

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; amending s.
5 99.061, F.S.; revising qualification requirements for
6 certain candidates for office; amending s. 112.313,
7 F.S.; providing that contractual relationships held by
8 a business entity are deemed to be held by a public
9 officer or employee under certain circumstances;
10 providing that certain actions are not considered a
11 conflict unless prohibited or deemed a conflict by
12 another law; revising postemployment restrictions for
13 certain employees; revising applicability of certain
14 provisions relating to contractual relationships;
15 amending s. 112.3142, F.S.; requiring certain persons
16 to complete certain ethics training; removing the
17 authority for the Commission on Ethics to adopt rules;
18 providing requirements for course content for certain
19 portions of ethics training classes; providing
20 legislative intent; amending s. 112.3143, F.S.;
21 providing that certain officers and board members may
22 not vote in an official capacity if there is a
23 conflict of interest; amending s. 112.3144, F.S.;
24 requiring certain officers to certify that they have
25 completed annual ethics training; requiring such

26 officers and members to provide the name of the
27 training provider beginning on a specified date;
28 specifying that failure to provide the name of a
29 training provider is not an immaterial,
30 inconsequential, or de minimis error or omission;
31 amending s. 112.3145, F.S.; exempting specified
32 officers from certain financial disclosure
33 requirements; providing that certain local officers
34 must file their statements of financial interests with
35 a specified supervisor until a specified date;
36 revising the documents that must be filed
37 electronically; requiring certain officers to provide
38 the name of the training provider beginning on a
39 specified date; providing that certain delinquency
40 notices may not be sent by certified mail beginning on
41 a specified date; amending s. 112.31455, F.S.;
42 prohibiting an action to collect certain unpaid fines
43 from certain persons after a specified time period;
44 amending s. 112.3185, F.S.; removing certain
45 applicability; amending s. 112.3215, F.S.; revising
46 and providing definitions; requiring lobbyists to
47 electronically register with the commission; revising
48 lobbyist registration, compensation report, principal
49 designation cancellation, and investigation
50 requirements; authorizing the commission to dismiss

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51 certain complaints and investigations; amending s.
52 420.5061, F.S.; conforming a provision to changes made
53 by the act; providing a statement of important state
54 interest; providing effective dates.
55

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

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

59 Section 2. Effective April 1, 2022, subsection (5) and
60 paragraph (a) of subsection (7) of section 99.061, Florida
61 Statutes, are amended to read:

62 99.061 Method of qualifying for nomination or election to
63 federal, state, county, or district office.—

64 (5) At the time of qualifying for office, each candidate
65 for a constitutional office, and each candidate for any other
66 elective office subject to an annual filing requirement under s.
67 112.3144, shall file a full and public disclosure of financial
68 interests pursuant to s. 8, Art. II of the State Constitution,
69 which must be verified under oath or affirmation pursuant to s.
70 92.525(1) (a), and a candidate for any other office, including
71 local elective office, shall file a statement of financial
72 interests pursuant to s. 112.3145. A candidate who is subject to
73 an annual filing requirement under s. 112.3144 may submit a
74 verification or receipt of electronic filing pursuant to s.
75 112.3144(4). A candidate who is subject to an annual filing

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76 requirement under s. 112.3145 may file a verification or receipt
77 of electronic filing pursuant to s. 112.3145(2)(c) unless the
78 candidate is required to file a full and public disclosure of
79 financial interests pursuant to s. 8, Art. II of the State
80 Constitution or this subsection.

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

84 1. A properly executed check drawn upon the candidate's
85 campaign account payable to the person or entity as prescribed
86 by the filing officer in an amount not less than the fee
87 required by s. 99.092, unless the candidate obtained the
88 required number of signatures on petitions pursuant to s.
89 99.095. The filing fee for a special district candidate is not
90 required to be drawn upon the candidate's campaign account. If a
91 candidate's check is returned by the bank for any reason, the
92 filing officer shall immediately notify the candidate and the
93 candidate shall have until the end of qualifying to pay the fee
94 with a cashier's check purchased from funds of the campaign
95 account. Failure to pay the fee as provided in this subparagraph
96 shall disqualify the candidate.

97 2. The candidate's oath required by s. 99.021, which must
98 contain the name of the candidate as it is to appear on the
99 ballot; the office sought, including the district or group
100 number if applicable; and the signature of the candidate, which

101 must be verified under oath or affirmation pursuant to s.
 102 92.525(1) (a) .

103 3. If the office sought is partisan, the written statement
 104 of political party affiliation required by s. 99.021(1) (b); or
 105 if the candidate is running without party affiliation for a
 106 partisan office, the written statement required by s.
 107 99.021(1) (c) .

108 4. The completed form for the appointment of campaign
 109 treasurer and designation of campaign depository, as required by
 110 s. 106.021.

111 5. The full and public disclosure or statement of
 112 financial interests required by subsection (5). A public officer
 113 who has filed the full and public disclosure or statement of
 114 financial interests with the Commission on Ethics or the
 115 supervisor of elections before ~~prior to~~ qualifying for office
 116 may file a copy of that disclosure at the time of qualifying or
 117 a verification or receipt of electronic filing as authorized in
 118 subsection (5) .

