

FOR CONSIDERATION By the Committee on Ethics and Elections

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1                                   A bill to be entitled  
2       An act relating to financial disclosure; creating s.  
3       112.31446, F.S.; providing definitions; requiring the  
4       Commission on Ethics to procure and test an electronic  
5       filing system by a certain date; providing minimum  
6       requirements for such system; providing duties for  
7       units of government, the commission, and persons  
8       required to file specified financial disclosure forms;  
9       amending s. 112.312, F.S.; revising the definition of  
10      the term "disclosure period"; amending s. 112.3144,  
11      F.S.; requiring the electronic filing of full and  
12      public disclosures of financial interests beginning on  
13      a specified date; revising requirements with respect  
14      to reporting income; prohibiting the commission from  
15      requesting, accepting, or retaining certain  
16      information; modifying requirements regarding  
17      preparation of the list of reporting persons;  
18      requiring e-mail delivery for certain notices;  
19      requiring the commission to provide certain  
20      verification to a filer upon request; requiring a  
21      declaration be submitted with a disclosure; specifying  
22      that certain actions do not constitute an unusual  
23      circumstance when appealing or disputing a fine;  
24      revising a schedule to the State Constitution;  
25      amending s. 112.3145, F.S.; revising the definition of  
26      the term "specified state employee"; requiring the  
27      electronic filing of statements of financial interests  
28      beginning on a specified date; modifying the options  
29      for reporting thresholds on a statement of financial

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30 interests; prohibiting the commission from requesting,  
31 accepting, or retaining certain information; modifying  
32 requirements regarding preparation of the list of  
33 reporting persons; requiring e-mail delivery for  
34 certain notices; requiring the commission to provide  
35 certain verification to a filer upon request;  
36 requiring a declaration be submitted with a statement;  
37 specifying that certain actions do not constitute an  
38 unusual circumstance when appealing or disputing a  
39 fine; amending s. 112.31455, F.S.; conforming cross-  
40 references to changes made by the act; providing  
41 effective dates.

42  
43 Be It Enacted by the Legislature of the State of Florida:

44  
45 Section 1. Section 112.31446, Florida Statutes, is created  
46 to read:

47 112.31446 Electronic filing system for financial  
48 disclosure.-

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

50 (a) "Disclosure of financial interests" or "disclosure"  
51 includes a full and public disclosure of financial interests and  
52 a final full and public disclosure of financial interests, and  
53 any amendments thereto.

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

58 (c) "Statement of financial interests" or "statement"

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59 includes a statement of financial interests and a final  
60 statement of financial interests, and any amendments thereto.

61 (2) By January 1, 2021, the commission shall procure and  
62 test an electronic filing system. At a minimum, the electronic  
63 filing system must:

64 (a) Provide access through the Internet for the completion  
65 and submission of disclosures of financial interests, statements  
66 of financial interests, or any other form that is required under  
67 s. 112.3144 or s. 112.3145.

68 (b) Upload submitted information to the commission using  
69 software that is approved by the commission.

70 (c) Allow for a procedure to make filings available in a  
71 searchable format that is accessible by an individual using  
72 standard Internet-browsing software.

73 (d) Issue a verification or receipt that the commission has  
74 received the submitted disclosure or statement.

75 (e) Provide security that prevents unauthorized access to  
76 the electronic filing system's functions or data.

77 (f) Provide a method for an attorney or a certified public  
78 accountant licensed in this state to complete and file the  
79 disclosure or statement and certify that he or she prepared the  
80 disclosure or statement in accordance with s. 112.3144 or s.  
81 112.3145, has reviewed the instructions for completing and  
82 filing the disclosure or statement, and that, upon his or her  
83 reasonable knowledge and belief, the information on the  
84 disclosure or statement is true and correct.

85 (3) Each unit of government shall provide an e-mail address  
86 to any of its officers, members, or employees who must file a  
87 disclosure of financial interests or a statement of financial

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88 interests, and provide such e-mail addresses to the commission  
89 by February 1 of each year. A person required to file a  
90 disclosure of financial interests or statement of financial  
91 interests must inform the commission immediately of any change  
92 in his or her e-mail address.

93 (4) The commission shall provide each person required to  
94 file a disclosure of financial interests or statement of  
95 financial interests a secure log-in to the electronic filing  
96 system. Such person is responsible for protecting his or her  
97 secure log-in credentials from disclosure and is responsible for  
98 all filings submitted to the commission with such credentials,  
99 unless the person has notified the commission that his or her  
100 credentials have been compromised.

101 (5) If the electronic filing system becomes inoperable, the  
102 commission must accept submissions of disclosures of financial  
103 interests, statements of financial interests, or any other form  
104 that is required under s. 112.3144 or s. 112.3145 through other  
105 methods, including mail or e-mail. Mailed or e-mailed  
106 disclosures or statements must be submitted by the filing  
107 deadline.

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

110 112.312 Definitions.—As used in this part and for purposes  
111 of the provisions of s. 8, Art. II of the State Constitution,  
112 unless the context otherwise requires:

113 (10) "Disclosure period" means the calendar taxable year ,  
114 if disclosure is required for the entire year, or the portion of  
115 a calendar year ending with the last day of the period for which  
116 disclosure is required ~~for the person or business entity,~~

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117 ~~whether based on a calendar or fiscal year, immediately~~  
118 ~~preceding the date on which, or the last day of the period~~  
119 ~~during which, the financial disclosure statement required by~~  
120 ~~this part is required to be filed.~~

121 Section 3. Section 112.3144, Florida Statutes, is amended  
122 to read:

123 112.3144 Full and public disclosure of financial  
124 interests.—

125 (1) An officer or a candidate who is required by s. 8, Art.  
126 II of the State Constitution to file a full and public  
127 disclosure of his or her financial interests for any calendar or  
128 fiscal year, or any other person required by law to file a  
129 disclosure under this section, shall file that disclosure with  
130 the Florida Commission on Ethics. Additionally, ~~beginning~~  
131 ~~January 1, 2015,~~ an officer who is required to complete annual  
132 ethics training pursuant to s. 112.3142 must certify on his or  
133 her full and public disclosure of financial interests that he or  
134 she has completed the required training.

