

By the Committee on Ethics and Elections; and Senators Book, Benacquisto, Taddeo, and Rodriguez

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1 A bill to be entitled
2 An act relating to sexual harassment; amending s.
3 11.045, F.S.; revising requirements for rules
4 governing the registration of lobbyists who lobby the
5 Legislature; creating s. 11.9006, F.S.; creating the
6 Task Force on the Prevention of Sexual Harassment and
7 Misconduct; requiring that the task force meet at 4-
8 year intervals beginning on a specified date;
9 providing for the staffing and the composition of the
10 task force; prescribing duties of and requirements for
11 the task force; requiring the task force to report its
12 findings and recommendations to the Governor and the
13 Legislature before a specified date; authorizing
14 reimbursement for per diem and travel expenses;
15 creating s. 112.3126, F.S.; providing definitions;
16 prohibiting public officers, qualified candidates,
17 agency employees, and lobbyists from sexually
18 harassing any person; prohibiting public officers,
19 qualified candidates, agency employees, and lobbyists
20 from taking any retaliatory action against an
21 individual for filing a complaint alleging certain
22 violations; prohibiting the intentional or reckless
23 disclosure of identifying information of the
24 complainant under specified circumstances; requiring
25 an individual who gains personal knowledge of an
26 alleged violation to report it to the Commission on
27 Ethics or the appropriate agency within a specified
28 timeframe; prohibiting an individual from knowingly or
29 recklessly filing a materially false complaint;

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30 authorizing an alleged victim to have a victim
31 advocate and attorney present in any commission
32 hearings held in response to a complaint or referral;
33 amending s. 112.313, F.S.; defining the term "favor";
34 prohibiting an individual from offering or providing
35 sexual favors, or offering or engaging in sexual
36 conduct, in an effort to influence a public officer or
37 employee or obtain his or her goodwill; defining the
38 term "benefit"; amending ss. 112.3144 and 112.3145,
39 F.S.; requiring certification of review of sexual
40 harassment laws and policies on full and public
41 disclosure of financial interests or statement of
42 financial interests beginning on a specified date;
43 specifying that failure to certify such review does
44 not constitute an immaterial, inconsequential, or de
45 minimis error or omission; reenacting and amending s.
46 112.317, F.S., relating to penalties for violations of
47 the Code of Ethics for Public Officers and Employees;
48 specifying penalties for certain violations of the
49 act; requiring certain penalties to be paid into the
50 Crimes Compensation Trust Fund; amending s. 112.3215,
51 F.S.; revising requirements for registration of
52 lobbyists who register to lobby before the executive
53 branch or the Constitution Revision Commission;
54 amending s. 112.324, F.S.; waiving the requirement
55 that complaints alleging certain violations of the act
56 be signed under oath or affirmation; authorizing a
57 designated agency official to refer complaints
58 alleging sexual harassment or sexual misconduct to the

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59 Commission on Ethics; specifying that the personal
60 identifying information of an alleged victim of sexual
61 harassment contained in a complaint or referral and in
62 related materials remains confidential and exempt from
63 public records requirements; requiring the commission
64 to report its findings and recommendations to the
65 proper disciplinary official or body upon finding a
66 violation of the act; requiring the proper
67 disciplinary official or body to impose penalties
68 within a specified timeframe; providing an effective
69 date.

70
71 Be It Enacted by the Legislature of the State of Florida:

72
73 Section 1. Present paragraphs (a) through (g) of subsection
74 (2) of section 11.045, Florida Statutes, are redesignated as
75 paragraphs (b) through (h), respectively, and a new paragraph
76 (a) is added to that subsection, to read:

77 11.045 Lobbying before the Legislature; registration and
78 reporting; exemptions; penalties.-

79 (2) Each house of the Legislature shall provide by rule, or
80 may provide by a joint rule adopted by both houses, for the
81 registration of lobbyists who lobby the Legislature. The rule
82 may provide for the payment of a registration fee. The rule may
83 provide for exemptions from registration or registration fees.
84 The rule shall provide that:

85 (a) Each lobbyist shall certify, upon registration, that he
86 or she has read the Code of Ethics for Public Officers and
87 Employees in part III of chapter 112, and that he or she has

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88 read the rules governing conduct of members of the Legislature
89 and legislative lobbyists.

