

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 an effective
 56 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 | elected official qualifies as a candidate, pursuant to s. 99.061
 78 | or other applicable law, for reelection or election to another
 79 | public office and ending on the day after the election for which
 80 | the elected official qualified as a candidate if such
 81 | announcement is paid for with public funds or if the time or
 82 | space for such announcement is donated by the media. This
 83 | subsection does not apply to charitable events held by an
 84 | organization with tax-exempt status under s. 501(c)(3) of the
 85 | Internal Revenue Code or bona fide news events such as press
 86 | conferences or public debates broadcast by a licensed
 87 | broadcaster.

88 | Section 3. Subsections (7), (9), and (15) of section
 89 | 112.313, Florida Statutes, are amended to read:

90 | 112.313 Standards of conduct for public officers,
 91 | employees of agencies, and local government attorneys.—

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

93 | (a) A ~~No~~ public officer or employee of an agency may not
 94 | ~~shall~~ have or hold any employment or contractual relationship
 95 | with any business entity or any agency that ~~which~~ is subject to
 96 | the regulation of, or is doing business with, the officer's or
 97 | employee's ~~an~~ agency. This paragraph does not apply to ~~of which~~
 98 | ~~he or she is an officer or employee, excluding those~~
 99 | organizations and their officers who, when acting in their
 100 | official capacity, enter into or negotiate a collective

101 bargaining contract with the state or any municipality, county,
 102 or other political subdivision of the state. Such; ~~nor shall an~~
 103 officer or employee may also not ~~of an agency~~ have or hold any
 104 employment or contractual relationship that will create a
 105 continuing or frequently recurring conflict between his or her
 106 private interests and the performance of his or her public
 107 duties or that would impede the full and faithful discharge of
 108 his or her public duties.

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

122 2. When the agency referred to is a legislative body and
 123 the regulatory power over the business entity resides in another
 124 agency, or when the regulatory power that ~~which~~ the legislative
 125 body exercises over the business entity or agency is strictly

126 through the enactment of laws or ordinances, ~~then~~ employment
 127 with, or entering into a contractual relationship with, such a
 128 business entity by a public officer or employee of such a
 129 legislative body is ~~shall~~ ~~be~~ prohibited by this subsection
 130 or ~~be~~ deemed a conflict based on the regulatory power of the
 131 legislative body, unless prohibited or deemed a conflict by
 132 another law.

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

138 (c) A public officer or employee of an agency may not
 139 solicit any employment or contractual relationship prohibited by
 140 this subsection.

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

147 (e) If a public officer or employee of an agency, or a
 148 person acting on his or her behalf, solicits employment with any
 149 business entity or any agency that is subject to the regulation
 150 of, or is doing business with, the officer's or employer's

151 agency in violation of paragraph (c), the solicited business
152 entity or agency must disclose such solicitation to the head of
153 the officer's or employee's agency. If such solicitation is by
154 or on behalf of the head of the agency or a member of a body
155 that is the head of the agency, the solicited business entity or
156 agency must disclose such solicitation to the commission. The
157 commission may investigate such disclosure as if it were a valid
158 complaint under this part.

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

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

166 2. As used in this paragraph:

167 a. "Employee" means:

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

174 (II) The Auditor General, the director of the Office of
175 Program Policy Analysis and Government Accountability, the

176 Sergeant at Arms and Secretary of the Senate, and the Sergeant
 177 at Arms and Clerk of the House of Representatives.

178 (III) The executive director and deputy executive director
 179 of the Commission on Ethics.

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

190 (V) The Chancellor and Vice Chancellors of the State
 191 University System; the general counsel to the Board of Governors
 192 of the State University System; and the president, provost, vice
 193 presidents, and deans of each state university.

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

197 b. "Appointed state officer" means any member of an
 198 appointive board, commission, committee, council, or authority
 199 of the executive or legislative branch of state government whose
 200 powers, jurisdiction, and authority are not solely advisory and

201 include the final determination or adjudication of any personal
 202 or property rights, duties, or obligations, other than those
 203 relative to its internal operations.

204 c. "State agency" means an entity of the legislative,
 205 executive, or judicial branch of state government over which the
 206 Legislature exercises plenary budgetary and statutory control.

