

1 A bill to be entitled
2 An act relating to ethics requirements for public
3 officials; amending s. 99.061, F.S.; requiring
4 candidates for specified elective offices to file a
5 full and public disclosure at the time of qualifying;
6 authorizing candidates to file a certain verification
7 or receipt with the qualifying officer unless certain
8 conditions exist; conforming provisions to changes
9 made by the act; amending s. 112.3142, F.S.; revising
10 legislative intent; requiring commissioners of
11 community redevelopment agencies to complete annual
12 ethics training; exempting commissioners who assumed
13 office after a specified date from completing the
14 required annual ethics training for that calendar
15 year; reenacting and amending s. 112.3144, F.S.;
16 requiring specified local officers to file full and
17 public disclosures; requiring the Commission on Ethics
18 to accept federal income tax returns and any
19 attachments or schedules for a specified purpose;
20 deleting the prohibition on including a federal income
21 tax return or a copy thereof for certain filings;
22 requiring the commission to allow a filer to include
23 attachments and other supporting documentation with
24 his or her disclosure; revising the notice the
25 commission sends to specified persons by e-mail;

26 requiring that disclosure statements be filed using
27 the commission's electronic filing system; revising
28 the deadline for disclosures to be received by the
29 commission; deleting provisions relating to financial
30 statements filed by mail; revising a provision
31 requiring the commission to adopt a specified rule;
32 requiring an individual appointed to replace an
33 elected local officer who leaves office before the end
34 of his or her term to file a full and public
35 disclosure of financial interests annually for the
36 remainder of his or her term in office; amending s.
37 112.31445, F.S.; requiring the commission to publish a
38 specified notice on the electronic filing system for
39 the disclosure of financial interests; requiring that
40 the filing system allow a filer to include attachments
41 and other supporting documentation; amending s.
42 112.31446, F.S.; requiring that the electronic filing
43 system allow a filer to submit attachments and other
44 supporting documentation when a disclosure is filed;
45 reenacting and amending s. 112.3145, F.S.; deleting a
46 prohibition on including a federal income tax return
47 or copy thereof in a financial disclosure; deleting a
48 provision requiring specified local officers to file
49 reports with the supervisor of elections of the
50 officer's county of principal employment or residence;

51 requiring local officers to file their quarterly
52 reports of the names of clients they represent for a
53 fee or commission with the commission; deleting a
54 provision requiring the commission to provide a
55 specified list to the supervisors of elections;
56 requiring the commission to allow a filer to include
57 attachments or other documentation when filing a
58 disclosure; deleting a provision requiring the
59 commission to provide the supervisors of elections a
60 certain list annually by a specified date; requiring
61 the commission to provide a certain notice by e-mail,
62 beginning on a specified date; providing that,
63 beginning on a specified date, paper forms will no
64 longer be provided; requiring the commission, before a
65 specified date, to determine which persons have not
66 submitted a required statement and to send delinquency
67 notices to such persons; requiring that disclosure
68 statements be filed using the electronic filing
69 system, beginning on a specified date; revising the
70 criteria for a rule that the commission must adopt
71 regarding the electronic filing of disclosure
72 statements; requiring the commission to determine the
73 amount of fines for all delinquent filers, beginning
74 on a specified date; conforming provisions to changes
75 made by the act; amending s. 112.317, F.S.; increasing

76 the maximum civil penalty allowed for certain
 77 violations related to statements of financial
 78 disclosure; amending s. 112.3215, F.S.; revising
 79 lobbying investigation requirements; authorizing the
 80 commission to dismiss certain complaints and
 81 investigations; requiring the commission to issue a
 82 specified public report if the commission dismisses
 83 such a complaint or investigation; amending s.
 84 112.324, F.S.; revising applicability; requiring the
 85 commission to revise financial disclosure forms and
 86 rules for the 2022 filing year to conform to changes
 87 made by the act; exempting such revisions from
 88 specified rulemaking requirements; providing an
 89 effective date.

90
 91 Be It Enacted by the Legislature of the State of Florida:

92
 93 Section 1. Subsection (5) and paragraph (a) of subsection
 94 (7) of section 99.061, Florida Statutes, are amended to read:

95 99.061 Method of qualifying for nomination or election to
 96 federal, state, county, or district office.—

97 (5) At the time of qualifying for office, each candidate
 98 for a constitutional office, or for another elective office
 99 subject to an annual filing requirement pursuant to s. 112.3144,
 100 shall file a full and public disclosure of financial interests

101 pursuant to s. 8, Art. II of the State Constitution, which must
102 be verified under oath or affirmation pursuant to s.
103 92.525(1) (a), and a candidate for any other office, including
104 local elective office, shall file a statement of financial
105 interests pursuant to s. 112.3145. A candidate who is subject to
106 an annual filing requirement under s. 112.3144 may file a
107 verification or receipt of electronic filing pursuant to s.
108 112.3144(4). A candidate who is subject to an annual filing
109 requirement under s. 112.3145 may file a verification or receipt
110 of electronic filing pursuant to s. 112.3145(2) (c) unless the
111 candidate is required to file a full and public disclosure of
112 financial interests pursuant to s. 8, Art. II of the State
113 Constitution or this subsection.

