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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/10/2022	.	
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The Committee on Rules (Brodeur) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective April 1, 2022, subsection (5) and
paragraph (a) of subsection (7) of section 99.061, Florida
Statutes, are amended to read:

99.061 Method of qualifying for nomination or election to
federal, state, county, or district office.—

(5) At the time of qualifying for office, each candidate
for a constitutional office and each candidate for other



12 elective office subject to an annual filing requirement under s.
13 112.3144 shall file a full and public disclosure of financial
14 interests pursuant to s. 8, Art. II of the State Constitution,
15 which must be verified under oath or affirmation pursuant to s.
16 92.525(1) (a), and a candidate for any other office, including
17 local elective office, shall file a statement of financial
18 interests pursuant to s. 112.3145. A candidate who is subject to
19 an annual filing requirement under s. 112.3144 may submit a
20 verification or receipt of electronic filing pursuant to s.
21 112.3144(4). A candidate who is subject to an annual filing
22 requirement under s. 112.3145 may file a verification or receipt
23 of electronic filing pursuant to s. 112.3145(2) (c) unless the
24 candidate is required to file a full and public disclosure of
25 financial interests pursuant to s. 8, Art. II of the State
26 Constitution or pursuant to this subsection.

27 (7) (a) In order for a candidate to be qualified, the
28 following items must be received by the filing officer by the
29 end of the qualifying period:

30 1. A properly executed check drawn upon the candidate's
31 campaign account payable to the person or entity as prescribed
32 by the filing officer in an amount not less than the fee
33 required by s. 99.092, unless the candidate obtained the
34 required number of signatures on petitions pursuant to s.
35 99.095. The filing fee for a special district candidate is not
36 required to be drawn upon the candidate's campaign account. If a
37 candidate's check is returned by the bank for any reason, the
38 filing officer must ~~shall~~ immediately notify the candidate and
39 the candidate has ~~shall have~~ until the end of qualifying to pay
40 the fee with a cashier's check purchased from funds of the



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41 campaign account. Failure to pay the fee as provided in this
42 subparagraph disqualifies ~~shall disqualify~~ the candidate.

43 2. The candidate's oath required by s. 99.021, which must
44 contain the name of the candidate as it is to appear on the
45 ballot; the office sought, including the district or group
46 number if applicable; and the signature of the candidate, which
47 must be verified under oath or affirmation pursuant to s.
48 92.525(1) (a).

49 3. If the office sought is partisan, the written statement
50 of political party affiliation required by s. 99.021(1) (b); or
51 if the candidate is running without party affiliation for a
52 partisan office, the written statement required by s.
53 99.021(1) (c).

54 4. The completed form for the appointment of campaign
55 treasurer and designation of campaign depository, as required by
56 s. 106.021.

57 5. The full and public disclosure or statement of financial
58 interests required by subsection (5). A public officer who has
59 filed the full and public disclosure or statement of financial
60 interests with the Commission on Ethics or the supervisor of
61 elections before ~~prior to~~ qualifying for office may file a copy
62 of that disclosure at the time of qualifying or a verification
63 or receipt of electronic filing as provided in subsection (5).

64 Section 2. Effective January 1, 2023, paragraph (a) of
65 subsection (1) of section 112.3144, Florida Statutes, is
66 amended, and paragraph (d) is added to that subsection, to read:

67 112.3144 Full and public disclosure of financial
68 interests.—

69 (1) (a) An officer who is required by s. 8, Art. II of the



70 State Constitution to file a full and public disclosure of his
71 or her financial interests for any calendar or fiscal year, or
72 any other person required by law to file a disclosure under this
73 section, shall file that disclosure with the Florida Commission
74 on Ethics. Additionally, an officer who is required to file a
75 full and public disclosure of his or her financial interests
76 under this part and complete annual ethics training pursuant to
77 s. 112.3142 must certify on his or her full and public
78 disclosure of financial interests that he or she has completed
79 the required training.

80 (d) The following local officers must comply with the
81 financial disclosure requirement of s. 8, Art. II of the State
82 Constitution and this section:

83 1. Mayors.

84 2. City Commissioners.

85 3. Elected members of a city council; town council; village
86 council; or other governing body of a city, town, or village.

87 4. City, county, town, or village managers.