135 (2) Beginning May 1, 2021, a full and public disclosure of  
136 financial interests and a final full and public disclosure of  
137 financial interests, and amendments thereto, or any other form  
138 required by this section, must be filed electronically through  
139 an electronic filing system created and maintained by the  
140 commission as provided in s. 112.31446.

141 (3) A person who is required, pursuant to s. 8, Art. II of  
142 the State Constitution, to file a full and public disclosure of  
143 financial interests and who has filed a full and public  
144 disclosure of financial interests for any calendar or fiscal  
145 year shall not be required to file a statement of financial

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

162 (4) ~~(3)~~ For purposes of full and public disclosure under s.  
163 8(a), Art. II of the State Constitution, the following items, if  
164 not held for investment purposes and if valued at over \$1,000 in  
165 the aggregate, may be reported in a lump sum and identified as  
166 "household goods and personal effects":

- 167 (a) Jewelry;
- 168 (b) Collections of stamps, guns, and numismatic properties;
- 169 (c) Art objects;
- 170 (d) Household equipment and furnishings;
- 171 (e) Clothing;
- 172 (f) Other household items; and
- 173 (g) Vehicles for personal use.

174 (5) (a) ~~(4) (a)~~ With respect to reporting, on forms prescribed

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175 under this section, assets valued in excess of \$1,000 which the  
176 reporting individual holds jointly with another person, the  
177 amount reported shall be based on the reporting individual's  
178 legal percentage of ownership in the property. However, assets  
179 that are held jointly, with right of survivorship, must be  
180 reported at 100 percent of the value of the asset. For purposes  
181 of this subsection, a reporting individual is deemed to own a  
182 percentage of a partnership which is equal to the reporting  
183 individual's interest in the capital or equity of the  
184 partnership.

185 (b)1. With respect to reporting, on forms prescribed under  
186 this section, liabilities valued in excess of \$1,000 ~~on forms~~  
187 ~~prescribed under this section~~ for which the reporting individual  
188 is jointly and severally liable, the amount reported shall be  
189 based on the reporting individual's percentage of liability  
190 rather than the total amount of the liability. However,  
191 liability for a debt that is secured by property owned by the  
192 reporting individual but that is held jointly, with right of  
193 survivorship, must be reported at 100 percent of the total  
194 amount owed.

195 2. A separate section of the form shall be created to  
196 provide for the reporting of the amounts of joint and several  
197 liability of the reporting individual not otherwise reported in  
198 subparagraph 1.

199 (c) With respect to reporting income, on forms prescribed  
200 under this section, each separate source and amount of income  
201 which exceeds \$1,000 must be identified. For purposes of  
202 reporting income, a person required to file a full and public  
203 disclosure of financial interests may not provide, and the

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204 commission may not accept, a federal income tax return or a copy  
205 thereof.

206 (6) The commission may not request, and a public officer or  
207 candidate may not provide, in any filing or submission, a  
208 federal income tax return or a copy thereof; a social security  
209 number; a bank, mortgage, or brokerage account number; a debit,  
210 charge, or credit card number; a personal identification number;  
211 or a taxpayer identification number. Once the electronic filing  
212 system is implemented, the commission may not accept or retain  
213 such information even if it is voluntarily provided by a public  
214 officer or candidate.

215 (7)~~(5)~~ Until the electronic filing system required by  
216 subsection (2) is implemented, forms for compliance with the  
217 full and public disclosure requirements of s. 8, Art. II of the  
218 State Constitution shall be prescribed ~~created~~ by the commission  
219 ~~on Ethics~~. The commission shall give notice of disclosure  
220 deadlines and delinquencies and distribute forms in the  
221 following manner:

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

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233 government as of December 31 of the preceding year.

234 (b) Not later than June 1 ~~30 days before July 1~~ of each  
235 year, the commission shall mail a copy of the form prescribed  
236 for compliance with full and public disclosure and a notice of  
237 the filing deadline to each person on the mailing list. However,  
238 beginning January 1, 2020, notice required under this paragraph  
239 may only be delivered by e-mail.

240 (c) Not later than August 1 ~~30 days after July 1~~ of each  
241 year, the commission shall determine which persons on the  
242 mailing list have failed to file full and public disclosure and  
243 shall send delinquency notices by certified mail to such  
244 persons. Each notice must ~~shall~~ state that a grace period is in  
245 effect until September 1 of the current year. However, beginning  
246 January 1, 2020, notice required under this paragraph may only  
247 be delivered by e-mail and must be redelivered on a weekly basis  
248 so long as a person remains delinquent.

249 (d) Disclosures ~~Statements~~ must be received by the  
250 commission ~~filed~~ not later than 5 p.m. of the due date. However,  
251 any disclosure ~~statement~~ that is postmarked by the United States  
252 Postal Service by midnight of the due date is deemed to have  
253 been filed in a timely manner, and a certificate of mailing  
254 obtained from and dated by the United States Postal Service at  
255 the time of the mailing, or a receipt from an established  
256 courier company which bears a date on or before the due date,  
257 constitutes proof of mailing in a timely manner. Beginning  
258 January 1, 2020, upon request of the filer, the commission must  
259 provide verification to the filer that the commission has  
260 received the submitted disclosure.