90 Section 2. Section 11.9006, Florida Statutes, is created to
91 read:

92 11.9006 Task Force on the Prevention of Sexual Harassment
93 and Misconduct.—

94 (1) There is created the Task Force on the Prevention of
95 Sexual Harassment and Misconduct. The task force shall convene
96 no later than July 2018, and at least every 4 years thereafter.
97 The task force shall meet as many times as is necessary in order
98 to complete its duties prescribed under subsections (4) and (5).
99 The task force is created for the express purpose of studying
100 the problem of sexual harassment and misconduct and examining
101 best practices to prevent sexual harassment and misconduct,
102 particularly in government settings and as applied to the
103 conduct of public officers, candidates for public office, agency
104 employees, and lobbyists. The task force is created within the
105 legislative branch for administrative purposes only. The
106 Governor, the President of the Senate, and the Speaker of the
107 House of Representatives shall assign staff to assist the task
108 force in the performance of its duties.

109 (2) The task force is composed of the following
110 individuals:

111 (a) One member of the Senate and one full-time employee of
112 the Senate, appointed by the President of the Senate.

113 (b) One member of the House of Representatives and one
114 full-time employee of the House of Representatives, appointed by
115 the Speaker of the House of Representatives.

116 (c) One member appointed by the Governor.

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117 (d) One member representing the Florida Council Against
118 Sexual Violence, appointed by the council's executive director.

119 (e) One member representing the Florida Association of
120 Counties, appointed by the association's president.

121 (f) One representative representing the Florida League of
122 Cities, appointed by the organization's president.

123 (g) One representative of the Florida Association of
124 Professional Lobbyists, appointed by the association's chair.

125 (h) One representative of the Florida Press Association,
126 appointed by the association's chair.

127 (i) One representative of the Florida Behavioral Health
128 Association, appointed by the association's chair.

129
130 In selecting appointments, each appointing authority must
131 consider the diversity of the members of the task force. Any
132 vacancy in the membership of the task force shall be filled in
133 the same manner as the original appointment.

134 (3) The members of the task force shall designate a chair
135 at their first meeting. Meetings of the task force may be held
136 via teleconferences or other electronic means.

137 (4) At a minimum, the task force shall examine:

138 (a) The adequacy of current methods of reporting
139 complaints, and the investigations thereof, of sexual harassment
140 or misconduct.

141 (b) Current procedures regarding the maintenance of the
142 confidentiality of complaints, investigations, and the identity
143 of victims.

144 (c) Victims' ability to obtain support, care, and
145 assistance.

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146 (d) The adequacy of measures currently available to hold
147 offenders accountable.

148 (e) Any training and educational programs addressing sexual
149 harassment or misconduct currently offered by governmental
150 entities and whether further changes are needed to such programs
151 to increase their effectiveness.

152 (f) Measures taken in other states to reduce the incidence
153 of sexual harassment or misconduct involving public officers,
154 candidates, and agency employees and to protect the rights of
155 victims.

156 (5) The task force shall report its findings and
157 recommendations, including any recommendations for proposed
158 legislative changes, to the Governor, the President of the
159 Senate, and the Speaker of the House of Representatives by
160 January 15 before the next regular session of the Legislature.

161 (6) Members of the task force shall serve without
162 compensation, but members are entitled to reimbursement for per
163 diem and travel expenses in accordance with s. 112.061 to be
164 paid by the appointing authority.

