A person who was employed by the Legislature or other~~
261 ~~agency on July 1, 1989, whether or not the person was a defined~~
262 ~~employee on July 1, 1989;~~

263 ~~e. A person who was a defined employee of the State~~
264 ~~University System or the Public Service Commission who held such~~
265 ~~employment on December 31, 1994;~~

266 ~~d. A person who has reached normal retirement age as~~
267 ~~defined in s. 121.021(29), and who has retired under the~~
268 ~~provisions of chapter 121 by July 1, 1991; or~~

269 ~~e. Any appointed state officer whose term of office began~~
270 ~~before January 1, 1995, unless reappointed to that office on or~~
271 ~~after January 1, 1995.~~

272 (b) In addition to the provisions of this part which are
273 applicable to legislators and legislative employees by virtue of
274 their being public officers or employees, the conduct of members
275 of the Legislature and legislative employees shall be governed

276 by the ethical standards provided in the respective rules of the
 277 Senate or House of Representatives which are not in conflict
 278 herewith.

279 (15) (a) ADDITIONAL EXEMPTION.—~~An~~ ~~no~~ elected public officer
 280 may not shall be held in violation of subsection (7) if the
 281 officer maintains an employment relationship with an entity
 282 which is currently a tax-exempt organization under s. 501(c) of
 283 the Internal Revenue Code and which contracts with or otherwise
 284 enters into a business relationship with the officer's agency
 285 and:

286 1.(a) The officer's employment is not directly or
 287 indirectly compensated as a result of such contract or business
 288 relationship;

289 2.(b) The officer has in no way participated in the
 290 agency's decision to contract or to enter into the business
 291 relationship with his or her employer, whether by participating
 292 in discussion at the meeting, by communicating with officers or
 293 employees of the agency, or otherwise; and

294 3.(c) The officer abstains from voting on any matter which
 295 may come before the agency involving the officer's employer,
 296 publicly states to the assembly the nature of the officer's
 297 interest in the matter from which he or she is abstaining, and
 298 files a written memorandum as provided in s. 112.3143.

299 (b) This subsection does not apply to an officer who
 300 begins his or her term of office on or after January 8, 2019.

301 Section 4. Section 112.3181, Florida Statutes, is created
 302 to read:

303 112.3181 Additional standards for statewide elected
 304 officers and legislators.-

305 (1) A statewide elected officer or member of the
 306 Legislature may not solicit an employment offer or investment
 307 advice arising out of official or political activities engaged
 308 in while he or she is an officer or legislator or a candidate
 309 for such office, except in the following circumstances:

310 (a) The officer or legislator may solicit or accept future
 311 employment, including professional partnerships, in the last 180
 312 days of his or her term of office if he or she is ineligible to
 313 run for reelection or has publicly announced, and filed a letter
 314 or other written notice with the qualifying officer with whom
 315 reelection qualification papers are filed, that he or she is not
 316 and does not intend to become a candidate for reelection.

317 (b) The officer or legislator may solicit or accept
 318 employment from any prospective employer in a profession or
 319 occupation in which he or she has formerly engaged, has been
 320 formally educated or trained, or is licensed unless such
 321 employment is prohibited by other general law.

322 (2) A statewide elected officer or member of the
 323 Legislature may not solicit or accept investment advice from or
 324 solicit or enter into an investment, joint venture, or other
 325 profitmaking relationship with a lobbyist or principal, as those

326 terms are defined in s. 11.045 or s. 112.3215. However, the
327 officer or legislator may buy or sell listed, publicly traded
328 securities of a principal without the advice of a lobbyist or
329 principal unless such action violates s. 112.313. For purposes
330 of this section, the phrase "investment, joint venture, or other
331 profitmaking relationship" does not include an employment
332 relationship or any enterprise organized to employ or engage the
333 personal services of individuals including the officer or
334 legislator. For purposes of this section, the terms "investment
335 advice" and "profitmaking relationship" do not include a client
336 relationship with a licensed investment broker, licensed
337 investment advisor, or similarly licensed professional to whom
338 the officer or legislator pays ordinary and reasonable fees for
339 services, regardless of such broker's, advisor's, or
340 professional's status as a lobbyist's principal or a nonlobbyist
341 employee of such principal.

342 (3) A lobbyist or principal who receives a solicitation
343 prohibited by this section by or on behalf of a statewide
344 elected officer or member of the Legislature must disclose such
345 solicitation to the commission. Any other person who receives
346 such solicitation may disclose such solicitation to the
347 commission. The commission may investigate any disclosure under
348 this subsection as if it were a valid complaint under this part.