261 (e) Beginning May 1, 2021, a written declaration, as

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262 provided for under s. 92.525(2), accompanied by an electronic  
263 signature satisfies the requirement that the disclosure be  
264 sworn.

265 (f) Any person who is required to file full and public  
266 disclosure of financial interests and whose name is on the  
267 commission's mailing list, and to whom notice has been  
268 delivered, but who fails to timely file is assessed a fine of  
269 \$25 per day for each day late up to a maximum of \$1,500; however  
270 this \$1,500 limitation on automatic fines does not limit the  
271 civil penalty that may be imposed if the statement is filed more  
272 than 60 days after the deadline and a complaint is filed, as  
273 provided in s. 112.324. The commission must provide by rule the  
274 grounds for waiving the fine and the procedures by which each  
275 person whose name is on the mailing list and who is determined  
276 to have not filed in a timely manner will be notified of  
277 assessed fines and may appeal. The rule must provide for and  
278 make specific the following:

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

- 281 a. When a statement is actually received by the office.  
282 b. When the statement is postmarked.  
283 c. When the certificate of mailing is dated.  
284 d. When the receipt from an established courier company is  
285 dated.

286 2. Upon receipt of the disclosure statement or upon accrual  
287 of the maximum penalty, whichever occurs first, the commission  
288 shall determine the amount of the fine which is due and shall  
289 notify the delinquent person. The notice must include an  
290 explanation of the appeal procedure under subparagraph 3. Such

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291 fine must be paid within 30 days after the notice of payment due  
292 is transmitted, unless appeal is made to the commission pursuant  
293 to subparagraph 3. The moneys shall be deposited into the  
294 General Revenue Fund.

295 3. Any reporting person may appeal or dispute a fine, based  
296 upon unusual circumstances surrounding the failure to file on  
297 the designated due date, and may request and is entitled to a  
298 hearing before the commission, which may waive the fine in whole  
299 or in part for good cause shown. Any such request must be in  
300 writing and received by the commission ~~made~~ within 30 days after  
301 the notice of payment due is transmitted. In such a case, the  
302 reporting person must, within the 30-day period, notify the  
303 person designated to review the timeliness of reports in writing  
304 of his or her intention to bring the matter before the  
305 commission. For purposes of this subparagraph, the term "unusual  
306 circumstances" does not include the failure to monitor an e-mail  
307 account or failure to receive notice, if the person has not  
308 notified the commission of a change in his or her e-mail  
309 address.

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

318 (h) ~~(g)~~ The notification requirements and fines of this  
319 subsection do not apply to candidates or to the first filing

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320 required of any person appointed to elective constitutional  
321 office or other position required to file full and public  
322 disclosure, unless the person's name is on the commission's  
323 notification list and the person received notification from the  
324 commission. The appointing official shall notify such newly  
325 appointed person of the obligation to file full and public  
326 disclosure by July 1. The notification requirements and fines of  
327 this subsection do not apply to the final filing provided for in  
328 subsection (9) ~~(7)~~.

329 (i) ~~(h)~~ Notwithstanding any provision of chapter 120, any  
330 fine imposed under this subsection which is not waived by final  
331 order of the commission and which remains unpaid more than 60  
332 days after the notice of payment due or more than 60 days after  
333 the commission renders a final order on the appeal must be  
334 submitted to the Department of Financial Services as a claim,  
335 debt, or other obligation owed to the state, and the department  
336 shall assign the collection of such fine to a collection agent  
337 as provided in s. 17.20.

338 (8) ~~(6)~~ If a person holding public office or public  
339 employment fails or refuses to file a full and public disclosure  
340 of financial interests for any year in which the person received  
341 notice from the commission regarding the failure to file and has  
342 accrued the maximum automatic fine authorized under this  
343 section, regardless of whether the fine imposed was paid or  
344 collected, the commission shall initiate an investigation and  
345 conduct a public hearing without receipt of a complaint to  
346 determine whether the person's failure to file is willful. Such  
347 investigation and hearing must be conducted in accordance with  
348 s. 112.324. Except as provided in s. 112.324(4), if the

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349 commission determines that the person willfully failed to file a  
350 full and public disclosure of financial interests, the  
351 commission shall enter an order recommending that the officer or  
352 employee be removed from his or her public office or public  
353 employment. The commission shall forward its recommendations as  
354 provided in s. 112.324.

355 (9)~~(7)~~ Each person required to file full and public  
356 disclosure of financial interests shall file a final disclosure  
357 statement within 60 days after leaving his or her public  
358 position for the period between January 1 of the year in which  
359 the person leaves and the last day of office or employment,  
360 unless within the 60-day period the person takes another public  
361 position requiring financial disclosure under s. 8, Art. II of  
362 the State Constitution, or is otherwise required to file full  
363 and public disclosure for the final disclosure period. The head  
364 of the agency of each person required to file full and public  
365 disclosure for the final disclosure period shall notify such  
366 persons of their obligation to file the final disclosure and may  
367 designate a person to be responsible for the notification  
368 requirements of this subsection.

369 (10) (a)~~(8) (a)~~ The commission shall treat an amendment to a  
370 ~~amended~~ full and public disclosure of financial interests which  
371 is filed before September 1 of the year in which the disclosure  
372 is due as part of the original filing, regardless of whether a  
373 complaint has been filed. If a complaint alleges only an  
374 immaterial, inconsequential, or de minimis error or omission,  
375 the commission may not take any action on the complaint other  
376 than notifying the filer of the complaint. The filer must be  
377 given 30 days to file an amendment to the ~~amended~~ full and

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378 public disclosure of financial interests correcting any errors.  
379 If the filer does not file an amendment to the ~~amended~~ full and  
380 public disclosure of financial interests within 30 days after  
381 the commission sends notice of the complaint, the commission may  
382 continue with proceedings pursuant to s. 112.324.