165 Section 3. Section 112.3126, Florida Statutes, is created
166 to read:

167 112.3126 Prohibition on sexual harassment.—

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

169 (a) "Lobbyist" means a person who:

170 1. Is required to register to lobby before the legislative
171 branch pursuant to s. 11.045;

172 2. Is required to register to lobby before the executive
173 branch or the Constitution Revision Commission pursuant to s.
174 112.3215; or

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175 3. For compensation, seeks to influence a political
176 subdivision with respect to a decision of the political
177 subdivision, or an agency thereof, with respect to policy or
178 procurement, or attempts to obtain the goodwill of an official
179 or employee of a political subdivision.

180 (b) "Sexually harass" includes an unwelcome sexual advance;
181 a request for a sexual favor; or any other conduct of a sexual
182 nature by a public officer, a candidate who has qualified for
183 public office, an employee of an agency, or a lobbyist which is
184 directed toward any individual when:

185 1. Submission to such conduct is made either explicitly or
186 implicitly a term or condition of the individual's employment;

187 2. Submission to or rejection of such conduct by an
188 individual is used as the basis for how the public officer,
189 candidate, agency employee, or lobbyist makes decisions relating
190 to his or her position which affect such individual; or

191 3. Such conduct has the purpose or effect of creating an
192 intimidating, a hostile, or an offensive working environment.

193 (2) A public officer, a candidate who has qualified to run
194 for public office, an agency employee, or a lobbyist may not
195 sexually harass any individual, regardless of whether an
196 employment relationship exists.

197 (3) A public officer, a candidate who has qualified to run
198 for public office, an agency employee, or a lobbyist may not
199 take any retaliatory action against an individual for filing a
200 complaint alleging a violation of this section or a violation of
201 s. 112.313(2) or (6) involving sexual favors or sexual conduct.

202 An individual may not intentionally or recklessly disclose
203 information that may be used to identify an individual who

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204 alleged any such violation without obtaining the individual's
205 consent.

206 (4) Upon learning of an alleged violation of subsection (2)
207 or an alleged violation of s. 112.313(2) or (6) involving sexual
208 favours or sexual conduct, an individual who gains personal
209 knowledge of the alleged violation shall report it to the
210 commission or to a designated individual in the appropriate
211 agency in accordance with applicable rules and administrative
212 policies within 10 business days.

213 (5) An individual may not knowingly or recklessly file a
214 materially false complaint alleging a violation of this section
215 or a violation of s. 112.313(2) or (6) involving sexual favours
216 or sexual conduct.

217 (6) An alleged victim of a violation of subsection (2) or
218 (3) is entitled to have a victim advocate and an attorney
219 present in commission hearings that are held in response to a
220 complaint or referral.

221 Section 4. Subsections (2) and (6) of section 112.313,
222 Florida Statutes, are amended to read:

223 112.313 Standards of conduct for public officers, employees
224 of agencies, and local government attorneys.—

225 (2) SOLICITATION OR ACCEPTANCE OF GIFTS.—

226 (a) As used in this subsection, the term "favor" includes
227 sexual favours and sexual conduct.

228 (b) A ~~No~~ public officer, an employee of an agency, a local
229 government attorney, or a candidate for nomination or election
230 may not ~~shall~~ solicit or accept anything of value to the
231 recipient, including a gift, loan, reward, promise of future
232 employment, favor, or service, based upon any understanding that

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233 the vote, official action, or judgment of the public officer,
234 employee, local government attorney, or candidate would be
235 influenced thereby.

236 (c) In an effort to influence a public officer's or
237 employee's official actions or judgment, or to obtain his or her
238 goodwill, an individual may not:

239 1. Offer or provide sexual favors to a public officer or
240 employee;

241 2. Offer to engage or engage in sexual conduct with a
242 public officer or employee; or

243 3. Direct another individual to perform an activity
244 prohibited under subparagraph 1. or subparagraph 2.