88 Section 3. Effective January 1, 2023, paragraph (b) of
89 subsection (2) of section 112.3145, Florida Statutes, is amended
90 to read:

91 112.3145 Disclosure of financial interests and clients
92 represented before agencies.—

93 (2)

94 (b) Each state or local officer, except local officers
95 specified in s. 112.3144(1)(d), and each specified state
96 employee shall file a statement of financial interests no later
97 than July 1 of each year. Each state officer, local officer, and
98 specified state employee shall file a final statement of



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99 financial interests within 60 days after leaving his or her
100 public position for the period between January 1 of the year in
101 which the person leaves and the last day of office or
102 employment, unless within the 60-day period the person takes
103 another public position requiring financial disclosure under
104 this section or s. 8, Art. II of the State Constitution or
105 otherwise is required to file full and public disclosure or a
106 statement of financial interests for the final disclosure
107 period. Each state or local officer who is appointed and each
108 specified state employee who is employed shall file a statement
109 of financial interests within 30 days after ~~from~~ the date of
110 appointment or, in the case of a specified state employee, after
111 ~~from~~ the date on which the employment begins, except that any
112 person whose appointment is subject to confirmation by the
113 Senate shall file before ~~prior to~~ confirmation hearings or
114 within 30 days after ~~from~~ the date of appointment, whichever
115 comes first.

116 Section 4. Paragraphs (d) and (e) of subsection (2) and
117 paragraph (c) of subsection (8) of section 112.3145, Florida
118 Statutes, are amended to read:

119 112.3145 Disclosure of financial interests and clients
120 represented before agencies.—

121 (2)

122 (d) State officers and specified state employees shall file
123 their statements of financial interests with the commission.
124 Through December 31, 2022, local officers shall file their
125 statements of financial interests with the supervisor of
126 elections of the county in which they permanently reside.
127 Through December 31, 2022, local officers who do not permanently



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128 reside in any county in this ~~the~~ state shall file their
129 statements of financial interests with the supervisor of
130 elections of the county in which their agency maintains its
131 headquarters. Persons seeking to qualify as candidates for local
132 public office shall file their statements of financial interests
133 with the officer before whom they qualify.

134 (e) Beginning January 1, 2023, a statement of financial
135 interests and a final statement of financial interests, and any
136 amendments thereto, or any other form required by this section,
137 except any statement of a candidate who is not subject to an
138 annual filing requirement, all statements filed with the
139 ~~commission~~ must be filed electronically through an electronic
140 filing system ~~that is~~ created and maintained by the commission
141 as provided in s. 112.31446.

142 (8) Forms for compliance with the disclosure requirements
143 of this section and a current list of persons subject to
144 disclosure shall be created by the commission and provided to
145 each supervisor of elections. The commission and each supervisor
146 of elections shall give notice of disclosure deadlines and
147 delinquencies and distribute forms in the following manner:

148 (c) Not later than August 1 of each year, the commission
149 and each supervisor of elections shall determine which persons
150 required to file a statement of financial interests in their
151 respective offices have failed to do so and shall send
152 delinquency notices to these persons. Through December 31, 2022,
153 delinquency notices must be sent by certified mail, return
154 receipt requested. Each notice must state that a grace period is
155 in effect until September 1 of the current year; that no
156 investigative or disciplinary action based upon the delinquency



157 will be taken by the agency head or commission if the statement
158 is filed by September 1 of the current year; that, if the
159 statement is not filed by September 1 of the current year, a
160 fine of \$25 for each day late will be imposed, up to a maximum
161 penalty of \$1,500; for notices distributed by a supervisor of
162 elections, that he or she is required by law to notify the
163 commission of the delinquency; and that, if upon the filing of a
164 sworn complaint the commission finds that the person has failed
165 to timely file the statement within 60 days after September 1 of
166 the current year, such person will also be subject to the
167 penalties provided in s. 112.317. Beginning January 1, 2023,
168 notice required under this paragraph:

- 169 1. May not be sent by certified mail.
170 2. Must be delivered by e-mail and must be redelivered on a
171 weekly basis by e-mail as long as the person remains delinquent.

172 Section 5. Except as otherwise expressly provided in this
173 act, this act shall take effect upon becoming a law.

174
175 ===== T I T L E A M E N D M E N T =====

176 And the title is amended as follows:

177 Delete everything before the enacting clause
178 and insert:

179 A bill to be entitled
180 An act relating to financial disclosures; amending s.
181 99.061, F.S.; revising qualification requirements for
182 certain candidates for office; amending s. 112.3144,
183 F.S.; requiring certain officers to certify that they
184 have completed ethics training; requiring specified
185 local officers to file a full and public disclosure of



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186 financial interests; amending s. 112.3145, F.S.;

187 exempting specified local officers from certain

188 financial disclosure requirements; requiring certain

189 local officers to file their statements of financial

190 interests with a specified supervisor of elections

191 until a specified date; requiring certain documents to

192 be filed electronically after a specified date;

193 requiring certain delinquency notices to be sent by

194 certified mail until a specified date; prohibiting

195 certain delinquency notices from being sent by

196 certified mail after a specified date; providing

197 effective dates.