383 (b) For purposes of the final full and public disclosure of  
384 financial interests, the commission shall treat an amendment to  
385 a new final full and public disclosure of financial interests as  
386 part of the original filing if filed within 60 days after the  
387 original filing, regardless of whether a complaint has been  
388 filed. If, more than 60 days after a final full and public  
389 disclosure of financial interests is filed, a complaint is filed  
390 alleging a complete omission of any information required to be  
391 disclosed by this section, the commission may immediately follow  
392 the complaint procedures in s. 112.324. However, if the  
393 complaint alleges an immaterial, inconsequential, or de minimis  
394 error or omission, the commission may not take any action on the  
395 complaint, other than notifying the filer of the complaint. The  
396 filer must be given 30 days to file an amendment to the ~~a~~ new  
397 final full and public disclosure of financial interests  
398 correcting any errors. If the filer does not file an amendment  
399 to the ~~a~~ new final full and public disclosure of financial  
400 interests within 30 days after the commission sends notice of  
401 the complaint, the commission may continue with proceedings  
402 pursuant to s. 112.324.

403 (c) For purposes of this section, an error or omission is  
404 immaterial, inconsequential, or de minimis if the original  
405 filing provided sufficient information for the public to  
406 identify potential conflicts of interest. However, failure to

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407 certify completion of annual ethics training required under s.  
408 112.3142 does not constitute an immaterial, inconsequential, or  
409 de minimis error or omission.

410 (11) (a) ~~(9) (a)~~ An individual required to file a disclosure  
411 pursuant to this section may have the disclosure prepared by an  
412 attorney in good standing with The Florida Bar or by a certified  
413 public accountant licensed under chapter 473. After preparing a  
414 disclosure form, the attorney or certified public accountant  
415 must sign the form indicating that he or she prepared the form  
416 in accordance with this section and the instructions for  
417 completing and filing the disclosure forms and that, upon his or  
418 her reasonable knowledge and belief, the disclosure is true and  
419 correct. If a complaint is filed alleging a failure to disclose  
420 information required by this section, the commission shall  
421 determine whether the information was disclosed to the attorney  
422 or certified public accountant. The failure of the attorney or  
423 certified public accountant to accurately transcribe information  
424 provided by the individual required to file is not a violation  
425 of this section.

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

433 (12) ~~(10)~~ The commission shall adopt rules and forms  
434 specifying how a person who is required to file full and public  
435 disclosure of financial interests may amend his or her

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436 disclosure statement to report information that was not included  
437 on the form as originally filed. If the amendment is the subject  
438 of a complaint filed under this part, the commission and the  
439 proper disciplinary official or body shall consider as a  
440 mitigating factor when considering appropriate disciplinary  
441 action the fact that the amendment was filed before any  
442 complaint or other inquiry or proceeding, while recognizing that  
443 the public was deprived of access to information to which it was  
444 entitled.

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

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

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

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

454 (a) "Local officer" means:

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

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

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

464 b. A community college or junior college district board of

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465 trustees;

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

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

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

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

483 3. Any person holding one or more of the following  
484 positions: mayor; county or city manager; chief administrative  
485 employee of a county, municipality, or other political  
486 subdivision; county or municipal attorney; finance director of a  
487 county, municipality, or other political subdivision; chief  
488 county or municipal building code inspector; county or municipal  
489 water resources coordinator; county or municipal pollution  
490 control director; county or municipal environmental control  
491 director; county or municipal administrator, with power to grant  
492 or deny a land development permit; chief of police; fire chief;  
493 municipal clerk; district school superintendent; community

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494 college president; district medical examiner; or purchasing  
495 agent having the authority to make any purchase exceeding the  
496 threshold amount provided for in s. 287.017 for CATEGORY ONE, on  
497 behalf of any political subdivision of the state or any entity  
498 thereof.

499 (b) "Specified state employee" means:

500 1. Public counsel created by chapter 350, an assistant  
501 state attorney, an assistant public defender, a criminal  
502 conflict and civil regional counsel, an assistant criminal  
503 conflict and civil regional counsel, a full-time state employee  
504 who serves as counsel or assistant counsel to any state agency,  
505 ~~the Deputy Chief Judge of Compensation Claims, a judge of~~  
506 ~~compensation claims,~~ an administrative law judge, or a hearing  
507 officer.

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

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

521 4. The superintendent or institute director of a state  
522 mental health institute established for training and research in

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523 the mental health field or the warden or director of any major  
524 state institution or facility established for corrections,  
525 training, treatment, or rehabilitation.

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

531 6. Any person, other than a legislative assistant exempted  
532 by the presiding officer of the house by which the legislative  
533 assistant is employed, who is employed in the legislative branch  
534 of government, except persons employed in maintenance, clerical,  
535 secretarial, or similar positions.

536 7. Each employee of the Commission on Ethics.

537 (c) "State officer" means:

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

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

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

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

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552 (2) (a) A person seeking nomination or election to a state  
553 or local elective office who is not required by the State  
554 Constitution to file a full and public disclosure of financial  
555 interests shall file a statement of financial interests together  
556 with, and at the same time he or she files, qualifying papers.  
557 Until the electronic filing system is implemented under  
558 paragraph (d), when a candidate has qualified for office prior  
559 to the deadline to file an annual statement of financial  
560 interests, the statement of financial interests that is filed  
561 with the candidate's qualifying papers shall be deemed to  
562 satisfy the annual disclosure requirement of this section. The  
563 qualifying officer must record that the statement of financial  
564 interests was timely filed. However, if a candidate does not  
565 qualify until after the annual statement of financial interests  
566 has been filed, the candidate may file a copy of his or her  
567 statement with the qualifying officer.