245 (6) MISUSE OF PUBLIC POSITION.—No public officer, employee
246 of an agency, or local government attorney shall corruptly use
247 or attempt to use his or her official position or any property
248 or resource which may be within his or her trust, or perform his
249 or her official duties, to secure a special privilege, benefit,
250 or exemption for himself, herself, or others. This section shall
251 not be construed to conflict with s. 104.31. For purposes of
252 this subsection, the term "benefit" includes sexual favors and
253 sexual conduct.

254 Section 5. Subsection (1) and paragraph (c) of subsection
255 (8) of section 112.3144, Florida Statutes, are amended to read:

256 112.3144 Full and public disclosure of financial
257 interests.—

258 (1) An officer who is required by s. 8, Art. II of the
259 State Constitution to file a full and public disclosure of his
260 or her financial interests for any calendar or fiscal year shall
261 file that disclosure with the Florida Commission on Ethics.

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262 ~~Additionally, beginning January 1, 2015,~~ An officer who is
263 required to complete annual ethics training pursuant to s.
264 112.3142 must certify on his or her full and public disclosure
265 of financial interests that he or she has completed the required
266 ethics training. Additionally, beginning January 1, 2019, any
267 person who is required to file a full and public disclosure of
268 financial interests must certify on his or her disclosure that
269 he or she has reviewed all applicable laws and policies
270 regarding sexual harassment.

271 (8)

272 (c) For purposes of this section, an error or omission is
273 immaterial, inconsequential, or de minimis if the original
274 filing provided sufficient information for the public to
275 identify potential conflicts of interest. However, failure to
276 certify review of applicable sexual harassment laws and policies
277 or completion of annual ethics training required under s.
278 112.3142 does not constitute an immaterial, inconsequential, or
279 de minimis error or omission.

280 Section 6. Subsection (4) and paragraph (c) of subsection
281 (10) of section 112.3145, Florida Statutes, are amended to read:

282 112.3145 Disclosure of financial interests and clients
283 represented before agencies.—

284 (4) ~~Beginning January 1, 2015,~~ An officer who is required
285 to complete annual ethics training pursuant to s. 112.3142 must
286 certify on his or her statement of financial interests that he
287 or she has completed the required training. Additionally,
288 beginning January 1, 2019, any person who is required to file a
289 statement of financial interests must certify on his or her
290 statement that he or she has reviewed all applicable law and

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291 policies regarding sexual harassment.

292 (10)

293 (c) For purposes of this section, an error or omission is
294 immaterial, inconsequential, or de minimis if the original
295 filing provided sufficient information for the public to
296 identify potential conflicts of interest. However, failure to
297 certify review of sexual harassment law and policies or
298 completion of annual ethics training required under s. 112.3142
299 does not constitute an immaterial, inconsequential, or de
300 minimis error or omission.

301 Section 7. Section 112.317, Florida Statutes, is reenacted
302 and amended to read:

303 112.317 Penalties.—

304 (1) Any violation of this part, including, but not limited
305 to, failure to file disclosures required by this part or
306 violation of any standard of conduct imposed by this part, or
307 any violation of s. 8, Art. II of the State Constitution, in
308 addition to any criminal penalty or other civil penalty
309 involved, under applicable constitutional and statutory
310 procedures, constitutes grounds for, and may be punished by, one
311 or more of the following:

312 (a) In the case of a public officer:

313 1. Impeachment.

314 2. Removal from office.

315 3. Suspension from office.

316 4. Public censure and reprimand.

317 5. Forfeiture of no more than one-third of his or her
318 salary per month for no more than 12 months.

319 6. A civil penalty not to exceed \$10,000, except as

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320 provided in paragraph (f).

321 7. Restitution of any pecuniary benefits received because
322 of the violation committed. The commission may recommend that
323 the restitution penalty be paid to the agency of which the
324 public officer was a member or to the General Revenue Fund.

325 (b) In the case of an employee or a person designated as a
326 public officer by this part who otherwise would be deemed to be
327 an employee:

328 1. Dismissal from employment.

329 2. Suspension from employment for not more than 90 days
330 without pay.

331 3. Demotion.