119 Section 3. Subsection (7), paragraph (a) of subsection
 120 (9), and subsection (15) of section 112.313, Florida Statutes,
 121 are amended to read:

122 112.313 Standards of conduct for public officers,
 123 employees of agencies, and local government attorneys.—

124 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

125 (a) A ~~No~~ public officer or employee of an agency may not

126 ~~shall~~ have or hold any employment or contractual relationship
 127 with any business entity or any agency that ~~which~~ is subject to
 128 the regulation of, or is doing business with, an agency of which
 129 he or she is an officer or employee, excluding those
 130 organizations and their officers who, when acting in their
 131 official capacity, enter into or negotiate a collective
 132 bargaining contract with the state or any municipality, county,
 133 or other political subdivision of the state. Such; ~~nor shall an~~
 134 officer or employee also may not ~~of an agency~~ have or hold any
 135 employment or contractual relationship that will create a
 136 continuing or frequently recurring conflict between his or her
 137 private interests and the performance of his or her public
 138 duties or that would impede the full and faithful discharge of
 139 his or her public duties. For purposes of this subsection, if a
 140 public officer or employee of an agency holds a material
 141 interest in a business entity other than a publicly traded
 142 entity, or is an officer, director, or member who manages such
 143 an entity, contractual relationships held by the business entity
 144 are deemed to be held by the public officer or employee.

145 1. When the agency referred to is a ~~that certain kind of~~
 146 special tax district created by general or special law and is
 147 limited specifically to constructing, maintaining, managing, and
 148 financing improvements in the land area over which the agency
 149 has jurisdiction, or when the agency has been organized under
 150 ~~pursuant to~~ chapter 298, ~~then~~ employment with, or entering into

151 a contractual relationship with, such a business entity by a
 152 public officer or employee of such an agency is ~~shall~~ not ~~be~~
 153 prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.
 154 However, conduct by such officer or employee that is prohibited
 155 by, or otherwise frustrates the intent of, this section is ~~shall~~
 156 ~~be~~ deemed a conflict of interest in violation of the standards
 157 of conduct set forth by this section.

158 2. When the agency referred to is a legislative body and
 159 the regulatory power over the business entity resides in another
 160 agency, or when the regulatory power that ~~which~~ the legislative
 161 body exercises over the business entity or agency is strictly
 162 through the enactment of laws or ordinances, ~~then~~ employment
 163 with, or entering into a contractual relationship with, a
 164 business entity by a public officer or employee of such a
 165 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection
 166 or ~~be~~ deemed a conflict based on the regulatory power of the
 167 legislative body, unless prohibited or deemed a conflict by
 168 another law.

169 (b) This subsection does ~~shall~~ not prohibit a public
 170 officer or employee from practicing in a particular profession
 171 or occupation when such practice by persons holding such public
 172 office or employment is required or permitted by law or
 173 ordinance.

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

176 (a)1. It is the intent of the Legislature to implement by
 177 statute the provisions of s. 8(e), Art. II of the State
 178 Constitution relating to legislators, statewide elected
 179 officers, appointed state officers, and designated public
 180 employees.

181 2. As used in this paragraph:

182 a. "Employee" means:

183 (I) Any person employed in the executive or legislative
 184 branch of government holding a position in the Senior Management
 185 Service as defined in s. 110.402 or any person holding a
 186 position in the Selected Exempt Service as defined in s. 110.602
 187 or any person having authority over policy or procurement
 188 employed by the Department of the Lottery.

189 (II) The Auditor General, the director of the Office of
 190 Program Policy Analysis and Government Accountability, the
 191 Sergeant at Arms and Secretary of the Senate, and the Sergeant
 192 at Arms and Clerk of the House of Representatives.

193 (III) The executive director and deputy executive director
 194 of the Commission on Ethics.

195 (IV) An executive director, staff director, or deputy
 196 staff director of each joint committee, standing committee, or
 197 select committee of the Legislature; an executive director,
 198 staff director, executive assistant, analyst, or attorney of the
 199 Office of the President of the Senate, the Office of the Speaker
 200 of the House of Representatives, the Senate Majority Party

201 Office, Senate Minority Party Office, House Majority Party
 202 Office, or House Minority Party Office; or any person, hired on
 203 a contractual basis, having the power normally conferred upon
 204 such persons, by whatever title.

205 (V) The Chancellor and Vice Chancellors of the State
 206 University System; the general counsel to the Board of Governors
 207 of the State University System; and the president, provost, vice
 208 presidents, and deans of each state university.

209 (VI) Any person, including an other-personal-services
 210 employee, having the power normally conferred upon the positions
 211 referenced in this sub-subparagraph.

212 b. "Appointed state officer" means any member of an
 213 appointive board, commission, committee, council, or authority
 214 of the executive or legislative branch of state government whose
 215 powers, jurisdiction, and authority are not solely advisory and
 216 include the final determination or adjudication of any personal
 217 or property rights, duties, or obligations, other than those
 218 relative to its internal operations.

219 c. "State agency" means an entity of the legislative,
 220 executive, or judicial branch of state government over which the
 221 Legislature exercises plenary budgetary and statutory control.

