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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/30/2023	.	
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The Committee on Rules (Brodeur) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(5) At the time of qualifying for office, each candidate  
for a constitutional office, or for another elective office  
subject to an annual filing requirement pursuant to s. 112.3144,



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

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

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



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41 shall disqualify the candidate.

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

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

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

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

63         Section 2. Paragraph (e) of subsection (2) of section  
64 112.3142, Florida Statutes, is amended to read:

65         112.3142 Ethics training for specified constitutional  
66 officers, elected municipal officers, and commissioners.—

67         (2)

68         (e) The Legislature intends that a constitutional officer,  
69 a commissioner of a community redevelopment agency, or an



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70 elected municipal officer who is required to complete ethics  
71 training pursuant to this section receive the required training  
72 as close as possible to the date that he or she assumes office.  
73 A constitutional officer, a commissioner of a community  
74 redevelopment agency, or an elected municipal officer assuming a  
75 new office or new term of office on or before March 31 must  
76 complete the annual training on or before December 31 of the  
77 year in which the term of office began. A constitutional  
78 officer, a commissioner of a community redevelopment agency, or  
79 an elected municipal officer assuming a new office or new term  
80 of office after March 31 is not required to complete ethics  
81 training for the calendar year in which the term of office  
82 began.

83 Section 3. Notwithstanding the expiration date in section  
84 92 of chapter 2022-157, Laws of Florida, paragraph (c) of  
85 subsection (6), paragraphs (a) and (c) of subsection (7), and  
86 subsections (8) and (10) of section 112.3144, Florida Statutes,  
87 are reenacted and amended, and paragraph (d) is added to  
88 subsection (1) of that section, to read:

89 112.3144 Full and public disclosure of financial  
90 interests.—

91 (1)

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

95 1. Mayors.

96 2. Elected members of the governing body of a municipality.

97 (6)

98 (c) Each separate source and amount of income which exceeds



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99 \$1,000 must be identified. For the purpose of a filer reporting  
100 income, the commission shall accept federal income tax returns.  
101 If a filer submits a federal income tax return for the purpose  
102 of reporting income, he or she must also include all attachments  
103 and schedules associated with such federal income tax return  
104 ~~Beginning January 1, 2023, a federal income tax return may not~~  
105 ~~be used for purposes of reporting income, and the commission may~~  
106 ~~not accept a federal income tax return or a copy thereof.~~

107 (7) (a) Beginning January 1, 2023, a filer may not include  
108 in a filing to the commission ~~a federal income tax return or a~~  
109 ~~copy thereof;~~ a social security number; a bank, mortgage, or  
110 brokerage account number; a debit, charge, or credit card  
111 number; a personal identification number; or a taxpayer  
112 identification number. If a filer includes such information in  
113 his or her filing, the information may be made available as part  
114 of the official records of the commission available for public  
115 inspection and copying unless redaction is requested by the  
116 filer. The commission is not liable for the release of social  
117 security numbers or bank account, debit, charge, or credit card  
118 numbers included in a filing to the commission if the filer has  
119 not requested redaction of such information.

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

123 1. Any filer submitting information through the electronic  
124 filing system may not include ~~a federal income tax return or a~~  
125 ~~copy thereof;~~ a social security number; a bank, mortgage, or  
126 brokerage account number; a debit, charge, or credit card  
127 number; a personal identification number; or a taxpayer



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128 identification number in any filing unless required by law.

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

131         3. Any filer has a right to request that the commission  
132 redact from his or her filing any social security number, bank  
133 account number, or debit, charge, or credit card number  
134 contained in the filing. Such request must be made in writing  
135 and delivered to the commission. The request must specify the  
136 information to be redacted and the specific section or sections  
137 of the disclosure in which it was included.

138         (8) Forms or fields of information for compliance with the  
139 full and public disclosure requirements of s. 8, Art. II of the  
140 State Constitution must ~~shall~~ be prescribed by the commission.  
141 The commission shall allow a filer to include attachments or  
142 other supporting documentation when filing a disclosure. The  
143 commission shall give notice of disclosure deadlines and  
144 delinquencies and distribute forms in the following manner:

145         (a) Not later than May 1 of each year, the commission shall  
146 prepare a current list of the names, e-mail addresses, and  
147 physical addresses of and the offices held by every person  
148 required to file full and public disclosure annually by s. 8,  
149 Art. II of the State Constitution, or other state law. Each unit  
150 of government shall assist the commission in compiling the list  
151 by providing to the commission not later than February 1 of each  
152 year the name, e-mail address, physical address, and name of the  
153 office held by such person within the respective unit of  
154 government as of December 31 of the preceding year.