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

117 1. A properly executed check drawn upon the candidate's
118 campaign account payable to the person or entity as prescribed
119 by the filing officer in an amount not less than the fee
120 required by s. 99.092, unless the candidate obtained the
121 required number of signatures on petitions pursuant to s.
122 99.095. The filing fee for a special district candidate is not
123 required to be drawn upon the candidate's campaign account. If a
124 candidate's check is returned by the bank for any reason, the
125 filing officer shall immediately notify the candidate and the

126 candidate shall have until the end of qualifying to pay the fee
127 with a cashier's check purchased from funds of the campaign
128 account. Failure to pay the fee as provided in this subparagraph
129 shall disqualify the candidate.

130 2. The candidate's oath required by s. 99.021, which must
131 contain the name of the candidate as it is to appear on the
132 ballot; the office sought, including the district or group
133 number if applicable; and the signature of the candidate, which
134 must be verified under oath or affirmation pursuant to s.
135 92.525(1) (a) .

136 3. If the office sought is partisan, the written statement
137 of political party affiliation required by s. 99.021(1) (b); or
138 if the candidate is running without party affiliation for a
139 partisan office, the written statement required by s.
140 99.021(1) (c) .

141 4. The completed form for the appointment of campaign
142 treasurer and designation of campaign depository, as required by
143 s. 106.021.

144 5. The full and public disclosure or statement of
145 financial interests required by subsection (5). A public officer
146 who has filed the full and public disclosure or statement of
147 financial interests with the Commission on Ethics before ~~or the~~
148 ~~supervisor of elections prior to~~ qualifying for office may file
149 a copy of that disclosure or a verification or receipt of
150 electronic filing as provided in subsection (5) at the time of

151 | qualifying.

152 | Section 2. Paragraph (e) of subsection (2) of section
153 | 112.3142, Florida Statutes, is amended to read:

154 | 112.3142 Ethics training for specified constitutional
155 | officers, elected municipal officers, and commissioners.-

156 | (2)

157 | (e) The Legislature intends that a constitutional officer,
158 | a commissioner of a community redevelopment agency, or an
159 | elected municipal officer who is required to complete ethics
160 | training pursuant to this section receive the required training
161 | as close as possible to the date that he or she assumes office.
162 | A constitutional officer, a commissioner of a community
163 | redevelopment agency, or an elected municipal officer assuming a
164 | new office or new term of office on or before March 31 must
165 | complete the annual training on or before December 31 of the
166 | year in which the term of office began. A constitutional
167 | officer, a commissioner of a community redevelopment agency, or
168 | an elected municipal officer assuming a new office or new term
169 | of office after March 31 is not required to complete ethics
170 | training for the calendar year in which the term of office
171 | began.

172 | Section 3. Notwithstanding the expiration date in section
173 | 92 of chapter 2022-157, Laws of Florida, paragraph (c) of
174 | subsection (6), paragraphs (a) and (c) of subsection (7), and
175 | subsections (8) and (10) of section 112.3144, Florida Statutes,

176 are reenacted and amended, and paragraph (d) is added to
 177 subsection (1) of that section, to read:

178 112.3144 Full and public disclosure of financial
 179 interests.—

180 (1)

181 (d) Beginning January 1, 2024, the following local
 182 officers must comply with the financial disclosure requirements
 183 of s. 8, Art. II of the State Constitution and this section:

184 1. Mayors.

185 2. Elected members of the governing body of a
 186 municipality.

187 (6)

188 (c) Each separate source and amount of income which
 189 exceeds \$1,000 must be identified. For the purpose of a filer
 190 reporting income, the commission shall accept federal income tax
 191 returns. If a filer submits a federal income tax return for the
 192 purpose of reporting income, he or she must also include all
 193 attachments and schedules associated with such federal income
 194 tax return ~~Beginning January 1, 2023, a federal income tax~~
 195 ~~return may not be used for purposes of reporting income, and the~~
 196 ~~commission may not accept a federal income tax return or a copy~~
 197 ~~thereof.~~

198 (7) (a) Beginning January 1, 2023, a filer may not include
 199 in a filing to the commission ~~a federal income tax return or a~~
 200 ~~copy thereof;~~ a social security number; a bank, mortgage, or

201 brokerage account number; a debit, charge, or credit card
202 number; a personal identification number; or a taxpayer
203 identification number. If a filer includes such information in
204 his or her filing, the information may be made available as part
205 of the official records of the commission available for public
206 inspection and copying unless redaction is requested by the
207 filer. The commission is not liable for the release of social
208 security numbers or bank account, debit, charge, or credit card
209 numbers included in a filing to the commission if the filer has
210 not requested redaction of such information.

211 (c) The commission must conspicuously post a notice, in
212 substantially the following form, in the instructions for the
213 electronic filing system specifying that:

214 1. Any filer submitting information through the electronic
215 filing system may not include ~~a federal income tax return or a~~
216 ~~copy thereof~~; a social security number; a bank, mortgage, or
217 brokerage account number; a debit, charge, or credit card
218 number; a personal identification number; or a taxpayer
219 identification number in any filing unless required by law.

