

1                                   A bill to be entitled  
2           An act relating to ethics reform; repealing s. 11.061,  
3           F.S., relating to state, state university, and  
4           community college employee lobbyists; creating s.  
5           106.114, F.S.; providing definitions; prohibiting  
6           certain public service announcements by specified  
7           entities or persons; providing applicability; amending  
8           s. 112.313, F.S.; revising applicability of certain  
9           provisions relating to contractual relationships;  
10          prohibiting public officers or employees of an agency  
11          from soliciting specified employment or contractual  
12          relationships; providing an exception; requiring  
13          certain offers and solicitations of employment or  
14          contractual relationships to be disclosed to certain  
15          persons; requiring such solicitations to be disclosed  
16          to the Commission on Ethics in certain circumstances;  
17          authorizing the commission to investigate such  
18          disclosures; prohibiting specified persons from  
19          certain compensated representation for a specified  
20          period following vacation of office; deleting a  
21          provision prohibiting former legislators from acting  
22          as lobbyists before certain entities and persons for a  
23          specified period following vacation of office;  
24          providing applicability; creating s. 112.3181, F.S.;  
25          prohibiting statewide elected officers and legislators

26 | from soliciting employment offers or investment advice  
27 | arising out of official or political activities;  
28 | providing exceptions; prohibiting such officers or  
29 | legislators from soliciting or accepting investment  
30 | advice from or soliciting or entering into certain  
31 | profitmaking relationships with lobbyists or  
32 | principals; providing definitions; requiring lobbyists  
33 | and principals to disclose certain prohibited  
34 | solicitations to the commission; authorizing the  
35 | commission to investigate such disclosures; providing  
36 | disclosure requirements; requiring the commission to  
37 | publish disclosures on its website; authorizing the  
38 | commission to adopt rules; amending s. 112.3185, F.S.;  
39 | revising and providing definitions; prohibiting  
40 | certain officers and employees from soliciting  
41 | employment or contractual relationships from or  
42 | negotiating employment or contractual relationships  
43 | with certain employers; providing exceptions;  
44 | requiring disclosure of certain offers of employment  
45 | or contractual relationships; amending s. 112.3215,  
46 | F.S.; revising definitions; defining the term  
47 | "principally employed for governmental affairs";  
48 | requiring lobbyists to electronically register with  
49 | the commission; revising lobbyist registration,  
50 | compensation report, principal designation

51 cancellation, and investigation requirements;  
 52 authorizing the commission to dismiss certain  
 53 complaints and investigations; amending s. 420.5061,  
 54 F.S.; conforming a cross-reference to changes made by  
 55 the act; providing an effective date.

56  
 57 Be It Enacted by the Legislature of the State of Florida:

58  
 59 Section 1. Section 11.061, Florida Statutes, is repealed.

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

62 106.114 Elected official advertising.—

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

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

67 (b) "Public service announcement" means any message  
 68 communicated by radio, television, billboard, or electronic  
 69 means that promotes or announces an issue of public importance,  
 70 concern, or welfare. The term does not include an official  
 71 communication on an elected official's website or social media  
 72 account used exclusively for official business.

73 (2) A governmental entity, a person acting on behalf of a  
 74 governmental entity, or an elected official may not use or  
 75 authorize the use of an elected official's name, image,

76 | likeness, official uniform, badge, or other symbol of office in  
 77 | a public service announcement beginning on the date that the  
 78 | elected official qualifies as a candidate under s. 99.061, or  
 79 | other applicable law, for reelection or election to another  
 80 | public office and ending on the day after the election for which  
 81 | the elected official qualified as a candidate, if such  
 82 | announcement is paid for with public funds, as defined in s.  
 83 | 106.113, or if the time or space for such announcement is  
 84 | donated by the communications media. This subsection does not  
 85 | apply to charitable events held by a tax-exempt organization  
 86 | under s. 501(c)(3) of the Internal Revenue Code or bona fide  
 87 | news events such as press conferences or public debates  
 88 | broadcast by a broadcaster licensed by the Federal  
 89 | Communications Commission.