155         (b) Not later than June 1 of each year, the commission  
156 shall notify by e-mail all persons required to file a full and



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157 public disclosure of financial interests of all of the  
158 following:

159 1. All applicable filing deadlines for completing and  
160 filing the full and public disclosure of financial interests  
161 prescribed under subsection (3) on the electronic filing system.

162 2. Instructions on how to complete and file the full and  
163 public disclosure of financial interests as prescribed by  
164 subsection (3) on the electronic filing system, or where to  
165 access such instructions.

166  
167 Beginning January 1, 2023, paper forms may not be provided and  
168 persons required to file a full and public disclosure of  
169 financial interests must complete and file their disclosures on  
170 the electronic filing system pursuant to subsection (2) ~~Not~~  
171 later than June 1 of each year, the commission shall distribute  
172 a copy of the form prescribed for compliance with full and  
173 public disclosure and a notice of the filing deadline to each  
174 person on the list. ~~Beginning January 1, 2022, no paper forms~~  
175 will be provided by mail. The notice required under this  
176 paragraph and instructions for electronic submission must be  
177 delivered by e-mail.

178 (c) Not later than August 1 of each year, the commission  
179 shall determine which persons on the list have failed to file  
180 full and public disclosure and shall send delinquency notices to  
181 such persons. Each notice must state that a grace period is in  
182 effect until September 1 of the current year. ~~Beginning January~~  
183 ~~1, 2022,~~ The notice required under this paragraph must be  
184 delivered by e-mail and must be redelivered on a weekly basis by  
185 e-mail as long as a person remains delinquent.



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186 (d) Disclosures must be received by the commission not  
187 later than 11:59 ~~5~~ p.m. of the due date. ~~However, any disclosure~~  
188 ~~that is postmarked by the United States Postal Service by~~  
189 ~~midnight of the due date is deemed to have been filed in a~~  
190 ~~timely manner, and a certificate of mailing obtained from and~~  
191 ~~dated by the United States Postal Service at the time of the~~  
192 ~~mailing, or a receipt from an established courier company which~~  
193 ~~bears a date on or before the due date, constitutes proof of~~  
194 ~~mailing in a timely manner.~~ Beginning January 1, 2023, upon  
195 request of the filer, the commission must provide verification  
196 to the filer that the commission has received the filed  
197 disclosure.

198 (e) Beginning January 1, 2023, a written declaration, as  
199 provided for under s. 92.525(2), accompanied by an electronic  
200 signature satisfies the requirement that the disclosure be  
201 sworn.

202 (f) Any person who is required to file full and public  
203 disclosure of financial interests and whose name is on the  
204 commission's list, and to whom notice has been sent, but who  
205 fails to timely file is assessed a fine of \$25 per day for each  
206 day late up to a maximum of \$1,500; however this \$1,500  
207 limitation on automatic fines does not limit the civil penalty  
208 that may be imposed if the statement is filed more than 60 days  
209 after the deadline and a complaint is filed, as provided in s.  
210 112.324. The commission must provide by rule the grounds for  
211 waiving the fine and the procedures by which each person whose  
212 name is on the list and who is determined to have not filed in a  
213 timely manner will be notified of assessed fines and may appeal.  
214 The rule must provide for and make specific that the amount of





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215 the fine due is based upon when the disclosure is filed on the  
216 electronic filing system created and maintained by the  
217 commission as provided in s. 112.31446. ~~the following:~~

218 ~~1. The amount of the fine due is based upon the earliest of~~  
219 ~~the following:~~

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

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

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

223 ~~d. When the receipt from an established courier company is~~  
224 ~~dated.~~

225 ~~2.~~ Upon receipt of the disclosure statement or upon accrual  
226 of the maximum penalty, whichever occurs first, the commission  
227 shall determine the amount of the fine which is due and shall  
228 notify the delinquent person. The notice must include an  
229 explanation of the appeal procedure under subparagraph 2. ~~3.~~  
230 Such fine must be paid within 30 days after the notice of  
231 payment due is transmitted, unless appeal is made to the  
232 commission pursuant to subparagraph 2. ~~3.~~ The moneys shall be  
233 deposited into the General Revenue Fund.

234 ~~2.3.~~ Any reporting person may appeal or dispute a fine,  
235 based upon unusual circumstances surrounding the failure to file  
236 on the designated due date, and may request and is entitled to a  
237 hearing before the commission, which may waive the fine in whole  
238 or in part for good cause shown. Any such request must be in  
239 writing and received by the commission within 30 days after the  
240 notice of payment due is transmitted. In such a case, the  
241 reporting person must, within the 30-day period, notify the  
242 person designated to review the timeliness of reports in writing  
243 of his or her intention to bring the matter before the



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244 commission. For purposes of this subparagraph, "unusual  
245 circumstances" does not include the failure to monitor an e-mail  
246 account or failure to receive notice if the person has not  
247 notified the commission of a change in his or her e-mail  
248 address.