220 2. Information submitted through the electronic filing
221 system may be open to public inspection and copying.

222 3. Any filer has a right to request that the commission
223 redact from his or her filing any social security number, bank
224 account number, or debit, charge, or credit card number
225 contained in the filing. Such request must be made in writing

226 and delivered to the commission. The request must specify the
 227 information to be redacted and the specific section or sections
 228 of the disclosure in which it was included.

229 (8) Forms or fields of information for compliance with the
 230 full and public disclosure requirements of s. 8, Art. II of the
 231 State Constitution must ~~shall~~ be prescribed by the commission.
 232 The commission shall allow a filer to include attachments or
 233 other supporting documentation when filing a disclosure. The
 234 commission shall give notice of disclosure deadlines and
 235 delinquencies and distribute forms in the following manner:

236 (a) Not later than May 1 of each year, the commission
 237 shall prepare a current list of the names, e-mail addresses, and
 238 physical addresses of and the offices held by every person
 239 required to file full and public disclosure annually by s. 8,
 240 Art. II of the State Constitution, or other state law. Each unit
 241 of government shall assist the commission in compiling the list
 242 by providing to the commission not later than February 1 of each
 243 year the name, e-mail address, physical address, and name of the
 244 office held by such person within the respective unit of
 245 government as of December 31 of the preceding year.

246 (b) Not later than June 1 of each year, the commission
 247 shall notify by e-mail each person required to file a full and
 248 public disclosure of financial interests of all of the
 249 following:

250 1. All applicable filing deadlines for completing and

251 filing the full and public disclosure of financial interests
252 prescribed under subsection (3) on the electronic filing system.

253 2. Instructions on how to complete and file the full and
254 public disclosure of financial interests as prescribed by
255 subsection (3) on the electronic filing system, or how to access
256 such instructions.

257
258 Beginning January 1, 2023, paper forms may not be provided and
259 each person required to file a full and public disclosure of
260 financial interests must complete and file his or her disclosure
261 on the electronic filing system pursuant to subsection (2)
262 ~~distribute a copy of the form prescribed for compliance with~~
263 ~~full and public disclosure and a notice of the filing deadline~~
264 ~~to each person on the list. Beginning January 1, 2022, no paper~~
265 ~~forms will be provided by mail. The notice required under this~~
266 ~~paragraph and instructions for electronic submission must be~~
267 ~~delivered by e-mail.~~

268 (c) Not later than August 1 of each year, the commission
269 shall determine which persons on the list have failed to file
270 full and public disclosure and shall send delinquency notices to
271 such persons. Each notice must state that a grace period is in
272 effect until September 1 of the current year. ~~Beginning January~~
273 ~~1, 2022,~~ The notice required under this paragraph must be
274 delivered by e-mail and must be redelivered on a weekly basis by
275 e-mail as long as a person remains delinquent.

276 (d) Disclosures must be received by the commission not
277 later than 11:59 5 p.m. of the due date. ~~However, any disclosure~~
278 ~~that is postmarked by the United States Postal Service by~~
279 ~~midnight of the due date is deemed to have been filed in a~~
280 ~~timely manner, and a certificate of mailing obtained from and~~
281 ~~dated by the United States Postal Service at the time of the~~
282 ~~mailing, or a receipt from an established courier company which~~
283 ~~bears a date on or before the due date, constitutes proof of~~
284 ~~mailing in a timely manner.~~ Beginning January 1, 2023, upon
285 request of the filer, the commission must provide verification
286 to the filer that the commission has received the filed
287 disclosure.

288 (e) Beginning January 1, 2023, a written declaration, as
289 provided for under s. 92.525(2), accompanied by an electronic
290 signature satisfies the requirement that the disclosure be
291 sworn.

292 (f) Any person who is required to file full and public
293 disclosure of financial interests and whose name is on the
294 commission's list, and to whom notice has been sent, but who
295 fails to timely file is assessed a fine of \$25 per day for each
296 day late up to a maximum of \$1,500; however this \$1,500
297 limitation on automatic fines does not limit the civil penalty
298 that may be imposed if the statement is filed more than 60 days
299 after the deadline and a complaint is filed, as provided in s.
300 112.324. The commission must provide by rule the grounds for

301 waiving the fine and the procedures by which each person whose
 302 name is on the list and who is determined to have not filed in a
 303 timely manner will be notified of assessed fines and may appeal.
 304 The rule must provide for and make specific that the amount of
 305 the fine due is based upon when the disclosure is filed on the
 306 electronic filing system created and maintained by the
 307 commission as provided in s. 112.31446. ~~the following:~~

308 ~~1. The amount of the fine due is based upon the earliest~~
 309 ~~of the following:~~

310 ~~a. When a statement is actually received by the office.~~

311 ~~b. When the statement is postmarked.~~

312 ~~e. When the certificate of mailing is dated.~~

313 ~~d. When the receipt from an established courier company is~~
 314 ~~dated.~~

315 ~~1.2.~~ Upon receipt of the disclosure statement or upon
 316 accrual of the maximum penalty, whichever occurs first, the
 317 commission shall determine the amount of the fine which is due
 318 and shall notify the delinquent person. The notice must include
 319 an explanation of the appeal procedure under subparagraph 2. ~~3.~~
 320 Such fine must be paid within 30 days after the notice of
 321 payment due is transmitted, unless appeal is made to the
 322 commission pursuant to subparagraph 2. ~~3.~~ The moneys shall be
 323 deposited into the General Revenue Fund.

