



185834

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/12/2019	.	
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The Committee on Appropriations (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 112.31446, Florida Statutes, is created
to read:

112.31446 Electronic filing system for financial
disclosure.-

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

(a) "Disclosure of financial interests" or "disclosure"



11 includes a full and public disclosure of financial interests and
12 a final full and public disclosure of financial interests, and
13 any amendments thereto.

14 (b) "Electronic filing system" means an Internet-based
15 system for receiving, reporting, and publishing disclosures of
16 financial interests, statements of financial interests, or any
17 other form that is required under s. 112.3144 or s. 112.3145.

18 (c) "Statement of financial interests" or "statement"
19 includes a statement of financial interests and a final
20 statement of financial interests, and any amendments thereto.

21 (2) By January 1, 2022, the commission shall procure and
22 test an electronic filing system. At a minimum, the electronic
23 filing system must:

24 (a) Provide access through the Internet for the completion
25 and submission of disclosures of financial interests, statements
26 of financial interests, or any other form that is required under
27 s. 112.3144 or s. 112.3145.

28 (b) Make filings available in a searchable format that is
29 accessible by an individual using standard Internet-browsing
30 software.

31 (c) Issue a verification or receipt that the commission has
32 received the submitted disclosure or statement.

33 (d) Provide security that prevents unauthorized access to
34 the electronic filing system's functions or data.

35 (e) Provide a method for an attorney or a certified public
36 accountant licensed in this state to complete the disclosure or
37 statement and certify that he or she prepared the disclosure or
38 statement in accordance with s. 112.3144 or s. 112.3145 and the
39 instructions for completing the disclosure or statement, and



185834

40 that, upon his or her reasonable knowledge and belief, the
41 information on the disclosure or statement is true and correct.

42 (3) Each unit of government shall provide an e-mail address
43 to any of its officers, members, or employees who must file a
44 disclosure of financial interests or a statement of financial
45 interests, and provide such e-mail addresses to the commission
46 by February 1 of each year. A person required to file a
47 disclosure of financial interests or statement of financial
48 interests must inform the commission immediately of any change
49 in his or her e-mail address.

50 (4) The commission shall provide each person required to
51 file a disclosure of financial interests or statement of
52 financial interests a secure log-in to the electronic filing
53 system. Such person is responsible for protecting his or her
54 secure log-in credentials from disclosure and is responsible for
55 all filings submitted to the commission with such credentials,
56 unless the person has notified the commission that his or her
57 credentials have been compromised.

58 (5) If the electronic filing system is inoperable and
59 prevents timely submission of disclosures of financial interests
60 or statements of financial interests, as determined by the
61 commission chair, or if the Governor has declared a state of
62 emergency and a person required to submit a disclosure or
63 statement resides in an area included in the state of emergency
64 and is prevented from submitting the disclosure or statement
65 electronically, the commission chair must extend the filing
66 deadline for submission by such persons of disclosures or
67 statements by either the same period of time for which the
68 system was deemed inoperable or by 90 days for persons who



185834

69 reside in an area included in a state of emergency, whichever is
70 applicable.

71 Section 2. Effective January 1, 2020, subsection (10) of
72 section 112.312, Florida Statutes, is amended to read:

73 112.312 Definitions.—As used in this part and for purposes
74 of the provisions of s. 8, Art. II of the State Constitution,
75 unless the context otherwise requires:

76 (10) "Disclosure period" means the calendar taxable year,
77 if disclosure is required for the entire year, or the portion of
78 a calendar year ending with the last day of the period for which
79 disclosure is required for the person or business entity,
80 whether based on a calendar or fiscal year, immediately
81 preceding the date on which, or the last day of the period
82 during which, the financial disclosure statement required by
83 this part is required to be filed.

84 Section 3. Section 112.3144, Florida Statutes, is amended
85 to read:

86 112.3144 Full and public disclosure of financial
87 interests.—

88 (1) An officer who is required by s. 8, Art. II of the
89 State Constitution to file a full and public disclosure of his
90 or her financial interests for any calendar or fiscal year, or
91 any other person required by law to file a disclosure under this
92 section, shall file that disclosure with the Florida Commission
93 on Ethics. Additionally, ~~beginning January 1, 2015,~~ an officer
94 who is required to complete annual ethics training pursuant to
95 s. 112.3142 must certify on his or her full and public
96 disclosure of financial interests that he or she has completed
97 the required training.



185834

98 (2) Beginning January 1, 2022, all disclosures filed with
99 the commission must be filed electronically through an
100 electronic filing system created and maintained by the
101 commission as provided in s. 112.31446.

102 (3) A person who is required, pursuant to s. 8, Art. II of
103 the State Constitution, to file a full and public disclosure of
104 financial interests and who has filed a full and public
105 disclosure of financial interests for any calendar or fiscal
106 year shall not be required to file a statement of financial
107 interests pursuant to s. 112.3145(2) and (3) for the same year
108 or for any part thereof notwithstanding any requirement of this
109 part. Until the electronic filing system required by subsection
110 (2) is implemented, if an incumbent in an elective office has
111 filed the full and public disclosure of financial interests to
112 qualify for election to the same office or if a candidate for
113 office holds another office subject to the annual filing
114 requirement, the qualifying officer shall forward an electronic
115 copy of the full and public disclosure of financial interests to
116 the commission no later than July 1. The electronic copy of the
117 full and public disclosure of financial interests satisfies the
118 annual disclosure requirement of this section. A candidate who
119 does not qualify until after the annual full and public
120 disclosure of financial interests has been filed pursuant to
121 this section shall file a copy of his or her disclosure with the
122 officer before whom he or she qualifies.

123 (4) Beginning January 1, 2022, an incumbent in an elective
124 office or a candidate holding another position subject to an
125 annual filing requirement may submit either a copy of the full
126 and public disclosure of financial interests filed with the



185834

127 commission, or a verification or receipt of the filing, with the
128 officer before whom he or she qualifies. A candidate not subject
129 to an annual filing requirement does not file with the
130 commission, but may complete and print a full and public
131 disclosure of financial interests to file with the officer
132 before whom he or she qualifies.

133 (5)-(3) For purposes of full and public disclosure under s.
134 8(a), Art. II of the State Constitution, the following items, if
135 not held for investment purposes and if valued at over \$1,000 in
136 the aggregate, may be reported in a lump sum and identified as
137 "household goods and personal effects":

- 138 (a) Jewelry;
- 139 (b) Collections of stamps, guns, and numismatic properties;
- 140 (c) Art objects;
- 141 (d) Household equipment and furnishings;
- 142 (e) Clothing;
- 143 (f) Other household items; and
- 144 (g) Vehicles for personal use.