222 3.a. A ~~No~~ member of the Legislature, appointed state
 223 officer, or statewide elected officer may not ~~shall~~ personally
 224 represent another person or entity for compensation before the
 225 government body or agency of which the individual was an officer

226 or member for a period of 2 years after leaving ~~following~~
 227 ~~vacation of office.~~ A ~~No~~ member of the Legislature may not ~~shall~~
 228 personally represent another person or entity for compensation
 229 during his or her term of office before any state agency other
 230 than judicial tribunals or in settlement negotiations after the
 231 filing of a lawsuit.

232 b. For a period of 2 years after leaving ~~following~~
 233 ~~vacation of office,~~ a former member of the Legislature may not
 234 act as a lobbyist for compensation before an executive branch
 235 agency, agency official, or employee. The terms used in this
 236 sub-subparagraph have the same meanings as provided in s.
 237 112.3215.

238 4. An agency employee, including an agency employee who
 239 was employed on July 1, 2001, in a Career Service System
 240 position that was transferred to the Selected Exempt Service
 241 System under chapter 2001-43, Laws of Florida, may not
 242 personally represent another person or entity for compensation
 243 before the agency with which he or she was employed for a period
 244 of 2 years after leaving his or her ~~following vacation of~~
 245 position, unless employed by and representing another state
 246 agency ~~of state government.~~

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

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

252 ~~a. A person employed by the Legislature or other agency~~

253 ~~prior to July 1, 1989;~~

254 ~~b. A person who was employed by the Legislature or other~~

255 ~~agency on July 1, 1989, whether or not the person was a defined~~

256 ~~employee on July 1, 1989;~~

257 ~~c. A person who was a defined employee of the State~~

258 ~~University System or the Public Service Commission who held such~~

259 ~~employment on December 31, 1994;~~

260 ~~d. A person who has reached normal retirement age as~~

261 ~~defined in s. 121.021(29), and who has retired under the~~

262 ~~provisions of chapter 121 by July 1, 1991; or~~

263 ~~e. Any appointed state officer whose term of office began~~

264 ~~before January 1, 1995, unless reappointed to that office on or~~

265 ~~after January 1, 1995.~~

266 (15) (a) ADDITIONAL EXEMPTION. ~~An~~ ~~Ne~~ elected public officer

267 may not shall be held in violation of subsection (7) if the

268 officer maintains an employment relationship with an entity that

269 ~~which~~ is currently a tax-exempt organization under s. 501(c) of

270 the Internal Revenue Code and which contracts with or otherwise

271 enters into a business relationship with the officer's agency

272 and:

273 1.(a) The officer's employment is not directly or

274 indirectly compensated as a result of such contract or business

275 relationship. ~~†~~

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276 ~~2.(b)~~ The officer has in no way participated in the
277 agency's decision to contract or to enter into the business
278 relationship with his or her employer, whether by participating
279 in discussion at the meeting, by communicating with officers or
280 employees of the agency, or otherwise. ~~;~~ ~~and~~

281 ~~3.(e)~~ The officer abstains from voting on any matter that
282 ~~which~~ may come before the agency involving the officer's
283 employer, publicly states to the assembly the nature of the
284 officer's interest in the matter from which he or she is
285 abstaining, and files a written memorandum as provided in s.
286 112.3143.

287 (b) This subsection does not apply to an elected public
288 officer who begins his or her term of office on or after October
289 1, 2022.

290 Section 4. Subsection (2) of section 112.3142, Florida
291 Statutes, is amended to read:

292 112.3142 Ethics training for specified constitutional
293 officers, elected municipal officers, ~~and~~ commissioners, and
294 members of a governing board of a special district or water
295 management district.-

296 (2) (a) All constitutional officers, all elected municipal
297 officers, each commissioner of a community redevelopment agency
298 created under part III of chapter 163 and, beginning January 1,
299 2023, all members of the governing board of a special district
300 or water management district must complete 4 hours of ethics

301 training each calendar year which addresses, at a minimum, s. 8,
 302 Art. II of the State Constitution, the Code of Ethics for Public
 303 Officers and Employees, and the public records and public
 304 meetings laws of this state. This requirement may be satisfied
 305 by completion of a continuing legal education class or other
 306 continuing professional education class, seminar, or
 307 presentation if the required subjects are covered.

308 ~~(b) All elected municipal officers must complete 4 hours~~
 309 ~~of ethics training each calendar year which addresses, at a~~
 310 ~~minimum, s. 8, Art. II of the State Constitution, the Code of~~
 311 ~~Ethics for Public Officers and Employees, and the public records~~
 312 ~~and public meetings laws of this state. This requirement may be~~
 313 ~~satisfied by completion of a continuing legal education class or~~
 314 ~~other continuing professional education class, seminar, or~~
 315 ~~presentation if the required subjects are covered.~~

316 (b)(e) ~~Beginning January 1, 2020,~~ Each commissioner of a
 317 community redevelopment agency created under part III of chapter
 318 163 must complete 4 hours of ethics training each calendar year
 319 which addresses, at a minimum, s. 8, Art. II of the State
 320 Constitution, the Code of Ethics for Public Officers and
 321 Employees, and the public records and public meetings laws of
 322 this state. This requirement may be satisfied by completion of a
 323 continuing legal education class or other continuing
 324 professional education class, seminar, or presentation, if the
 325 required subject material is covered by the class.