568 (b) Each state or local officer who is not required by the  
569 State Constitution to file a full and public disclosure of  
570 financial interests and each specified state employee shall file  
571 a statement of financial interests no later than July 1 of each  
572 year. Each state officer, local officer, and specified state  
573 employee shall file a final statement of financial interests  
574 within 60 days after leaving his or her public position for the  
575 period between January 1 of the year in which the person leaves  
576 and the last day of office or employment, unless within the 60-  
577 day period the person takes another public position requiring  
578 financial disclosure under this section or s. 8, Art. II of the  
579 State Constitution or otherwise is required to file full and  
580 public disclosure or a statement of financial interests for the

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581 final disclosure period. Each state or local officer who is  
582 appointed and each specified state employee who is employed  
583 shall file a statement of financial interests within 30 days  
584 from the date of appointment or, in the case of a specified  
585 state employee, from the date on which the employment begins,  
586 except that any person whose appointment is subject to  
587 confirmation by the Senate shall file prior to confirmation  
588 hearings or within 30 days from the date of appointment,  
589 whichever comes first.

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

601 (d) Beginning May 1, 2022, a statement of financial  
602 interests and a final statement of financial interests, and  
603 amendments thereto, or any other form required by this section,  
604 must be filed electronically through an electronic filing system  
605 created and maintained by the commission as provided in s.  
606 112.31446.

607 (3) The statement of financial interests for state  
608 officers, specified state employees, local officers, and persons  
609 seeking to qualify as candidates for state or local office shall

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610 be filed even if the reporting person holds no financial  
611 interests requiring disclosure in a particular category, in  
612 which case that section of the statement shall be marked "not  
613 applicable." Otherwise, the statement of financial interests  
614 must shall include the information under paragraph (a) or  
615 paragraph (b). The reporting person shall indicate on the  
616 statement whether he or she is using the reporting method under  
617 paragraph (a) or paragraph (b). However, beginning May 1, 2022,  
618 only the reporting method specified under paragraph (b) may be  
619 used. ~~at the filer's option, either:~~

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

627 2. All sources of income to a business entity in excess of  
628 10 percent of the gross income of a business entity in which the  
629 reporting person held a material interest and from which he or  
630 she received an amount which was in excess of 10 percent of his  
631 or her gross income during the disclosure period and which  
632 exceeds \$1,500. The period for computing the gross income of the  
633 business entity is the fiscal year of the business entity which  
634 ended on, or immediately prior to, the end of the disclosure  
635 period of the person reporting;

636 3. The location or description of real property in this  
637 state, except for residences and vacation homes, owned directly  
638 or indirectly by the person reporting, when such person owns in

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639 excess of 5 percent of the value of such real property, and a  
640 general description of any intangible personal property worth in  
641 excess of 10 percent of such person's total assets. For the  
642 purposes of this paragraph, indirect ownership does not include  
643 ownership by a spouse or minor child; and

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

646 (b)1. All sources of gross income in excess of \$2,500  
647 received during the disclosure period by the person in his or  
648 her own name or by any other person for his or her use or  
649 benefit, excluding public salary. However, this shall not be  
650 construed to require disclosure of a business partner's sources  
651 of income. The person reporting shall list such sources in  
652 descending order of value with the largest source first;

653 2. All sources of income to a business entity in excess of  
654 10 percent of the gross income of a business entity in which the  
655 reporting person held a material interest and from which he or  
656 she received gross income exceeding \$5,000 during the disclosure  
657 period. The period for computing the gross income of the  
658 business entity is the fiscal year of the business entity which  
659 ended on, or immediately prior to, the end of the disclosure  
660 period of the person reporting;

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

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668 and

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

670

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

674 (4) The commission may not request, and a local or state  
675 officer or specified state employee may not provide, in any  
676 filing or submission, a federal income tax return or a copy  
677 thereof; a social security number; a bank, mortgage, or  
678 brokerage account number; a debit, charge, or credit card  
679 number; a personal identification number; or a taxpayer  
680 identification number. Once the electronic filing system  
681 required under paragraph (2)(d) is implemented, the commission  
682 may not accept or retain such information even if it is  
683 voluntarily provided by a public officer or specified state  
684 employee.

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

689 ~~(6)(5)~~ Each elected constitutional officer, state officer,  
690 local officer, and specified state employee shall file a  
691 quarterly report of the names of clients represented for a fee  
692 or commission, except for appearances in ministerial matters,  
693 before agencies at his or her level of government. For the  
694 purposes of this part, agencies of government shall be  
695 classified as state-level agencies or agencies below state  
696 level. Each local officer shall file such report with the

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697 supervisor of elections of the county in which the officer is  
698 principally employed or is a resident. Each state officer,  
699 elected constitutional officer, and specified state employee  
700 shall file such report with the commission. The report shall be  
701 filed only when a reportable representation is made during the  
702 calendar quarter and shall be filed no later than the last day  
703 of each calendar quarter, for the previous calendar quarter.  
704 Representation before any agency shall be deemed to include  
705 representation by such officer or specified state employee or by  
706 any partner or associate of the professional firm of which he or  
707 she is a member and of which he or she has actual knowledge. For  
708 the purposes of this subsection, the term "representation before  
709 any agency" does not include appearances before any court or the  
710 Deputy Chief Judge of Compensation Claims or judges of  
711 compensation claims or representations on behalf of one's agency  
712 in one's official capacity. Such term does not include the  
713 preparation and filing of forms and applications merely for the  
714 purpose of obtaining or transferring a license based on a quota  
715 or a franchise of such agency or a license or operation permit  
716 to engage in a profession, business, or occupation, so long as  
717 the issuance or granting of such license, permit, or transfer  
718 does not require substantial discretion, a variance, a special  
719 consideration, or a certificate of public convenience and  
720 necessity.