324 ~~2.3.~~ Any reporting person may appeal or dispute a fine,
 325 based upon unusual circumstances surrounding the failure to file

326 on the designated due date, and may request and is entitled to a
327 hearing before the commission, which may waive the fine in whole
328 or in part for good cause shown. Any such request must be in
329 writing and received by the commission within 30 days after the
330 notice of payment due is transmitted. In such a case, the
331 reporting person must, within the 30-day period, notify the
332 person designated to review the timeliness of reports in writing
333 of his or her intention to bring the matter before the
334 commission. For purposes of this subparagraph, "unusual
335 circumstances" does not include the failure to monitor an e-mail
336 account or failure to receive notice if the person has not
337 notified the commission of a change in his or her e-mail
338 address.

339 (g) Any person subject to the annual filing of full and
340 public disclosure under s. 8, Art. II of the State Constitution,
341 or other state law, whose name is not on the commission's list
342 of persons required to file full and public disclosure is not
343 subject to the fines or penalties provided in this part for
344 failure to file full and public disclosure in any year in which
345 the omission occurred, but nevertheless is required to file the
346 disclosure statement.

347 (h) The notification requirements and fines of this
348 subsection do not apply to candidates or to the first filing
349 required of any person appointed to elective constitutional
350 office or other position required to file full and public

351 disclosure, unless the person's name is on the commission's
352 notification list and the person received notification from the
353 commission. The appointing official shall notify such newly
354 appointed person of the obligation to file full and public
355 disclosure by July 1. The notification requirements and fines of
356 this subsection do not apply to the final filing provided for in
357 subsection (10).

358 (i) Notwithstanding any provision of chapter 120, any fine
359 imposed under this subsection which is not waived by final order
360 of the commission and which remains unpaid more than 60 days
361 after the notice of payment due or more than 60 days after the
362 commission renders a final order on the appeal must be submitted
363 to the Department of Financial Services as a claim, debt, or
364 other obligation owed to the state, and the department shall
365 assign the collection of such fine to a collection agent as
366 provided in s. 17.20.

367 (10) Each person required to file full and public
368 disclosure of financial interests shall file a final disclosure
369 statement within 60 days after leaving his or her public
370 position for the period between January 1 of the year in which
371 the person leaves and the last day of office or employment,
372 unless within the 60-day period the person takes another public
373 position requiring financial disclosure under s. 8, Art. II of
374 the State Constitution, or is otherwise required to file full
375 and public disclosure for the final disclosure period. The head

376 of the agency of each person required to file full and public
 377 disclosure for the final disclosure period shall notify such
 378 persons of their obligation to file the final disclosure and may
 379 designate a person to be responsible for the notification
 380 requirements of this subsection. When an elected local officer
 381 specified in paragraph (1)(d) leaves office before the
 382 expiration of his or her term, the person appointed to replace
 383 such officer for the remainder of that term must file a full and
 384 public disclosure of financial interests annually thereafter for
 385 the remainder of his or her term in office.

386 Section 4. Subsections (4) and (5) are added to section
 387 112.31445, Florida Statutes, to read:

388 112.31445 Electronic filing system; full and public
 389 disclosure of financial interests.—

390 (4) The commission shall publish a notice on the
 391 electronic filing system instructing filers to redact a social
 392 security number; a bank, mortgage, or brokerage account number;
 393 a debit, charge, or credit card number; a personal
 394 identification number; or a taxpayer identification number in
 395 their filings.

396 (5) The electronic filing system must allow a filer to
 397 include attachments or other supporting documentation when
 398 submitting a disclosure through the system.

399 Section 5. Paragraph (f) is added to subsection (2) of
 400 section 112.31446, Florida Statutes, to read:

401 112.31446 Electronic filing system for financial
402 disclosure.—

403 (2) By January 1, 2022, the commission shall procure and
404 test an electronic filing system. At a minimum, the electronic
405 filing system must:

406 (f) Allow a filer to include attachments or other
407 supporting documentation when submitting a disclosure or a
408 statement through the system.

