

By the Committee on Ethics and Elections; and Senator Brodeur

582-02584-23

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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.; requiring  
10          commissioners of community redevelopment agencies to  
11          complete annual ethics training; exempting  
12          commissioners who assumed office after a specified  
13          date from completing the required annual ethics  
14          training for that calendar year; reenacting and  
15          amending s. 112.3144, F.S.; requiring specified local  
16          officers to file full and public disclosures;  
17          requiring the Commission on Ethics to accept federal  
18          income tax returns, financial statements, and other  
19          forms or attachments showing sources of income for a  
20          specified purpose; deleting the prohibition on  
21          including a federal income tax return or a copy  
22          thereof for certain filings; requiring the commission  
23          to allow a filer to include attachments and other  
24          supporting documentation with his or her disclosure;  
25          revising the notice the commission sends to specified  
26          persons; requiring that disclosure statements be filed  
27          using the commission's electronic filing system;  
28          deleting provisions relating to financial statements  
29          filed by mail; revising a provision requiring the

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30 commission to adopt a specified rule; requiring an  
31 individual appointed to replace an elected local  
32 officer who leaves office before the end of his or her  
33 term to file a full and public disclosure of financial  
34 interests within 30 days after his or her appointment  
35 and annually for the remainder of his or her term in  
36 office; amending s. 112.31445, F.S.; requiring the  
37 commission to publish a specified notice on the  
38 electronic filing system for the disclosure of  
39 financial interests; requiring that the filing system  
40 allow a filer to include attachments and other  
41 supporting documentation; amending s. 112.31446, F.S.;  
42 requiring that the electronic filing system allow a  
43 filer to submit attachments and other supporting  
44 documentation when a disclosure is filed; reenacting  
45 and amending s. 112.3145, F.S.; deleting a prohibition  
46 on including a federal income tax return or copy  
47 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 supervisors

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59 of elections to receive and provide notice of  
60 delinquencies of the disclosure of financial  
61 interests; requiring the commission to provide a  
62 certain notice by e-mail, beginning on a specified  
63 date; providing that, beginning on a specified date,  
64 paper forms will no longer be provided; requiring the  
65 commission to determine which persons have not  
66 submitted a required disclosure within a specified  
67 timeframe; requiring the commission to send periodic  
68 specified notices to such persons; requiring that  
69 disclosure statements be filed using the electronic  
70 filing system, beginning on a specified date; revising  
71 the criteria for a rule that the commission must adopt  
72 regarding the electronic filing of disclosure  
73 statements; requiring the commission to determine the  
74 amount of fines for all delinquent filers, beginning  
75 on a specified date; conforming provisions to changes  
76 made by the act; amending s. 112.317, F.S.; increasing  
77 the maximum civil penalty allowed for certain  
78 violations related to statements of financial  
79 disclosure; amending s. 112.3215, F.S.; revising  
80 lobbying investigation requirements; authorizing the  
81 commission to dismiss certain complaints and  
82 investigations; requiring the commission to issue a  
83 specified public report if it dismisses such a  
84 complaint or investigation; amending s. 112.324, F.S.;  
85 authorizing the commission to dismiss financial  
86 disclosure complaints or referrals alleging de minimis  
87 violations; authorizing the commission to dismiss

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88 specified proceedings at any stage of disposition if a  
89 certain condition is met; providing an 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:

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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 financial  
145 interests required by subsection (5). A public officer who has

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

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

153 112.3142 Ethics training for specified constitutional  
154 officers, elected municipal officers, and commissioners.-

155 (2)

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

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

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

177 112.3144 Full and public disclosure of financial  
178 interests.—

179 (1)

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

183 1. Mayors.