145 (6) (a) (4) (a) With respect to reporting, ~~on forms prescribed~~
146 ~~under this section,~~ assets valued in excess of \$1,000 which the
147 reporting individual holds jointly with another person, the
148 amount reported shall be based on the reporting individual's
149 legal percentage of ownership in the property. However, assets
150 that are held jointly, with right of survivorship, must be
151 reported at 100 percent of the value of the asset. For purposes
152 of this subsection, a reporting individual is deemed to own a
153 percentage of a partnership which is equal to the reporting
154 individual's interest in the capital or equity of the
155 partnership.



156 (b)1. With respect to reporting liabilities valued in
157 excess of \$1,000 ~~on forms prescribed under this section~~ for
158 which the reporting individual is jointly and severally liable,
159 the amount reported shall be based on the reporting individual's
160 percentage of liability rather than the total amount of the
161 liability. However, liability for a debt that is secured by
162 property owned by the reporting individual but that is held
163 jointly, with right of survivorship, must be reported at 100
164 percent of the total amount owed.

165 2. A separate section of the form shall be created to
166 provide for the reporting of the amounts of joint and several
167 liability of the reporting individual not otherwise reported in
168 subparagraph 1.

169 (c) Each separate source and amount of income which exceeds
170 \$1,000 must be identified. Beginning January 1, 2022, a federal
171 income tax return may not be used for purposes of reporting
172 income, and the commission may not accept a federal income tax
173 return or a copy thereof.

174 (7) (a) Beginning January 1, 2022, a filer may not include
175 in a filing to the commission a federal income tax return, or a
176 copy thereof; a social security number; a bank, mortgage, or
177 brokerage account number; a debit, charge, or credit card
178 number; a personal identification number; or a taxpayer
179 identification number. If a filer includes such information in
180 his or her filing, the information may be made available as part
181 of the official records of the commission available for public
182 inspection and copying unless redaction is requested by the
183 filer. The commission is not liable for the release of social
184 security numbers or bank account, debit, charge, or credit card



185834

185 numbers included in a filing to the commission if the filer has
186 not requested redaction of the information.

187 (b) The commission shall redact a filer's social security
188 number; bank account number; debit, charge, or credit card
189 number; or any other personal or account information that is
190 legally protected from disclosure under state or federal law
191 upon written notification from the filer of its inadvertent
192 inclusion. Such notice must specify the information
193 inadvertently included and the specific section or sections of
194 the disclosure in which it was included.

195 (c) The commission must conspicuously post a notice, in
196 substantially the following form, in the instructions for the
197 electronic filing system specifying that:

198 1. Any filer submitting information through the electronic
199 filing system may not include a federal income tax return, or a
200 copy thereof; a social security number; a bank, mortgage, or
201 brokerage account number; a debit, charge, or credit card
202 number; a personal identification number; or a taxpayer
203 identification number in any filing unless required by law.

204 2. Information submitted through the electronic filing
205 system may be open to public inspection and copying.

206 3. Any filer has a right to request the commission to
207 redact from his or her filing any social security number; bank
208 account number; or debit, charge, or credit card number
209 contained in the filing. Such request must be made in writing
210 and delivered to the commission. The request must specify the
211 information to be redacted and the specific section or sections
212 of the disclosure in which it was included.

213 (8)-(5) Forms or fields of information for compliance with



185834

214 the full and public disclosure requirements of s. 8, Art. II of
215 the State Constitution shall be prescribed ~~created~~ by the
216 commission ~~on Ethics~~. The commission shall give notice of
217 disclosure deadlines and delinquencies and distribute forms in
218 the following manner:

219 (a) Not later than May 1 of each year, the commission shall
220 prepare a current list of the names, e-mail addresses, and
221 physical addresses of and the offices held by every person
222 required to file full and public disclosure annually by s. 8,
223 Art. II of the State Constitution, or other state law. ~~In~~
224 ~~compiling the list, the commission shall be assisted by~~ Each
225 unit of government shall assist the commission in compiling the
226 list by ~~in providing to the commission not later than February 1~~
227 of each year ~~at the request of the commission~~ the name, e-mail
228 address, physical address, and name of the office held by such
229 person ~~each public official~~ within the respective unit of
230 government as of December 31 of the preceding year.

231 (b) Not later than June 1 ~~30 days before July 1~~ of each
232 year, the commission shall distribute ~~mail~~ a copy of the form
233 prescribed for compliance with full and public disclosure and a
234 notice of the filing deadline to each person on the ~~mailing~~
235 list. Beginning January 1, 2022, no paper forms will be
236 provided. The notice required under this paragraph and
237 instructions for electronic submission must be delivered by e-
238 mail.

239 (c) Not later than August 1 ~~30 days after July 1~~ of each
240 year, the commission shall determine which persons on the
241 ~~mailing~~ list have failed to file full and public disclosure and
242 shall send delinquency notices ~~by certified mail~~ to such



185834

243 persons. Each notice must ~~shall~~ state that a grace period is in
244 effect until September 1 of the current year. Beginning January
245 1, 2022, the notice required under this paragraph must be
246 delivered by e-mail and must be redelivered on a weekly basis so
247 long as a person remains delinquent.

248 (d) Disclosures ~~Statements~~ must be received by the
249 commission ~~filed~~ not later than 5 p.m. of the due date. However,
250 any disclosure ~~statement~~ that is postmarked by the United States
251 Postal Service by midnight of the due date is deemed to have
252 been filed in a timely manner, and a certificate of mailing
253 obtained from and dated by the United States Postal Service at
254 the time of the mailing, or a receipt from an established
255 courier company which bears a date on or before the due date,
256 constitutes proof of mailing in a timely manner. Beginning
257 January 1, 2022, upon request of the filer, the commission must
258 provide verification to the filer that the commission has
259 received the filed disclosure.

260 (e) Beginning January 1, 2022, a written declaration, as
261 provided for under s. 92.525(2), accompanied by an electronic
262 signature satisfies the requirement that the disclosure be
263 sworn.

264 (f) Any person who is required to file full and public
265 disclosure of financial interests and whose name is on the
266 commission's ~~mailing~~ list, and to whom notice has been sent, but
267 who fails to timely file is assessed a fine of \$25 per day for
268 each day late up to a maximum of \$1,500; however, this \$1,500
269 limitation on automatic fines does not limit the civil penalty
270 that may be imposed if the statement is filed more than 60 days
271 after the deadline and a complaint is filed, as provided in s.



185834

272 112.324. The commission must provide by rule the grounds for
273 waiving the fine and the procedures by which each person whose
274 name is on the ~~mailing~~ list and who is determined to have not
275 filed in a timely manner will be notified of assessed fines and
276 may appeal. The rule must provide for and make specific the
277 following:

278 1. The amount of the fine due is based upon the earliest of
279 the following:

280 a. When a statement is actually received by the office.