721 (7)~~(6)~~ Each elected constitutional officer and each  
722 candidate for such office, any other public officer required  
723 pursuant to s. 8, Art. II of the State Constitution to file a  
724 full and public disclosure of his or her financial interests,  
725 and each state officer, local officer, specified state employee,

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726 and candidate for elective public office who is or was during  
727 the disclosure period an officer, director, partner, proprietor,  
728 or agent, other than a resident agent solely for service of  
729 process, of, or owns or owned during the disclosure period a  
730 material interest in, any business entity which is granted a  
731 privilege to operate in this state shall disclose such facts as  
732 a part of the disclosure form filed pursuant to s. 8, Art. II of  
733 the State Constitution or this section, as applicable. The  
734 statement shall give the name, address, and principal business  
735 activity of the business entity and shall state the position  
736 held with such business entity or the fact that a material  
737 interest is owned and the nature of that interest.

738 (8)~~(7)~~ Forms for compliance with the disclosure  
739 requirements of this section and a current list of persons  
740 subject to disclosure shall be created by the commission and  
741 provided to each supervisor of elections. The commission and  
742 each supervisor of elections shall give notice of disclosure  
743 deadlines and delinquencies and distribute forms in the  
744 following manner:

745 (a)1. Not later than May 1 of each year, the commission  
746 shall prepare a current list of the names, e-mail addresses, and  
747 physical addresses of, and the offices or positions held by,  
748 every state officer, local officer, and specified employee. ~~In~~  
749 ~~compiling the list, the commission shall be assisted by~~ Each  
750 unit of government shall assist the commission in compiling the  
751 list by ~~in~~ providing to the commission not later than February 1  
752 of each year, ~~at the request of the commission,~~ the name, e-  
753 mail address, physical address, and name of agency of, and the  
754 office or position held by, each state officer, local officer,

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755 or specified state employee within the respective unit of  
756 government as of December 31 of the preceding year.

757 2. Not later than May 15 of each year, the commission shall  
758 provide each supervisor of elections with a current mailing list  
759 of all local officers required to file with such supervisor of  
760 elections.

761 (b) Not later than June 1 ~~30 days before July 1~~ of each  
762 year, the commission and each supervisor of elections, as  
763 appropriate, shall mail a copy of the form prescribed for  
764 compliance with subsection (3) and a notice of all applicable  
765 disclosure forms and filing deadlines to each person required to  
766 file a statement of financial interests. However, beginning  
767 January 1, 2020, notice required under this paragraph may only  
768 be delivered by e-mail.

769 (c) Not later than August 1 ~~30 days after July 1~~ of each  
770 year, the commission and each supervisor of elections shall  
771 determine which persons required to file a statement of  
772 financial interests in their respective offices have failed to  
773 do so and shall send delinquency notices by certified mail,  
774 return receipt requested, to these persons. Each notice shall  
775 state that a grace period is in effect until September 1 of the  
776 current year; that no investigative or disciplinary action based  
777 upon the delinquency will be taken by the agency head or  
778 commission if the statement is filed by September 1 of the  
779 current year; that, if the statement is not filed by September 1  
780 of the current year, a fine of \$25 for each day late will be  
781 imposed, up to a maximum penalty of \$1,500; for notices sent by  
782 a supervisor of elections, that he or she is required by law to  
783 notify the commission of the delinquency; and that, if upon the

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784 filing of a sworn complaint the commission finds that the person  
785 has failed to timely file the statement within 60 days after  
786 September 1 of the current year, such person will also be  
787 subject to the penalties provided in s. 112.317. However,  
788 beginning January 1, 2020, notice required under this paragraph  
789 may only be delivered by e-mail and must be redelivered on a  
790 weekly basis so long as a person remains delinquent.

791 (d) No later than November 15 of each year, the supervisor  
792 of elections in each county shall certify to the commission a  
793 list of the names and addresses of, and the offices or positions  
794 held by, all persons who have failed to timely file the required  
795 statements of financial interests. The certification must  
796 include the earliest of the dates described in subparagraph  
797 (g)1. ~~(f)1.~~ The certification shall be on a form prescribed by  
798 the commission and shall indicate whether the supervisor of  
799 elections has provided the disclosure forms and notice as  
800 required by this subsection to all persons named on the  
801 delinquency list.

802 (e) Statements must be received by the commission ~~filed~~ not  
803 later than 5 p.m. of the due date. However, any statement that  
804 is postmarked by the United States Postal Service by midnight of  
805 the due date is deemed to have been filed in a timely manner,  
806 and a certificate of mailing obtained from and dated by the  
807 United States Postal Service at the time of the mailing, or a  
808 receipt from an established courier company which bears a date  
809 on or before the due date, constitutes proof of mailing in a  
810 timely manner. Beginning January 1, 2020, upon request of the  
811 filer, the commission must provide verification to the filer  
812 that the commission has received the submitted statement.

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813           (f) Beginning May 1, 2022, the statement must be  
814 accompanied by a declaration as provided in s. 92.525(2) and an  
815 electronic acknowledgement thereof.

816           (g) Any person who is required to file a statement of  
817 financial interests and whose name is on the commission's  
818 mailing list but who fails to timely file is assessed a fine of  
819 \$25 per day for each day late up to a maximum of \$1,500;  
820 however, this \$1,500 limitation on automatic fines does not  
821 limit the civil penalty that may be imposed if the statement is  
822 filed more than 60 days after the deadline and a complaint is  
823 filed, as provided in s. 112.324. The commission must provide by  
824 rule the grounds for waiving the fine and procedures by which  
825 each person whose name is on the mailing list and who is  
826 determined to have not filed in a timely manner will be notified  
827 of assessed fines and may appeal. The rule must provide for and  
828 make specific the following:

829           1. The amount of the fine due is based upon the earliest of  
830 the following:

- 831           a. When a statement is actually received by the office.  
832           b. When the statement is postmarked.  
833           c. When the certificate of mailing is dated.  
834           d. When the receipt from an established courier company is  
835 dated.