332 4. Reduction in his or her salary level.

333 5. Forfeiture of no more than one-third salary per month
334 for no more than 12 months.

335 6. A civil penalty not to exceed \$10,000, except as
336 provided in paragraph (f).

337 7. Restitution of any pecuniary benefits received because
338 of the violation committed. The commission may recommend that
339 the restitution penalty be paid to the agency by which the
340 public employee was employed, or of which the officer was deemed
341 to be an employee, or to the General Revenue Fund.

342 8. Public censure and reprimand.

343 (c) In the case of a candidate who violates this part or s.
344 8(a) and (i), Art. II of the State Constitution:

345 1. Disqualification from being on the ballot.

346 2. Public censure.

347 3. Reprimand.

348 4. A civil penalty not to exceed \$10,000, except as

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349 provided in paragraph (f).

350 (d) In the case of a former public officer or employee who
351 has violated a provision applicable to former officers or
352 employees or whose violation occurred before the officer's or
353 employee's leaving public office or employment:

354 1. Public censure and reprimand.

355 2. A civil penalty not to exceed \$10,000, except as
356 provided in paragraph (f).

357 3. Restitution of any pecuniary benefits received because
358 of the violation committed. The commission may recommend that
359 the restitution penalty be paid to the agency of the public
360 officer or employee or to the General Revenue Fund.

361 (e) In the case of a person who is subject to the standards
362 of this part, other than a lobbyist or lobbying firm under s.
363 112.3215 for a violation of s. 112.3215, but who is not a public
364 officer or employee:

365 1. Public censure and reprimand.

366 2. A civil penalty not to exceed \$10,000, except as
367 provided in paragraph (f).

368 3. Restitution of any pecuniary benefits received because
369 of the violation committed. The commission may recommend that
370 the restitution penalty be paid to the agency of the person or
371 to the General Revenue Fund.

372 (f) In addition to any other penalties authorized by this
373 subsection, in any case in which the commission finds that a
374 violation of s. 112.3126(2); s. 112.3126(3); or s. 112.313(2) or
375 (6) based on sexual favors or sexual conduct, has occurred:

376 1. A civil penalty of at least \$5,000 per violation up to a
377 maximum penalty of \$20,000 per violation.

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378 2. The violator is liable for any costs associated with the
379 services of a victim advocate and for reasonable attorney fees
380 before the commission which are incurred by the victim of the
381 prohibited conduct.

382

383 Any civil penalty imposed pursuant to this paragraph must be
384 paid to the Crimes Compensation Trust Fund within the Department
385 of Legal Affairs.

386 (g) In the case of an individual who is a lobbyist as that
387 term is defined in s. 112.3126 and who violates s. 112.3126(2);
388 s. 112.3126(3); or s. 112.313(2) or (6) based on sexual favors
389 or sexual conduct, in addition to any penalties imposed under
390 paragraph (e) or (f), the violator may be prohibited from
391 lobbying for a specified period, including permanent revocation
392 of lobbying privileges.

393 (2) In any case in which the commission finds a violation
394 of this part or of s. 8, Art. II of the State Constitution and
395 the proper disciplinary official or body under s. 112.324
396 imposes a civil penalty or restitution penalty, the Attorney
397 General shall bring a civil action to recover such penalty. No
398 defense may be raised in the civil action to enforce the civil
399 penalty or order of restitution that could have been raised by
400 judicial review of the administrative findings and
401 recommendations of the commission by certiorari to the district
402 court of appeal. The Attorney General shall collect any costs,
403 attorney fees, expert witness fees, or other costs of collection
404 incurred in bringing the action.

405 (3) The penalties prescribed in this part shall not be
406 construed to limit or to conflict with:

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407 (a) The power of either house of the Legislature to
408 discipline its own members or impeach a public officer.

409 (b) The power of agencies to discipline officers or
410 employees.