281 b. When the statement is postmarked.

282 c. When the certificate of mailing is dated.

283 d. When the receipt from an established courier company is
284 dated.

285 2. Upon receipt of the disclosure statement or upon accrual
286 of the maximum penalty, whichever occurs first, the commission
287 shall determine the amount of the fine which is due and shall
288 notify the delinquent person. The notice must include an
289 explanation of the appeal procedure under subparagraph 3. Such
290 fine must be paid within 30 days after the notice of payment due
291 is transmitted, unless appeal is made to the commission pursuant
292 to subparagraph 3. The moneys shall be deposited into the
293 General Revenue Fund.

294 3. Any reporting person may appeal or dispute a fine, based
295 upon unusual circumstances surrounding the failure to file on
296 the designated due date, and may request and is entitled to a
297 hearing before the commission, which may waive the fine in whole
298 or in part for good cause shown. Any such request must be in
299 writing and received by the commission ~~made~~ within 30 days after
300 the notice of payment due is transmitted. In such a case, the



185834

301 reporting person must, within the 30-day period, notify the
302 person designated to review the timeliness of reports in writing
303 of his or her intention to bring the matter before the
304 commission. For purposes of this subparagraph, the term "unusual
305 circumstances" does not include the failure to monitor an e-mail
306 account or failure to receive notice if the person has not
307 notified the commission of a change in his or her e-mail
308 address.

309 (g) ~~(f)~~ Any person subject to the annual filing of full and
310 public disclosure under s. 8, Art. II of the State Constitution,
311 or other state law, whose name is not on the commission's
312 ~~mailing~~ list of persons required to file full and public
313 disclosure is not subject to the fines or penalties provided in
314 this part for failure to file full and public disclosure in any
315 year in which the omission occurred, but nevertheless is
316 required to file the disclosure statement.

317 (h) ~~(g)~~ The notification requirements and fines of this
318 subsection do not apply to candidates or to the first filing
319 required of any person appointed to elective constitutional
320 office or other position required to file full and public
321 disclosure, unless the person's name is on the commission's
322 notification list and the person received notification from the
323 commission. The appointing official shall notify such newly
324 appointed person of the obligation to file full and public
325 disclosure by July 1. The notification requirements and fines of
326 this subsection do not apply to the final filing provided for in
327 subsection (10) ~~(7)~~.

328 (i) ~~(h)~~ Notwithstanding any provision of chapter 120, any
329 fine imposed under this subsection which is not waived by final



330 order of the commission and which remains unpaid more than 60
331 days after the notice of payment due or more than 60 days after
332 the commission renders a final order on the appeal must be
333 submitted to the Department of Financial Services as a claim,
334 debt, or other obligation owed to the state, and the department
335 shall assign the collection of such fine to a collection agent
336 as provided in s. 17.20.

337 (9)~~(6)~~ If a person holding public office or public
338 employment fails or refuses to file a full and public disclosure
339 of financial interests for any year in which the person received
340 notice from the commission regarding the failure to file and has
341 accrued the maximum automatic fine authorized under this
342 section, regardless of whether the fine imposed was paid or
343 collected, the commission shall initiate an investigation and
344 conduct a public hearing without receipt of a complaint to
345 determine whether the person's failure to file is willful. Such
346 investigation and hearing must be conducted in accordance with
347 s. 112.324. Except as provided in s. 112.324(4), if the
348 commission determines that the person willfully failed to file a
349 full and public disclosure of financial interests, the
350 commission shall enter an order recommending that the officer or
351 employee be removed from his or her public office or public
352 employment. The commission shall forward its recommendations as
353 provided in s. 112.324.

354 (10)~~(7)~~ Each person required to file full and public
355 disclosure of financial interests shall file a final disclosure
356 statement within 60 days after leaving his or her public
357 position for the period between January 1 of the year in which
358 the person leaves and the last day of office or employment,



185834

359 unless within the 60-day period the person takes another public
360 position requiring financial disclosure under s. 8, Art. II of
361 the State Constitution, or is otherwise required to file full
362 and public disclosure for the final disclosure period. The head
363 of the agency of each person required to file full and public
364 disclosure for the final disclosure period shall notify such
365 persons of their obligation to file the final disclosure and may
366 designate a person to be responsible for the notification
367 requirements of this subsection.

368 (11) (a) ~~(8) (a)~~ The commission shall treat an amendment to a
369 ~~amended~~ full and public disclosure of financial interests which
370 is filed before September 1 of the year in which the disclosure
371 is due as part of the original filing, regardless of whether a
372 complaint has been filed. If a complaint alleges only an
373 immaterial, inconsequential, or de minimis error or omission,
374 the commission may not take any action on the complaint other
375 than notifying the filer of the complaint. The filer must be
376 given 30 days to file an amendment to the ~~amended~~ full and
377 public disclosure of financial interests correcting any errors.
378 If the filer does not file an amendment to the ~~amended~~ full and
379 public disclosure of financial interests within 30 days after
380 the commission sends notice of the complaint, the commission may
381 continue with proceedings pursuant to s. 112.324.

382 (b) For purposes of the final full and public disclosure of
383 financial interests, the commission shall treat an amendment to
384 a new final full and public disclosure of financial interests as
385 part of the original filing if filed within 60 days after the
386 original filing, regardless of whether a complaint has been
387 filed. If, more than 60 days after a final full and public



185834

388 disclosure of financial interests is filed, a complaint is filed
389 alleging a complete omission of any information required to be
390 disclosed by this section, the commission may immediately follow
391 the complaint procedures in s. 112.324. However, if the
392 complaint alleges an immaterial, inconsequential, or de minimis
393 error or omission, the commission may not take any action on the
394 complaint, other than notifying the filer of the complaint. The
395 filer must be given 30 days to file an amendment to the a new
396 final full and public disclosure of financial interests
397 correcting any errors. If the filer does not file an amendment
398 to the a new final full and public disclosure of financial
399 interests within 30 days after the commission sends notice of
400 the complaint, the commission may continue with proceedings
401 pursuant to s. 112.324.

402 (c) For purposes of this section, an error or omission is
403 immaterial, inconsequential, or de minimis if the original
404 filing provided sufficient information for the public to
405 identify potential conflicts of interest. However, failure to
406 certify completion of annual ethics training required under s.
407 112.3142 does not constitute an immaterial, inconsequential, or
408 de minimis error or omission.

409 (12) (a) (9) (a) An individual required to file a disclosure
410 pursuant to this section may have the disclosure prepared by an
411 attorney in good standing with The Florida Bar or by a certified
412 public accountant licensed under chapter 473. After preparing a
413 disclosure form, the attorney or certified public accountant
414 must sign the form indicating that he or she prepared the form
415 in accordance with this section and the instructions for
416 completing and filing the disclosure forms and that, upon his or



185834

417 her reasonable knowledge and belief, the disclosure is true and
418 correct. If a complaint is filed alleging a failure to disclose
419 information required by this section, the commission shall
420 determine whether the information was disclosed to the attorney
421 or certified public accountant. The failure of the attorney or
422 certified public accountant to accurately transcribe information
423 provided by the individual required to file is not a violation
424 of this section.

