

By Senator Steube

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1                   A bill to be entitled  
2           An act relating to county and municipal public  
3           officers and employees; amending s. 99.061, F.S.;  
4           requiring a candidate for an elective municipal office  
5           to file a full and public disclosure of financial  
6           interests upon qualifying for office; amending s.  
7           106.07, F.S.; requiring elected county or municipal  
8           public officers who are candidates for elective office  
9           to make certain campaign finance reports available for  
10          posting on their county or municipal websites;  
11          amending s. 112.061, F.S.; requiring that requests to  
12          travel out of state by county or municipal public  
13          officers be approved by the governing board of the  
14          county or municipality at a publicly noticed meeting;  
15          specifying requirements for such meetings; limiting  
16          travel expenses of such public officers or employees  
17          to those expenses incurred within a specified  
18          timeframe; prohibiting advancement or reimbursement  
19          for travel expenses of such public officers or  
20          employees for foreign travel; limiting lodging  
21          expenses of such public officers or employees to a  
22          specified amount; authorizing such public officers or  
23          employees to expend their own funds for lodging  
24          expenses that exceed that amount; requiring county or  
25          municipal public officers to report certain travel  
26          expenses to a local Commission on Ethics and Public  
27          Trust or the Commission on Ethics; amending s.  
28          112.3144, F.S.; requiring elected municipal officers  
29          to file a full and public disclosure of financial

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30 interests, rather than a statement of financial  
31 interests; amending s. 112.3145, F.S.; redefining the  
32 term "local officer" to conform to changes made by the  
33 act; providing effective dates.

34  
35 Be It Enacted by the Legislature of the State of Florida:

36  
37 Section 1. Effective January 1, 2019, subsection (5) of  
38 section 99.061, Florida Statutes, is amended to read:

39 99.061 Method of qualifying for nomination or election to  
40 federal, state, county, municipal, or district office.—

41 (5) At the time of qualifying for office, each candidate  
42 for an elective municipal office or a constitutional office  
43 shall file a full and public disclosure of financial interests  
44 pursuant to s. 8, Art. II of the State Constitution, which must  
45 be verified under oath or affirmation pursuant to s.  
46 92.525(1) (a), and a candidate for any other office, ~~including~~  
47 ~~local elective office~~, shall file a statement of financial  
48 interests pursuant to s. 112.3145.

49 Section 2. Subsection (10) is added to section 106.07,  
50 Florida Statutes, to read:

51 106.07 Reports; certification and filing.—

52 (10) An elected county or municipal public officer who is a  
53 candidate for elective office must provide any report he or she  
54 is required to file pursuant to this section, whether for his or  
55 her campaign or a political committee that he or she controls,  
56 to the county or municipality that he or she serves for posting  
57 on its website.

58 Section 3. Present paragraphs (f), (g), and (h) of

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59 subsection (3) of section 112.061, Florida Statutes, are  
60 redesignated as paragraphs (h), (i), and (j), respectively,  
61 paragraph (a) of that subsection and paragraph (a) of subsection  
62 (6) are amended, new paragraphs (f) and (g) are added to  
63 subsection (3) of that section, and subsection (16) is added to  
64 that section, to read:

65 112.061 Per diem and travel expenses of public officers,  
66 employees, and authorized persons.—

67 (3) AUTHORITY TO INCUR TRAVEL EXPENSES.—

68 (a) All travel must be authorized and approved by the head  
69 of the agency, or his or her designated representative, from  
70 whose funds the traveler is paid. The head of the agency may  
71 ~~shall~~ not authorize or approve such a request unless:

72 1. It is accompanied by a signed statement by the  
73 traveler's supervisor stating that such travel is on the  
74 official business of the state and also stating the purpose of  
75 such travel.

76 2. For county or municipal public officers requesting  
77 authorization to travel outside of the state, it is approved by  
78 the governing body of the county or municipality at a publicly  
79 noticed meeting. The request must be included on the meeting  
80 agenda and must include an itemized list detailing all  
81 anticipated travel expenses, including, but not limited to, the  
82 anticipated costs of all means of travel, lodging, and  
83 subsistence. The public must have an opportunity to speak at the  
84 meeting before the vote occurs. The governing body of the county  
85 or municipality may approve the request by a majority vote of  
86 the members present and voting at the meeting.

87 (f) Travel expenses of county or municipal public officers

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88 or employees may include only those expenses necessarily  
89 incurred by them beginning 24 hours before the start of the  
90 event and ending 24 hours after the end of the event  
91 necessitating such travel.

92 (g) Travel expenses of county or municipal public officers  
93 or employees for foreign travel do not qualify for advancement  
94 or reimbursement under any circumstances.

95 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For  
96 purposes of reimbursement rates and methods of calculation, per  
97 diem and subsistence allowances are provided as follows:

98 (a) All travelers shall be allowed for subsistence when  
99 traveling to a convention or conference or when traveling within  
100 or outside the state in order to conduct bona fide state  
101 business, which convention, conference, or business serves a  
102 direct and lawful public purpose with relation to the public  
103 agency served by the person attending such meeting or conducting  
104 such business, either of the following for each day of such  
105 travel at the option of the traveler:

- 106 1. Eighty dollars per diem; or
- 107 2. If actual expenses exceed \$80, the amounts authorized  
108 ~~permitted~~ in paragraph (b) for subsistence, plus actual expenses  
109 for lodging at a single-occupancy rate to be substantiated by  
110 paid bills therefor, except that the advanced or reimbursable  
111 lodging expenses of county or municipal public officers or  
112 employees may not exceed \$120 per day. A county or municipal  
113 public officer or employee may expend his or her own funds for  
114 any lodging expenses in excess of \$120 per day.