411 (4) Any violation of this part or of s. 8, Art. II of the
412 State Constitution by a public officer constitutes malfeasance,
413 misfeasance, or neglect of duty in office within the meaning of
414 s. 7, Art. IV of the State Constitution.

415 (5) By order of the Governor, upon recommendation of the
416 commission, any elected municipal officer who violates this part
417 or s. 8, Art. II of the State Constitution may be suspended from
418 office and the office filled by appointment for the period of
419 suspension. The suspended officer may at any time before removal
420 be reinstated by the Governor. The Senate may, in proceedings
421 prescribed by law, remove from office, or reinstate, the
422 suspended official, and for such purpose the Senate may be
423 convened in special session by its President or by a majority of
424 its membership.

425 (6) In any case in which the commission finds probable
426 cause to believe that a complainant has committed perjury in
427 regard to any document filed with, or any testimony given
428 before, the commission, it shall refer such evidence to the
429 appropriate law enforcement agency for prosecution and taxation
430 of costs.

431 (7) In any case in which the commission determines that a
432 person has filed a complaint against a public officer or
433 employee with a malicious intent to injure the reputation of
434 such officer or employee by filing the complaint with knowledge
435 that the complaint contains one or more false allegations or

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436 with reckless disregard for whether the complaint contains false
437 allegations of fact material to a violation of this part, the
438 complainant shall be liable for costs plus reasonable attorney
439 fees incurred in the defense of the person complained against,
440 including the costs and reasonable attorney fees incurred in
441 proving entitlement to and the amount of costs and fees. If the
442 complainant fails to pay such costs and fees voluntarily within
443 30 days following such finding by the commission, the commission
444 shall forward such information to the Department of Legal
445 Affairs, which shall bring a civil action in a court of
446 competent jurisdiction to recover the amount of such costs and
447 fees awarded by the commission.

448 Section 8. Present paragraphs (a) through (e) of subsection
449 (3) of section 112.3215, Florida Statutes, are redesignated as
450 paragraphs (b) through (f), respectively, and a new paragraph
451 (a) is added to that subsection, to read:

452 112.3215 Lobbying before the executive branch or the
453 Constitution Revision Commission; registration and reporting;
454 investigation by commission.—

455 (3) A person may not lobby an agency until such person has
456 registered as a lobbyist with the commission. Such registration
457 shall be due upon initially being retained to lobby and is
458 renewable on a calendar year basis thereafter. Upon registration
459 the person shall provide a statement signed by the principal or
460 principal's representative that the registrant is authorized to
461 represent the principal. The principal shall also identify and
462 designate its main business on the statement authorizing that
463 lobbyist pursuant to a classification system approved by the
464 commission. The registration shall require each lobbyist to

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465 disclose, under oath, the following information:

466 (a) Each lobbyist shall certify that he or she has read the
467 Code of Ethics for Public Officers and Employees contained in
468 this part, and that he or she has read any rules governing the
469 conduct of agency officials and lobbyists who lobby before an
470 agency.

471 Section 9. Present subsections (9) through (12) of section
472 112.324, Florida Statutes, are renumbered as subsections (10)
473 through (13), respectively, paragraphs (f) and (g) of subsection
474 (2) of that section are redesignated as paragraphs (g) and (h),
475 respectively, and a new paragraph (f) is added to that
476 subsection, subsections (1) and (8) of that section are amended,
477 and a new subsection (9) is added to that section, to read:

478 112.324 Procedures on complaints of violations and
479 referrals; public records and meeting exemptions.—

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

484 (a) Upon a written complaint executed on a form prescribed
485 by the commission and signed under oath or affirmation by any
486 person; ~~or~~

487 (b) Upon a written complaint executed on a form prescribed
488 by the commission, if a violation of s. 112.313(2) or (6)
489 involving sexual favors or sexual conduct or s. 112.3126 is
490 alleged; or

491 (c) Upon receipt of a written referral of a possible
492 violation of this part or other possible breach of the public
493 trust from the Governor, the Department of Law Enforcement, a

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494 state attorney, any person designated by an agency to accept
495 complaints of sexual harassment or sexual misconduct, or a
496 United States Attorney which at least six members of the
497 commission determine is sufficient to indicate a violation of
498 this part or any other breach of the public trust.