425 (b) An elected officer or candidate who chooses to use an
426 attorney or a certified public accountant to prepare his or her
427 disclosure may pay for the services of the attorney or certified
428 public accountant from funds in an office account created
429 pursuant to s. 106.141 or, during a year that the individual
430 qualifies for election to public office, the candidate's
431 campaign depository pursuant to s. 106.021.

432 (13)~~(10)~~ The commission shall adopt rules and forms
433 specifying how a person who is required to file full and public
434 disclosure of financial interests may amend his or her
435 disclosure statement to report information that was not included
436 on the form as originally filed. If the amendment is the subject
437 of a complaint filed under this part, the commission and the
438 proper disciplinary official or body shall consider as a
439 mitigating factor when considering appropriate disciplinary
440 action the fact that the amendment was filed before any
441 complaint or other inquiry or proceeding, while recognizing that
442 the public was deprived of access to information to which it was
443 entitled.

444 (14) The provisions of this section constitute a revision
445 to the schedule included in s. 8(i), Art. II of the State



185834

446 Constitution.

447 Section 4. Section 112.3145, Florida Statutes, is amended
448 to read:

449 112.3145 Disclosure of financial interests and clients
450 represented before agencies.—

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

453 (a) "Local officer" means:

454 1. Every person who is elected to office in any political
455 subdivision of the state, and every person who is appointed to
456 fill a vacancy for an unexpired term in such an elective office.

457 2. Any appointed member of any of the following boards,
458 councils, commissions, authorities, or other bodies of any
459 county, municipality, school district, independent special
460 district, or other political subdivision of the state:

461 a. The governing body of the political subdivision, if
462 appointed;

463 b. A community college or junior college district board of
464 trustees;

465 c. A board having the power to enforce local code
466 provisions;

467 d. A planning or zoning board, board of adjustment, board
468 of appeals, community redevelopment agency board, or other board
469 having the power to recommend, create, or modify land planning
470 or zoning within the political subdivision, except for citizen
471 advisory committees, technical coordinating committees, and such
472 other groups who only have the power to make recommendations to
473 planning or zoning boards;

474 e. A pension board or retirement board having the power to



185834

475 invest pension or retirement funds or the power to make a
476 binding determination of one's entitlement to or amount of a
477 pension or other retirement benefit; or

478 f. Any other appointed member of a local government board
479 who is required to file a statement of financial interests by
480 the appointing authority or the enabling legislation, ordinance,
481 or resolution creating the board.

482 3. Any person holding one or more of the following
483 positions: mayor; county or city manager; chief administrative
484 employee of a county, municipality, or other political
485 subdivision; county or municipal attorney; finance director of a
486 county, municipality, or other political subdivision; chief
487 county or municipal building code inspector; county or municipal
488 water resources coordinator; county or municipal pollution
489 control director; county or municipal environmental control
490 director; county or municipal administrator, with power to grant
491 or deny a land development permit; chief of police; fire chief;
492 municipal clerk; district school superintendent; community
493 college president; district medical examiner; or purchasing
494 agent having the authority to make any purchase exceeding the
495 threshold amount provided for in s. 287.017 for CATEGORY TWO
496 ~~ONE~~, on behalf of any political subdivision of the state or any
497 entity thereof.

498 (b) "Specified state employee" means:

499 1. Public counsel created by chapter 350, an assistant
500 state attorney, an assistant public defender, a criminal
501 conflict and civil regional counsel, an assistant criminal
502 conflict and civil regional counsel, a full-time state employee
503 who serves as counsel or assistant counsel to any state agency,



185834

504 ~~the Deputy Chief Judge of Compensation Claims, a judge of~~
505 ~~compensation claims,~~ an administrative law judge, or a hearing
506 officer.

507 2. Any person employed in the office of the Governor or in
508 the office of any member of the Cabinet if that person is exempt
509 from the Career Service System, except persons employed in
510 clerical, secretarial, or similar positions.

511 3. The State Surgeon General or each appointed secretary,
512 assistant secretary, deputy secretary, executive director,
513 assistant executive director, or deputy executive director of
514 each state department, commission, board, or council; unless
515 otherwise provided, the division director, assistant division
516 director, deputy director, and bureau chief, ~~and assistant~~
517 ~~bureau chief~~ of any state department or division; or any person
518 having the power normally conferred upon such persons, by
519 whatever title.

520 4. The superintendent or institute director of a state
521 mental health institute established for training and research in
522 the mental health field or the warden or director of any major
523 state institution or facility established for corrections,
524 training, treatment, or rehabilitation.

525 5. Business managers, purchasing agents having the power to
526 make any purchase exceeding the threshold amount provided for in
527 s. 287.017 for CATEGORY TWO ~~ONE~~, finance and accounting
528 directors, personnel officers, or grants coordinators for any
529 state agency.

530 6. Any person, other than a legislative assistant exempted
531 by the presiding officer of the house by which the legislative
532 assistant is employed, who is employed in the legislative branch



185834

533 of government, except persons employed in maintenance, clerical,
534 secretarial, or similar positions.

535 7. Each employee of the Commission on Ethics.

536 (c) "State officer" means:

537 1. Any elected public officer, excluding those elected to
538 the United States Senate and House of Representatives, not
539 covered elsewhere in this part and any person who is appointed
540 to fill a vacancy for an unexpired term in such an elective
541 office.

542 2. An appointed member of each board, commission,
543 authority, or council having statewide jurisdiction, excluding a
544 member of an advisory body.

545 3. A member of the Board of Governors of the State
546 University System or a state university board of trustees, the
547 Chancellor and Vice Chancellors of the State University System,
548 and the president of a state university.

549 4. A member of the judicial nominating commission for any
550 district court of appeal or any judicial circuit.

551 (2) (a) A person seeking nomination or election to a state
552 or local elective office shall file a statement of financial
553 interests together with, and at the same time he or she files,
554 qualifying papers. When a candidate has qualified for office
555 prior to the deadline to file an annual statement of financial
556 interests, the statement of financial interests that is filed
557 with the candidate's qualifying papers shall be deemed to
558 satisfy the annual disclosure requirement of this section. The
559 qualifying officer must record that the statement of financial
560 interests was timely filed. However, if a candidate does not
561 qualify until after the annual statement of financial interests



185834

562 has been filed, the candidate may file a copy of his or her
563 statement with the qualifying officer.