409 Section 6. Notwithstanding the expiration date in section
410 95 of chapter 2022-157, Laws of Florida, paragraphs (b) and (e)
411 of subsection (2), paragraphs (a) and (c) of subsection (4), and
412 subsections (6) and (8) of section 112.3145, Florida Statutes,
413 are reenacted and amended to read:

414 112.3145 Disclosure of financial interests and clients
415 represented before agencies.—

416 (2)

417 (b) Each state or local officer, except local officers
418 specified in s. 112.3144(1)(d), and each specified state
419 employee shall file a statement of financial interests no later
420 than July 1 of each year. Each state officer, local officer, and
421 specified state employee shall file a final statement of
422 financial interests within 60 days after leaving his or her
423 public position for the period between January 1 of the year in
424 which the person leaves and the last day of office or
425 employment, unless within the 60-day period the person takes

426 another public position requiring financial disclosure under
 427 this section or s. 8, Art. II of the State Constitution or
 428 otherwise is required to file full and public disclosure or a
 429 statement of financial interests for the final disclosure
 430 period. Each state or local officer who is appointed and each
 431 specified state employee who is employed shall file a statement
 432 of financial interests within 30 days after ~~from~~ the date of
 433 appointment or, in the case of a specified state employee, from
 434 the date on which the employment begins, except that any person
 435 whose appointment is subject to confirmation by the Senate shall
 436 file before ~~prior to~~ confirmation hearings or within 30 days
 437 after ~~from~~ the date of appointment, whichever comes first.

438 (e) Beginning January 1, 2024, a statement of financial
 439 interests, and a final statement of financial interests and any
 440 amendments thereto, or any other form required by this section,
 441 except any statement of a candidate who is not subject to an
 442 annual filing requirement, must be filed electronically through
 443 an electronic filing system created and maintained by the
 444 commission as provided in s. 112.31446.

445 (4) (a) ~~Beginning January 1, 2024,~~ A filer may not include
 446 in a filing to the commission ~~a federal income tax return or a~~
 447 ~~copy of thereof;~~ a social security number; a bank, mortgage, or
 448 brokerage account number; a debit, charge, or credit card
 449 number; a personal identification number; or a taxpayer
 450 identification number. If a filer includes such information in

451 his or her filing, the information may be made available as part
452 of the official records of the commission available for public
453 inspection and copying unless redaction is requested by the
454 filer. The commission is not liable for the release of social
455 security numbers, bank account numbers, or debit, charge, or
456 credit card numbers included in a filing to the commission if
457 the filer has not requested redaction of the information.

458 (c) The commission must conspicuously post a notice, in
459 substantially the following form, in the instructions for the
460 electronic filing system specifying that:

461 1. Any filer submitting information through the electronic
462 filing system may not include ~~a federal income tax return or a~~
463 ~~copy thereof~~; a social security number; a bank, mortgage, or
464 brokerage account number; a debit, charge, or credit card
465 number; a personal identification number; or a taxpayer
466 identification number in any filing unless required by law.

467 2. Information submitted through the electronic filing
468 system may be open to public inspection and copying.

469 3. Any filer has a right to request that the commission
470 redact from his or her filing any social security number; ; bank
471 account number; ; or debit, charge, or credit card number
472 contained in the filing. Such request must be made in writing
473 and delivered to the commission. The request must specify the
474 information to be redacted and the specific section or sections
475 of the disclosure in which it was included.

476 (6) Each elected constitutional officer, state officer,
 477 local officer, and specified state employee shall file a
 478 quarterly report of the names of clients represented for a fee
 479 or commission, except for appearances in ministerial matters,
 480 before agencies at his or her level of government. For the
 481 purposes of this part, agencies of government shall be
 482 classified as state-level agencies or agencies below state
 483 level. ~~Each local officer shall file such report with the~~
 484 ~~supervisor of elections of the county in which the officer is~~
 485 ~~principally employed or is a resident.~~ Each state officer,
 486 elected constitutional officer, and specified state employee
 487 shall file such report with the commission. Beginning January 1,
 488 2024, each local officer shall file such report with the
 489 commission. The report must ~~shall~~ be filed only when a
 490 reportable representation is made during the calendar quarter
 491 and must ~~shall~~ be filed no later than the last day of each
 492 calendar quarter, for the previous calendar quarter.
 493 Representation before any agency shall be deemed to include
 494 representation by such officer or specified state employee or by
 495 any partner or associate of the professional firm of which he or
 496 she is a member and of which he or she has actual knowledge. For
 497 the purposes of this subsection, the term "representation before
 498 any agency" does not include appearances before any court or the
 499 Deputy Chief Judge of Compensation Claims or judges of
 500 compensation claims or representations on behalf of one's agency

501 in one's official capacity. Such term does not include the
502 preparation and filing of forms and applications merely for the
503 purpose of obtaining or transferring a license based on a quota
504 or a franchise of such agency or a license or operation permit
505 to engage in a profession, business, or occupation, so long as
506 the issuance or granting of such license, permit, or transfer
507 does not require substantial discretion, a variance, a special
508 consideration, or a certificate of public convenience and
509 necessity.

510 (8) Beginning January 1, 2024, forms for compliance with
511 the disclosure requirements of this section and a current list
512 of persons subject to disclosure must ~~shall~~ be created by the
513 commission. The commission shall allow a filer to include
514 attachments or other supporting documentation when filing a
515 disclosure. Beginning January 1, 2024, ~~and provided to each~~
516 ~~supervisor of elections.~~ the commission ~~and each supervisor of~~
517 ~~elections~~ shall give notice of disclosure deadlines, and
518 delinquencies, and instructions ~~distribute forms~~ in the
519 following manner:

520 (a) ~~1-~~ Not later than May 1 of each year, the commission
521 shall prepare a current list of the names, e-mail addresses, and
522 physical addresses of, and the offices or positions held by,
523 every state officer, local officer, and specified employee. Each
524 unit of government shall assist the commission in compiling the
525 list by providing to the commission not later than February 1 of

526 each year the name, e-mail address, physical address, and name
527 of agency of, and the office or position held by, each state
528 officer, local officer, or specified state employee within the
529 respective unit of government as of December 31 of the preceding
530 year.