349 (4) Upon acceptance of:

350 (a) Any new employment with or increased compensation from

351 an entity that receives state funds directly by appropriation;
352 (b) Any new employment with or increased compensation from
353 an agency;
354 (c) Any new employment the offer of which arose out of
355 official or political activities engaged in while he or she was
356 a statewide elected officer, a member of the Legislature, or a
357 candidate for such office; or
358 (d) Any new employment with or increased compensation from
359 a lobbyist, a principal of a lobbyist, or a lobbying firm,
360
361 a statewide elected officer or a member of the Legislature must
362 file with the commission a written statement disclosing the
363 applicable paragraph of this subsection, employer, position,
364 salary or other compensation, and effective date of employment
365 or increased compensation. Such disclosure must be filed within
366 30 days after he or she accepts the employment or increased
367 compensation or before the effective date of employment or
368 increased compensation, whichever date is earliest. With respect
369 to employment or increased compensation accepted or effective
370 between December 31, 2016, and July 1, 2017, the officer or
371 legislator must file such disclosure within 30 days after July
372 1, 2017. The commission shall publish such disclosures with the
373 officer's or legislator's full financial disclosure on its
374 website. The commission may adopt forms for disclosure and may
375 adopt rules requiring electronic submission of the disclosure

376 required by this subsection.

377 Section 5. Subsections (7) and (8) of section 112.3185,
378 Florida Statutes, are renumbered as subsections (8) and (9),
379 respectively, present subsections (1) and (8) are amended, and a
380 new subsection (7) is added to that section, to read:

381 112.3185 Additional standards for state officers and
382 agency employees.—

383 (1) For the purposes of this section:

384 (a) "Contractual services" shall be defined as set forth
385 in chapter 287.

386 (b) "Agency" means any state officer, department, board,
387 commission, or council of the executive, legislative or judicial
388 branch of state government and includes the Public Service
389 Commission.

390 (c) "Covered officer" means a state officer who is serving
391 in a position that is not an elective position. The term does
392 not include a person who is appointed to fill an unexpired term
393 of an elective office.

394 (d) "Negotiate" or "negotiation" means a response to an
395 offer or solicitation of offers of an employment or contractual
396 relationship, including the submission of a resume, an
397 application, or any other information demonstrating interest on
398 the part of a prospective employee and interviewing or engaging
399 in other communication intended to lead to an offer or
400 acceptance of an employment or contractual relationship.

401 (e) "Reporting employee" means any agency employee who is
402 a reporting individual or procurement employee, as those terms
403 are defined in s. 112.3148.

404 (f) "Restricted employer," with respect to any state
405 officer or agency employee, means any entity that does business
406 with or is subject to regulation by an agency employing the
407 covered officer or reporting employee and any person or entity
408 from whom the covered officer or reporting employee may not
409 solicit a gift under s. 112.3148(3).

410 (g) "Subject to regulation by an agency" means subject to
411 regulation by agency action as defined in s. 120.52(2) or its
412 substantial equivalent. The term does not include regulatory
413 power exercised strictly through the enactment of general laws.

414 (7) A covered officer or reporting employee who is
415 employed in such position on or after January 8, 2019, may not
416 solicit an employment or contractual relationship from or
417 negotiate an employment or contractual relationship with a
418 restricted employer except as provided in this subsection.

419 (a) A covered officer or reporting employee may solicit a
420 future employment or contractual relationship from or negotiate
421 a future employment or contractual relationship with a
422 restricted employer within 90 days before the expiration of the
423 officer's term of office, if the officer does not seek
424 reappointment, or within 90 days before the officer's or
425 employee's termination or retirement date, if he or she provides

426 notice of termination or retirement to the head of his or her
427 agency, the general counsel or inspector general of his or her
428 agency, or any other officer or attorney designated by the head
429 of his or her agency.

430 (b) If a covered officer or reporting employee has been
431 notified by his or her appointing authority or employing agency
432 that he or she will be discharged from office or dismissed or
433 terminated from employment, he or she may solicit a future
434 employment or contractual relationship from or negotiate a
435 future employment or contractual relationship with a restricted
436 employer at any time after such notice but not sooner than 180
437 days before his or her employment is scheduled to end.

438 (c) A covered officer or reporting employee must disclose
439 to the head of his or her agency, the general counsel or
440 inspector general of his or her agency, or any other officer or
441 attorney designated by the head of his or her agency any offer
442 from a restricted employer of an employment or contractual
443 relationship. After such disclosure, a covered officer or
444 reporting employee may negotiate an employment or contractual
445 relationship with the restricted employer if expressly
446 authorized by the head of his or her agency or the agency head's
447 authorized designee. Permission may be withheld only if the
448 agency head or his or her authorized designee determines such
449 negotiation poses an actual or potential conflict with the
450 interests of the state or the agency.