836           2. For a specified state employee or a state officer, upon  
837 receipt of the disclosure statement by the commission or upon  
838 accrual of the maximum penalty, whichever occurs first, and for  
839 a local officer upon receipt by the commission of the  
840 certification from the local officer's supervisor of elections  
841 pursuant to paragraph (d), the commission shall determine the

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842 amount of the fine which is due and shall notify the delinquent  
843 person. The notice must include an explanation of the appeal  
844 procedure under subparagraph 3. The fine must be paid within 30  
845 days after the notice of payment due is transmitted, unless  
846 appeal is made to the commission pursuant to subparagraph 3. The  
847 moneys are to be deposited into the General Revenue Fund.

848 3. Any reporting person may appeal or dispute a fine, based  
849 upon unusual circumstances surrounding the failure to file on  
850 the designated due date, and may request and is entitled to a  
851 hearing before the commission, which may waive the fine in whole  
852 or in part for good cause shown. Any such request must be in  
853 writing and received by the commission ~~made~~ within 30 days after  
854 the notice of payment due is transmitted. In such a case, the  
855 reporting person must, within the 30-day period, notify the  
856 person designated to review the timeliness of reports in writing  
857 of his or her intention to bring the matter before the  
858 commission. For purposes of this subparagraph, the term "unusual  
859 circumstances" does not include the failure to monitor an e-mail  
860 account or failure to receive notice, if the person has not  
861 notified the commission of a change in his or her e-mail  
862 address.

863 (h) ~~(g)~~ Any state officer, local officer, or specified  
864 employee whose name is not on the mailing list of persons  
865 required to file an annual statement of financial interests is  
866 not subject to the penalties provided in s. 112.317 or the fine  
867 provided in this section for failure to timely file a statement  
868 of financial interests in any year in which the omission  
869 occurred, but nevertheless is required to file the disclosure  
870 statement.

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

875        (j)~~(i)~~ Notwithstanding any provision of chapter 120, any  
876 fine imposed under this subsection which is not waived by final  
877 order of the commission and which remains unpaid more than 60  
878 days after the notice of payment due or more than 60 days after  
879 the commission renders a final order on the appeal must be  
880 submitted to the Department of Financial Services as a claim,  
881 debt, or other obligation owed to the state, and the department  
882 shall assign the collection of such a fine to a collection agent  
883 as provided in s. 17.20.

884        (9) (a)~~(8) (a)~~ The appointing official or body shall notify  
885 each newly appointed local officer, state officer, or specified  
886 state employee, not later than the date of appointment, of the  
887 officer's or employee's duty to comply with the disclosure  
888 requirements of this section. The agency head of each employing  
889 agency shall notify each newly employed local officer or  
890 specified state employee, not later than the day of employment,  
891 of the officer's or employee's duty to comply with the  
892 disclosure requirements of this section. The appointing official  
893 or body or employing agency head may designate a person to be  
894 responsible for the notification requirements of this paragraph.

895        (b) The agency head of the agency of each local officer,  
896 state officer, or specified state employee who is required to  
897 file a statement of financial interests for the final disclosure  
898 period shall notify such persons of their obligation to file the  
899 final disclosure and may designate a person to be responsible

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900 for the notification requirements of this paragraph.

901 (c) If a person holding public office or public employment  
902 fails or refuses to file an annual statement of financial  
903 interests for any year in which the person received notice from  
904 the commission regarding the failure to file and has accrued the  
905 maximum automatic fine authorized under this section, regardless  
906 of whether the fine imposed was paid or collected, the  
907 commission shall initiate an investigation and conduct a public  
908 hearing without receipt of a complaint to determine whether the  
909 person's failure to file is willful. Such investigation and  
910 hearing must be conducted in accordance with s. 112.324. Except  
911 as provided in s. 112.324(4), if the commission determines that  
912 the person willfully failed to file a statement of financial  
913 interests, the commission shall enter an order recommending that  
914 the officer or employee be removed from his or her public office  
915 or public employment. The commission shall forward its  
916 recommendation as provided in s. 112.324.

917 ~~(10)-(9)~~ A public officer who has filed a disclosure for any  
918 calendar or fiscal year shall not be required to file a second  
919 disclosure for the same year or any part thereof,  
920 notwithstanding any requirement of this act, except that any  
921 public officer who qualifies as a candidate for public office  
922 shall file a copy of the disclosure with the officer before whom  
923 he or she qualifies as a candidate at the time of qualification.

924 (11) (a) ~~(10) (a)~~ The commission shall treat an amendment to  
925 an amended annual statement of financial interests which is  
926 filed before September 1 of the year in which the statement is  
927 due as part of the original filing, regardless of whether a  
928 complaint has been filed. If a complaint alleges only an

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929 immaterial, inconsequential, or de minimis error or omission,  
930 the commission may not take any action on the complaint other  
931 than notifying the filer of the complaint. The filer must be  
932 given 30 days to file an amendment to the ~~amended~~ statement of  
933 financial interests correcting any errors. If the filer does not  
934 file an amendment to the ~~amended~~ statement of financial  
935 interests within 30 days after the commission sends notice of  
936 the complaint, the commission may continue with proceedings  
937 pursuant to s. 112.324.