90 | Section 3. Subsection (7), paragraph (a) of subsection  
 91 | (9), and subsection (15) of section 112.313, Florida Statutes,  
 92 | are amended to read:

93 | 112.313 Standards of conduct for public officers,  
 94 | employees of agencies, and local government attorneys.—

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

96 | (a) A ~~Ne~~ public officer or employee of an agency may not  
 97 | ~~shall~~ have or hold any employment or contractual relationship  
 98 | with any business entity or any agency that ~~which~~ is subject to  
 99 | the regulation of, or is doing business with, the officer's or  
 100 | employee's ~~an~~ agency. Such officer or employee may not have or

101 hold any employment or contractual relationship that will create  
 102 a continuing or frequently recurring conflict between his or her  
 103 private interests and the performance of his or her public  
 104 duties or that would impede the full and faithful discharge of  
 105 his or her public duties. This paragraph does not apply to ~~of~~  
 106 ~~which he or she is an officer or employee, excluding those~~  
 107 organizations and their officers who, when acting in their  
 108 official capacity, enter into or negotiate a collective  
 109 bargaining contract with the state or any municipality, county,  
 110 or other political subdivision of the state; ~~nor shall an~~  
 111 ~~officer or employee of an agency have or hold any employment or~~  
 112 ~~contractual relationship that will create a continuing or~~  
 113 ~~frequently recurring conflict between his or her private~~  
 114 ~~interests and the performance of his or her public duties or~~  
 115 ~~that would impede the full and faithful discharge of his or her~~  
 116 ~~public duties.~~

117 1. When the agency referred to is a ~~that certain kind of~~  
 118 special tax district created by general or special law and is  
 119 limited specifically to constructing, maintaining, managing, and  
 120 financing improvements in the land area over which the agency  
 121 has jurisdiction, or when the agency has been organized pursuant  
 122 to chapter 298, ~~then~~ employment with, or entering into a  
 123 contractual relationship with, such a business entity by a  
 124 public officer or employee of such an agency is ~~shall~~ not be  
 125 prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.

126 However, conduct by such officer or employee that is prohibited  
 127 by, or otherwise frustrates the intent of, this section is ~~shall~~  
 128 ~~be deemed~~ a conflict of interest in violation of the standards  
 129 of conduct set forth by this section.

130 2. When the agency referred to is a legislative body and  
 131 the regulatory power over the business entity resides in another  
 132 agency, or when the regulatory power that ~~which~~ the legislative  
 133 body exercises over the business entity or agency is strictly  
 134 through the enactment of laws or ordinances, ~~then~~ employment  
 135 with, or entering into a contractual relationship with, such a  
 136 business entity by a public officer or employee of such a  
 137 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection  
 138 or ~~be~~ deemed a conflict based on the regulatory power of the  
 139 legislative body, unless prohibited or deemed a conflict by  
 140 another law.

141 (b) This subsection does ~~shall~~ not prohibit a public  
 142 officer or employee from practicing in a particular profession  
 143 or occupation when such practice by persons holding such public  
 144 office or employment is required or permitted by law or  
 145 ordinance.

146 (c)1. A public officer or employee of an agency may not  
 147 solicit any employment or contractual relationship prohibited by  
 148 this subsection, except as expressly permitted in s. 112.3185.

149 2. If a public officer or employee of an agency, or a  
 150 person acting on his or her behalf, violates subparagraph 1.,

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

158 (d) A public officer or employee of an agency must  
159 disclose to the head of his or her agency, the general counsel  
160 or inspector general of his or her agency, or any other officer  
161 or attorney designated by the head of his or her agency any  
162 offer of employment or contractual relationship that is  
163 prohibited by this subsection.

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

166 (a)1. It is the intent of the Legislature to implement by  
167 statute the provisions of s. 8(e), Art. II of the State  
168 Constitution relating to legislators, statewide elected  
169 officers, appointed state officers, and designated public  
170 employees.

171 2. As used in this paragraph:

172 a. "Employee" means:

173 (I) Any person employed in the executive or legislative  
174 branch of government holding a position in the Senior Management  
175 Service as defined in s. 110.402 or any person holding a

176 | position in the Selected Exempt Service as defined in s. 110.602  
 177 | or any person having authority over policy or procurement  
 178 | employed by the Department of the Lottery.

179 |       (II) The Auditor General, the director of the Office of  
 180 | Program Policy Analysis and Government Accountability, the  
 181 | Sergeant at Arms and Secretary of the Senate, and the Sergeant  
 182 | at Arms and Clerk of the House of Representatives.

183 |       (III) The executive director and deputy executive director  
 184 | of the Commission on Ethics.

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

195 |       (V) The Chancellor and Vice Chancellors of the State  
 196 | University System; the general counsel to the Board of Governors  
 197 | of the State University System; and the president, provost, vice  
 198 | presidents, and deans of each state university.

199 |       (VI) Any person, including an other-personal-services  
 200 | employee, having the power normally conferred upon the positions



201 | referenced in this sub-subparagraph.

