

By Senator Baxley

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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      conflicting employment and contractual relationships;  
12      prohibiting public officers or employees of an agency  
13      from soliciting specified employment or contractual  
14      relationships; requiring certain offers and  
15      solicitations of employment or contractual  
16      relationships to be disclosed to certain persons;  
17      requiring such solicitations to be disclosed to the  
18      Commission on Ethics in certain circumstances;  
19      authorizing the commission to investigate such  
20      disclosures; prohibiting specified persons from  
21      receiving certain compensated representation for a  
22      specified period following vacation of office;  
23      deleting certain exceptions from postemployment  
24      restrictions; providing applicability; creating s.  
25      112.3181, F.S.; prohibiting statewide elected officers  
26      and legislators from soliciting employment offers or  
27      investment advice arising out of official or political  
28      activities; providing exceptions; prohibiting such  
29      officers or legislators from soliciting or accepting

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30 investment advice from or soliciting or entering into  
31 certain profitmaking relationships with or advised by  
32 lobbyists or principals; providing definitions;  
33 requiring lobbyists and principals to disclose certain  
34 prohibited solicitations to the commission;  
35 authorizing the commission to investigate such  
36 disclosures; providing disclosure requirements for  
37 reporting certain employment; requiring the commission  
38 to publish disclosures on its website; authorizing the  
39 commission to adopt rules; amending s. 112.3185, F.S.;  
40 providing definitions; prohibiting certain officers  
41 and employees from soliciting employment or  
42 contractual relationships from or negotiating  
43 employment or contractual relationships with certain  
44 employers; providing exceptions; requiring disclosure  
45 of certain offers of employment or contractual  
46 relationships; providing applicability; amending s.  
47 112.3215, F.S., and reenacting subsection (15);  
48 revising definitions; requiring executive branch  
49 lobbyists to electronically register with the  
50 commission; revising lobbyist registration,  
51 compensation report, principal designation  
52 cancellation, and investigation requirements; revising  
53 lobbyist registration fees; authorizing the commission  
54 to dismiss certain complaints and investigations;  
55 amending s. 420.5061, F.S.; conforming a provision;  
56 providing an effective date.

57  
58 Be It Enacted by the Legislature of the State of Florida:

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

Section 2. Section 106.114, Florida Statutes, is created to read:

106.114 Elected official advertising.-

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

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

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

(2) A governmental entity, a person acting on behalf of a governmental entity, or an elected official may not use or authorize the use of an elected official's name, image, likeness, official uniform, badge, or other symbol of office in a public service announcement beginning on the date that the elected official qualifies as a candidate, pursuant to s. 99.061 or other applicable law, for reelection or election to another public office and ending on the day after the election for which the elected official qualified as a candidate if such announcement is paid for with public funds or if the time or space for such announcement is donated by the media. This subsection does not apply to charitable events held by an organization with tax-exempt status under s. 501(c)(3) of the Internal Revenue Code or bona fide news events, such as press conferences or public debates broadcast by a licensed broadcaster.

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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, employees  
91 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 also may 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

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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~~ not ~~be~~ prohibited by this subsection  
130 or ~~be~~ deemed a conflict based on the regulatory power of the  
131 legislative body, unless prohibited by 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 an employee of an agency may not  
139 solicit any employment or contractual relationship prohibited by  
140 this subsection.

141 (d) A public officer or an employee of an agency shall  
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

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146 prohibited by this subsection.

147 (e) If a public officer or an 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

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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 staff  
181 director of each joint committee, standing committee, or select  
182 committee of the Legislature; an executive director, staff  
183 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.

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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 3.a. No member of the Legislature, appointed state officer,  
208 or statewide elected officer shall personally represent another  
209 person or entity for compensation before the government body or  
210 agency of which the individual was an officer or member for a  
211 period of 2 years following vacation of office. No member of the  
212 Legislature shall personally represent another person or entity  
213 for compensation during his or her term of office before any  
214 state agency other than judicial tribunals or in settlement  
215 negotiations after the filing of a lawsuit.

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

221 4. An agency employee, including an agency employee who was  
222 employed on July 1, 2001, in a Career Service System position  
223 that was transferred to the Selected Exempt Service System under  
224 chapter 2001-43, Laws of Florida, may not personally represent  
225 another person or entity for compensation before the agency with  
226 which he or she was employed for a period of 2 years following  
227 vacation of position, except when ~~unless~~ employed by and  
228 representing another state agency ~~of state government~~.