938 (b) For purposes of the final statement of financial  
939 interests, the commission shall treat an amendment to a ~~new~~  
940 final statement of financial interests as part of the original  
941 filing, if filed within 60 days of the original filing  
942 regardless of whether a complaint has been filed. If, more than  
943 60 days after a final statement of financial interests is filed,  
944 a complaint is filed alleging a complete omission of any  
945 information required to be disclosed by this section, the  
946 commission may immediately follow the complaint procedures in s.  
947 112.324. However, if the complaint alleges an immaterial,  
948 inconsequential, or de minimis error or omission, the commission  
949 may not take any action on the complaint other than notifying  
950 the filer of the complaint. The filer must be given 30 days to  
951 file an amendment to the ~~a new~~ final statement of financial  
952 interests correcting any errors. If the filer does not file an  
953 amendment to the ~~a new~~ final statement of financial interests  
954 within 30 days after the commission sends notice of the  
955 complaint, the commission may continue with proceedings pursuant  
956 to s. 112.324.

957 (c) For purposes of this section, an error or omission is

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958 immaterial, inconsequential, or de minimis if the original  
959 filing provided sufficient information for the public to  
960 identify potential conflicts of interest. However, failure to  
961 certify completion of annual ethics training required under s.  
962 112.3142 does not constitute an immaterial, inconsequential, or  
963 de minimis error or omission.

964 (12) (a) ~~(11) (a)~~ An individual required to file a statement  
965 ~~disclosure~~ pursuant to this section may have the statement  
966 ~~disclosure~~ prepared by an attorney in good standing with The  
967 Florida Bar or by a certified public accountant licensed under  
968 chapter 473. After preparing a statement ~~disclosure~~ form, the  
969 attorney or certified public accountant must sign the form  
970 indicating that he or she prepared the form in accordance with  
971 this section and the instructions for completing and filing the  
972 disclosure forms and that, upon his or her reasonable knowledge  
973 and belief, the disclosure is true and correct. If a complaint  
974 is filed alleging a failure to disclose information required by  
975 this section, the commission shall determine whether the  
976 information was disclosed to the attorney or certified public  
977 accountant. The failure of the attorney or certified public  
978 accountant to accurately transcribe information provided by the  
979 individual who is required to file the statement ~~disclosure~~ does  
980 not constitute a violation of this section.

981 (b) An elected officer or candidate who chooses to use an  
982 attorney or a certified public accountant to prepare his or her  
983 statement ~~disclosure~~ may pay for the services of the attorney or  
984 certified public accountant from funds in an office account  
985 created pursuant to s. 106.141 or, during a year that the  
986 individual qualifies for election to public office, the

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987 candidate's campaign depository pursuant to s. 106.021.

988 (13)~~(12)~~ The commission shall adopt rules and forms  
989 specifying how a state officer, local officer, or specified  
990 state employee may amend his or her statement of financial  
991 interests to report information that was not included on the  
992 form as originally filed. If the amendment is the subject of a  
993 complaint filed under this part, the commission and the proper  
994 disciplinary official or body shall consider as a mitigating  
995 factor when considering appropriate disciplinary action the fact  
996 that the amendment was filed before any complaint or other  
997 inquiry or proceeding, while recognizing that the public was  
998 deprived of access to information to which it was entitled.

999 Section 5. Section 112.31455, Florida Statutes, is amended  
1000 to read:

1001 112.31455 Collection methods for unpaid automatic fines for  
1002 failure to timely file disclosure of financial interests.-

1003 (1) Before referring any unpaid fine accrued pursuant to s.  
1004 112.3144(7) or s. 112.3145(8) ~~s. 112.3144(5) or s. 112.3145(7)~~  
1005 to the Department of Financial Services, the commission shall  
1006 attempt to determine whether the individual owing such a fine is  
1007 a current public officer or current public employee. If so, the  
1008 commission may notify the Chief Financial Officer or the  
1009 governing body of the appropriate county, municipality, or  
1010 special district of the total amount of any fine owed to the  
1011 commission by such individual.

1012 (a) After receipt and verification of the notice from the  
1013 commission, the Chief Financial Officer or the governing body of  
1014 the county, municipality, or special district shall begin  
1015 withholding the lesser of 10 percent or the maximum amount

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1016 allowed under federal law from any salary-related payment. The  
1017 withheld payments shall be remitted to the commission until the  
1018 fine is satisfied.

1019 (b) The Chief Financial Officer or the governing body of  
1020 the county, municipality, or special district may retain an  
1021 amount of each withheld payment, as provided in s. 77.0305, to  
1022 cover the administrative costs incurred under this section.

1023 (2) If the commission determines that the individual who is  
1024 the subject of an unpaid fine accrued pursuant to s. 112.3144(7)  
1025 or s. 112.3145(8) ~~s. 112.3144(5) or s. 112.3145(7)~~ is no longer  
1026 a public officer or public employee or if the commission is  
1027 unable to determine whether the individual is a current public  
1028 officer or public employee, the commission may, 6 months after  
1029 the order becomes final, seek garnishment of any wages to  
1030 satisfy the amount of the fine, or any unpaid portion thereof,  
1031 pursuant to chapter 77. Upon recording the order imposing the  
1032 fine with the clerk of the circuit court, the order shall be  
1033 deemed a judgment for purposes of garnishment pursuant to  
1034 chapter 77.

1035 (3) The commission may refer unpaid fines to the  
1036 appropriate collection agency, as directed by the Chief  
1037 Financial Officer, to utilize any collection methods provided by  
1038 law. Except as expressly limited by this section, any other  
1039 collection methods authorized by law are allowed.

1040 (4) Action may be taken to collect any unpaid fine imposed  
1041 by ss. 112.3144 and 112.3145 within 20 years after the date the  
1042 final order is rendered.

1043 Section 6. Except as otherwise expressly provided in this  
1044 act, this act shall take effect upon becoming a law.