249 (g) Any person subject to the annual filing of full and  
250 public disclosure under s. 8, Art. II of the State Constitution,  
251 or other state law, whose name is not on the commission's list  
252 of persons required to file full and public disclosure is not  
253 subject to the fines or penalties provided in this part for  
254 failure to file full and public disclosure in any year in which  
255 the omission occurred, but nevertheless is required to file the  
256 disclosure statement.

257 (h) The notification requirements and fines of this  
258 subsection do not apply to candidates or to the first filing  
259 required of any person appointed to elective constitutional  
260 office or other position required to file full and public  
261 disclosure, unless the person's name is on the commission's  
262 notification list and the person received notification from the  
263 commission. The appointing official shall notify such newly  
264 appointed person of the obligation to file full and public  
265 disclosure by July 1. The notification requirements and fines of  
266 this subsection do not apply to the final filing provided for in  
267 subsection (10).

268 (i) Notwithstanding any provision of chapter 120, any fine  
269 imposed under this subsection which is not waived by final order  
270 of the commission and which remains unpaid more than 60 days  
271 after the notice of payment due or more than 60 days after the  
272 commission renders a final order on the appeal must be submitted



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273 to the Department of Financial Services as a claim, debt, or  
274 other obligation owed to the state, and the department shall  
275 assign the collection of such fine to a collection agent as  
276 provided in s. 17.20.

277 (10) Each person required to file full and public  
278 disclosure of financial interests shall file a final disclosure  
279 statement within 60 days after leaving his or her public  
280 position for the period between January 1 of the year in which  
281 the person leaves and the last day of office or employment,  
282 unless within the 60-day period the person takes another public  
283 position requiring financial disclosure under s. 8, Art. II of  
284 the State Constitution, or is otherwise required to file full  
285 and public disclosure for the final disclosure period. The head  
286 of the agency of each person required to file full and public  
287 disclosure for the final disclosure period shall notify such  
288 persons of their obligation to file the final disclosure and may  
289 designate a person to be responsible for the notification  
290 requirements of this subsection. When an elected local officer  
291 specified in paragraph (1)(d) leaves office before the  
292 expiration of his or her term, any individual appointed to  
293 replace such officer for the remainder of that term must file a  
294 full and public disclosure of financial interests annually  
295 thereafter for the remainder of his or her term in office.

296 Section 4. Subsections (4) and (5) are added to section  
297 112.31445, Florida Statutes, to read:

298 112.31445 Electronic filing system; full and public  
299 disclosure of financial interests.—

300 (4) The commission shall publish a notice on the electronic  
301 filing system instructing filers to redact a social security



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302 number; a bank, mortgage, or brokerage account number; a debit,  
303 charge, or credit card number; a personal identification number;  
304 or a taxpayer identification number in their filings.

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

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

310 112.31446 Electronic filing system for financial  
311 disclosure.—

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

315 (f) Allow a filer to include attachments or other  
316 supporting documentation when submitting a disclosure or a  
317 statement through the system.

318 Section 6. Notwithstanding the expiration date in section  
319 95 of chapter 2022-157, Laws of Florida, paragraphs (b) and (e)  
320 of subsection (2), paragraphs (a) and (c) of subsection (4), and  
321 subsections (6) and (8) of section 112.3145, Florida Statutes,  
322 are reenacted and amended to read:

323 112.3145 Disclosure of financial interests and clients  
324 represented before agencies.—

325 (2)

326 (b) Each state or local officer, except local officers  
327 specified in s. 112.3144(1)(d), and each specified state  
328 employee shall file a statement of financial interests no later  
329 than July 1 of each year. Each state officer, local officer, and  
330 specified state employee shall file a final statement of



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331 financial interests within 60 days after leaving his or her  
332 public position for the period between January 1 of the year in  
333 which the person leaves and the last day of office or  
334 employment, unless within the 60-day period the person takes  
335 another public position requiring financial disclosure under  
336 this section or s. 8, Art. II of the State Constitution or  
337 otherwise is required to file full and public disclosure or a  
338 statement of financial interests for the final disclosure  
339 period. Each state or local officer who is appointed and each  
340 specified state employee who is employed shall file a statement  
341 of financial interests within 30 days from the date of  
342 appointment or, in the case of a specified state employee, from  
343 the date on which the employment begins, except that any person  
344 whose appointment is subject to confirmation by the Senate shall  
345 file before ~~prior to~~ confirmation hearings or within 30 days  
346 from the date of appointment, whichever comes first.