202 |       b. "Appointed state officer" means any member of an  
 203 | appointive board, commission, committee, council, or authority  
 204 | of the executive or legislative branch of state government whose  
 205 | powers, jurisdiction, and authority are not solely advisory and  
 206 | include the final determination or adjudication of any personal  
 207 | or property rights, duties, or obligations, other than those  
 208 | relative to its internal operations.

209 |       c. "State agency" means an entity of the legislative,  
 210 | executive, or judicial branch of state government over which the  
 211 | Legislature exercises plenary budgetary and statutory control.

212 |       3.a. A ~~No~~ member of the Legislature, appointed state  
 213 | officer, or statewide elected officer may not ~~shall~~ personally  
 214 | represent another person or entity for compensation before the  
 215 | government body or agency of which the individual was an officer  
 216 | or member for a period of 2 years following vacation of office.  
 217 | A ~~No~~ member of the Legislature may not ~~shall~~ personally  
 218 | represent another person or entity for compensation during his  
 219 | or her term of office before any state agency other than  
 220 | judicial tribunals or in settlement negotiations after the  
 221 | filing of a lawsuit.

222 |       b. For a period of 2 years following vacation of office, a  
 223 | former member of the Legislature may not act as a lobbyist for  
 224 | compensation before an executive branch agency, agency official,  
 225 | or employee. The terms used in this sub-subparagraph have the

226 same meanings as provided in s. 112.3215.

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

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

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

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

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

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

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

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

254 (15) (a) ADDITIONAL EXEMPTION.—~~An~~ ~~Ne~~ elected public officer  
255 may not shall be held in violation of subsection (7) if the  
256 officer maintains an employment relationship with an entity  
257 which is currently a tax-exempt organization under s. 501(c) of  
258 the Internal Revenue Code and which contracts with or otherwise  
259 enters into a business relationship with the officer's agency  
260 and:

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

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

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

274 (b) This subsection does not apply to an elected public  
275 officer who begins his or her term of office on or after October

276 1, 2020.

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

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

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

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

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

298 (2) A statewide elected officer or member of the  
299 Legislature may not solicit or accept investment advice from or  
300 solicit or enter into an investment, joint venture, or other

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

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

325 (4) (a) A statewide elected officer or member of the

326 Legislature must file a written disclosure with the commission  
327 upon acceptance of the following:

328 1. New employment with or increased compensation from an  
329 entity that receives state funds directly by appropriation;

330 2. New employment with or increased compensation from an  
331 agency;

332 3. New employment with or increased compensation from a  
333 lobbyist, principal of a lobbyist, or lobbying firm; or

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

338 (b) The disclosure must identify the applicable  
339 subparagraph of paragraph (a) and the employer, position, salary  
340 or other compensation, and effective date of employment or  
341 increased compensation. Such disclosure must be filed within 30  
342 days after he or she accepts the employment or increased  
343 compensation or before the effective date of employment or  
344 increased compensation, whichever date is earliest. With respect  
345 to employment or increased compensation accepted or effective  
346 between December 31, 2019, and July 1, 2020, the officer or  
347 legislator must file such disclosure within 30 days after July  
348 1, 2020. The commission shall publish such disclosures with the  
349 officer's or legislator's full and public disclosure of  
350 financial interests on its website. The commission may adopt

351 forms for disclosure and may adopt rules requiring electronic  
352 submission of the disclosure required by this subsection.

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

357 112.3185 Additional standards for state officers and  
358 agency employees.—

359 (1) For the purposes of this section:

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

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

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

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

376 acceptance of an employment or contractual relationship.

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

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

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

390 (7) A covered officer or reporting employee who is  
391 employed in such position on or after July 1, 2020, may not  
392 solicit an employment or contractual relationship from or  
393 negotiate an employment or contractual relationship with a  
394 restricted employer except as provided in this section.

395 (a) A covered officer or reporting employee may solicit a  
396 future employment or contractual relationship from or negotiate  
397 a future employment or contractual relationship with a  
398 restricted employer within 90 days before the expiration of the  
399 officer's term of office, if the officer does not seek  
400 reappointment, or within 90 days before the officer's or



401 employee's termination or retirement date, if he or she provides  
402 notice of termination or retirement to the head of his or her  
403 agency, the general counsel or inspector general of his or her  
404 agency, or any other officer or attorney designated by the head  
405 of his or her agency.

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

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

426 agency.

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

430 (9)(8) Subsections (1)-(6) of this section do not apply is  
 431 not applicable to any employee of the Public Service Commission  
 432 who was so employed on or before December 31, 1994, unless so  
 433 employed on or after July 1, 2020.