564 (b) Each state or local officer and each specified state
565 employee shall file a statement of financial interests no later
566 than July 1 of each year. Each state officer, local officer, and
567 specified state employee shall file a final statement of
568 financial interests within 60 days after leaving his or her
569 public position for the period between January 1 of the year in
570 which the person leaves and the last day of office or
571 employment, unless within the 60-day period the person takes
572 another public position requiring financial disclosure under
573 this section or s. 8, Art. II of the State Constitution or
574 otherwise is required to file full and public disclosure or a
575 statement of financial interests for the final disclosure
576 period. Each state or local officer who is appointed and each
577 specified state employee who is employed shall file a statement
578 of financial interests within 30 days from the date of
579 appointment or, in the case of a specified state employee, from
580 the date on which the employment begins, except that any person
581 whose appointment is subject to confirmation by the Senate shall
582 file prior to confirmation hearings or within 30 days from the
583 date of appointment, whichever comes first.

584 (c) Beginning January 1, 2023, an incumbent in an elective
585 office or a candidate holding another position subject to an
586 annual filing requirement may submit either a copy of the
587 statement of financial interests filed with the commission, or a
588 verification or receipt of the filing, with the officer before
589 whom he or she qualifies. A candidate not subject to an annual
590 filing requirement does not file with the commission, but may



185834

591 complete and print a statement of financial interests to file
592 with the officer before whom he or she qualifies.

593 (d) State officers and specified state employees shall file
594 their statements of financial interests with the commission ~~on~~
595 ~~Ethics~~. Local officers shall file their statements of financial
596 interests with the supervisor of elections of the county in
597 which they permanently reside. Local officers who do not
598 permanently reside in any county in the state shall file their
599 statements of financial interests with the supervisor of
600 elections of the county in which their agency maintains its
601 headquarters. Persons seeking to qualify as candidates for local
602 public office shall file their statements of financial interests
603 with the officer before whom they qualify.

604 (e) Beginning January 1, 2023, all statements filed with
605 the commission must be filed electronically through an
606 electronic filing system created and maintained by the
607 commission as provided in s. 112.31446.

608 (3) The statement of financial interests for state
609 officers, specified state employees, local officers, and persons
610 seeking to qualify as candidates for state or local office shall
611 be filed even if the reporting person holds no financial
612 interests requiring disclosure in a particular category, in
613 which case that section of the statement shall be marked "not
614 applicable." Otherwise, the statement of financial interests
615 must ~~shall~~ include the information under paragraph (a) or
616 paragraph (b). The reporting person shall indicate on the
617 statement whether he or she is using the reporting method under
618 paragraph (a) or paragraph (b). However, beginning January 1,
619 2023, only the reporting method specified under paragraph (b)



185834

620 may be used. The reporting methods are as follows, ~~at the~~
621 ~~filer's option, either:~~

622 (a)1. All sources of income in excess of 5 percent of the
623 gross income received during the disclosure period by the person
624 in his or her own name or by any other person for his or her use
625 or benefit, excluding public salary. However, this shall not be
626 construed to require disclosure of a business partner's sources
627 of income. The person reporting shall list such sources in
628 descending order of value with the largest source first;

629 2. All sources of income to a business entity in excess of
630 10 percent of the gross income of a business entity in which the
631 reporting person held a material interest and from which he or
632 she received an amount which was in excess of 10 percent of his
633 or her gross income during the disclosure period and which
634 exceeds \$1,500. The period for computing the gross income of the
635 business entity is the fiscal year of the business entity which
636 ended on, or immediately prior to, the end of the disclosure
637 period of the person reporting;

638 3. The location or description of real property in this
639 state, except for residences and vacation homes, owned directly
640 or indirectly by the person reporting, when such person owns in
641 excess of 5 percent of the value of such real property, and a
642 general description of any intangible personal property worth in
643 excess of 10 percent of such person's total assets. For the
644 purposes of this paragraph, indirect ownership does not include
645 ownership by a spouse or minor child; and

646 4. Every individual liability that equals more than the
647 reporting person's net worth; or

648 (b)1. All sources of gross income in excess of \$2,500



185834

649 received during the disclosure period by the person in his or
650 her own name or by any other person for his or her use or
651 benefit, excluding public salary. However, this shall not be
652 construed to require disclosure of a business partner's sources
653 of income. The person reporting shall list such sources in
654 descending order of value with the largest source first;

655 2. All sources of income to a business entity in excess of
656 10 percent of the gross income of a business entity in which the
657 reporting person held a material interest and from which he or
658 she received gross income exceeding \$5,000 during the disclosure
659 period. The period for computing the gross income of the
660 business entity is the fiscal year of the business entity which
661 ended on, or immediately prior to, the end of the disclosure
662 period of the person reporting;

663 3. The location or description of real property in this
664 state, except for residence and vacation homes, owned directly
665 or indirectly by the person reporting, when such person owns in
666 excess of 5 percent of the value of such real property, and a
667 general description of any intangible personal property worth in
668 excess of \$10,000. For the purpose of this paragraph, indirect
669 ownership does not include ownership by a spouse or minor child;
670 and

671 4. Every liability in excess of \$10,000.

672
673 ~~A person filing a statement of financial interests shall~~
674 ~~indicate on the statement whether he or she is using the method~~
675 ~~specified in paragraph (a) or paragraph (b).~~

676 (4) (a) Beginning January 1, 2023, a filer may not include
677 in a filing to the commission a federal income tax return, or a



185834

678 copy thereof; a social security number; a bank, mortgage, or
679 brokerage account number; a debit, charge, or credit card
680 number; a personal identification number; or a taxpayer
681 identification number. If a filer includes such information in
682 his or her filing, the information may be made available as part
683 of the official records of the commission available for public
684 inspection and copying unless redaction is requested by the
685 filer. The commission is not liable for the release of social
686 security numbers or bank account, debit, charge, or credit card
687 numbers included in a filing to the commission if the filer has
688 not requested redaction of the information.

689 (b) The commission shall redact a filer's social security
690 number; bank account number; debit, charge, or credit card
691 number; or any other personal or account information that is
692 legally protected from disclosure under state or federal law
693 upon written notification from the filer of its inadvertent
694 inclusion. Such notice must specify the information
695 inadvertently included and the specific section or sections of
696 the statement in which it was included.

697 (c) The commission must conspicuously post a notice, in
698 substantially the following form, in the instructions for the
699 electronic filing system specifying that:

700 1. Any filer submitting information through the electronic
701 filing system may not include a federal income tax return, or a
702 copy thereof; a social security number; a bank, mortgage, or
703 brokerage account number; a debit, charge, or credit card
704 number; a personal identification number; or a taxpayer
705 identification number in any filing unless required by law.

706 2. Information submitted through the electronic filing



185834

707 system may be open to public inspection and copying.

