

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

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

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 21           Section 1. Section 11.063, Florida Statutes, is created to  
 22           read:

23           11.063 Use of public funds for lobbying prohibited;  
 24           penalty.—

25           (1) This section may be cited as the "Stop Taxpayer-Funded

26 Lobbying Act."

27 (2) For purposes of this section, the term "local  
28 government" means:

29 (a) Any county, municipality, school district, or other  
30 political subdivision of the state.

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

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

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

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

49 (4) In addition to the sanctions in paragraphs (3) (b) and  
50 (c) that may be levied against a local government or person for

51 engaging in activities prohibited under subsection (3), a  
52 taxpayer or resident of the local government may file a civil  
53 action for injunctive relief to prevent the activity prohibited  
54 by subsection (3) or to prohibit payments of public funds for  
55 that activity. A taxpayer or resident who prevails in an action  
56 under this subsection may recover his or her reasonable attorney  
57 fees and costs incurred in bringing the action.

58 (5) (a) A not-for-profit organization that receives public  
59 funds under the specialty license plate program under s.  
60 320.08053 may not retain a lobbyist, whether for compensation or  
61 otherwise, to represent the organization before the legislative  
62 or executive branch.

63 (b) A lobbyist may not represent a not-for-profit  
64 organization that receives public funds under the specialty  
65 license plate program under s. 320.08053 before the legislative  
66 or executive branch. A lobbyist who violates this paragraph may  
67 be prohibited from registering to lobby before the legislative  
68 or executive branch for a period not exceeding 2 years.

69 (6) In addition to the sanctions in paragraph (5) (b) that  
70 may be levied against a lobbyist for engaging in an activity  
71 prohibited under subsection (5), a resident of the state may  
72 file a civil action for injunctive relief to prohibit the  
73 release of future public funds as otherwise authorized under  
74 chapter 320 to the organization. A resident who prevails in an  
75 action under this subsection may recover his or her reasonable

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76 attorney fees and costs incurred in bringing the action.  
77 (7) A resident of the state may file a written complaint  
78 with the Commission on Ethics alleging a violation of this  
79 section. The commission shall investigate and report its finding  
80 to the President of the Senate, the Speaker of the House of  
81 Representatives, and the Governor and Cabinet. Based upon the  
82 report of the Commission on Ethics or upon its own finding that  
83 a violation of this subsection has occurred, a house of the  
84 Legislature may discipline the violator according to its rules,  
85 and the Governor or the Governor and Cabinet, as applicable, may  
86 prohibit the violator from lobbying before the executive branch  
87 for a period not exceeding 2 years after the date of the formal  
88 determination of a violation. The Commission on Ethics shall  
89 adopt rules necessary to conduct investigations under this  
90 subsection.  
91 Section 2. This act shall take effect July 1, 2022.