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

185 (6)

186 (c) Each separate source and amount of income which exceeds  
187 \$1,000 must be identified. For the purpose of a filer reporting  
188 income, the commission shall accept federal income tax returns,  
189 financial statements, and other forms or attachments showing  
190 sources of income ~~Beginning January 1, 2023, a federal income~~  
191 ~~tax return may not be used for purposes of reporting income, and~~  
192 ~~the commission may not accept a federal income tax return or a~~  
193 ~~copy thereof.~~

194 (7) (a) Beginning January 1, 2023, a filer may not include  
195 in a filing to the commission ~~a federal income tax return or a~~  
196 ~~copy thereof;~~ a social security number; a bank, mortgage, or  
197 brokerage account number; a debit, charge, or credit card  
198 number; a personal identification number; or a taxpayer  
199 identification number. If a filer includes such information in  
200 his or her filing, the information may be made available as part  
201 of the official records of the commission available for public  
202 inspection and copying unless redaction is requested by the  
203 filer. The commission is not liable for the release of social

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204 security numbers or bank account, debit, charge, or credit card  
205 numbers included in a filing to the commission if the filer has  
206 not requested redaction of such information.

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

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

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

218 3. Any filer has a right to request that the commission  
219 redact from his or her filing any social security number, bank  
220 account number, or debit, charge, or credit card number  
221 contained in the filing. Such request must be made in writing  
222 and delivered to the commission. The request must specify the  
223 information to be redacted and the specific section or sections  
224 of the disclosure in which it was included.

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

232 (a) Not later than May 1 of each year, the commission shall



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

242 (b) Not later than June 1 of each year, the commission  
243 shall distribute a copy of the form prescribed for compliance  
244 with full and public disclosure and a notice of the filing  
245 deadline to each person on the list. Beginning January 1, 2022,  
246 ~~no~~ paper forms will not be provided ~~by mail~~. The notice required  
247 under this paragraph and instructions for electronic submission  
248 of the form and any accompanying attachments must be delivered  
249 by e-mail.

250 (c) Not later than August 1 of each year, the commission  
251 shall determine which persons on the list have failed to file  
252 full and public disclosure and shall send delinquency notices to  
253 such persons. Each notice must state that a grace period is in  
254 effect until September 1 of the current year. Beginning January  
255 1, 2022, the notice required under this paragraph must be  
256 delivered by e-mail and must be redelivered on a weekly basis by  
257 e-mail as long as a person remains delinquent.

258 (d) Disclosure statements required to be filed with the  
259 commission must be filed on the commission's electronic filing  
260 system as provided in s. 112.31446 ~~Disclosures must be received~~  
261 ~~by the commission~~ not later than 5 p.m. of the due date.

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262 ~~However, any disclosure that is postmarked by the United States~~  
263 ~~Postal Service by midnight of the due date is deemed to have~~  
264 ~~been filed in a timely manner, and a certificate of mailing~~  
265 ~~obtained from and dated by the United States Postal Service at~~  
266 ~~the time of the mailing, or a receipt from an established~~  
267 ~~courier company which bears a date on or before the due date,~~  
268 ~~constitutes proof of mailing in a timely manner. Beginning~~  
269 ~~January 1, 2023, upon request of the filer, the commission must~~  
270 ~~provide verification to the filer that the commission has~~  
271 ~~received the filed disclosure.~~

272 (e) Beginning January 1, 2023, a written declaration, as  
273 provided for under s. 92.525(2), accompanied by an electronic  
274 signature satisfies the requirement that the disclosure be  
275 sworn.

276 (f) Any person who is required to file full and public  
277 disclosure of financial interests and whose name is on the  
278 commission's list, and to whom notice has been sent, but who  
279 fails to timely file is assessed a fine of \$25 per day for each  
280 day late up to a maximum of \$1,500; however this \$1,500  
281 limitation on automatic fines does not limit the civil penalty  
282 that may be imposed if the statement is filed more than 60 days  
283 after the deadline and a complaint is filed, as provided in s.  
284 112.324. The commission must provide by rule the grounds for  
285 waiving the fine and the procedures by which each person whose  
286 name is on the list and who is determined to have not filed in a  
287 timely manner will be notified of assessed fines and may appeal.  
288 The rule must provide for and make specific that the amount of  
289 the fine due is based upon when the disclosure is filed on the  
290 commission's electronic filing system that is created and