708 3. Any filer has a right to request the commission to
709 redact from his or her filing any social security number; bank
710 account number; or debit, charge, or credit card number
711 contained in the filing. Such request must be made in writing
712 and delivered to the commission. The request must specify the
713 information to be redacted and the specific section or sections
714 of the disclosure in which it was included.

715 (5) Beginning January 1, 2015, An officer who is required
716 to complete annual ethics training pursuant to s. 112.3142 must
717 certify on his or her statement of financial interests that he
718 or she has completed the required training.

719 (6) ~~(5)~~ Each elected constitutional officer, state officer,
720 local officer, and specified state employee shall file a
721 quarterly report of the names of clients represented for a fee
722 or commission, except for appearances in ministerial matters,
723 before agencies at his or her level of government. For the
724 purposes of this part, agencies of government shall be
725 classified as state-level agencies or agencies below state
726 level. Each local officer shall file such report with the
727 supervisor of elections of the county in which the officer is
728 principally employed or is a resident. Each state officer,
729 elected constitutional officer, and specified state employee
730 shall file such report with the commission. The report shall be
731 filed only when a reportable representation is made during the
732 calendar quarter and shall be filed no later than the last day
733 of each calendar quarter, for the previous calendar quarter.
734 Representation before any agency shall be deemed to include
735 representation by such officer or specified state employee or by



185834

736 any partner or associate of the professional firm of which he or
737 she is a member and of which he or she has actual knowledge. For
738 the purposes of this subsection, the term "representation before
739 any agency" does not include appearances before any court or the
740 Deputy Chief Judge of Compensation Claims or judges of
741 compensation claims or representations on behalf of one's agency
742 in one's official capacity. Such term does not include the
743 preparation and filing of forms and applications merely for the
744 purpose of obtaining or transferring a license based on a quota
745 or a franchise of such agency or a license or operation permit
746 to engage in a profession, business, or occupation, so long as
747 the issuance or granting of such license, permit, or transfer
748 does not require substantial discretion, a variance, a special
749 consideration, or a certificate of public convenience and
750 necessity.

751 (7)~~(6)~~ Each elected constitutional officer and each
752 candidate for such office, any other public officer required
753 pursuant to s. 8, Art. II of the State Constitution to file a
754 full and public disclosure of his or her financial interests,
755 and each state officer, local officer, specified state employee,
756 and candidate for elective public office who is or was during
757 the disclosure period an officer, director, partner, proprietor,
758 or agent, other than a resident agent solely for service of
759 process, of, or owns or owned during the disclosure period a
760 material interest in, any business entity which is granted a
761 privilege to operate in this state shall disclose such facts as
762 a part of the disclosure form filed pursuant to s. 8, Art. II of
763 the State Constitution or this section, as applicable. The
764 statement shall give the name, address, and principal business



185834

765 activity of the business entity and shall state the position
766 held with such business entity or the fact that a material
767 interest is owned and the nature of that interest.

768 (8)~~(7)~~ Forms for compliance with the disclosure
769 requirements of this section and a current list of persons
770 subject to disclosure shall be created by the commission and
771 provided to each supervisor of elections. The commission and
772 each supervisor of elections shall give notice of disclosure
773 deadlines and delinquencies and distribute forms in the
774 following manner:

775 (a)1. Not later than May 1 of each year, the commission
776 shall prepare a current list of the names, e-mail addresses, and
777 physical addresses of, and the offices or positions held by,
778 every state officer, local officer, and specified employee. ~~In~~
779 ~~compiling the list, the commission shall be assisted by~~ Each
780 unit of government shall assist the commission in compiling the
781 list by ~~in~~ providing to the commission not later than February 1
782 of each year, ~~at the request of the commission~~, the name, e-mail
783 address, physical address, and name of agency of, and the office
784 or position held by, each state officer, local officer, or
785 specified state employee within the respective unit of
786 government as of December 31 of the preceding year.

787 2. Not later than May 15 of each year, the commission shall
788 provide each supervisor of elections with a current ~~mailing~~ list
789 of all local officers required to file with such supervisor of
790 elections.

791 (b) Not later than June 1 ~~30 days before July 1~~ of each
792 year, the commission and each supervisor of elections, as
793 appropriate, shall distribute ~~mail~~ a copy of the form prescribed



185834

794 for compliance with subsection (3) and a notice of all
795 applicable disclosure forms and filing deadlines to each person
796 required to file a statement of financial interests. Beginning
797 January 1, 2023, no paper forms will be provided. The notice
798 required under this paragraph and instructions for electronic
799 submission must be delivered by e-mail.

800 (c) Not later than August 1 ~~30 days after July 1~~ of each
801 year, the commission and each supervisor of elections shall
802 determine which persons required to file a statement of
803 financial interests in their respective offices have failed to
804 do so and shall send delinquency notices ~~by certified mail,~~
805 ~~return receipt requested,~~ to these persons. Each notice must
806 ~~shall~~ state that a grace period is in effect until September 1
807 of the current year; that no investigative or disciplinary
808 action based upon the delinquency will be taken by the agency
809 head or commission if the statement is filed by September 1 of
810 the current year; that, if the statement is not filed by
811 September 1 of the current year, a fine of \$25 for each day late
812 will be imposed, up to a maximum penalty of \$1,500; for notices
813 distributed ~~sent~~ by a supervisor of elections, that he or she is
814 required by law to notify the commission of the delinquency; and
815 that, if upon the filing of a sworn complaint the commission
816 finds that the person has failed to timely file the statement
817 within 60 days after September 1 of the current year, such
818 person will also be subject to the penalties provided in s.
819 112.317. Beginning January 1, 2023, the notice required under
820 this paragraph must be delivered by e-mail and must be
821 redelivered on a weekly basis so long as a person remains
822 delinquent.



185834

823 (d) No later than November 15 of each year, the supervisor
824 of elections in each county shall certify to the commission a
825 list of the names and addresses of, and the offices or positions
826 held by, all persons who have failed to timely file the required
827 statements of financial interests. The certification must
828 include the earliest of the dates described in subparagraph
829 (g)1. ~~(f)1.~~ The certification shall be on a form prescribed by
830 the commission and shall indicate whether the supervisor of
831 elections has provided the disclosure forms and notice as
832 required by this subsection to all persons named on the
833 delinquency list.

834 (e) Statements must be received by the commission ~~filed~~ not
835 later than 5 p.m. of the due date. However, any statement that
836 is postmarked by the United States Postal Service by midnight of
837 the due date is deemed to have been filed in a timely manner,
838 and a certificate of mailing obtained from and dated by the
839 United States Postal Service at the time of the mailing, or a
840 receipt from an established courier company which bears a date
841 on or before the due date, constitutes proof of mailing in a
842 timely manner. Beginning January 1, 2023, upon request of the
843 filer, the commission must provide verification to the filer
844 that the commission has received the filed statement.