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



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

234       ~~a. A person employed by the Legislature or other agency~~

235 ~~prior to July 1, 1989;~~

236       ~~b. A person who was employed by the Legislature or other~~

237 ~~agency on July 1, 1989, whether or not the person was a defined~~

238 ~~employee on July 1, 1989;~~

239       ~~c. A person who was a defined employee of the State~~

240 ~~University System or the Public Service Commission who held such~~

241 ~~employment on December 31, 1994;~~

242       ~~d. A person who has reached normal retirement age as~~

243 ~~defined in s. 121.021(29), and who has retired under the~~

244 ~~provisions of chapter 121 by July 1, 1991; or~~

245       ~~e. Any appointed state officer whose term of office began~~

246 ~~before January 1, 1995, unless reappointed to that office on or~~

247 ~~after January 1, 1995.~~

248       (b) In addition to the provisions of this part which are

249 applicable to legislators and legislative employees by virtue of

250 their being public officers or employees, the conduct of members

251 of the Legislature and legislative employees shall be governed

252 by the ethical standards provided in the respective rules of the

253 Senate or House of Representatives which are not in conflict

254 herewith.

255       (15) ADDITIONAL EXEMPTION.—

256       (a) An ~~Ne~~ elected public officer may not ~~shall~~ be held in

257 violation of subsection (7) if the officer maintains an

258 employment relationship with an entity which is currently a tax-

259 exempt organization under s. 501(c) of the Internal Revenue Code

260 and which contracts with or otherwise enters into a business

261 relationship with the officer's agency and:

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262 1.~~(a)~~ The officer's employment is not directly or  
263 indirectly compensated as a result of such contract or business  
264 relationship;

265 2.~~(b)~~ The officer has in no way participated in the  
266 agency's decision to contract or to enter into the business  
267 relationship with his or her employer, whether by participating  
268 in discussion at the meeting, by communicating with officers or  
269 employees of the agency, or otherwise; and

270 3.~~(e)~~ The officer abstains from voting on any matter which  
271 may come before the agency involving the officer's employer,  
272 publicly states to the assembly the nature of the officer's  
273 interest in the matter from which he or she is abstaining, and  
274 files a written memorandum as provided in s. 112.3143.

275 (b) This subsection does not apply to an officer who begins  
276 his or her term of office on or after July 1, 2019.

277 Section 4. Section 112.3181, Florida Statutes, is created  
278 to read:

279 112.3181 Additional standards for statewide elected  
280 officers and legislators.—

281 (1) A statewide elected officer or member of the  
282 Legislature may not solicit an employment offer or investment  
283 advice arising out of official or political activities engaged  
284 in while he or she is an officer or a legislator or a candidate  
285 for such office, except under either of the following  
286 circumstances:

287 (a) The officer or legislator may solicit or accept future  
288 employment, including professional partnerships, in the last 180  
289 days of his or her term of office if he or she is ineligible to  
290 run for reelection or has publicly announced, and filed a letter

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291 or other written notice with the qualifying officer with whom  
292 reelection qualification papers are filed, that he or she is not  
293 and does not intend to become a candidate for reelection.

294 (b) The officer or legislator may solicit or accept  
295 employment from any prospective employer in a profession or an  
296 occupation in which he or she has formerly engaged, has been  
297 formally educated or trained, or is licensed unless such  
298 employment is prohibited by other general law.

299 (2) A statewide elected officer or member of the  
300 Legislature may not solicit or accept investment advice from or  
301 solicit or enter into an investment, a joint venture, or other  
302 profitmaking relationship with a lobbyist or principal, as those  
303 terms are defined in s. 11.045 or s. 112.3215. However, the  
304 officer or legislator may buy or sell listed, publicly traded  
305 securities of a principal without the advice of a lobbyist or  
306 principal unless such action violates s. 112.313. For purposes  
307 of this section, the phrase "investment, joint venture, or other  
308 profitmaking relationship" does not include an employment  
309 relationship or any enterprise organized to employ or engage the  
310 personal services of individuals, including the officer or  
311 legislator. For purposes of this section, the terms "investment  
312 advice" and "profitmaking relationship" do not include a client  
313 relationship with a licensed investment broker, licensed  
314 investment advisor, or similarly licensed professional to whom  
315 the officer or legislator pays ordinary and reasonable fees for  
316 services, regardless of such broker's, advisor's, or  
317 professional's status as a lobbyist's principal or a nonlobbyist  
318 employee of such principal.

319 (3) A lobbyist or principal who receives a solicitation

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320 prohibited by this section by or on behalf of a statewide  
321 elected officer or member of the Legislature must disclose such  
322 solicitation to the commission. Any other person who receives  
323 such solicitation may disclose such solicitation to the  
324 commission. The commission may investigate any disclosure under  
325 this subsection as if it were a valid complaint under this part.