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291 maintained by the commission as provided in s. 112.31446. the  
292 following:

293 1. ~~The amount of the fine due is based upon the earliest of~~  
294 ~~the following:~~

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

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

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

298 d. ~~When the receipt from an established courier company is~~  
299 ~~dated.~~

300 ~~2.~~ Upon receipt of the disclosure statement or upon accrual  
301 of the maximum penalty, whichever occurs first, the commission  
302 shall determine the amount of the fine which is due and shall  
303 notify the delinquent person. The notice must include an  
304 explanation of the appeal procedure under subparagraph 2. ~~3.~~  
305 Such fine must be paid within 30 days after the notice of  
306 payment due is transmitted, unless appeal is made to the  
307 commission pursuant to subparagraph 2. ~~3.~~ The moneys shall be  
308 deposited into the General Revenue Fund.

309 2.3. Any reporting person may appeal or dispute a fine,  
310 based upon unusual circumstances surrounding the failure to file  
311 on the designated due date, and may request and is entitled to a  
312 hearing before the commission, which may waive the fine in whole  
313 or in part for good cause shown. Any such request must be in  
314 writing and received by the commission within 30 days after the  
315 notice of payment due is transmitted. In such a case, the  
316 reporting person must, within the 30-day period, notify the  
317 person designated to review the timeliness of reports in writing  
318 of his or her intention to bring the matter before the  
319 commission. For purposes of this subparagraph, "unusual

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320 circumstances" does not include the failure to monitor an e-mail  
321 account or failure to receive notice if the person has not  
322 notified the commission of a change in his or her e-mail  
323 address.

324 (g) Any person subject to the annual filing of full and  
325 public disclosure under s. 8, Art. II of the State Constitution,  
326 or other state law, whose name is not on the commission's list  
327 of persons required to file full and public disclosure is not  
328 subject to the fines or penalties provided in this part for  
329 failure to file full and public disclosure in any year in which  
330 the omission occurred, but nevertheless is required to file the  
331 disclosure statement.

332 (h) The notification requirements and fines of this  
333 subsection do not apply to candidates or to the first filing  
334 required of any person appointed to elective constitutional  
335 office or other position required to file full and public  
336 disclosure, unless the person's name is on the commission's  
337 notification list and the person received notification from the  
338 commission. The appointing official shall notify such newly  
339 appointed person of the obligation to file full and public  
340 disclosure by July 1. The notification requirements and fines of  
341 this subsection do not apply to the final filing provided for in  
342 subsection (10).

343 (i) Notwithstanding any provision of chapter 120, any fine  
344 imposed under this subsection which is not waived by final order  
345 of the commission and which remains unpaid more than 60 days  
346 after the notice of payment due or more than 60 days after the  
347 commission renders a final order on the appeal must be submitted  
348 to the Department of Financial Services as a claim, debt, or

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349 other obligation owed to the state, and the department shall  
350 assign the collection of such fine to a collection agent as  
351 provided in s. 17.20.

352 (10) Each person required to file full and public  
353 disclosure of financial interests shall file a final disclosure  
354 statement within 60 days after leaving his or her public  
355 position for the period between January 1 of the year in which  
356 the person leaves and the last day of office or employment,  
357 unless within the 60-day period the person takes another public  
358 position requiring financial disclosure under s. 8, Art. II of  
359 the State Constitution, or is otherwise required to file full  
360 and public disclosure for the final disclosure period. The head  
361 of the agency of each person required to file full and public  
362 disclosure for the final disclosure period shall notify such  
363 persons of their obligation to file the final disclosure and may  
364 designate a person to be responsible for the notification  
365 requirements of this subsection. When an elected local officer  
366 specified in paragraph (1)(d) leaves office before the  
367 expiration of his or her term, each individual appointed to  
368 replace such officer for the remainder of that term shall file a  
369 full and public disclosure of financial interests within 30 days  
370 after the date of appointment and must file a full and public  
371 disclosure of financial interests annually thereafter for the  
372 remainder of his or her term in office.

