

1 A bill to be entitled
 2 An act relating to prohibition of public funds for
 3 lobbying by local governments; creating s. 11.063,
 4 F.S.; providing a short title; defining the term
 5 "local government"; prohibiting local governments from
 6 using public funds to retain lobbyists; providing
 7 exceptions; providing penalties for violations;
 8 authorizing people to file complaints with the
 9 Commission on Ethics alleging violations; requiring
 10 the commission to provide a report to certain
 11 entities; specifying procedures for disciplining
 12 violators; authorizing certain people to file for
 13 injunctive relief under certain circumstances;
 14 authorizing the recovery of reasonable attorney fees
 15 and costs; providing an effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 11.063, Florida Statutes, is created to
 20 read:

21 11.063 Use of public funds for lobbying by local
 22 governments prohibited; penalty.-

23 (1) This section may be cited as the "Stop Taxpayer-Funded
 24 Lobbying Act."

25 (2) For purposes of this section, the term "local

26 government" means:

27 (a) Any county, municipality, school district, or other
 28 political subdivision of this state.

29 (b) Any department, agency, board, bureau, district,
 30 commission, authority, or similar body of a county,
 31 municipality, school district, or other political subdivision of
 32 the state.

33 (3) (a) A local government may not use public funds to
 34 retain a lobbyist to represent the local government before the
 35 legislative or executive branch. However, a full-time employee
 36 of the local government may register as a lobbyist and represent
 37 that local government before the legislative or executive
 38 branch. Except as a full-time employee, a person may not accept
 39 public funds from a local government for lobbying.

40 (b) A local government that violates this subsection may
 41 be prohibited from lobbying the legislative or executive branch
 42 for a period not exceeding 2 years.

43 (c) A person who accepts public funds as compensation for
 44 lobbying in violation of this subsection may be prohibited from
 45 registering to lobby before the legislative or executive branch
 46 for a period not exceeding 2 years.

47 (d) A person may file a written complaint with the
 48 Commission on Ethics alleging a violation of this subsection.
 49 The commission shall investigate and report its finding to the
 50 President of the Senate, the Speaker of the House of

51 Representatives, and the Governor and Cabinet. Based upon the
52 report of the Commission on Ethics or upon its own finding that
53 a violation of this subsection has occurred, a house of the
54 Legislature may discipline the violator according to its rules,
55 and the Governor or the Governor and Cabinet, as applicable, may
56 prohibit the violator from lobbying before the executive branch
57 for a period not exceeding 2 years after the date of the formal
58 determination of a violation. The Commission on Ethics shall
59 adopt rules necessary to conduct investigations under this
60 paragraph.

61 (4) In addition to the sanctions in paragraphs (3) (b) and
62 (c) that may be levied against a local government or person for
63 engaging in activities prohibited under this section, a taxpayer
64 or resident of the local government may file a civil action for
65 injunctive relief to prevent the future activity prohibited by
66 this section or to prohibit future payments of public funds for
67 that activity. A taxpayer or resident who prevails in an action
68 under this subsection may recover his or her reasonable attorney
69 fees and costs incurred in bringing the action.

70 Section 2. This act shall take effect July 1, 2021.