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

220 3.a. No member of the Legislature, appointed state
 221 officer, or statewide elected officer shall personally represent
 222 another person or entity for compensation before the government
 223 body or agency of which the individual was an officer or member
 224 for a period of 2 years following vacation of office. No member
 225 of the Legislature shall personally represent another person or

226 entity for compensation during his or her term of office before
227 any state agency other than judicial tribunals or in settlement
228 negotiations after the filing of a lawsuit.

229 b. For a period of 2 years following vacation of office, a
230 former member of the Legislature may not act as a lobbyist for
231 compensation before an executive branch agency, agency official,
232 or employee. The terms used in this sub-subparagraph have the
233 same meanings as provided in s. 112.3215.

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

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

250 5. Any person violating this paragraph is ~~shall be~~ subject

251 to the penalties provided in s. 112.317 and a civil penalty of
252 an amount equal to the compensation which the person receives
253 for the prohibited conduct.

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

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

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

260 ~~c. A person who was a defined employee of the State~~
261 ~~University System or the Public Service Commission who held such~~
262 ~~employment on December 31, 1994;~~

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

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

269 (b) In addition to the provisions of this part which are
270 applicable to legislators and legislative employees by virtue of
271 their being public officers or employees, the conduct of members
272 of the Legislature and legislative employees shall be governed
273 by the ethical standards provided in the respective rules of the
274 Senate or House of Representatives which are not in conflict
275 herewith.

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

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

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

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

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

298 Section 4. Section 112.3181, Florida Statutes, is created
 299 to read:

300 112.3181 Additional standards for statewide elected

301 officers and legislators.—

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

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

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

319 (2) A statewide elected officer or member of the
320 Legislature may not solicit or accept investment advice from or
321 solicit or enter into an investment, joint venture, or other
322 profitmaking relationship with a lobbyist or principal, as those
323 terms are defined in s. 11.045 or s. 112.3215. However, the
324 officer or legislator may buy or sell listed, publicly traded
325 securities of a principal without the advice of a lobbyist or

326 principal unless such action violates s. 112.313. For purposes
327 of this section, the phrase "investment, joint venture, or other
328 profitmaking relationship" does not include an employment
329 relationship or any enterprise organized to employ or engage the
330 personal services of individuals including the officer or
331 legislator. For purposes of this section, the terms "investment
332 advice" and "profitmaking relationship" do not include a client
333 relationship with a licensed investment broker, licensed
334 investment advisor, or similarly licensed professional to whom
335 the officer or legislator pays ordinary and reasonable fees for
336 services, regardless of such broker's, advisor's, or
337 professional's status as a lobbyist's principal or a nonlobbyist
338 employee of such principal.

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

346 (4) (a) A statewide elected officer or member of the
347 Legislature must file a written disclosure with the commission
348 upon acceptance of the following:

349 1. Any new employment with or increased compensation from
350 an entity that receives state funds directly by appropriation;

351 2. Any new employment with or increased compensation from
352 an agency;

353 3. Any new employment the offer of which arose out of
354 official or political activities engaged in while he or she was
355 a statewide elected officer, member of the Legislature, or
356 candidate for such office; or

357 4. Any new employment with or increased compensation from
358 a lobbyist, principal of a lobbyist, or lobbying firm.

359 (b) The disclosure must identify the applicable
360 subparagraph of paragraph (a), employer, position, salary or
361 other compensation, and effective date of employment or
362 increased compensation. Such disclosure must be filed within 30
363 days after he or she accepts the employment or increased
364 compensation or before the effective date of employment or
365 increased compensation, whichever date is earliest. With respect
366 to employment or increased compensation accepted or effective
367 between December 31, 2017, and July 1, 2018, the officer or
368 legislator must file such disclosure within 30 days after July
369 1, 2018. The commission shall publish such disclosures with the
370 officer's or legislator's full financial disclosure on its
371 website. The commission may adopt forms for disclosure and may
372 adopt rules requiring electronic submission of the disclosure
373 required by this subsection.