531 (b) The commission shall notify by e-mail, not later than
532 June 1 of each year, each person required to file a statement of
533 financial interests under subsection (3) of all of the
534 following:

535 1. Applicable filing deadlines for completing and filing
536 the statement on the electronic filing system.

537 2. Instructions on how to complete and file the statement
538 on the electronic filing system, or how to access such
539 instructions.

540
541 Beginning January 1, 2024, paper forms may not be provided and
542 each person required to file a statement of financial interests
543 must complete and file such statement on the electronic filing
544 system pursuant to paragraph (2) (e).

545 ~~2. Not later than May 15 of each year, the commission~~
546 ~~shall provide each supervisor of elections with a current list~~
547 ~~of all local officers required to file with such supervisor of~~
548 ~~elections.~~

549 ~~(b) Not later than June 1 of each year, the commission and~~
550 ~~each supervisor of elections, as appropriate, shall distribute a~~

551 ~~copy of the form prescribed for compliance with subsection (3)~~
552 ~~and a notice of all applicable disclosure forms and filing~~
553 ~~deadlines to each person required to file a statement of~~
554 ~~financial interests. Beginning January 1, 2024, no paper forms~~
555 ~~will be provided. The notice required under this paragraph and~~
556 ~~instructions for electronic submission must be delivered by e-~~
557 ~~mail.~~

558 (c) Not later than August 1 of each year, the commission
559 ~~and each supervisor of elections~~ shall determine which persons
560 required to file a statement of financial interests ~~in their~~
561 ~~respective offices~~ have failed to do so and shall send
562 delinquency notices to these persons. Through December 31, 2023,
563 delinquency notices must be sent by certified mail, return
564 receipt requested. Each notice must state that a grace period is
565 in effect until September 1 of the current year; that no
566 investigative or disciplinary action based upon the delinquency
567 will be taken by the agency head or commission if the statement
568 is filed by September 1 of the current year; that, if the
569 statement is not filed by September 1 of the current year, a
570 fine of \$25 for each day late will be imposed, up to a maximum
571 penalty of \$1,500; ~~for notices distributed by a supervisor of~~
572 ~~elections, that he or she is required by law to notify the~~
573 ~~commission of the delinquency;~~ and that, if upon the filing of a
574 sworn complaint the commission finds that the person has failed
575 to timely file the statement within 60 days after September 1 of

576 the current year, such person will also be subject to the
577 penalties provided in s. 112.317. Beginning January 1, 2024,
578 notice required under this paragraph must be delivered by e-mail
579 and must be redelivered on a weekly basis by e-mail as long as
580 the person remains delinquent.

581 (d) Beginning January 1, 2024, disclosure statements
582 required to be filed with the commission must be filed by 11:59
583 p.m. on the due date using the commission's electronic filing
584 system as provided in s. 112.31446.

585 ~~(d) No later than November 15 of each year, the supervisor~~
586 ~~of elections in each county shall certify to the commission a~~
587 ~~list of the names and addresses of, and the offices or positions~~
588 ~~held by, all persons who have failed to timely file the required~~
589 ~~statements of financial interests. The certification must~~
590 ~~include the earliest of the dates described in subparagraph~~
591 ~~(g)1. The certification shall be on a form prescribed by the~~
592 ~~commission and shall indicate whether the supervisor of~~
593 ~~elections has provided the disclosure forms and notice as~~
594 ~~required by this subsection to all persons named on the~~
595 ~~delinquency list.~~

596 ~~(e) Statements must be received by the commission not~~
597 ~~later than 5 p.m. of the due date. However, any statement that~~
598 ~~is postmarked by the United States Postal Service by midnight of~~
599 ~~the due date is deemed to have been filed in a timely manner,~~
600 ~~and a certificate of mailing obtained from and dated by the~~

601 ~~United States Postal Service at the time of the mailing, or a~~
602 ~~receipt from an established courier company which bears a date~~
603 ~~on or before the due date, constitutes proof of mailing in a~~
604 ~~timely manner. Beginning January 1, 2023, upon request of the~~
605 ~~filer, the commission must provide verification to the filer~~
606 ~~that the commission has received the filed statement.~~

607 (e)~~(f)~~ Beginning January 1, 2023, the statement must be
608 accompanied by a declaration as provided in s. 92.525(2) and an
609 electronic acknowledgment thereof.