451 (d) This subsection does not authorize any employment or
 452 contractual relationship solicitation otherwise prohibited by
 453 general law.

454 (9)-(8) Subsections (1) through (6) of this section do not
 455 apply is not applicable to any employee of the Public Service
 456 Commission who was so employed on or before December 31, 1994,
 457 unless so employed on or after January 8, 2019.

458 Section 6. Paragraphs (a), (f), and (h) of subsection (1),
 459 subsections (3) and (4), paragraph (a) of subsection (5), and
 460 subsections (7) and (8) of section 112.3215, Florida Statutes,
 461 are amended, and subsection (15) of that section is reenacted,
 462 to read:

463 112.3215 Lobbying before the executive branch or the
 464 Constitution Revision Commission; registration and reporting;
 465 investigation by commission.—

466 (1) For the purposes of this section:

467 (a) "Agency" means the Governor; the Governor and
 468 Cabinet; ~~or~~ any department, division, bureau, board,
 469 commission, or authority of the executive branch; the State
 470 Board of Education; or the Board of Governors of the State
 471 University System. In addition, "agency" means ~~shall mean~~ the
 472 Constitution Revision Commission as provided by s. 2, Art. XI of
 473 the State Constitution.

474 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of
 475 another person, to influence an agency with respect to a

476 decision of the agency in the area of policy or procurement or
477 an attempt to obtain the goodwill of an agency official or
478 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or
479 attempting to influence, on behalf of another, the Constitution
480 Revision Commission's action or nonaction through oral or
481 written communication or an attempt to obtain the goodwill of a
482 member or employee of the Constitution Revision Commission.

483 (h) "Lobbyist" means a person who is employed and receives
484 payment, or who contracts for economic consideration, for the
485 purpose of lobbying, or a person who is principally employed for
486 governmental affairs by another person or governmental entity to
487 lobby on behalf of that other person or governmental entity. The
488 term "principally employed for governmental affairs" means that
489 one of the principal or most significant responsibilities of the
490 employee to the employer is overseeing the employer's various
491 relationships with government or representing the employer in
492 its contacts with government. "Lobbyist" does not include a
493 person who is:

494 1. An attorney, or any person, who represents a client in
495 a judicial proceeding or in a formal administrative proceeding
496 conducted pursuant to chapter 120 or any other formal hearing
497 before an agency, board, commission, or authority of this state.

498 2. An officer or employee of an agency, or of a
499 legislative or judicial branch entity, or a political
500 subdivision of this state acting in the normal course of his or

501 her office or duties.

502 3. A confidential informant who is providing, or wishes to
503 provide, confidential information to be used for law enforcement
504 purposes.

505 4. A person who seeks ~~lobbies~~ to procure a contract
506 pursuant to chapter 287 which contract is less than the
507 threshold for CATEGORY ONE as provided in s. 287.017.

508 (3) A person may not lobby an agency until such person has
509 electronically registered as a lobbyist with the commission.
510 Such registration shall be due upon initially being retained to
511 lobby and is renewable on a calendar year basis thereafter. The
512 commission shall request authorization from the principal with
513 the principal's name, business address, e-mail address, and
514 telephone number to confirm that the registrant is authorized to
515 represent the principal. ~~Upon registration the person shall~~
516 ~~provide a statement signed by the principal or principal's~~
517 ~~representative that the registrant is authorized to represent~~
518 ~~the principal.~~ The principal or principal's representative shall
519 also identify and designate its main business pursuant to the
520 North American Industry Classification System (NAICS) six-digit
521 numerical code that most accurately describes the principal's
522 main business. Registration is not complete until the commission
523 receives the principal's authorization and the registration fee
524 ~~on the statement authorizing that lobbyist pursuant to a~~
525 ~~classification system approved by the commission.~~ The

526 registration shall require each lobbyist to attest to ~~disclose,~~
527 ~~under oath,~~ the following information:

528 (a) Full legal name, e-mail address, telephone number,
529 ~~Name~~ and business address;

530 (b) The name, e-mail address, telephone number, and
531 business address of each principal represented;

532 (c) ~~His or her area of interest;~~

533 ~~(d)~~ The agencies before which he or she will appear; and

534 (d) ~~(e)~~ The existence of any direct or indirect business
535 association, partnership, or financial relationship with any
536 employee of an agency with which he or she lobbies, or intends
537 to lobby, as disclosed in the registration.

538 (4) The annual lobbyist registration fee shall be set by
539 the commission by rule, not to exceed \$20 ~~\$40~~ for each principal
540 represented plus, for each principal, a fee not to exceed \$5 for
541 each agency after the first.