326 ~~(c)-(d) The commission shall adopt rules establishing~~
 327 ~~minimum~~ Course content for the portion of an ethics training
 328 class which addresses s. 8, Art. II of the State Constitution
 329 and the Code of Ethics for Public Officers and Employees must
 330 include one or more of the following:

- 331 1. Doing business with one's own agency;
- 332 2. Conflicting employment or contractual relationships;
- 333 3. Misuse of position;
- 334 4. Disclosure or use of certain information;
- 335 5. Gifts and honoraria, including solicitation and
 336 acceptance of gifts and honoraria, and unauthorized
 337 compensation;
- 338 6. Restrictions on employment after leaving office;
- 339 7. Restrictions on the employment of relatives;
- 340 8. Voting conflicts if the officer, commissioner, or
 341 member of a governing body is a member of a collegial body and
 342 votes in his or her official capacity;
- 343 9. Financial disclosure requirements, including the
 344 automatic fine that may be imposed for failing to file a
 345 financial disclosure and the appeal process;
- 346 10. Commission procedures on ethics complaints and
 347 referrals; or
- 348 11. The importance of and the process for obtaining
 349 advisory opinions rendered by the commission.

350 (d) Training providers are encouraged to seek

351 accreditation from an applicable licensing body for courses
 352 offered under this subsection.

353 (e) The Legislature intends that a constitutional officer,
 354 ~~or~~ elected municipal officer, or member of the governing board
 355 of a special district or water management district who is
 356 required to complete ethics training under ~~pursuant to~~ this
 357 section receive the required training as close as possible to
 358 the date that he or she assumes office. A constitutional
 359 officer, ~~or~~ elected municipal officer, or member of the
 360 governing board of a special district or water management
 361 district assuming a new office or new term of office on or
 362 before March 31 must complete the annual training on or before
 363 December 31 of the year in which the term of office began. A
 364 constitutional officer, ~~or~~ elected municipal officer, or member
 365 of the governing board of a special district or water management
 366 district assuming a new office or new term of office after March
 367 31 is not required to complete ethics training for the calendar
 368 year in which the term of office began.

369 Section 5. Subsections (3) and (4) of section 112.3143,
 370 Florida Statutes, are amended to read:

371 112.3143 Voting conflicts.—

372 (3)(a) A ~~No~~ county, municipal, or other local public
 373 officer or governing board member of a special district or
 374 school district may not ~~shall~~ vote in an official capacity upon
 375 any measure which would inure to his or her special private gain

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376 or loss; which he or she knows would inure to the special
377 private gain or loss of any principal by whom he or she is
378 retained or to the parent organization or subsidiary of a
379 corporate principal by which he or she is retained, other than
380 an agency as defined in s. 112.312(2); or which he or she knows
381 would inure to the special private gain or loss of a relative or
382 business associate of the public officer or board member. Such
383 public officer or board member must ~~shall~~, before ~~prior to~~ the
384 vote is being taken, publicly state to the assembly the nature
385 of the officer's or board member's interest in the matter from
386 which he or she is abstaining from voting and, within 15 days
387 after the vote is taken ~~occurs~~, disclose the nature of his or
388 her interest as a public record in a memorandum filed with the
389 person responsible for recording the minutes of the meeting, who
390 must ~~shall~~ incorporate the memorandum into ~~in~~ the minutes.

391 (b) However, a commissioner of a community redevelopment
392 agency created or designated under ~~pursuant to~~ s. 163.356 or s.
393 163.357, or an officer of an independent special tax district
394 elected on a one-acre, one-vote basis, is not prohibited from
395 voting, when voting in said capacity.

396 (4) A county, municipal, or other local public officer;
397 governing board member of a special district or school district;
398 or ~~Ne~~ appointed public officer may not ~~shall~~ participate in any
399 matter which would inure to the officer's or board member's
400 special private gain or loss; which the officer or board member

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401 knows would inure to the special private gain or loss of any
402 principal by whom he or she is retained or to the parent
403 organization or subsidiary of a corporate principal by which he
404 or she is retained; or which he or she knows would inure to the
405 special private gain or loss of a relative or business associate
406 of the public officer or board member, without first disclosing
407 the nature of his or her interest in the matter.

408 (a) Such disclosure, indicating the nature of the
409 conflict, must ~~shall~~ be made in a written memorandum filed with
410 the person responsible for recording the minutes of the meeting,
411 before ~~prior to~~ the meeting in which consideration of the matter
412 will take place, and ~~shall~~ be incorporated into the minutes. Any
413 such memorandum becomes ~~shall become~~ a public record upon filing
414 and must, ~~shall~~ immediately be provided to the other members of
415 the agency, ~~and shall be~~ read publicly at the next meeting held
416 subsequent to the filing of this written memorandum.