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

438 112.3215 Lobbying before the executive branch or the  
 439 Constitution Revision Commission; registration and reporting;  
 440 investigation by commission.-

441 (1) For the purposes of this section:

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

449 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of  
 450 another person, to influence an agency with respect to a

451 decision of the agency in the area of policy or procurement or  
452 an attempt to obtain the goodwill of an agency official or  
453 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or  
454 attempting to influence, on behalf of another, the Constitution  
455 Revision Commission's action or nonaction through oral or  
456 written communication or an attempt to obtain the goodwill of a  
457 member or employee of the Constitution Revision Commission.

458 (h) "Lobbyist" means a person who is employed and receives  
459 payment, or who contracts for economic consideration, for the  
460 purpose of lobbying, or a person who is principally employed for  
461 governmental affairs by another person or governmental entity to  
462 lobby on behalf of that other person or governmental entity. The  
463 term "principally employed for governmental affairs" means that  
464 one of the principal or most significant responsibilities of the  
465 employee to the employer is overseeing the employer's various  
466 relationships with government or representing the employer in  
467 its contacts with government. "Lobbyist" does not include a  
468 person who is:

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

473 2. An officer or employee of an agency, ~~or of~~ a  
474 legislative or judicial branch entity, or a political  
475 subdivision of this state acting in the normal course of his or

476 her office or duties.

477 3. A confidential informant who is providing, or wishes to  
478 provide, confidential information to be used for law enforcement  
479 purposes.

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

483 (3) A person may not lobby an agency until such person has  
484 electronically registered as a lobbyist with the commission.  
485 Such registration shall be due upon initially being retained to  
486 lobby and is renewable on a calendar year basis thereafter. The  
487 commission shall request authorization from the principal with  
488 the principal's name, business address, e-mail address, and  
489 telephone number to confirm that the registrant is authorized to  
490 represent the principal. ~~Upon registration the person shall~~  
491 ~~provide a statement signed by the principal or principal's~~  
492 ~~representative that the registrant is authorized to represent~~  
493 ~~the principal.~~ The principal or principal's representative shall  
494 also identify and designate its main business pursuant to the  
495 North American Industry Classification System six-digit  
496 numerical code that most accurately describes the principal's  
497 main business. Registration is not complete until the commission  
498 receives the principal's authorization and the registration fee  
499 ~~on the statement authorizing that lobbyist pursuant to a~~  
500 ~~classification system approved by the commission.~~ The

501 registration shall require each lobbyist to attest to ~~disclose,~~  
 502 ~~under oath,~~ the following information:

503 (a) Full legal name, e-mail address, telephone number,  
 504 ~~Name~~ and business address;

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

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

508 (c)~~(d)~~ The agencies before which he or she will appear;  
 509 and

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

514 (5) (a) 1. Each lobbying firm shall file a compensation  
 515 report with the commission for each calendar quarter during any  
 516 portion of which one or more of the firm's lobbyists were  
 517 registered to represent a principal. The report shall include  
 518 the:

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

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

522 c. Total compensation provided or owed to the lobbying  
 523 firm from all principals for the reporting period, reported in  
 524 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to  
 525 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to

526 | \$999,999; \$1 million or more.

527 |       2. For each principal represented by one or more of the  
528 | firm's lobbyists, the lobbying firm's compensation report shall  
529 | also include the:

530 |       a. Full name, e-mail address, business address, and  
531 | telephone number of the principal; and

532 |       b. Total compensation provided or owed to the lobbying  
533 | firm for the reporting period, reported in one of the following  
534 | categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
535 | \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
536 | more. If the category "\$50,000 or more" is selected, the  
537 | specific dollar amount of compensation must be reported, rounded  
538 | up or down to the nearest \$1,000.

539 |       3. If the lobbying firm subcontracts work from another  
540 | lobbying firm and not from the original principal:

541 |       a. The lobbying firm providing the work to be  
542 | subcontracted shall be treated as the reporting lobbying firm's  
543 | principal for reporting purposes under this paragraph; and

544 |       b. The reporting lobbying firm shall, for each lobbying  
545 | firm identified under subparagraph 2., identify the name and  
546 | address of the principal originating the lobbying work.

547 |       4. The senior partner, officer, or owner of the lobbying  
548 | firm shall certify to the veracity and completeness of the  
549 | information submitted pursuant to this paragraph.