542 (5) (a) 1. Each lobbying firm shall file a compensation
543 report with the commission for each calendar quarter during any
544 portion of which one or more of the firm's lobbyists were
545 registered to represent a principal. The report shall include
546 the:

547 a. Full name, e-mail address, business address, and
548 telephone number of the lobbying firm;

549 b. Name of each of the firm's lobbyists; and

550 c. Total compensation provided or owed to the lobbying

551 firm from all principals for the reporting period, reported in
552 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
553 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
554 \$999,999; \$1 million or more.

555 2. For each principal represented by one or more of the
556 firm's lobbyists, the lobbying firm's compensation report shall
557 also include the:

558 a. Full name, e-mail address, business address, and
559 telephone number of the principal; and

560 b. Total compensation provided or owed to the lobbying
561 firm for the reporting period, reported in one of the following
562 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to
563 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or
564 more. If the category "\$50,000 or more" is selected, the
565 specific dollar amount of compensation must be reported, rounded
566 up or down to the nearest \$1,000.

567 3. If the lobbying firm subcontracts work from another
568 lobbying firm and not from the original principal:

569 a. The lobbying firm providing the work to be
570 subcontracted shall be treated as the reporting lobbying firm's
571 principal for reporting purposes under this paragraph; and

572 b. The reporting lobbying firm shall, for each lobbying
573 firm identified under subparagraph 2., identify the name and
574 address of the principal originating the lobbying work.

575 4. The senior partner, officer, or owner of the lobbying

576 firm shall certify to the veracity and completeness of the
577 information submitted pursuant to this paragraph.

578 (7) A lobbyist shall promptly send a written statement to
579 the commission canceling the designation of registration for a
580 principal in his or her registration upon termination of such
581 ~~the lobbyist's representation of that principal. The commission~~
582 may cancel a lobbyist's designation of a principal upon the
583 principal's notification that the lobbyist is no longer
584 authorized to represent the principal ~~Notwithstanding this~~
585 ~~requirement, the commission may remove the name of a lobbyist~~
586 ~~from the list of registered lobbyists if the principal notifies~~
587 ~~the office that a person is no longer authorized to represent~~
588 ~~that principal.~~

589 (8) (a) The commission shall investigate every sworn
590 complaint that is filed with it alleging that a person covered
591 by this section has failed to register, has failed to submit a
592 compensation report, has made a prohibited expenditure, or has
593 knowingly submitted false information in any report or
594 registration required in this section.

595 (b) All proceedings, the complaint, and other records
596 relating to the investigation are confidential and exempt from
597 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
598 Constitution, and any meetings held pursuant to an investigation
599 are exempt from the provisions of s. 286.011(1) and s. 24(b),
600 Art. I of the State Constitution either until the alleged

601 violator requests in writing that such investigation and
602 associated records and meetings be made public or until the
603 commission determines, based on the investigation, whether
604 probable cause exists to believe that a violation has occurred.

605 (c) The commission shall investigate any lobbying firm,
606 lobbyist, principal, agency, officer, or employee upon receipt
607 of information from a sworn complaint or from a random audit of
608 lobbying reports indicating that the individual or entity has
609 intentionally failed to disclose any material fact or has
610 knowingly submitted false information in any report required by
611 this section or by rules adopted pursuant to this section a
612 possible violation other than a late-filed report.

613 (d) Notwithstanding paragraphs (a)-(c), the commission may
614 dismiss any complaint or investigation resulting from a random
615 audit of lobbying reports, at any stage of disposition, if it
616 determines that the public interest is not served by proceeding
617 further, in which case the commission shall issue a public
618 report stating with particularity its reasons for the dismissal.

619 (e)1. Records relating to an audit conducted pursuant to
620 this section or an investigation conducted pursuant to this
621 section or s. 112.32155 are confidential and exempt from s.
622 119.07(1) and s. 24(a), Art. I of the State Constitution.

623 2. Any portion of a meeting wherein such investigation or
624 audit is discussed is exempt from s. 286.011 and s. 24(b), Art.
625 I of the State Constitution.

626 3. The exemptions no longer apply if the lobbying firm
627 requests in writing that such investigation and associated
628 records and meetings be made public or the commission determines
629 there is probable cause that the audit reflects a violation of
630 the reporting laws.

631 (15) The commission shall adopt rules to administer this
632 section, which shall prescribe forms for registration and
633 compensation reports, procedures for registration, and
634 procedures that will prevent disclosure of information that is
635 confidential as provided in this section.

636 Section 7. The amendment made by this act to s.
637 112.313(9)(a)3., Florida Statutes, applies only to those
638 individuals who were members of the Legislature or statewide
639 elected officers at any time after November 8, 2016.

640 Section 8. This act shall take effect July 1, 2017.