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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2021	.	
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The Committee on Governmental Oversight and Accountability
(Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (2) and (6) of section 215.985,
Florida Statutes, are amended to read:

215.985 Transparency in government spending.—

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

(a) "Committee" means the Legislative Auditing Committee.

(b) "Contract" means a written agreement or purchase order



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11 issued for the purchase of goods or services or a written
12 agreement for the receipt of state or federal financial
13 assistance.

14 (c) "Governmental entity" means a state, regional, county,
15 municipal, special district, or other political subdivision
16 whether executive, judicial, or legislative, including, but not
17 limited to, a department, division, bureau, commission,
18 authority, district, or agency thereof, or public school,
19 Florida College System institution, state university, or
20 associated board.

21 (d) "Nongovernmental entity" means a nonprofit corporation.

22 (e) ~~(d)~~ "Website" means a site on the Internet which is
23 easily accessible to the public at no cost and does not require
24 the user to provide information.

25 (f) "State funds" means funds paid from the General Revenue
26 Fund or any state trust fund, funds allocated by the Federal
27 Government and distributed by the state, or funds appropriated
28 by the state for distribution through any grant program.

29 (6) (a) The Department of Management Services shall
30 establish and maintain a website that provides current
31 information relating to each employee or officer of a state
32 agency, a state university, a Florida College System
33 institution, or the State Board of Administration, regardless of
34 the appropriation category from which the person is paid.

35 1. ~~(a)~~ For each employee or officer, the information must
36 include, at a minimum, his or her:

37 a. ~~1.~~ Name and salary or hourly rate of pay.

38 b. ~~2.~~ Position number, class code, and class title.

39 c. ~~3.~~ Employing agency and budget entity.



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40 2.~~(b)~~ The information must be searchable by state agency,
41 state university, Florida College System institution, and the
42 State Board of Administration, and by employee name, salary
43 range, or class code and must be downloadable in a format that
44 allows offline analysis.

45 (b)1. A nongovernmental entity that receives at least 50
46 percent of its annual revenue, calculated using the
47 nongovernmental entity's fiscal year, from state funds or that
48 receives \$750,000 in state funds in a fiscal year, must submit
49 to the Department of Management Services by January 15 of each
50 year a report that includes the name, position, and total annual
51 compensation of, including bonuses, exit bonuses, accrued paid
52 time off, severance payments, and incentive payments paid to,
53 each director, board member, chief executive officer, chief
54 financial officer, chief operating officer, or other person
55 performing equivalent functions. The report must be verified as
56 provided in s. 92.525 by a director, board member, chief
57 executive officer, chief financial officer, or chief operating
58 officer of the entity.

59 2. Beginning February 1, 2022, and each February 1
60 thereafter, the Department of Management Services shall include
61 the information reported in subparagraph 1. on the website
62 established under paragraph (a).

63 3. A nongovernmental entity required to submit a report
64 under subparagraph 1. must post the reported information on its
65 website if the entity maintains a website.

66 4. Before receiving funds from a governmental entity, a
67 nongovernmental entity that:

68 a. Received funding subject to this paragraph in the



69 previous year must submit to the governmental entity an
70 attestation verified as provided in s. 92.525, that the
71 nongovernmental entity has submitted the report required in
72 subparagraph 1.

73 b. Did not receive funding subject to this paragraph in the
74 previous year must submit to the governmental entity an
75 attestation verified as provided in s. 92.525, that the
76 nongovernmental entity has not received funding in the previous
77 year.

78 5.a. Beginning January 15, 2022, a governmental entity may
79 not expend, transfer, or distribute funds to a nongovernmental
80 entity until the nongovernmental entity has complied with the
81 requirements of this paragraph.

82 b. This subparagraph is applicable to payments associated
83 with contracts executed, amended, extended, or renewed on or
84 after July 1, 2021, and any transfers or distributions
85 authorized on or after July 1, 2021.

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

87
88 ===== T I T L E A M E N D M E N T =====

89 And the title is amended as follows:

90 Delete everything before the enacting clause
91 and insert:

92 A bill to be entitled
93 An act relating to transparency in government
94 spending; amending s. 215.985, F.S.; defining the term
95 "nongovernmental entity"; requiring nongovernmental
96 entities that have received specified revenues from
97 the state to provide a report to the Department of



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98 Management Services; requiring the report to be
99 verified; requiring the department to post the report
100 information received on its website; requiring the
101 nongovernmental entity to post the report information
102 on its website; requiring certain entities to verify
103 submission of the report before receiving government
104 funds; providing an effective date.