326 (4) (a) A statewide elected officer or member of the  
327 Legislature must file a written disclosure with the commission  
328 upon acceptance of the following:

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

331 2. Any new employment with or increased compensation from  
332 an agency;

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

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

339 (b) The disclosure must identify the applicable  
340 subparagraph of paragraph (a), the employer, position, salary or  
341 other compensation, and the effective date of employment or  
342 increased compensation. Such disclosure must be filed within 30  
343 days after he or she accepts the employment or increased  
344 compensation or before the effective date of employment or  
345 increased compensation, whichever date is earliest. With respect  
346 to employment or increased compensation accepted or effective  
347 between December 31, 2018, and July 1, 2019, the officer or  
348 legislator must file such disclosure within 30 days after July

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349 1, 2019. The commission shall publish such disclosures with the  
350 officer's or legislator's full financial disclosure on its  
351 website. The commission may adopt forms for disclosure and may  
352 adopt rules requiring electronic submission of the disclosure  
353 required by this subsection.

354 Section 5. Present subsection (7) of section 112.3185,  
355 Florida Statutes, is renumbered as subsection (8), subsection  
356 (1) of that section is reordered and amended, present subsection  
357 (8) of that section is amended, and a new subsection (7) is  
358 added to that section, to read:

359 112.3185 Additional standards for state officers and agency  
360 employees.—

361 (1) For the purposes of this section, the term:

362 (b) ~~(a)~~ "Contractual services" has the same meaning ~~shall be~~  
363 ~~defined~~ as set forth in chapter 287.

364 (a) ~~(b)~~ "Agency" means any state officer, department, board,  
365 commission, or council of the executive, legislative, or  
366 judicial branch of state government and includes the Public  
367 Service Commission.

368 (c) "Covered officer" means a state officer who is serving  
369 in a position that is not an elective position. The term does  
370 not include a person who is appointed to fill an unexpired term  
371 of an elective office.

372 (d) "Negotiate" or "negotiation" means a response to an  
373 offer or solicitation of an offer of an employment or a  
374 contractual relationship, including the submission of a resume,  
375 an application, or any other information demonstrating interest  
376 on the part of a prospective employee and interviewing or  
377 engaging in other communication intended to lead to an offer or

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378 acceptance of an employment or a contractual relationship.

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

382 (f) "Restricted employer," with respect to any state  
383 officer or agency employee, means any entity that does business  
384 with or is subject to regulation by an agency employing the  
385 covered officer or reporting employee and any person or entity  
386 from whom the covered officer or reporting employee may not  
387 solicit a gift under s. 112.3148(3).

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

392 (7) A covered officer or reporting employee who is employed  
393 in such position on or after July 1, 2019, may not solicit an  
394 employment or contractual relationship from or negotiate an  
395 employment or contractual relationship with a restricted  
396 employer except as provided in this subsection.

397 (a) A covered officer or reporting employee may solicit a  
398 future employment or contractual relationship from or negotiate  
399 a future employment or contractual relationship with a  
400 restricted employer within 90 days before the expiration of the  
401 officer's term of office, if the officer does not seek  
402 reappointment, or within 90 days before the officer's or  
403 employee's termination or retirement date, if he or she provides  
404 notice of termination or retirement to the head of his or her  
405 agency, the general counsel or inspector general of his or her  
406 agency, or any other officer or attorney designated by the head

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407 of his or her agency.

408 (b) If a covered officer or reporting employee has been  
409 notified by his or her appointing authority or employing agency  
410 that he or she will be discharged from office or dismissed or  
411 terminated from employment, he or she may solicit a future  
412 employment or contractual relationship from or negotiate a  
413 future employment or contractual relationship with a restricted  
414 employer at any time after such notice but not sooner than 180  
415 days before his or her employment is scheduled to end.

416 (c) A covered officer or reporting employee must disclose  
417 to the head of his or her agency, the general counsel or  
418 inspector general of his or her agency, or any other officer or  
419 attorney designated by the head of his or her agency any offer  
420 from a restricted employer of an employment or a contractual  
421 relationship. After such disclosure, a covered officer or  
422 reporting employee may negotiate an employment or a contractual  
423 relationship with the restricted employer if expressly  
424 authorized by the head of his or her agency or the agency head's  
425 authorized designee. Permission may be withheld only if the  
426 agency head or his or her authorized designee determines such  
427 negotiation poses an actual or a potential conflict with the  
428 interests of the state or the agency.

429 (d) This subsection does not authorize any employment or  
430 contractual relationship solicitation otherwise prohibited by  
431 general law.