347 (e) Beginning January 1, 2024, a statement of financial  
348 interests, ~~and~~ a final statement of financial interests and any  
349 amendments thereto, ~~or~~ any other form required by this section,  
350 except any statement of a candidate who is not subject to an  
351 annual filing requirement, must be filed electronically through  
352 an electronic filing system created and maintained by the  
353 commission as provided in s. 112.31446.

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



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360 his or her filing, the information may be made available as part  
361 of the official records of the commission available for public  
362 inspection and copying unless redaction is requested by the  
363 filer. The commission is not liable for the release of social  
364 security numbers, bank account numbers, or debit, charge, or  
365 credit card numbers included in a filing to the commission if  
366 the filer has not requested redaction of the information.

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

370 1. Any filer submitting information through the electronic  
371 filing system may not include ~~a federal income tax return or a~~  
372 ~~copy thereof~~; a social security number; a bank, mortgage, or  
373 brokerage account number; a debit, charge, or credit card  
374 number; a personal identification number; or a taxpayer  
375 identification number in any filing unless required by law.

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

378 3. Any filer has a right to request that the commission  
379 redact from his or her filing any social security number, bank  
380 account number, or debit, charge, or credit card number  
381 contained in the filing. Such request must be made in writing  
382 and delivered to the commission. The request must specify the  
383 information to be redacted and the specific section or sections  
384 of the disclosure in which it was included.

385 (6) Each elected constitutional officer, state officer,  
386 local officer, and specified state employee shall file a  
387 quarterly report of the names of clients represented for a fee  
388 or commission, except for appearances in ministerial matters,



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389 before agencies at his or her level of government. For the  
390 purposes of this part, agencies of government shall be  
391 classified as state-level agencies or agencies below state  
392 level. ~~Each local officer shall file such report with the~~  
393 ~~supervisor of elections of the county in which the officer is~~  
394 ~~principally employed or is a resident.~~ Each state officer,  
395 elected constitutional officer, and specified state employee  
396 shall file such report with the commission. Beginning January 1,  
397 2024, each local officer shall file such report with the  
398 commission. The report must ~~shall~~ be filed only when a  
399 reportable representation is made during the calendar quarter  
400 and must ~~shall~~ be filed no later than the last day of each  
401 calendar quarter, for the previous calendar quarter.  
402 Representation before any agency shall be deemed to include  
403 representation by such officer or specified state employee or by  
404 any partner or associate of the professional firm of which he or  
405 she is a member and of which he or she has actual knowledge. For  
406 the purposes of this subsection, the term "representation before  
407 any agency" does not include appearances before any court or the  
408 Deputy Chief Judge of Compensation Claims or judges of  
409 compensation claims or representations on behalf of one's agency  
410 in one's official capacity. Such term does not include the  
411 preparation and filing of forms and applications merely for the  
412 purpose of obtaining or transferring a license based on a quota  
413 or a franchise of such agency or a license or operation permit  
414 to engage in a profession, business, or occupation, so long as  
415 the issuance or granting of such license, permit, or transfer  
416 does not require substantial discretion, a variance, a special  
417 consideration, or a certificate of public convenience and



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418 necessity.

419 (8) Beginning January 1, 2024, forms for compliance with  
420 the disclosure requirements of this section and a current list  
421 of persons subject to disclosure must ~~shall~~ be created by the  
422 commission ~~and provided to each supervisor of elections.~~ The  
423 commission shall allow a filer to include attachments or other  
424 supporting documentation when filing a disclosure. Beginning  
425 January 1, 2024, the commission ~~and each supervisor of elections~~  
426 shall give notice of disclosure deadlines, ~~and delinquencies,~~  
427 and instructions ~~distribute forms~~ in the following manner:

428 (a) ~~1.~~ Not later than May 1 of each year, the commission  
429 shall prepare a current list of the names, e-mail addresses, and  
430 physical addresses of, and the offices or positions held by,  
431 every state officer, local officer, and specified employee. Each  
432 unit of government shall assist the commission in compiling the  
433 list by providing to the commission not later than February 1 of  
434 each year the name, e-mail address, physical address, and name  
435 of agency of, and the office or position held by, each state  
436 officer, local officer, or specified state employee within the  
437 respective unit of government as of December 31 of the preceding  
438 year.

439 ~~2. Not later than May 15 of each year, the commission shall~~  
440 ~~provide each supervisor of elections with a current list of all~~  
441 ~~local officers required to file with such supervisor of~~  
442 ~~elections.~~

443 (b) The commission shall notify by e-mail, not later than  
444 June 1 of each year, all persons required to file a statement of  
445 financial interests under subsection (3) of all of the  
446 following:





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447 1. All applicable filing deadlines for completing and  
448 filing the statement on the electronic filing system.