845 (f) Beginning January 1, 2023, the statement must be
846 accompanied by a declaration as provided in s. 92.525(2) and an
847 electronic acknowledgment thereof.

848 (g) Any person who is required to file a statement of
849 financial interests and whose name is on the commission's
850 mailing list, and to whom notice has been sent, but who fails to
851 timely file is assessed a fine of \$25 per day for each day late



185834

852 up to a maximum of \$1,500; however, this \$1,500 limitation on
853 automatic fines does not limit the civil penalty that may be
854 imposed if the statement is filed more than 60 days after the
855 deadline and a complaint is filed, as provided in s. 112.324.
856 The commission must provide by rule the grounds for waiving the
857 fine and procedures by which each person whose name is on the
858 ~~mailing~~ list and who is determined to have not filed in a timely
859 manner will be notified of assessed fines and may appeal. The
860 rule must provide for and make specific the following:

861 1. The amount of the fine due is based upon the earliest of
862 the following:

863 a. When a statement is actually received by the office.

864 b. When the statement is postmarked.

865 c. When the certificate of mailing is dated.

866 d. When the receipt from an established courier company is
867 dated.

868 2. For a specified state employee or a state officer, upon
869 receipt of the disclosure statement by the commission or upon
870 accrual of the maximum penalty, whichever occurs first, and for
871 a local officer upon receipt by the commission of the
872 certification from the local officer's supervisor of elections
873 pursuant to paragraph (d), the commission shall determine the
874 amount of the fine which is due and shall notify the delinquent
875 person. The notice must include an explanation of the appeal
876 procedure under subparagraph 3. The fine must be paid within 30
877 days after the notice of payment due is transmitted, unless
878 appeal is made to the commission pursuant to subparagraph 3. The
879 moneys are to be deposited into the General Revenue Fund.

880 3. Any reporting person may appeal or dispute a fine, based



185834

881 upon unusual circumstances surrounding the failure to file on
882 the designated due date, and may request and is entitled to a
883 hearing before the commission, which may waive the fine in whole
884 or in part for good cause shown. Any such request must be in
885 writing and received by the commission ~~made~~ within 30 days after
886 the notice of payment due is transmitted. In such a case, the
887 reporting person must, within the 30-day period, notify the
888 person designated to review the timeliness of reports in writing
889 of his or her intention to bring the matter before the
890 commission. For purposes of this subparagraph, the term "unusual
891 circumstances" does not include the failure to monitor an e-mail
892 account or failure to receive notice if the person has not
893 notified the commission of a change in his or her e-mail
894 address.

895 (h) ~~(g)~~ Any state officer, local officer, or specified
896 employee whose name is not on the ~~mailing~~ list of persons
897 required to file an annual statement of financial interests is
898 not subject to the penalties provided in s. 112.317 or the fine
899 provided in this section for failure to timely file a statement
900 of financial interests in any year in which the omission
901 occurred, but nevertheless is required to file the disclosure
902 statement.

903 (i) ~~(h)~~ The notification requirements and fines of this
904 subsection do not apply to candidates or to the first or final
905 filing required of any state officer, specified employee, or
906 local officer as provided in paragraph (2) (b).

907 (j) ~~(i)~~ Notwithstanding any provision of chapter 120, any
908 fine imposed under this subsection which is not waived by final
909 order of the commission and which remains unpaid more than 60



185834

910 days after the notice of payment due or more than 60 days after
911 the commission renders a final order on the appeal must be
912 submitted to the Department of Financial Services as a claim,
913 debt, or other obligation owed to the state, and the department
914 shall assign the collection of such a fine to a collection agent
915 as provided in s. 17.20.

916 (9) (a) ~~(8) (a)~~ The appointing official or body shall notify
917 each newly appointed local officer, state officer, or specified
918 state employee, not later than the date of appointment, of the
919 officer's or employee's duty to comply with the disclosure
920 requirements of this section. The agency head of each employing
921 agency shall notify each newly employed local officer or
922 specified state employee, not later than the day of employment,
923 of the officer's or employee's duty to comply with the
924 disclosure requirements of this section. The appointing official
925 or body or employing agency head may designate a person to be
926 responsible for the notification requirements of this paragraph.

927 (b) The agency head of the agency of each local officer,
928 state officer, or specified state employee who is required to
929 file a statement of financial interests for the final disclosure
930 period shall notify such persons of their obligation to file the
931 final disclosure and may designate a person to be responsible
932 for the notification requirements of this paragraph.

933 (c) If a person holding public office or public employment
934 fails or refuses to file an annual statement of financial
935 interests for any year in which the person received notice from
936 the commission regarding the failure to file and has accrued the
937 maximum automatic fine authorized under this section, regardless
938 of whether the fine imposed was paid or collected, the



185834

939 commission shall initiate an investigation and conduct a public
940 hearing without receipt of a complaint to determine whether the
941 person's failure to file is willful. Such investigation and
942 hearing must be conducted in accordance with s. 112.324. Except
943 as provided in s. 112.324(4), if the commission determines that
944 the person willfully failed to file a statement of financial
945 interests, the commission shall enter an order recommending that
946 the officer or employee be removed from his or her public office
947 or public employment. The commission shall forward its
948 recommendation as provided in s. 112.324.

949 (10)-(9) A public officer who has filed a disclosure for any
950 calendar or fiscal year shall not be required to file a second
951 disclosure for the same year or any part thereof,
952 notwithstanding any requirement of this act, except that any
953 public officer who qualifies as a candidate for public office
954 shall file a copy of the disclosure with the officer before whom
955 he or she qualifies as a candidate at the time of qualification.

956 (11) (a)-(10) (a) The commission shall treat an amendment to
957 an amended annual statement of financial interests which is
958 filed before September 1 of the year in which the statement is
959 due as part of the original filing, regardless of whether a
960 complaint has been filed. If a complaint alleges only an
961 immaterial, inconsequential, or de minimis error or omission,
962 the commission may not take any action on the complaint other
963 than notifying the filer of the complaint. The filer must be
964 given 30 days to file an amendment to the amended statement of
965 financial interests correcting any errors. If the filer does not
966 file an amendment to the amended statement of financial
967 interests within 30 days after the commission sends notice of



185834

968 the complaint, the commission may continue with proceedings
969 pursuant to s. 112.324.