373 Section 4. Subsections (4) and (5) are added to section  
374 112.31445, Florida Statutes, to read:

375 112.31445 Electronic filing system; full and public  
376 disclosure of financial interests.—

377 (4) The commission shall publish a notice on the electronic

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378 filing system instructing filers to redact a social security  
379 number; a bank, mortgage, or brokerage account number; a debit,  
380 charge, or credit card number; a personal identification number;  
381 or a taxpayer identification number in their filings.

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

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

387 112.31446 Electronic filing system for financial  
388 disclosure.—

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

392 (f) Allow a filer to include attachments or other  
393 supporting documentation when submitting a disclosure or a  
394 statement through the system.

395 Section 6. Notwithstanding the expiration date in section  
396 95 of chapter 2022-157, Laws of Florida, paragraphs (b) and (e)  
397 of subsection (2), paragraphs (a) and (c) of subsection (4),  
398 subsection (6), and subsection (8) of section 112.3145, Florida  
399 Statutes, are reenacted and amended to read:

400 112.3145 Disclosure of financial interests and clients  
401 represented before agencies.—

402 (2)

403 (b) Each state or local officer, except local officers  
404 specified in s. 112.3144(1)(d), and each specified state  
405 employee shall file a statement of financial interests no later  
406 than July 1 of each year. Each state officer, local officer, and

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407 specified state employee shall file a final statement of  
408 financial interests within 60 days after leaving his or her  
409 public position for the period between January 1 of the year in  
410 which the person leaves and the last day of office or  
411 employment, unless within the 60-day period the person takes  
412 another public position requiring financial disclosure under  
413 this section or s. 8, Art. II of the State Constitution or  
414 otherwise is required to file full and public disclosure or a  
415 statement of financial interests for the final disclosure  
416 period. Each state or local officer who is appointed and each  
417 specified state employee who is employed shall file a statement  
418 of financial interests within 30 days from the date of  
419 appointment or, in the case of a specified state employee, from  
420 the date on which the employment begins, except that any person  
421 whose appointment is subject to confirmation by the Senate shall  
422 file before ~~prior to~~ confirmation hearings or within 30 days  
423 from the date of appointment, whichever comes first.

424 (e) Beginning January 1, 2024, a statement of financial  
425 interests, and a final statement of financial interests and any  
426 amendments thereto, or any other form required by this section,  
427 except any statement of a candidate who is not subject to an  
428 annual filing requirement, must be filed electronically through  
429 an electronic filing system created and maintained by the  
430 commission as provided in s. 112.31446.

431 (4) (a) Beginning January 1, 2024, a filer may not include  
432 in a filing to the commission ~~a federal income tax return or a~~  
433 ~~copy of thereof;~~ a social security number; a bank, mortgage, or  
434 brokerage account number; a debit, charge, or credit card  
435 number; a personal identification number; or a taxpayer

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436 identification number. If a filer includes such information in  
437 his or her filing, the information may be made available as part  
438 of the official records of the commission available for public  
439 inspection and copying unless redaction is requested by the  
440 filer. The commission is not liable for the release of social  
441 security numbers, bank account numbers, or debit, charge, or  
442 credit card numbers included in a filing to the commission if  
443 the filer has not requested redaction of the information.

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

447 1. Any filer submitting information through the electronic  
448 filing system may not include ~~a federal income tax return or a~~  
449 ~~copy thereof~~; a social security number; a bank, mortgage, or  
450 brokerage account number; a debit, charge, or credit card  
451 number; a personal identification number; or a taxpayer  
452 identification number in any filing unless required by law.

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

455 3. Any filer has a right to request that the commission  
456 redact from his or her filing any social security number, bank  
457 account number, or debit, charge, or credit card number  
458 contained in the filing. Such request must be made in writing  
459 and delivered to the commission. The request must specify the  
460 information to be redacted and the specific section or sections  
461 of the disclosure in which it was included.