449 2. Instructions on how to complete and file the statement  
450 on the electronic filing system or where to access such  
451 instructions.

452  
453 Beginning January 1, 2024, paper forms may not be provided and  
454 persons required to file a statement of financial interests must  
455 complete and file such statements on the electronic filing  
456 system pursuant to paragraph (2) (e) ~~Not later than June 1 of~~  
457 ~~each year, the commission and each supervisor of elections, as~~  
458 ~~appropriate, shall distribute a copy of the form prescribed for~~  
459 ~~compliance with subsection (3) and a notice of all applicable~~  
460 ~~disclosure forms and filing deadlines to each person required to~~  
461 ~~file a statement of financial interests. Beginning January 1,~~  
462 ~~2024, no paper forms will be provided. The notice required under~~  
463 ~~this paragraph and instructions for electronic submission must~~  
464 ~~be delivered by e-mail.~~

465 (c) Not later than August 1 of each year, the commission  
466 ~~and each supervisor of elections~~ shall determine which persons  
467 required to file a statement of financial interests ~~in their~~  
468 ~~respective offices~~ have failed to do so and shall send  
469 delinquency notices to these persons. Through December 31, 2023,  
470 delinquency notices must be sent by certified mail, return  
471 receipt requested. Each notice must state that a grace period is  
472 in effect until September 1 of the current year; that no  
473 investigative or disciplinary action based upon the delinquency  
474 will be taken by the agency head or commission if the statement  
475 is filed by September 1 of the current year; that, if the



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476 statement is not filed by September 1 of the current year, a  
477 fine of \$25 for each day late will be imposed, up to a maximum  
478 penalty of \$1,500; ~~for notices distributed by a supervisor of~~  
479 ~~elections, that he or she is required by law to notify the~~  
480 ~~commission of the delinquency;~~ and that, if upon the filing of a  
481 sworn complaint the commission finds that the person has failed  
482 to timely file the statement within 60 days after September 1 of  
483 the current year, such person will also be subject to the  
484 penalties provided in s. 112.317. Beginning January 1, 2024,  
485 notice required under this paragraph must be delivered by e-mail  
486 and must be redelivered on a weekly basis by e-mail as long as  
487 the person remains delinquent.

488 (d) Beginning January 1, 2024, disclosure statements  
489 required to be filed with the commission must be filed by 11:59  
490 p.m. on the due date using the commission's electronic filing  
491 system pursuant to s. 112.31446 ~~No later than November 15 of~~  
492 ~~each year, the supervisor of elections in each county shall~~  
493 ~~certify to the commission a list of the names and addresses of,~~  
494 ~~and the offices or positions held by, all persons who have~~  
495 ~~failed to timely file the required statements of financial~~  
496 ~~interests. The certification must include the earliest of the~~  
497 ~~dates described in subparagraph (g)1. The certification shall be~~  
498 ~~on a form prescribed by the commission and shall indicate~~  
499 ~~whether the supervisor of elections has provided the disclosure~~  
500 ~~forms and notice as required by this subsection to all persons~~  
501 ~~named on the delinquency list.~~

502 (e) ~~Statements must be received by the commission not later~~  
503 ~~than 5 p.m. of the due date. However, any statement that is~~  
504 ~~postmarked by the United States Postal Service by midnight of~~



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505 ~~the due date is deemed to have been filed in a timely manner,~~  
506 ~~and a certificate of mailing obtained from and dated by the~~  
507 ~~United States Postal Service at the time of the mailing, or a~~  
508 ~~receipt from an established courier company which bears a date~~  
509 ~~on or before the due date, constitutes proof of mailing in a~~  
510 ~~timely manner. Beginning January 1, 2023, upon request of the~~  
511 ~~filer, the commission must provide verification to the filer~~  
512 ~~that the commission has received the filed statement.~~

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

516 ~~(f)~~ ~~(g)~~ Any person ~~who is~~ required to file a statement of  
517 financial interests ~~and~~ whose name is on the commission's list,  
518 and to whom notice has been sent, but who fails to timely file  
519 is assessed a fine of \$25 per day for each day late up to a  
520 maximum of \$1,500; however, this \$1,500 limitation on automatic  
521 fines does not limit the civil penalty that may be imposed if  
522 the statement is filed more than 60 days after the deadline and  
523 a complaint is filed, as provided in s. 112.324. The commission  
524 must provide by rule the grounds for waiving the fine and  
525 procedures by which each person whose name is on the list and  
526 who is determined to have not filed in a timely manner will be  
527 notified of assessed fines and may appeal. The rule must provide  
528 for and make specific that the amount of the fine is based upon  
529 the date and time that the disclosure is filed on the electronic  
530 filing system as provided in s. 112.31446. ~~the following:~~