970 (b) For purposes of the final statement of financial
971 interests, the commission shall treat an amendment to a new
972 final statement of financial interests as part of the original
973 filing, if filed within 60 days of the original filing
974 regardless of whether a complaint has been filed. If, more than
975 60 days after a final statement of financial interests is filed,
976 a complaint is filed alleging a complete omission of any
977 information required to be disclosed by this section, the
978 commission may immediately follow the complaint procedures in s.
979 112.324. However, if the complaint alleges an immaterial,
980 inconsequential, or de minimis error or omission, the commission
981 may not take any action on the complaint other than notifying
982 the filer of the complaint. The filer must be given 30 days to
983 file an amendment to the a-new final statement of financial
984 interests correcting any errors. If the filer does not file an
985 amendment to the a-new final statement of financial interests
986 within 30 days after the commission sends notice of the
987 complaint, the commission may continue with proceedings pursuant
988 to s. 112.324.

989 (c) For purposes of this section, an error or omission is
990 immaterial, inconsequential, or de minimis if the original
991 filing provided sufficient information for the public to
992 identify potential conflicts of interest. However, failure to
993 certify completion of annual ethics training required under s.
994 112.3142 does not constitute an immaterial, inconsequential, or
995 de minimis error or omission.

996 (12) (a) ~~(11) (a)~~ An individual required to file a statement



185834

997 ~~disclosure~~ pursuant to this section may have the statement
998 ~~disclosure~~ prepared by an attorney in good standing with The
999 Florida Bar or by a certified public accountant licensed under
1000 chapter 473. After preparing a statement ~~disclosure~~ form, the
1001 attorney or certified public accountant must sign the form
1002 indicating that he or she prepared the form in accordance with
1003 this section and the instructions for completing and filing the
1004 disclosure forms and that, upon his or her reasonable knowledge
1005 and belief, the disclosure is true and correct. If a complaint
1006 is filed alleging a failure to disclose information required by
1007 this section, the commission shall determine whether the
1008 information was disclosed to the attorney or certified public
1009 accountant. The failure of the attorney or certified public
1010 accountant to accurately transcribe information provided by the
1011 individual who is required to file the statement ~~disclosure~~ does
1012 not constitute a violation of this section.

1013 (b) An elected officer or candidate who chooses to use an
1014 attorney or a certified public accountant to prepare his or her
1015 statement ~~disclosure~~ may pay for the services of the attorney or
1016 certified public accountant from funds in an office account
1017 created pursuant to s. 106.141 or, during a year that the
1018 individual qualifies for election to public office, the
1019 candidate's campaign depository pursuant to s. 106.021.

1020 (13) ~~(12)~~ The commission shall adopt rules and forms
1021 specifying how a state officer, local officer, or specified
1022 state employee may amend his or her statement of financial
1023 interests to report information that was not included on the
1024 form as originally filed. If the amendment is the subject of a
1025 complaint filed under this part, the commission and the proper



185834

1026 disciplinary official or body shall consider as a mitigating
1027 factor when considering appropriate disciplinary action the fact
1028 that the amendment was filed before any complaint or other
1029 inquiry or proceeding, while recognizing that the public was
1030 deprived of access to information to which it was entitled.

1031 Section 5. Section 112.31455, Florida Statutes, is amended
1032 to read:

1033 112.31455 Collection methods for unpaid automatic fines for
1034 failure to timely file disclosure of financial interests.—

1035 (1) Before referring any unpaid fine accrued pursuant to s.
1036 112.3144(8) or s. 112.3145(8) ~~s. 112.3144(5) or s. 112.3145(7)~~
1037 to the Department of Financial Services, the commission shall
1038 attempt to determine whether the individual owing such a fine is
1039 a current public officer or current public employee. If so, the
1040 commission may notify the Chief Financial Officer or the
1041 governing body of the appropriate county, municipality, or
1042 special district of the total amount of any fine owed to the
1043 commission by such individual.

1044 (a) After receipt and verification of the notice from the
1045 commission, the Chief Financial Officer or the governing body of
1046 the county, municipality, or special district shall begin
1047 withholding the lesser of 10 percent or the maximum amount
1048 allowed under federal law from any salary-related payment. The
1049 withheld payments shall be remitted to the commission until the
1050 fine is satisfied.

1051 (b) The Chief Financial Officer or the governing body of
1052 the county, municipality, or special district may retain an
1053 amount of each withheld payment, as provided in s. 77.0305, to
1054 cover the administrative costs incurred under this section.



185834

1055 (2) If the commission determines that the individual who is
1056 the subject of an unpaid fine accrued pursuant to s. 112.3144(8)
1057 or s. 112.3145(8) ~~s. 112.3144(5) or s. 112.3145(7)~~ is no longer
1058 a public officer or public employee or if the commission is
1059 unable to determine whether the individual is a current public
1060 officer or public employee, the commission may, 6 months after
1061 the order becomes final, seek garnishment of any wages to
1062 satisfy the amount of the fine, or any unpaid portion thereof,
1063 pursuant to chapter 77. Upon recording the order imposing the
1064 fine with the clerk of the circuit court, the order shall be
1065 deemed a judgment for purposes of garnishment pursuant to
1066 chapter 77.

1067 (3) The commission may refer unpaid fines to the
1068 appropriate collection agency, as directed by the Chief
1069 Financial Officer, to utilize any collection methods provided by
1070 law. Except as expressly limited by this section, any other
1071 collection methods authorized by law are allowed.

1072 (4) Action may be taken to collect any unpaid fine imposed
1073 by ss. 112.3144 and 112.3145 within 20 years after the date the
1074 final order is rendered.

1075 Section 6. Except as otherwise expressly provided in this
1076 act, this act shall take effect upon becoming a law.

1077
1078 ===== T I T L E A M E N D M E N T =====

1079 And the title is amended as follows:

1080 Delete everything before the enacting clause
1081 and insert:

1082 A bill to be entitled

1083 An act relating to financial disclosure; creating s.



185834

1084 112.31446, F.S.; providing definitions; requiring the
1085 Commission on Ethics to procure and test an electronic
1086 filing system by a certain date; providing
1087 requirements for such system; providing duties of the
1088 units of government, the commission, and persons
1089 required to file a specified form; amending s.
1090 112.312, F.S.; revising the definition of "disclosure
1091 period"; amending ss. 112.3144 and 112.3145, F.S.;
1092 requiring certain forms to be filed electronically
1093 beginning on a specified date; prescribing the manner
1094 of filing for purposes of candidate qualifying;
1095 prohibiting a filer from including certain information
1096 on a disclosure or statement; providing that the
1097 commission is not liable for the release of certain
1098 information under certain circumstances; requiring the
1099 commission to redact certain information under certain
1100 circumstances; requiring certain information be
1101 delivered electronically; requiring the commission to
1102 provide certain verification to a filer upon request;
1103 requiring a declaration be submitted with a disclosure
1104 or statement; specifying that certain actions do not
1105 constitute an unusual circumstance; revising a
1106 schedule to the State Constitution; amending s.
1107 112.31455, F.S.; conforming cross-references to
1108 changes made by the act; providing effective dates.