432 (9) ~~(8)~~ Subsections (1) through (6) of this section do not  
433 apply ~~is not applicable~~ to any employee of the Public Service  
434 Commission who was so employed on or before December 31, 1994,  
435 unless so employed on or after July 1, 2019.

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436 Section 6. Paragraphs (a), (f), and (h) of subsection (1),  
 437 subsections (3) and (4), paragraph (a) of subsection (5), and  
 438 subsections (7) and (8) of section 112.3215, Florida Statutes,  
 439 are amended, and subsection (15) of that section is reenacted,  
 440 to read:

441 112.3215 Lobbying before the executive branch or the  
 442 Constitution Revision Commission; registration and reporting;  
 443 investigation by commission.—

444 (1) For the purposes of this section:

445 (a) "Agency" means the Governor; the Governor and  
 446 Cabinet; ~~or~~ any department, division, bureau, board,  
 447 commission, or authority of the executive branch; the State  
 448 Board of Education; or the Board of Governors of the State  
 449 University System. The term also includes ~~In addition,~~ "agency"  
 450 ~~shall mean~~ the Constitution Revision Commission as provided by  
 451 s. 2, Art. XI of the State Constitution.

452 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of  
 453 another person, to influence an agency with respect to a  
 454 decision of the agency in the area of policy or procurement or  
 455 an attempt to obtain the goodwill of an agency official or  
 456 employee. The term ~~"Lobbies"~~ also means influencing or  
 457 attempting to influence, on behalf of another, the Constitution  
 458 Revision Commission's action or nonaction through oral or  
 459 written communication or an attempt to obtain the goodwill of a  
 460 member or employee of the Constitution Revision Commission.

461 (h) "Lobbyist" means a person who is employed and receives  
 462 payment, or who contracts for economic consideration, for the  
 463 purpose of lobbying, or a person who is principally employed for  
 464 governmental affairs by another person or governmental entity to



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465 lobby on behalf of that other person or governmental entity. For  
466 purposes of this paragraph, the phrase "principally employed for  
467 governmental affairs" means that one of the principal or most  
468 significant responsibilities of the employee to the employer is  
469 overseeing the employer's various relationships with government  
470 or representing the employer in its contacts with government.  
471 The term "Lobbyist" does not include a person who is:

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

476 2. An officer or employee of an agency, or of a legislative  
477 or judicial branch entity, or a political subdivision of this  
478 state acting in the normal course of his or her office or  
479 duties.

480 3. A confidential informant who is providing, or wishes to  
481 provide, confidential information to be used for law enforcement  
482 purposes.

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

486 (3) A person may not lobby an agency until such person has  
487 electronically registered as a lobbyist with the commission.  
488 Such registration shall be due upon initially being retained to  
489 lobby and is renewable on a calendar year basis thereafter. The  
490 commission shall request authorization from the principal with  
491 the principal's name, business address, e-mail address, and  
492 telephone number to confirm that the registrant is authorized to  
493 represent the principal ~~Upon registration the person shall~~

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494 ~~provide a statement signed by the principal or principal's~~  
 495 ~~representative that the registrant is authorized to represent~~  
 496 ~~the principal.~~ The principal or principal's representative shall  
 497 also identify and designate its main business pursuant to the  
 498 North American Industry Classification System six-digit  
 499 numerical code that most accurately describes the principal's  
 500 main business. Registration is not complete until the commission  
 501 receives the principal's authorization and the registration fee  
 502 ~~on the statement authorizing that lobbyist pursuant to a~~  
 503 ~~classification system approved by the commission.~~ The  
 504 registration shall require each lobbyist to attest to disclose,  
 505 ~~under oath,~~ the following information:

506 (a) Full legal name, e-mail address, telephone number, Name  
 507 and business address;

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

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

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

512 (d)-(e) The existence of any direct or indirect business  
 513 association, partnership, or financial relationship with any  
 514 employee of an agency with which he or she lobbies, or intends  
 515 to lobby, as disclosed in the registration.

516 (4) The annual lobbyist registration fee must ~~shall~~ be set  
 517 by the commission by rule, not to exceed \$20 ~~\$40~~ for each  
 518 principal represented. Additionally, for each principal  
 519 represented, a fee must be set by commission rule, not to exceed  
 520 \$5, for each additional agency lobbied following the first  
 521 agency that is lobbied.

522 (5) (a) 1. Each lobbying firm shall file a compensation

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523 report with the commission for each calendar quarter during any  
524 portion of which one or more of the firm's lobbyists were  
525 registered to represent a principal. The report shall include  
526 the:

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

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

530 c. Total compensation provided or owed to the lobbying firm  
531 from all principals for the reporting period, reported in one of  
532 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;  
533 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
534 \$999,999; \$1 million or more.