417 (b) ~~If in the event that~~ disclosure is not ~~has not been~~
418 made before ~~prior to~~ the meeting or a ~~that any~~ conflict is
419 unknown before ~~prior to~~ the meeting, the disclosure must ~~shall~~
420 be made orally at the meeting when it becomes known that a
421 conflict exists. A written memorandum disclosing the nature of
422 the conflict must ~~shall~~ then be filed within 15 days after the
423 oral disclosure with the person responsible for recording the
424 minutes of the meeting and ~~shall~~ be incorporated into the
425 minutes of the meeting at which the oral disclosure was made.

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426 Any such memorandum becomes ~~shall become~~ a public record upon
427 filing and must, ~~shall~~ immediately be provided to the other
428 members of the agency, ~~and shall~~ be read publicly at the next
429 meeting held subsequent to the filing of this written
430 memorandum.

431 (c) For purposes of this subsection, the term
432 "participate" means any attempt to influence the decision by
433 oral or written communication, whether made by the officer or
434 board member or at the officer's or board member's direction.

435 Section 6. Subsections (1) and (3) and paragraph (c) of
436 subsection (11) of section 112.3144, Florida Statutes, are
437 amended to read:

438 112.3144 Full and public disclosure of financial
439 interests.—

440 (1)(a) An officer who is required by s. 8, Art. II of the
441 State Constitution to file a full and public disclosure of his
442 or her financial interests for any calendar or fiscal year, or
443 any other person required by law to file a disclosure under this
444 section, shall file that disclosure with the Florida Commission
445 on Ethics. Additionally, an officer who is required to file a
446 full and public disclosure of his or her financial interests
447 under this part and complete annual ethics training under
448 ~~pursuant to~~ s. 112.3142 must certify on his or her full and
449 public disclosure of financial interests that he or she has
450 completed the required training.

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451 (b) A member of an expressway authority, transportation
452 authority, bridge authority, toll authority, or expressway
453 agency created under ~~pursuant to~~ chapter 343, chapter 348, or
454 any other general law shall comply with the applicable financial
455 disclosure requirements of s. 8, Art. II of the State
456 Constitution.

457 (c) Each member of the governing body of a large-hub
458 commercial service airport, except for members required to
459 comply with the financial disclosure requirements of s. 8, Art.
460 II of the State Constitution, shall comply with the financial
461 disclosure requirements of s. 112.3145(3). For purposes of this
462 paragraph, the term "large-hub commercial service airport" means
463 a publicly owned airport that has at least 1 percent of the
464 annual passenger boardings in the United States as reported by
465 the Federal Aviation Administration.

466 (d) An officer or member who is required to complete
467 annual ethics training under s. 112.3142 must certify on his or
468 her full and public disclosure of financial interests that he or
469 she has completed the required training. Beginning January 1,
470 2023, an officer or member who is required to complete annual
471 ethics training under s. 112.3142 must also provide the name of
472 the training provider on his or her full and public disclosure
473 of financial interests.

474 (3) A person who is required, pursuant to s. 8, Art. II of
475 the State Constitution or this part, to file a full and public

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476 disclosure of financial interests and who has filed a full and
477 public disclosure of financial interests for any calendar or
478 fiscal year is not required to file a statement of financial
479 interests under ~~pursuant to~~ s. 112.3145(2) and (3) for the same
480 year or for any part thereof notwithstanding any requirement of
481 this part. Until the electronic filing system required by
482 subsection (2) is implemented, if an incumbent in an elective
483 office has filed the full and public disclosure of financial
484 interests to qualify for election to the same office or if a
485 candidate for office holds another office subject to the annual
486 filing requirement, the qualifying officer shall forward an
487 electronic copy of the full and public disclosure of financial
488 interests to the commission no later than July 1. The electronic
489 copy of the full and public disclosure of financial interests
490 satisfies the annual disclosure requirement of this section. A
491 candidate who does not qualify until after the annual full and
492 public disclosure of financial interests has been filed pursuant
493 to this section shall file a copy of his or her disclosure with
494 the officer before whom he or she qualifies.

495 (11)

496 (c) For purposes of this subsection ~~section~~, an error or
497 omission is immaterial, inconsequential, or de minimis if the
498 original filing provided sufficient information for the public
499 to identify potential conflicts of interest. However, failure to
500 certify completion of annual ethics training required under s.

501 112.3142, or, beginning January 1, 2023, failure to disclose the
 502 name of the training provider, does not constitute an
 503 immaterial, inconsequential, or de minimis error or omission.