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

551 the commission canceling the designation of registration for a  
552 principal in his or her registration upon termination of such  
553 ~~the lobbyist's representation of that principal~~. The commission  
554 may cancel a lobbyist's designation of a principal upon the  
555 principal's notification that the lobbyist is no longer  
556 authorized to represent the principal ~~Notwithstanding this~~  
557 ~~requirement, the commission may remove the name of a lobbyist~~  
558 ~~from the list of registered lobbyists if the principal notifies~~  
559 ~~the office that a person is no longer authorized to represent~~  
560 ~~that principal.~~

561 (8) (a) The commission shall investigate every sworn  
562 complaint that is filed with it alleging that a person covered  
563 by this section has failed to register, has failed to submit a  
564 compensation report, has made a prohibited expenditure, or has  
565 knowingly submitted false information in any report or  
566 registration required in this section.

567 (b) All proceedings, the complaint, and other records  
568 relating to the investigation are confidential and exempt from  
569 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
570 Constitution, and any meetings held pursuant to an investigation  
571 are exempt from the provisions of s. 286.011(1) and s. 24(b),  
572 Art. I of the State Constitution either until the alleged  
573 violator requests in writing that such investigation and  
574 associated records and meetings be made public or until the  
575 commission determines, based on the investigation, whether

576 | probable cause exists to believe that a violation has occurred.

577 |       (c) The commission shall investigate any lobbying firm,  
578 | lobbyist, principal, agency, officer, or employee upon receipt  
579 | of information from a sworn complaint or from a random audit of  
580 | lobbying reports indicating that the individual or entity has  
581 | intentionally failed to disclose any material fact or has  
582 | knowingly submitted false information in any report required by  
583 | this section or by rules adopted pursuant to this section a  
584 | ~~possible violation other than a late-filed report.~~

585 |       (d) Notwithstanding paragraphs (a)-(c), the commission may  
586 | dismiss any complaint or investigation resulting from a random  
587 | audit of lobbying reports, at any state of disposition, if it  
588 | determines that the public interest is not served by proceeding  
589 | further, in which case the commission shall issue a public  
590 | report stating with particularity its reasons for the dismissal.

591 |       (e) ~~(d)~~1. Records relating to an audit conducted pursuant  
592 | to this section or an investigation conducted pursuant to this  
593 | section or s. 112.32155 are confidential and exempt from s.  
594 | 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

598 |       3. The exemptions no longer apply if the lobbying firm  
599 | requests in writing that such investigation and associated  
600 | records and meetings be made public or the commission determines



601 | there is probable cause that the audit reflects a violation of  
602 | the reporting laws.

603 |       (15) The commission shall adopt rules to administer this  
604 | section, which shall prescribe forms for registration and  
605 | compensation reports, procedures for registration, and  
606 | procedures that will prevent disclosure of information that is  
607 | confidential as provided in this section.

608 |       Section 7. Section 420.5061, Florida Statutes, is amended  
609 | to read:

610 |       420.5061 Transfer of agency assets and liabilities.—The  
611 | corporation is the legal successor in all respects to the  
612 | agency, is obligated to the same extent as the agency under any  
613 | agreements existing on December 31, 1997, and is entitled to any  
614 | rights and remedies previously afforded the agency by law or  
615 | contract, including specifically the rights of the agency under  
616 | chapter 201 and part VI of chapter 159. Effective January 1,  
617 | 1998, all references under Florida law to the agency are deemed  
618 | to mean the corporation. The corporation shall transfer to the  
619 | General Revenue Fund an amount which otherwise would have been  
620 | deducted as a service charge pursuant to s. 215.20(1) if the  
621 | Florida Housing Finance Corporation Fund established by s.  
622 | 420.508(5), the State Apartment Incentive Loan Fund established  
623 | by s. 420.5087(7), the Florida Homeownership Assistance Fund  
624 | established by s. 420.5088(4), the HOME Investment Partnership  
625 | Fund established by s. 420.5089(1), and the Housing

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626 Predevelopment Loan Fund established by s. 420.525(1) were each  
627 trust funds. For purposes of s. 112.313, the corporation is  
628 deemed to be a continuation of the agency, and the provisions  
629 thereof are deemed to apply as if the same entity remained in  
630 place. ~~Any employees of the agency and agency board members~~  
631 ~~covered by s. 112.313(9)(a)6. shall continue to be entitled to~~  
632 ~~the exemption in that subparagraph, notwithstanding being hired~~  
633 ~~by the corporation or appointed as board members of the~~  
634 ~~corporation.~~

635 Section 8. This act shall take effect July 1, 2020.