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

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

540 b. Total compensation provided or owed to the lobbying firm  
541 for the reporting period, reported in one of the following  
542 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
543 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
544 more. If the category "\$50,000 or more" is selected, the  
545 specific dollar amount of compensation must be reported, rounded  
546 up or down to the nearest \$1,000.

547 3. If the lobbying firm subcontracts work from another  
548 lobbying firm and not from the original principal:

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

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552           b. The reporting lobbying firm shall, for each lobbying  
553 firm identified under subparagraph 2., identify the name and  
554 address of the principal originating the lobbying work.

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

558           (7) A lobbyist shall promptly send a written statement to  
559 the commission canceling the designation of registration for a  
560 principal in his or her registration upon termination of such  
561 ~~the lobbyist's representation of that principal.~~ The commission  
562 may cancel a lobbyist's designation of a principal upon the  
563 principal's notification that the lobbyist is no longer  
564 authorized to represent the principal ~~Notwithstanding this~~  
565 ~~requirement, the commission may remove the name of a lobbyist~~  
566 ~~from the list of registered lobbyists if the principal notifies~~  
567 ~~the office that a person is no longer authorized to represent~~  
568 ~~that principal.~~

569           (8) (a) The commission shall investigate every sworn  
570 complaint that is filed with it alleging that a person covered  
571 by this section has failed to register, has failed to submit a  
572 compensation report, has made a prohibited expenditure, or has  
573 knowingly submitted false information in any report or  
574 registration required in this section.

575           (b) All proceedings, the complaint, and other records  
576 relating to the investigation are confidential and exempt from  
577 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
578 Constitution, and any meetings held pursuant to an investigation  
579 are exempt from the provisions of s. 286.011(1) and s. 24(b),  
580 Art. I of the State Constitution either until the alleged

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

585 (c) The commission shall investigate any lobbying firm,  
586 lobbyist, principal, agency, officer, or employee upon receipt  
587 of information from a sworn complaint or from a random audit of  
588 lobbying reports indicating that the individual or entity has  
589 intentionally failed to disclose any material fact or has  
590 knowingly submitted false information in any report required by  
591 this section or by rules adopted pursuant to this section a  
592 ~~possible violation other than a late-filed report.~~

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

599 (e)1. Records relating to an audit conducted pursuant to  
600 this section or an investigation conducted pursuant to this  
601 section or s. 112.32155 are confidential and exempt from s.  
602 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

606 3. The exemptions no longer apply if the lobbying firm  
607 requests in writing that such investigation and associated  
608 records and meetings be made public or the commission determines  
609 there is probable cause that the audit reflects a violation of

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610 the reporting laws.

611 (15) The commission shall adopt rules to administer this  
612 section, which shall prescribe forms for registration and  
613 compensation reports, procedures for registration, and  
614 procedures that will prevent disclosure of information that is  
615 confidential as provided in this section.

616 Section 7. Section 420.5061, Florida Statutes, is amended  
617 to read:

618 420.5061 Transfer of agency assets and liabilities.—The  
619 corporation is the legal successor in all respects to the  
620 agency, is obligated to the same extent as the agency under any  
621 agreements existing on December 31, 1997, and is entitled to any  
622 rights and remedies previously afforded the agency by law or  
623 contract, including specifically the rights of the agency under  
624 chapter 201 and part VI of chapter 159. Effective January 1,  
625 1998, all references under Florida law to the agency are deemed  
626 to mean the corporation. The corporation shall transfer to the  
627 General Revenue Fund an amount which otherwise would have been  
628 deducted as a service charge pursuant to s. 215.20(1) if the  
629 Florida Housing Finance Corporation Fund established by s.  
630 420.508(5), the State Apartment Incentive Loan Fund established  
631 by s. 420.5087(7), the Florida Homeownership Assistance Fund  
632 established by s. 420.5088(4), the HOME Investment Partnership  
633 Fund established by s. 420.5089(1), and the Housing  
634 Predevelopment Loan Fund established by s. 420.525(1) were each  
635 trust funds. For purposes of s. 112.313, the corporation is  
636 deemed to be a continuation of the agency, and the provisions  
637 thereof are deemed to apply as if the same entity remained in  
638 place. ~~Any employees of the agency and agency board members~~

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639 covered by ~~s. 112.313(9)(a)6.~~ shall continue to be entitled to  
640 the exemption in that subparagraph, notwithstanding being hired  
641 by the corporation or appointed as board members of the  
642 corporation.

643 Section 8. This act shall take effect July 1, 2019.