531 1. Beginning January 1, 2024, The amount of the fine due is  
532 based upon the earliest of the following:

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



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534       ~~b. When the statement is postmarked.~~  
535       ~~e. When the certificate of mailing is dated.~~  
536       ~~d. When the receipt from an established courier company is~~  
537 ~~dated.~~  
538       ~~2.~~ for a specified state employee, ~~or a~~ state officer, or  
539 local officer, upon receipt of the disclosure statement by the  
540 commission or upon accrual of the maximum penalty, whichever  
541 occurs first, ~~and for a local officer upon receipt by the~~  
542 ~~commission of the certification from the local officer's~~  
543 ~~supervisor of elections pursuant to paragraph (d),~~ the  
544 commission shall determine the amount of the fine which is due  
545 and shall notify the delinquent person. The notice must include  
546 an explanation of the appeal procedure under subparagraph 2. ~~3.~~  
547 The fine must be paid within 30 days after the notice of payment  
548 due is transmitted, unless appeal is made to the commission  
549 pursuant to subparagraph 2. ~~3.~~ The moneys are to be deposited  
550 into the General Revenue Fund.  
551       ~~2.3.~~ Any reporting person may appeal or dispute a fine,  
552 based upon unusual circumstances surrounding the failure to file  
553 on the designated due date, and may request and is entitled to a  
554 hearing before the commission, which may waive the fine in whole  
555 or in part for good cause shown. Any such request must be in  
556 writing and received by the commission within 30 days after the  
557 notice of payment due is transmitted. In such a case, the  
558 reporting person must, within the 30-day period, notify the  
559 person designated to review the timeliness of reports in writing  
560 of his or her intention to bring the matter before the  
561 commission. For purposes of this subparagraph, the term "unusual  
562 circumstances" does not include the failure to monitor an e-mail



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563 account or failure to receive notice if the person has not  
564 notified the commission of a change in his or her e-mail  
565 address.

566 (g)~~(h)~~ Any state officer, local officer, or specified  
567 employee whose name is not on the list of persons required to  
568 file an annual statement of financial interests is not subject  
569 to the penalties provided in s. 112.317 or the fine provided in  
570 this section for failure to timely file a statement of financial  
571 interests in any year in which the omission occurred, but  
572 nevertheless is required to file the disclosure statement.

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

577 (i)~~(j)~~ Notwithstanding any provision of chapter 120, any  
578 fine imposed under this subsection which is not waived by final  
579 order of the commission and which remains unpaid more than 60  
580 days after the notice of payment due or more than 60 days after  
581 the commission renders a final order on the appeal must be  
582 submitted to the Department of Financial Services as a claim,  
583 debt, or other obligation owed to the state, and the department  
584 shall assign the collection of such a fine to a collection agent  
585 as provided in s. 17.20.

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

588 112.317 Penalties.—

589 (1) Any violation of this part, including, but not limited  
590 to, failure to file disclosures required by this part or  
591 violation of any standard of conduct imposed by this part, or



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592 any violation of s. 8, Art. II of the State Constitution, in  
593 addition to any criminal penalty or other civil penalty  
594 involved, under applicable constitutional and statutory  
595 procedures, constitutes grounds for, and may be punished by, one  
596 or more of the following:

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

598 1. Impeachment.

599 2. Removal from office.

600 3. Suspension from office.

601 4. Public censure and reprimand.

602 5. Forfeiture of no more than one-third of his or her  
603 salary per month for no more than 12 months.

604 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

605 7. Restitution of any pecuniary benefits received because  
606 of the violation committed. The commission may recommend that  
607 the restitution penalty be paid to the agency of which the  
608 public officer was a member or to the General Revenue Fund.

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

612 1. Dismissal from employment.

613 2. Suspension from employment for not more than 90 days  
614 without pay.

615 3. Demotion.

616 4. Reduction in his or her salary level.

617 5. Forfeiture of no more than one-third salary per month  
618 for no more than 12 months.

619 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

620 7. Restitution of any pecuniary benefits received because



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621 of the violation committed. The commission may recommend that  
622 the restitution penalty be paid to the agency by which the  
623 public employee was employed, or of which the officer was deemed  
624 to be an employee, or to the General Revenue Fund.

625 8. Public censure and reprimand.

626 (c) In the case of a candidate who violates this part or s.  
627 8(a) and (i), Art. II of the State Constitution:

628 1. Disqualification from being on the ballot.

629 2. Public censure.