610 (f)~~(g)~~ Any person ~~who is~~ required to file a statement of
611 financial interests ~~and~~ whose name is on the commission's list,
612 and to whom notice has been sent, but who fails to timely file
613 is assessed a fine of \$25 per day for each day late up to a
614 maximum of \$1,500; however, this \$1,500 limitation on automatic
615 fines does not limit the civil penalty that may be imposed if
616 the statement is filed more than 60 days after the deadline and
617 a complaint is filed, as provided in s. 112.324. The commission
618 must provide by rule the grounds for waiving the fine and
619 procedures by which each person whose name is on the list and
620 who is determined to have not filed in a timely manner will be
621 notified of assessed fines and may appeal. The rule must provide
622 for and make specific that the amount of the fine is based upon
623 the date and time that the disclosure is filed on the electronic
624 filing system as provided in s. 112.31446. ~~the following:~~

625 1. Beginning January 1, 2024, ~~The amount of the fine due is~~

626 ~~based upon the earliest of the following:~~

627 ~~a. When a statement is actually received by the office.~~

628 ~~b. When the statement is postmarked.~~

629 ~~c. When the certificate of mailing is dated.~~

630 ~~d. When the receipt from an established courier company is~~

631 ~~dated.~~

632 ~~2.~~ for a specified state employee, or a state officer, or

633 local officer, upon receipt of the disclosure statement by the

634 commission or upon accrual of the maximum penalty, whichever

635 occurs first, ~~and for a local officer upon receipt by the~~

636 ~~commission of the certification from the local officer's~~

637 ~~supervisor of elections pursuant to paragraph (d),~~ the

638 commission shall determine the amount of the fine which is due

639 and shall notify the delinquent person. The notice must include

640 an explanation of the appeal procedure under subparagraph 2. ~~3.~~

641 The fine must be paid within 30 days after the notice of payment

642 due is transmitted, unless appeal is made to the commission

643 pursuant to subparagraph 2. ~~3.~~ The moneys are to be deposited

644 into the General Revenue Fund.

645 ~~2.3.~~ Any reporting person may appeal or dispute a fine,

646 based upon unusual circumstances surrounding the failure to file

647 on the designated due date, and may request and is entitled to a

648 hearing before the commission, which may waive the fine in whole

649 or in part for good cause shown. Any such request must be in

650 writing and received by the commission within 30 days after the

651 notice of payment due is transmitted. In such a case, the
652 reporting person must, within the 30-day period, notify the
653 person designated to review the timeliness of reports in writing
654 of his or her intention to bring the matter before the
655 commission. For purposes of this subparagraph, the term "unusual
656 circumstances" does not include the failure to monitor an e-mail
657 account or failure to receive notice if the person has not
658 notified the commission of a change in his or her e-mail
659 address.

660 (g)~~(h)~~ Any state officer, local officer, or specified
661 employee whose name is not on the list of persons required to
662 file an annual statement of financial interests is not subject
663 to the penalties provided in s. 112.317 or the fine provided in
664 this section for failure to timely file a statement of financial
665 interests in any year in which the omission occurred, but
666 nevertheless is required to file the disclosure statement.

667 (h)~~(i)~~ The notification requirements and fines of this
668 subsection do not apply to candidates or to the first or final
669 filing required of any state officer, specified employee, or
670 local officer as provided in paragraph (2) (b).

671 (i)~~(j)~~ Notwithstanding any provision of chapter 120, any
672 fine imposed under this subsection which is not waived by final
673 order of the commission and which remains unpaid more than 60
674 days after the notice of payment due or more than 60 days after
675 the commission renders a final order on the appeal must be

676 submitted to the Department of Financial Services as a claim,
 677 debt, or other obligation owed to the state, and the department
 678 shall assign the collection of such a fine to a collection agent
 679 as provided in s. 17.20.

680 Section 7. Subsection (1) of section 112.317, Florida
 681 Statutes, is amended to read:

682 112.317 Penalties.—

683 (1) Any violation of this part, including, but not limited
 684 to, failure to file disclosures required by this part or
 685 violation of any standard of conduct imposed by this part, or
 686 any violation of s. 8, Art. II of the State Constitution, in
 687 addition to any criminal penalty or other civil penalty
 688 involved, under applicable constitutional and statutory
 689 procedures, constitutes grounds for, and may be punished by, one
 690 or more of the following:

691 (a) In the case of a public officer:

- 692 1. Impeachment.
- 693 2. Removal from office.
- 694 3. Suspension from office.
- 695 4. Public censure and reprimand.
- 696 5. Forfeiture of no more than one-third of his or her
 697 salary per month for no more than 12 months.
- 698 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 699 7. Restitution of any pecuniary benefits received because
 700 of the violation committed. The commission may recommend that

701 the restitution penalty be paid to the agency of which the
 702 public officer was a member or to the General Revenue Fund.

703 (b) In the case of an employee or a person designated as a
 704 public officer by this part who otherwise would be deemed to be
 705 an employee:

- 706 1. Dismissal from employment.
- 707 2. Suspension from employment for not more than 90 days
 708 without pay.
- 709 3. Demotion.
- 710 4. Reduction in his or her salary level.
- 711 5. Forfeiture of no more than one-third salary per month
 712 for no more than 12 months.
- 713 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 714 7. Restitution of any pecuniary benefits received because
 715 of the violation committed. The commission may recommend that
 716 the restitution penalty be paid to the agency by which the
 717 public employee was employed, or of which the officer was deemed
 718 to be an employee, or to the General Revenue Fund.
- 719 8. Public censure and reprimand.