504 Section 7. Paragraphs (b), (d), and (e) of subsection (2),
 505 subsection (5), paragraph (c) of subsection (8), and paragraph
 506 (c) of subsection (11) of section 112.3145, Florida Statutes,
 507 are amended to read:

508 112.3145 Disclosure of financial interests and clients
 509 represented before agencies.—

510 (2)

511 (b) Each state or local officer, except officers specified
 512 in s. 112.3144(1), and each specified state employee must ~~shall~~
 513 file a statement of financial interests no later than July 1 of
 514 each year. Each state officer, local officer, and specified
 515 state employee must ~~shall~~ file a final statement of financial
 516 interests within 60 days after leaving his or her public
 517 position for the period between January 1 of the year in which
 518 the person leaves and the last day of office or employment,
 519 unless within the 60-day period the person takes another public
 520 position requiring financial disclosure under this section or s.
 521 8, Art. II of the State Constitution or otherwise is required to
 522 file full and public disclosure or a statement of financial
 523 interests for the final disclosure period. Each state or local
 524 officer who is appointed and each specified state employee who
 525 is employed must ~~shall~~ file a statement of financial interests

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526 within 30 days after ~~from~~ the date of appointment or, in the
527 case of a specified state employee, after ~~from~~ the date on which
528 the employment begins, except that any person whose appointment
529 is subject to confirmation by the Senate must ~~shall~~ file before
530 ~~prior to~~ confirmation hearings or within 30 days after ~~from~~ the
531 date of appointment, whichever comes first.

532 (d) State officers and specified state employees must
533 ~~shall~~ file their statements of financial interests with the
534 commission. Through December 31, 2022, local officers must ~~shall~~
535 file their statements of financial interests with the supervisor
536 of elections of the county in which they permanently reside.
537 Through December 31, 2022, local officers who do not permanently
538 reside in any county in the state must ~~shall~~ file their
539 statements of financial interests with the supervisor of
540 elections of the county in which their agency maintains its
541 headquarters. Persons seeking to qualify as candidates for local
542 public office must ~~shall~~ file their statements of financial
543 interests with the officer before whom they qualify.

544 (e) Beginning January 1, 2023, a statement of financial
545 interests and a final statement of financial interests, and any
546 amendments thereto, or any other form required by this section,
547 except any statement of a candidate not subject to an annual
548 filing requirement, ~~all statements filed with the commission~~
549 must be filed electronically through an electronic filing system
550 that is created and maintained by the commission as provided in

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551 s. 112.31446.

552 (5) An officer who is required to complete annual ethics
553 training under ~~pursuant to~~ s. 112.3142 must certify on his or
554 her statement of financial interests that he or she has
555 completed the required training. Beginning January 1, 2023, an
556 officer who is required to complete annual ethics training under
557 s. 112.3142 must also provide the name of the training provider
558 on his or her statement of financial interests.

559 (8) Forms for compliance with the disclosure requirements
560 of this section and a current list of persons subject to
561 disclosure shall be created by the commission and provided to
562 each supervisor of elections. The commission and each supervisor
563 of elections shall give notice of disclosure deadlines and
564 delinquencies and distribute forms in the following manner:

565 (c) Not later than August 1 of each year, the commission
566 and each supervisor of elections shall determine which persons
567 required to file a statement of financial interests in their
568 respective offices have failed to do so and shall send
569 delinquency notices to these persons. Through December 31, 2022,
570 delinquency notices must be sent by certified mail, return
571 receipt requested. Each notice must state that a grace period is
572 in effect until September 1 of the current year; that no
573 investigative or disciplinary action based upon the delinquency
574 will be taken by the agency head or commission if the statement
575 is filed by September 1 of the current year; that, if the

576 statement is not filed by September 1 of the current year, a
 577 fine of \$25 for each day late will be imposed, up to a maximum
 578 penalty of \$1,500; for notices distributed by a supervisor of
 579 elections, that he or she is required by law to notify the
 580 commission of the delinquency; and that, if upon the filing of a
 581 sworn complaint the commission finds that the person has failed
 582 to timely file the statement within 60 days after September 1 of
 583 the current year, such person will also be subject to the
 584 penalties provided in s. 112.317. Beginning January 1, 2023,
 585 notice required under this paragraph:

586 1. May not be sent by certified mail.

587 2. Must be delivered by e-mail and must be redelivered on
 588 a weekly basis by e-mail as long as the person remains
 589 delinquent.

590 (11)

591 (c) For purposes of this section, an error or omission is
 592 immaterial, inconsequential, or de minimis if the original
 593 filing provided sufficient information for the public to
 594 identify potential conflicts of interest. However, failure to
 595 certify completion of annual ethics training required under s.
 596 112.3142, or, beginning January 1, 2023, failure to disclose the
 597 name of the training provider, does not constitute an
 598 immaterial, inconsequential, or de minimis error or omission.

599 Section 8. Subsection (4) of section 112.31455, Florida
 600 Statutes, is amended to read:

601 112.31455 Collection methods for unpaid automatic fines
 602 for failure to timely file disclosure of financial interests.—

603 (4) (a) Except as provided under paragraph (b), action may
 604 be taken to collect any unpaid fine imposed by ss. 112.3144 and
 605 112.3145 within 20 years after the date the final order is
 606 rendered.

607 (b) Action may not be taken to collect any unpaid fine
 608 imposed by ss. 112.3144 and 112.3145 more than 5 years after:

609 1. The date the final order is rendered if the person who
 610 owes the fine is not a public employee or officer on the date
 611 the final order is rendered; or

612 2. The person who owes the fine separates from public
 613 employment or office.