630 3. Reprimand.

631 4. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

632 (d) In the case of a former public officer or employee who  
633 has violated a provision applicable to former officers or  
634 employees or whose violation occurred before the officer's or  
635 employee's leaving public office or employment:

636 1. Public censure and reprimand.

637 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

638 3. Restitution of any pecuniary benefits received because  
639 of the violation committed. The commission may recommend that  
640 the restitution penalty be paid to the agency of the public  
641 officer or employee or to the General Revenue Fund.

642 (e) In the case of a person who is subject to the standards  
643 of this part, other than a lobbyist or lobbying firm under s.  
644 112.3215 for a violation of s. 112.3215, but who is not a public  
645 officer or employee:

646 1. Public censure and reprimand.

647 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

648 3. Restitution of any pecuniary benefits received because  
649 of the violation committed. The commission may recommend that



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650 the restitution penalty be paid to the agency of the person or  
651 to the General Revenue Fund.

652 Section 8. Present paragraph (d) of subsection (8) of  
653 section 112.3215, Florida Statutes, is redesignated as paragraph  
654 (e), a new paragraph (d) is added to that subsection, and  
655 paragraph (c) of subsection (8) and subsection (9) of that  
656 section are amended, to read:

657 112.3215 Lobbying before the executive branch or the  
658 Constitution Revision Commission; registration and reporting;  
659 investigation by commission.—

660 (8)

661 (c) The commission shall investigate any lobbying firm,  
662 lobbyist, principal, agency, officer, or employee upon receipt  
663 of information from a sworn complaint or from a random audit of  
664 lobbying reports indicating that the entity or individual has  
665 intentionally failed to disclose any material fact or has  
666 knowingly submitted false information in any report required by  
667 this section or by rules adopted pursuant to this section a  
668 possible violation other than a late-filed report.

669 (d) Notwithstanding paragraphs (a), (b), and (c), the  
670 commission may dismiss any complaint or investigation resulting  
671 from a random audit of lobbying reports at any stage of  
672 disposition if it determines that the public interest is not  
673 served by proceeding further, in which case the commission must  
674 issue a public report stating with particularity its reasons for  
675 the dismissal.

676 (9) If the commission finds no probable cause to believe  
677 that a violation of this section occurred, it must ~~shall~~ dismiss  
678 the complaint, whereupon the complaint, together with a written





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679 statement of the findings of the investigation and a summary of  
680 the facts, becomes ~~shall become~~ a matter of public record, and  
681 the commission must ~~shall~~ send a copy of the complaint,  
682 findings, and summary to the complainant and the alleged  
683 violator. If, after investigating information from a random  
684 audit of lobbying reports, the commission finds no probable  
685 cause to believe that a violation of this section occurred, a  
686 written statement of the findings of the investigation and a  
687 summary of the facts becomes ~~shall become~~ a matter of public  
688 record, and the commission must ~~shall~~ send a copy of the  
689 findings and summary to the alleged violator. If the commission  
690 finds probable cause to believe that a violation occurred, it  
691 must ~~shall~~ report the results of its investigation to the  
692 Governor and Cabinet and send a copy of the report to the  
693 alleged violator by certified mail. Such notification and all  
694 documents made or received in the disposition of the complaint  
695 ~~shall then~~ become public records. Upon a request submitted to  
696 the Governor and Cabinet in writing, any person whom the  
697 commission finds probable cause to believe has violated ~~any~~  
698 ~~provision of~~ this section shall be entitled to a public hearing.  
699 Such person shall be deemed to have waived the right to a public  
700 hearing if the request is not received within 14 days following  
701 the mailing of the probable cause notification. However, the  
702 Governor and Cabinet may on its own motion require a public  
703 hearing and may conduct such further investigation as it deems  
704 necessary.

705 Section 9. Paragraph (a) of subsection (11) of section  
706 112.324, Florida Statutes, is amended to read:

707 112.324 Procedures on complaints of violations and



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708 referrals; public records and meeting exemptions.-

709 (11) (a) Notwithstanding subsections (1)-(8), the commission  
710 may dismiss any complaint or referral at any stage of  
711 disposition if it determines that the violation that is alleged  
712 or has occurred is a de minimis violation attributable to  
713 inadvertent or unintentional error. In determining whether a  
714 violation was de minimis, the commission shall consider whether  
715 the interests of the public were protected despite the  
716 violation. ~~This subsection does not apply to complaints or~~  
717 ~~referrals pursuant to ss. 112.3144 and 112.3145.~~

718 Section 10. Upon this act becoming a law, the Commission on  
719 Ethics shall, as necessary, revise its financial disclosure  
720 forms and instructions and any related rules to conform to this  
721 act. Any such revisions to disclosure forms and instructions  
722 pertaining to the 2022 filing year shall be exempt from the  
723 requirements of chapter 120, Florida Statutes.