720 (c) In the case of a candidate who violates this part or
 721 s. 8(a) and (i), Art. II of the State Constitution:

- 722 1. Disqualification from being on the ballot.
- 723 2. Public censure.
- 724 3. Reprimand.
- 725 4. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

726 (d) In the case of a former public officer or employee who
 727 has violated a provision applicable to former officers or
 728 employees or whose violation occurred before the officer's or
 729 employee's leaving public office or employment:

- 730 1. Public censure and reprimand.
- 731 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 732 3. Restitution of any pecuniary benefits received because
 733 of the violation committed. The commission may recommend that
 734 the restitution penalty be paid to the agency of the public
 735 officer or employee or to the General Revenue Fund.

736 (e) In the case of a person who is subject to the
 737 standards of this part, other than a lobbyist or lobbying firm
 738 under s. 112.3215 for a violation of s. 112.3215, but who is not
 739 a public officer or employee:

- 740 1. Public censure and reprimand.
- 741 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 742 3. Restitution of any pecuniary benefits received because
 743 of the violation committed. The commission may recommend that
 744 the restitution penalty be paid to the agency of the person or
 745 to the General Revenue Fund.

746 Section 8. Paragraph (d) of subsection (8) of section
 747 112.3215, Florida Statutes, is redesignated as paragraph (e),
 748 paragraph (c) of that subsection and subsection (9) are amended,
 749 and a new paragraph (d) is added to subsection (8), to read:

750 112.3215 Lobbying before the executive branch or the

751 Constitution Revision Commission; registration and reporting;
752 investigation by commission.—

753 (8)

754 (c) The commission shall investigate any lobbying firm,
755 lobbyist, principal, agency, officer, or employee upon receipt
756 of information from a sworn complaint or from a random audit of
757 lobbying reports indicating that the entity or person has
758 intentionally failed to disclose any material fact or has
759 knowingly submitted false information in any report required by
760 this section or by rules adopted pursuant to this section a
761 possible violation other than a late-filed report.

762 (d) Notwithstanding paragraphs (a), (b), and (c), the
763 commission may dismiss any complaint or investigation resulting
764 from a random audit of lobbying reports at any stage of
765 disposition if the commission determines that the public
766 interest is not served by proceeding further, in which case the
767 commission must issue a public report stating with particularity
768 its reasons for the dismissal.

769 (9) If the commission finds no probable cause to believe
770 that a violation of this section occurred, it must ~~shall~~ dismiss
771 the complaint, whereupon the complaint, together with a written
772 statement of the findings of the investigation and a summary of
773 the facts, becomes ~~shall become~~ a matter of public record, and
774 the commission must ~~shall~~ send a copy of the complaint,
775 findings, and summary to the complainant and the alleged

776 violator. If, after investigating information from a random
777 audit of lobbying reports, the commission finds no probable
778 cause to believe that a violation of this section occurred, a
779 written statement of the findings of the investigation and a
780 summary of the facts becomes ~~shall become~~ a matter of public
781 record, and the commission must ~~shall~~ send a copy of the
782 findings and summary to the alleged violator. If the commission
783 finds probable cause to believe that a violation occurred, it
784 must ~~shall~~ report the results of its investigation to the
785 Governor and Cabinet and send a copy of the report to the
786 alleged violator by certified mail. Such notification and all
787 documents made or received in the disposition of the complaint
788 ~~shall then~~ become public records. Upon a request submitted to
789 the Governor and Cabinet in writing, any person whom the
790 commission finds probable cause to believe has violated ~~any~~
791 ~~provision of~~ this section shall be entitled to a public hearing.
792 Such person shall be deemed to have waived the right to a public
793 hearing if the request is not received within 14 days following
794 the mailing of the probable cause notification. However, the
795 Governor and Cabinet may on its own motion require a public
796 hearing and may conduct such further investigation as it deems
797 necessary.

798 Section 9. Paragraph (a) of subsection (11) of section
799 112.324, Florida Statutes, is amended to read:

800 112.324 Procedures on complaints of violations and

801 referrals; public records and meeting exemptions.—

802 (11) (a) Notwithstanding subsections (1)–(8), the
803 commission may dismiss any complaint or referral at any stage of
804 disposition if it determines that the violation that is alleged
805 or has occurred is a de minimis violation attributable to
806 inadvertent or unintentional error. In determining whether a
807 violation was de minimis, the commission shall consider whether
808 the interests of the public were protected despite the
809 violation. ~~This subsection does not apply to complaints or~~
810 ~~referrals pursuant to ss. 112.3144 and 112.3145.~~

811 Section 10. Upon this act becoming a law, the Commission
812 on Ethics shall, as necessary, revise the commission's financial
813 disclosure forms and instructions and any related rules to
814 conform to this act. Any such revisions to disclosure forms and
815 instructions pertaining to the 2022 filing year shall be exempt
816 from the requirements of chapter 120, Florida Statutes.

817 Section 11. This act shall take effect upon becoming a
818 law.