614 Section 9. Effective January 1, 2023, subsection (8) of
 615 section 112.3185, Florida Statutes, is amended to read:

616 112.3185 Additional standards for state agency employees.—

617 ~~(8) This section is not applicable to any employee of the~~
 618 ~~Public Service Commission who was so employed on or before~~
 619 ~~December 31, 1994.~~

620 Section 10. Paragraphs (a), (f), and (h) of subsection
 621 (1), subsection (3), paragraph (a) of subsection (5), and
 622 subsections (7) and (8) of section 112.3215, Florida Statutes,
 623 are amended, and subsection (15) of that section is reenacted,
 624 to read:

625 112.3215 Lobbying before the executive branch or the

626 Constitution Revision Commission; registration and reporting;
 627 investigation by commission.—

628 (1) For the purposes of this section:

629 (a) "Agency" means the Governor; the Governor and
 630 Cabinet; ~~or~~ any department, division, bureau, board,
 631 commission, or authority of the executive branch; the State
 632 Board of Education; the Board of Governors of the State
 633 University System; or. ~~In addition, "agency" shall mean the~~
 634 Constitution Revision Commission as provided by s. 2, Art. XI of
 635 the State Constitution.

636 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of
 637 another person, to influence an agency with respect to a
 638 decision of the agency in the area of policy or procurement or
 639 an attempt to obtain the goodwill of an agency official or
 640 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or
 641 attempting to influence, on behalf of another, the Constitution
 642 Revision Commission's action or nonaction through oral or
 643 written communication or an attempt to obtain the goodwill of a
 644 member or employee of the Constitution Revision Commission.

645 (h) "Lobbyist" means a person who is employed and receives
 646 payment, or who contracts for economic consideration, for the
 647 purpose of lobbying, or a person who is principally employed for
 648 governmental affairs by another person or governmental entity to
 649 lobby on behalf of that other person or governmental entity. The
 650 phrase "principally employed for governmental affairs" means

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651 that one of the principal or most significant responsibilities
652 of the employee to the employer is overseeing the employer's
653 various relationships with government or representing the
654 employer in its contacts with government. "Lobbyist" does not
655 include a person who is:

656 1. An attorney, or any person, who represents a client in
657 a judicial proceeding or in a formal administrative proceeding
658 conducted under ~~pursuant to~~ chapter 120 or any other formal
659 hearing before an agency, board, commission, or authority of
660 this state.

661 2. An officer or employee of an agency, ~~or of~~ a
662 legislative or judicial branch entity, or a political
663 subdivision of the state acting in the normal course of his or
664 her office or duties.

665 3. A confidential informant who is providing, or wishes to
666 provide, confidential information to be used for law enforcement
667 purposes.

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

671 (3) A person may not lobby an agency until such person has
672 electronically registered as a lobbyist with the commission.
673 Such registration shall be due upon initially being retained to
674 lobby and is renewable on a calendar year basis thereafter. The
675 commission shall request authorization from the principal with

676 the principal's name, business address, e-mail address, and
 677 telephone number to confirm ~~Upon registration the person shall~~
 678 ~~provide a statement signed by the principal or principal's~~
 679 ~~representative~~ that the registrant is authorized to represent
 680 the principal. The principal or principal's representative shall
 681 also identify and designate its main business pursuant to the
 682 North American Industry Classification System six-digit
 683 numerical code that most accurately describes the principal's
 684 main business. Registration is not complete until the commission
 685 receives the principal's authorization and the registration fee
 686 ~~on the statement authorizing that lobbyist pursuant to a~~
 687 ~~classification system approved by the commission. The~~
 688 registration must ~~shall~~ require each lobbyist to attest to
 689 ~~disclose, under oath,~~ the following information:

690 (a) His or her full legal name, e-mail address, telephone
 691 number, Name and business address;

692 (b) The name, business address, and telephone number of
 693 the lobbying firm on behalf of which the registrant is
 694 representing the principal, if any;

695 (c) ~~(b)~~ The full name, e-mail address, telephone number,
 696 and business address of each principal represented;

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

698 (d) The agencies before which he or she will appear; and

699 (e) The existence of any direct or indirect business
 700 association, partnership, or financial relationship with any

701 employee of an agency with which he or she lobbies, or intends
702 to lobby, as disclosed in the registration.

703 (5)(a)1. Each lobbying firm shall file a compensation
704 report with the commission for each calendar quarter during any
705 portion of which one or more of the firm's lobbyists were
706 registered to represent a principal. The report shall include
707 the:

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

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

711 c. Total compensation provided or owed to the lobbying
712 firm from all principals for the reporting period, reported in
713 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
714 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
715 \$999,999; \$1 million or more.

716 2. For each principal represented by one or more of the
717 firm's lobbyists, the lobbying firm's compensation report shall
718 also include the:

719 a. Full name, e-mail address, business address, and
720 telephone number of the principal; and

721 b. Total compensation provided or owed to the lobbying
722 firm for the reporting period, reported in one of the following
723 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to
724 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or
725 more. If the category "\$50,000 or more" is selected, the

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726 specific dollar amount of compensation must be reported, rounded
727 up or down to the nearest \$1,000.