462 (6) Each elected constitutional officer, state officer,  
463 local officer, and specified state employee shall file a  
464 quarterly report of the names of clients represented for a fee



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465 or commission, except for appearances in ministerial matters,  
466 before agencies at his or her level of government. For the  
467 purposes of this part, agencies of government shall be  
468 classified as state-level agencies or agencies below state  
469 level. ~~Each local officer shall file such report with the~~  
470 ~~supervisor of elections of the county in which the officer is~~  
471 ~~principally employed or is a resident.~~ Each state officer,  
472 elected constitutional officer, and specified state employee,  
473 and local officer shall file such report with the commission.  
474 The report must ~~shall~~ be filed only when a reportable  
475 representation is made during the calendar quarter and must  
476 ~~shall~~ be filed no later than the last day of each calendar  
477 quarter, for the previous calendar quarter. Representation  
478 before any agency shall be deemed to include representation by  
479 such officer or specified state employee or by any partner or  
480 associate of the professional firm of which he or she is a  
481 member and of which he or she has actual knowledge. For the  
482 purposes of this subsection, the term "representation before any  
483 agency" does not include appearances before any court or the  
484 Deputy Chief Judge of Compensation Claims or judges of  
485 compensation claims or representations on behalf of one's agency  
486 in one's official capacity. Such term does not include the  
487 preparation and filing of forms and applications merely for the  
488 purpose of obtaining or transferring a license based on a quota  
489 or a franchise of such agency or a license or operation permit  
490 to engage in a profession, business, or occupation, so long as  
491 the issuance or granting of such license, permit, or transfer  
492 does not require substantial discretion, a variance, a special  
493 consideration, or a certificate of public convenience and

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494 necessity.

495 (8) Beginning January 1, 2024, forms for compliance with  
496 the disclosure requirements of this section and a current list  
497 of persons subject to disclosure must ~~shall~~ be created by the  
498 commission ~~and provided to each supervisor of elections.~~ The  
499 commission shall allow a filer to include attachments or other  
500 supporting documentation when filing a disclosure. Beginning  
501 January 1, 2024, the commission ~~and each supervisor of elections~~  
502 shall give notice of disclosure deadlines, ~~and delinquencies,~~  
503 and instructions ~~distribute forms~~ in the following manner:

504 (a) ~~1.~~ Not later than May 1 of each year, the commission  
505 shall prepare a current list of the names, e-mail addresses, and  
506 physical addresses of, and the offices or positions held by,  
507 every state officer, local officer, and specified employee. Each  
508 unit of government shall assist the commission in compiling the  
509 list by providing to the commission not later than February 1 of  
510 each year the name, e-mail address, physical address, and name  
511 of agency of, and the office or position held by, each state  
512 officer, local officer, or specified state employee within the  
513 respective unit of government as of December 31 of the preceding  
514 year.

515 ~~2. Not later than May 15 of each year, the commission shall~~  
516 ~~provide each supervisor of elections with a current list of all~~  
517 ~~local officers required to file with such supervisor of~~  
518 ~~elections.~~

519 (b) Beginning January 1, 2024, the commission shall notify,  
520 by e-mail, not later than June 1 of each year, all persons  
521 required to file a statement of financial interests, of all of  
522 the following:

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523 1. All applicable filing deadlines for completing and  
524 filing the statement of financial interests, prescribed under  
525 subsection (3), on the commission's electronic filing system.

526 2. Instructions on how to complete and file the statement  
527 of financial interests, as prescribed by subsection (3), on the  
528 commission's electronic filing system.

529 3. Instructions on how to upload attachments and  
530 documentation onto the commission's electronic filing system.