499

500 Within 5 days after receipt of a complaint by the commission or
501 a determination by at least six members of the commission that
502 the referral received is deemed sufficient, a copy shall be
503 transmitted to the alleged violator.

504 (2)

505 (f) The personal identifying information of an alleged
506 victim of a violation of s. 112.313(2) or (6) involving sexual
507 favours or sexual conduct or s. 112.3126 contained in a complaint
508 or referral, and all materials relating to the complaint or
509 referral, remain confidential and exempt from s. 119.07(1) and
510 s. 24(a), Art. I of the State Constitution as provided under s.
511 119.071(2)(n).

512 (8) If, in cases other than complaints or referrals against
513 impeachable officers or members of the Legislature, upon
514 completion of a full and final investigation by the commission,
515 the commission finds that there has been a violation of this
516 part or of s. 8, Art. II of the State Constitution, it is the
517 duty of the commission to report its findings and recommend
518 appropriate action to the proper disciplinary official or body
519 as follows, and such official or body has the power to invoke
520 the penalty provisions of this part, including the power to
521 order the appropriate elections official to remove a candidate
522 from the ballot for a violation of s. 112.3145 or s. 8(a) and

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523 (i), Art. II of the State Constitution:

524 (a) The President of the Senate and the Speaker of the
525 House of Representatives, jointly, in any case concerning the
526 Public Counsel, members of the Public Service Commission,
527 members of the Public Service Commission Nominating Council, the
528 Auditor General, or the director of the Office of Program Policy
529 Analysis and Government Accountability.

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

532 (c) The President of the Senate, in any case concerning an
533 employee of the Senate; the Speaker of the House of
534 Representatives, in any case concerning an employee of the House
535 of Representatives; the President or the Speaker, in any case
536 concerning a person who is required to register as a lobbyist
537 under s. 11.045 for violations of s. 112.313(2) or (6) which
538 involve sexual favors or sexual conduct or s. 112.3126; or the
539 President and the Speaker, jointly, in any case concerning an
540 employee of a committee of the Legislature whose members are
541 appointed solely by the President and the Speaker or in any case
542 concerning an employee of the Public Counsel, Public Service
543 Commission, Auditor General, or Office of Program Policy
544 Analysis and Government Accountability.

545 (d) The Governor and the Cabinet, in any case concerning a
546 person who is required to register as a lobbyist under s.
547 112.3215 for violations of s. 112.313(2) or (6) which involve
548 sexual favors or sexual conduct or s. 112.3126. Additionally, a
549 political subdivision may suspend or revoke the lobbying
550 privileges of any person authorized to lobby that political
551 subdivision if he or she has been found to have violated s.

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552 112.313(2) or (6) involving sexual favors or sexual conduct or
553 s. 112.3126.

554 (e) Except as otherwise provided by this part, the
555 Governor, in the case of any other public officer, public
556 employee, former public officer or public employee, candidate or
557 former candidate, or person who is not a public officer or
558 employee, other than lobbyists and lobbying firms under s.
559 112.3215 for violations of s. 112.3215.

560 (f)~~(e)~~ The President of the Senate or the Speaker of the
561 House of Representatives, whichever is applicable, in any case
562 concerning a former member of the Legislature who has violated a
563 provision applicable to former members or whose violation
564 occurred while a member of the Legislature.

565 (9) The proper disciplinary body or official, as designated
566 by this section, shall impose any penalty for a violation of s.
567 112.313(2) or (6) which involve sexual favors or sexual conduct,
568 s. 112.3126(2), or s. 112.3126(3), within 90 days after the date
569 of transmittal of the commission's findings.

570 Section 10. This act shall take effect upon becoming a law.