728 3. If the lobbying firm subcontracts work from another
729 lobbying firm and not from the original principal:

730 a. The lobbying firm providing the work to be
731 subcontracted shall be treated as the reporting lobbying firm's
732 principal for reporting purposes under this paragraph; and

733 b. The reporting lobbying firm shall, for each lobbying
734 firm identified under subparagraph 2., identify the name and
735 address of the principal originating the lobbying work.

736 4. The senior partner, officer, or owner of the lobbying
737 firm shall certify to the veracity and completeness of the
738 information submitted under ~~pursuant to~~ this paragraph.

739 (7) A lobbyist shall promptly send a written statement to
740 the commission canceling the designation of registration for a
741 principal in his or her registration upon termination of such
742 ~~the lobbyist's representation of that principal. The commission~~
743 may cancel a lobbyist's designation of a principal upon the
744 principal's notification that the lobbyist is no longer
745 authorized to represent the principal ~~Notwithstanding this~~
746 ~~requirement, the commission may remove the name of a lobbyist~~
747 ~~from the list of registered lobbyists if the principal notifies~~
748 ~~the office that a person is no longer authorized to represent~~
749 ~~that principal.~~

750 (8) (a) The commission shall investigate every sworn

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751 complaint that is filed with it alleging that a person covered
752 by this section has failed to register, has failed to submit a
753 compensation report, has made a prohibited expenditure, or has
754 knowingly submitted false information in any report or
755 registration required in this section.

756 (b) All proceedings, the complaint, and other records
757 relating to the investigation are confidential and exempt from
758 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
759 Constitution, and any meetings held pursuant to an investigation
760 are exempt from the provisions of s. 286.011(1) and s. 24(b),
761 Art. I of the State Constitution either until the alleged
762 violator requests in writing that such investigation and
763 associated records and meetings be made public or until the
764 commission determines, based on the investigation, whether
765 probable cause exists to believe that a violation has occurred.

766 (c) The commission shall investigate any lobbying firm,
767 lobbyist, principal, agency, officer, or employee upon receipt
768 of information from a sworn complaint or from a random audit of
769 lobbying reports indicating that the individual or entity has
770 intentionally failed to disclose any material fact or has
771 knowingly submitted false information in any report required by
772 this section or by rules adopted pursuant to this section a
773 ~~possible violation other than a late-filed report.~~

774 (d) Notwithstanding paragraphs (a)-(c), the commission may
775 dismiss any complaint or investigation resulting from a random

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776 audit of lobbying reports, at any stage of disposition, if it
777 determines that the public interest is not served by proceeding
778 further, in which case the commission shall issue a public
779 report stating with particularity its reasons for the dismissal.

780 (e)1.~~(d)1.~~ Records relating to an audit conducted under
781 ~~pursuant to~~ this section or an investigation conducted under
782 ~~pursuant to~~ this section or s. 112.32155 are confidential and
783 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
784 Constitution.

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

788 3. The exemptions no longer apply if the lobbying firm
789 requests in writing that such investigation and associated
790 records and meetings be made public or the commission determines
791 there is probable cause that the audit reflects a violation of
792 the reporting laws.

793 (15) The commission shall adopt rules to administer this
794 section, which shall prescribe forms for registration and
795 compensation reports, procedures for registration, and
796 procedures that will prevent disclosure of information that is
797 confidential as provided in this section.

798 Section 11. Section 420.5061, Florida Statutes, is amended
799 to read:

800 420.5061 Transfer of agency assets and liabilities.—The

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801 corporation is the legal successor in all respects to the
802 agency, is obligated to the same extent as the agency under any
803 agreements existing on December 31, 1997, and is entitled to any
804 rights and remedies previously afforded the agency by law or
805 contract, including specifically the rights of the agency under
806 chapter 201 and part VI of chapter 159. Effective January 1,
807 1998, all references under Florida law to the agency are deemed
808 to mean the corporation. The corporation shall transfer to the
809 General Revenue Fund an amount which otherwise would have been
810 deducted as a service charge pursuant to s. 215.20(1) if the
811 Florida Housing Finance Corporation Fund established by s.
812 420.508(5), the State Apartment Incentive Loan Fund established
813 by s. 420.5087(7), the Florida Homeownership Assistance Fund
814 established by s. 420.5088(4), the HOME Investment Partnership
815 Fund established by s. 420.5089(1), and the Housing
816 Predevelopment Loan Fund established by s. 420.525(1) were each
817 trust funds. For purposes of s. 112.313, the corporation is
818 deemed to be a continuation of the agency, and the provisions
819 thereof are deemed to apply as if the same entity remained in
820 place. ~~Any employees of the agency and agency board members~~
821 ~~covered by s. 112.313(9)(a)6. shall continue to be entitled to~~
822 ~~the exemption in that subparagraph, notwithstanding being hired~~
823 ~~by the corporation or appointed as board members of the~~
824 ~~corporation.~~

825 Section 12. The Legislature finds that a proper and

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826 | legitimate state purpose is served when mechanisms are
827 | established to secure and sustain the public's trust in public
828 | officers and employees. Therefore, the Legislature determines
829 | and declares that this act fulfills an important state interest.

830 | Section 13. Except as otherwise expressly provided in this
831 | act, this act shall take effect July 1, 2022.