531  
532 Beginning January 1, 2024, paper forms may not be provided and  
533 persons required to file a statement of financial interests must  
534 complete and file their statement of financial interests on the  
535 commission's electronic filing system pursuant to paragraph  
536 (2) (e) ~~Not later than June 1 of each year, the commission and~~  
537 ~~each supervisor of elections, as appropriate, shall distribute a~~  
538 ~~copy of the form prescribed for compliance with subsection (3)~~  
539 ~~and a notice of all applicable disclosure forms and filing~~  
540 ~~deadlines to each person required to file a statement of~~  
541 ~~financial interests. Beginning January 1, 2024, no paper forms~~  
542 ~~will be provided. The notice required under this paragraph and~~  
543 ~~instructions for electronic submission must be delivered by e-~~  
544 ~~mail.~~

545 (c)1. Beginning January 1, 2024, but no later than August  
546 1, 2024, and each August 1 thereafter, the commission shall  
547 determine the persons required to file a statement of financial  
548 interests pursuant to this part who have failed to do so and the  
549 commission shall send delinquency notices by e-mail to these  
550 persons. The commission shall redeliver weekly by e-mail such  
551 notice as long as the person remains delinquent.

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552 2. Each notice must state all of the following:

553 a. A grace period is in effect until September 1 of the  
554 current year.

555 b. Investigative or disciplinary action based upon the  
556 delinquency may not be taken by the agency head or commission if  
557 the statement is filed by September 1 of the current year, which  
558 includes the imposition of a daily fine of \$25 for each day  
559 late, up to a maximum penalty of \$1,500.

560 c. If upon the filing of a sworn complaint the commission  
561 finds that a person has failed to timely file the statement  
562 within 60 days after September 1 of the current year, such  
563 person is subject to the penalties imposed in s. 112.317 ~~Not~~  
564 later than August 1 of each year, the commission and each  
565 supervisor of elections shall determine which persons required  
566 to file a statement of financial interests in their respective  
567 offices have failed to do so and shall send delinquency notices  
568 to these persons. Through December 31, 2023, delinquency notices  
569 must be sent by certified mail, return receipt requested. Each  
570 notice must state that a grace period is in effect until  
571 September 1 of the current year; that no investigative or  
572 disciplinary action based upon the delinquency will be taken by  
573 the agency head or commission if the statement is filed by  
574 September 1 of the current year; that, if the statement is not  
575 filed by September 1 of the current year, a fine of \$25 for each  
576 day late will be imposed, up to a maximum penalty of \$1,500; for  
577 notices distributed by a supervisor of elections, that he or she  
578 is required by law to notify the commission of the delinquency;  
579 and that, if upon the filing of a sworn complaint the commission  
580 finds that the person has failed to timely file the statement

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581 ~~within 60 days after September 1 of the current year, such~~  
582 ~~person will also be subject to the penalties provided in s.~~  
583 ~~112.317. Beginning January 1, 2024, notice required under this~~  
584 ~~paragraph must be delivered by e-mail and must be redelivered on~~  
585 ~~a weekly basis by e-mail as long as the person remains~~  
586 ~~delinquent.~~

587 (d) Beginning January 1, 2024, disclosure statements  
588 required to be filed with the commission must be filed using the  
589 commission's electronic filing system pursuant to s. 112.31446  
590 by 5 p.m. on the due date ~~No later than November 15 of each~~  
591 ~~year, the supervisor of elections in each county shall certify~~  
592 ~~to the commission a list of the names and addresses of, and the~~  
593 ~~offices or positions held by, all persons who have failed to~~  
594 ~~timely file the required statements of financial interests. The~~  
595 ~~certification must include the earliest of the dates described~~  
596 ~~in subparagraph (g)1. The certification shall be on a form~~  
597 ~~prescribed by the commission and shall indicate whether the~~  
598 ~~supervisor of elections has provided the disclosure forms and~~  
599 ~~notice as required by this subsection to all persons named on~~  
600 ~~the delinquency list.~~

601 ~~(e) Statements must be received by the commission not later~~  
602 ~~than 5 p.m. of the due date. However, any statement that is~~  
603 ~~postmarked by the United States Postal Service by midnight of~~  
604 ~~the due date is deemed to have been filed in a timely manner,~~  
605 ~~and a certificate of mailing obtained from and dated by the~~  
606 ~~United States Postal Service at the time of the mailing, or a~~  
607 ~~receipt from an established courier company which bears a date~~  
608 ~~on or before the due date, constitutes proof of mailing in a~~  
609 ~~timely manner. Beginning January 1, 2023, upon request of the~~