374 Section 5. Subsections (7) and (8) of section 112.3185,
375 Florida Statutes, are renumbered as subsections (8) and (9),

376 respectively, present subsections (1) and (8) are amended, and a
377 new subsection (7) is added to that section, to read:

378 112.3185 Additional standards for state officers and
379 agency employees.—

380 (1) For the purposes of this section:

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

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

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

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

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

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

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

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

416 (a) A covered officer or reporting employee may solicit a
417 future employment or contractual relationship from or negotiate
418 a future employment or contractual relationship with a
419 restricted employer within 90 days before the expiration of the
420 officer's term of office, if the officer does not seek
421 reappointment, or within 90 days before the officer's or
422 employee's termination or retirement date, if he or she provides
423 notice of termination or retirement to the head of his or her
424 agency, the general counsel or inspector general of his or her
425 agency, or any other officer or attorney designated by the head

426 of his or her agency.

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

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

448 (d) This subsection does not authorize any employment or
449 contractual relationship solicitation otherwise prohibited by
450 general law.

451 (9)-(8) Subsections (1) through (6) of this section do not
 452 apply ~~is not applicable~~ to any employee of the Public Service
 453 Commission who was so employed on or before December 31, 1994,
 454 unless so employed on or after January 8, 2019.

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

460 112.3215 Lobbying before the executive branch or the
 461 Constitution Revision Commission; registration and reporting;
 462 investigation by commission.—

463 (1) For the purposes of this section:

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

471 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of
 472 another person, to influence an agency with respect to a
 473 decision of the agency in the area of policy or procurement or
 474 an attempt to obtain the goodwill of an agency official or
 475 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or

476 attempting to influence, on behalf of another, the Constitution
477 Revision Commission's action or nonaction through oral or
478 written communication or an attempt to obtain the goodwill of a
479 member or employee of the Constitution Revision Commission.

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

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

495 2. An officer or employee of an agency, ~~or~~ of a
496 legislative or judicial branch entity, or a political
497 subdivision of this state acting in the normal course of his or
498 her office or duties.

499 3. A confidential informant who is providing, or wishes to
500 provide, confidential information to be used for law enforcement

501 purposes.

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

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

525 (a) Full legal name, e-mail address, telephone number,

526 ~~Name~~ and business address;

527 (b) The full name, e-mail address, telephone number, and
 528 business address of each principal represented;

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

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

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

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

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

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

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

547 c. Total compensation provided or owed to the lobbying
 548 firm from all principals for the reporting period, reported in
 549 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
 550 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to

551 \$999,999; \$1 million or more.

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

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

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

564 3. If the lobbying firm subcontracts work from another
565 lobbying firm and not from the original principal:

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

569 b. The reporting lobbying firm shall, for each lobbying
570 firm identified under subparagraph 2., identify the name and
571 address of the principal originating the lobbying work.

572 4. The senior partner, officer, or owner of the lobbying
573 firm shall certify to the veracity and completeness of the
574 information submitted pursuant to this paragraph.

575 (7) A lobbyist shall promptly send a written statement to

576 | the commission canceling the designation of registration for a
577 | principal in his or her registration upon termination of such
578 | ~~the lobbyist's representation of that principal~~. The commission
579 | may cancel a lobbyist's designation of a principal upon the
580 | principal's notification that the lobbyist is no longer
581 | authorized to represent the principal ~~Notwithstanding this~~
582 | ~~requirement, the commission may remove the name of a lobbyist~~
583 | ~~from the list of registered lobbyists if the principal notifies~~
584 | ~~the office that a person is no longer authorized to represent~~
585 | ~~that principal.~~

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

592 | (b) All proceedings, the complaint, and other records
593 | relating to the investigation are confidential and exempt from
594 | the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
595 | Constitution, and any meetings held pursuant to an investigation
596 | are exempt from the provisions of s. 286.011(1) and s. 24(b),
597 | Art. I of the State Constitution either until the alleged
598 | violator requests in writing that such investigation and
599 | associated records and meetings be made public or until the
600 | commission determines, based on the investigation, whether

601 probable cause exists to believe that a violation has occurred.

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

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

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

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

623 3. The exemptions no longer apply if the lobbying firm
624 requests in writing that such investigation and associated
625 records and meetings be made public or the commission determines

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626 | there is probable cause that the audit reflects a violation of
627 | the reporting laws.

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

633 | Section 7. This act shall take effect July 1, 2018.