115  
116 When lodging or meals are provided at a state institution, the

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117 traveler shall be reimbursed only for the actual expenses of  
118 such lodging or meals, not to exceed the maximum provided for in  
119 this subsection.

120 (16) REPORTING.—A county or municipal public officer must  
121 report travel expenses that are paid with or reimbursed from  
122 taxpayer funds to a Commission on Ethics and Public Trust of the  
123 county or municipality or, if the county or municipality has not  
124 established such a commission, to the Commission on Ethics  
125 created in s. 112.320. The travel expense report must state the  
126 purpose and justify the necessity of the travel and provide  
127 proof of incurred travel expenses.

128 Section 4. Effective January 1, 2019, subsections (1), (2),  
129 and (3) of section 112.3144, Florida Statutes, are amended to  
130 read:

131 112.3144 Full and public disclosure of financial  
132 interests.—

133 (1) In addition to officers specified in s. 8, Art. II of  
134 the State Constitution or any other state law, all elected  
135 municipal officers, including any individual who is appointed to  
136 fill a vacancy for an unexpired term in an elective municipal  
137 office, are required to file a full and public disclosure of  
138 their financial interests. An officer who is required by s. 8,  
139 Art. II of the State Constitution to file a full and public  
140 disclosure of ~~his or her~~ financial interests for any calendar or  
141 fiscal year shall file that disclosure with the ~~Florida~~  
142 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~  
143 An officer who is required to complete annual ethics training  
144 pursuant to s. 112.3142 must certify on his or her full and  
145 public disclosure of financial interests that he or she has

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146 completed the required training.

147 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~  
148 ~~the State Constitution,~~ to file a full and public disclosure of  
149 financial interests and who has filed a full and public  
150 disclosure of financial interests for any calendar or fiscal  
151 year is ~~shall~~ not ~~be~~ required to file a statement of financial  
152 interests pursuant to s. 112.3145(2) and (3) for the same year  
153 or for any part thereof notwithstanding any requirement of this  
154 part. If an incumbent in an elective office has filed the full  
155 and public disclosure of financial interests to qualify for  
156 election to the same office or if a candidate for office holds  
157 another office subject to the annual filing requirement, the  
158 qualifying officer shall forward an electronic copy of the full  
159 and public disclosure of financial interests to the commission  
160 no later than July 1. The electronic copy of the full and public  
161 disclosure of financial interests satisfies the annual  
162 disclosure requirement of this section. A candidate who does not  
163 qualify until after the annual full and public disclosure of  
164 financial interests has been filed pursuant to this section  
165 shall file a copy of his or her disclosure with the officer  
166 before whom he or she qualifies.

167 (3) For purposes of full and public disclosure under s.  
168 8(a), Art. II of the State Constitution and this section, the  
169 following items, if not held for investment purposes and if  
170 valued at over \$1,000 in the aggregate, may be reported in a  
171 lump sum and identified as "household goods and personal  
172 effects":

173 (a) Jewelry;

174 (b) Collections of stamps, guns, and numismatic properties;

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- 175 (c) Art objects;  
176 (d) Household equipment and furnishings;  
177 (e) Clothing;  
178 (f) Other household items; and  
179 (g) Vehicles for personal use.

180 Section 5. Effective January 1, 2019, paragraph (a) of  
181 subsection (1) of section 112.3145, Florida Statutes, is amended  
182 to read:

183 112.3145 Disclosure of financial interests and clients  
184 represented before agencies.—

185 (1) For purposes of this section, unless the context  
186 otherwise requires, the term:

187 (a) "Local officer" means:

188 1. Every person who is elected to office in any political  
189 subdivision of the state other than an elective municipal  
190 office, and every person who is appointed to fill a vacancy for  
191 an unexpired term in such an elective office.

192 2. Any appointed member of any of the following boards,  
193 councils, commissions, authorities, or other bodies of any  
194 county, municipality, school district, independent special  
195 district, or other political subdivision of the state:

196 a. The governing body of the political subdivision, if  
197 appointed;

198 b. A community college or junior college district board of  
199 trustees;

200 c. A board having the power to enforce local code  
201 provisions;

202 d. A planning or zoning board, board of adjustment, board  
203 of appeals, community redevelopment agency board, or other board

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204 having the power to recommend, create, or modify land planning  
205 or zoning within the political subdivision, except for citizen  
206 advisory committees, technical coordinating committees, and such  
207 other groups who only have the power to make recommendations to  
208 planning or zoning boards;

209 e. A pension board or retirement board having the power to  
210 invest pension or retirement funds or the power to make a  
211 binding determination of one's entitlement to or amount of a  
212 pension or other retirement benefit; or

213 f. Any other appointed member of a local government board  
214 who is required to file a statement of financial interests by  
215 the appointing authority or the enabling legislation, ordinance,  
216 or resolution creating the board.

217 3. Any person holding one or more of the following  
218 positions: mayor; county or city manager; chief administrative  
219 employee of a county, municipality, or other political  
220 subdivision; county or municipal attorney; finance director of a  
221 county, municipality, or other political subdivision; chief  
222 county or municipal building code inspector; county or municipal  
223 water resources coordinator; county or municipal pollution  
224 control director; county or municipal environmental control  
225 director; county or municipal administrator, with power to grant  
226 or deny a land development permit; chief of police; fire chief;  
227 municipal clerk; district school superintendent; community  
228 college president; district medical examiner; or purchasing  
229 agent having the authority to make any purchase exceeding the  
230 threshold amount provided for in s. 287.017 for CATEGORY ONE, on  
231 behalf of any political subdivision of the state or any entity  
232 thereof.



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233           Section 6. Except as otherwise expressly provided in this  
234 act, this act shall take effect July 1, 2018.