724 Section 11. This act shall take effect upon becoming law.

725  
726 ===== T I T L E A M E N D M E N T =====

727 And the title is amended as follows:

728 Delete everything before the enacting clause  
729 and insert:

730 A bill to be entitled  
731 An act relating to ethics requirements for public  
732 officials; amending s. 99.061, F.S.; requiring  
733 candidates for specified elective offices to file a  
734 full and public disclosure at the time of qualifying;  
735 authorizing candidates to file a certain verification  
736 or receipt with the qualifying officer unless certain



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737 conditions exist; conforming provisions to changes  
738 made by the act; amending s. 112.3142, F.S.; revising  
739 legislative intent; requiring commissioners of  
740 community redevelopment agencies to complete annual  
741 ethics training; exempting commissioners who assumed  
742 office after a specified date from completing the  
743 required annual ethics training for that calendar  
744 year; reenacting and amending s. 112.3144, F.S.;  
745 requiring specified local officers to file full and  
746 public disclosures; requiring the Commission on Ethics  
747 to accept federal income tax returns and any  
748 attachments or schedules for a specified purpose;  
749 deleting the prohibition on including a federal income  
750 tax return or a copy thereof for certain filings;  
751 requiring the commission to allow a filer to include  
752 attachments and other supporting documentation with  
753 his or her disclosure; revising the notice the  
754 commission sends to specified persons by e-mail;  
755 requiring that disclosure statements be filed using  
756 the commission's electronic filing system; revising  
757 the deadline for disclosures to be received by the  
758 commission; deleting provisions relating to financial  
759 statements filed by mail; revising a provision  
760 requiring the commission to adopt a specified rule;  
761 requiring an individual appointed to replace an  
762 elected local officer who leaves office before the end  
763 of his or her term to file a full and public  
764 disclosure of financial interests annually for the  
765 remainder of his or her term in office; amending s.



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766 112.31445, F.S.; requiring the commission to publish a  
767 specified notice on the electronic filing system for  
768 the disclosure of financial interests; requiring that  
769 the filing system allow a filer to include attachments  
770 and other supporting documentation; amending s.  
771 112.31446, F.S.; requiring that the electronic filing  
772 system allow a filer to submit attachments and other  
773 supporting documentation when a disclosure is filed;  
774 reenacting and amending s. 112.3145, F.S.; deleting a  
775 prohibition on including a federal income tax return  
776 or copy thereof in a financial disclosure; deleting a  
777 provision requiring specified local officers to file  
778 reports with the supervisor of elections of the  
779 officer's county of principal employment or residence;  
780 requiring local officers to file their quarterly  
781 reports of the names of clients they represent for a  
782 fee or commission with the Commission on Ethics;  
783 deleting a provision requiring the commission to  
784 provide a specified list to the supervisors of  
785 elections; requiring the commission to allow a filer  
786 to include attachments or other documentation when  
787 filing a disclosure; deleting a provision requiring  
788 the commission to provide the supervisors of elections  
789 a certain list annually by a specified date; requiring  
790 the commission to provide a certain notice by e-mail,  
791 beginning on a specified date; providing that,  
792 beginning on a specified date, paper forms will no  
793 longer be provided; requiring the commission, before a  
794 specified date, to determine which persons have not



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795 submitted a required statement and to send delinquency  
796 notices to such persons; requiring that disclosure  
797 statements be filed using the electronic filing  
798 system, beginning on a specified date; revising the  
799 criteria for a rule that the commission must adopt  
800 regarding the electronic filing of disclosure  
801 statements; requiring the commission to determine the  
802 amount of fines for all delinquent filers, beginning  
803 on a specified date; conforming provisions to changes  
804 made by the act; amending s. 112.317, F.S.; increasing  
805 the maximum civil penalty allowed for certain  
806 violations related to statements of financial  
807 disclosure; amending s. 112.3215, F.S.; requiring the  
808 commission to investigate specified entities or  
809 individuals that intentionally failed to disclose any  
810 material fact or that knowingly submitted false  
811 information in certain required reports; authorizing  
812 the commission to dismiss certain complaints and  
813 investigations; requiring the commission to issue a  
814 specified public report if it dismisses such a  
815 complaint or investigation; making technical changes;  
816 amending s. 112.324, F.S.; revising applicability;  
817 requiring the commission to revise financial  
818 disclosure forms and rules for the 2022 filing year to  
819 conform to changes made by the act; exempting such  
820 revisions from specified rulemaking requirements;  
821 providing an effective date.