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610 ~~filer, the commission must provide verification to the filer~~  
611 ~~that the commission has received the filed statement.~~

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

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

631 1. Beginning January 1, 2024, ~~The amount of the fine due is~~  
632 ~~based upon the earliest of the following:~~

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

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

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

636 d. ~~When the receipt from an established courier company is~~  
637 ~~dated.~~

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

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639 local officer, upon receipt of the disclosure statement by the  
640 commission or upon accrual of the maximum penalty, whichever  
641 occurs first, ~~and for a local officer upon receipt by the~~  
642 ~~commission of the certification from the local officer's~~  
643 ~~supervisor of elections pursuant to paragraph (d),~~ the  
644 commission shall determine the amount of the fine which is due  
645 and shall notify the delinquent person. The notice must include  
646 an explanation of the appeal procedure under subparagraph 2. 3.  
647 The fine must be paid within 30 days after the notice of payment  
648 due is transmitted, unless appeal is made to the commission  
649 pursuant to subparagraph 2. 3. The moneys are to be deposited  
650 into the General Revenue Fund.

651 2.3. Any reporting person may appeal or dispute a fine,  
652 based upon unusual circumstances surrounding the failure to file  
653 on the designated due date, and may request and is entitled to a  
654 hearing before the commission, which may waive the fine in whole  
655 or in part for good cause shown. Any such request must be in  
656 writing and received by the commission within 30 days after the  
657 notice of payment due is transmitted. In such a case, the  
658 reporting person must, within the 30-day period, notify the  
659 person designated to review the timeliness of reports in writing  
660 of his or her intention to bring the matter before the  
661 commission. For purposes of this subparagraph, the term "unusual  
662 circumstances" does not include the failure to monitor an e-mail  
663 account or failure to receive notice if the person has not  
664 notified the commission of a change in his or her e-mail  
665 address.

666 (g) ~~(h)~~ Any state officer, local officer, or specified  
667 employee whose name is not on the list of persons required to

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668 file an annual statement of financial interests is not subject  
669 to the penalties provided in s. 112.317 or the fine provided in  
670 this section for failure to timely file a statement of financial  
671 interests in any year in which the omission occurred, but  
672 nevertheless is required to file the disclosure statement.

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

677 (i)~~(j)~~ Notwithstanding any provision of chapter 120, any  
678 fine imposed under this subsection which is not waived by final  
679 order of the commission and which remains unpaid more than 60  
680 days after the notice of payment due or more than 60 days after  
681 the commission renders a final order on the appeal must be  
682 submitted to the Department of Financial Services as a claim,  
683 debt, or other obligation owed to the state, and the department  
684 shall assign the collection of such a fine to a collection agent  
685 as provided in s. 17.20.

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

688 112.317 Penalties.—

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



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- 697 (a) In the case of a public officer:
- 698 1. Impeachment.
- 699 2. Removal from office.
- 700 3. Suspension from office.
- 701 4. Public censure and reprimand.
- 702 5. Forfeiture of no more than one-third of his or her
- 703 salary per month for no more than 12 months.
- 704 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 705 7. Restitution of any pecuniary benefits received because
- 706 of the violation committed. The commission may recommend that
- 707 the restitution penalty be paid to the agency of which the
- 708 public officer was a member or to the General Revenue Fund.
- 709 (b) In the case of an employee or a person designated as a
- 710 public officer by this part who otherwise would be deemed to be
- 711 an employee:
- 712 1. Dismissal from employment.
- 713 2. Suspension from employment for not more than 90 days
- 714 without pay.
- 715 3. Demotion.
- 716 4. Reduction in his or her salary level.
- 717 5. Forfeiture of no more than one-third salary per month
- 718 for no more than 12 months.
- 719 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 720 7. Restitution of any pecuniary benefits received because
- 721 of the violation committed. The commission may recommend that
- 722 the restitution penalty be paid to the agency by which the
- 723 public employee was employed, or of which the officer was deemed
- 724 to be an employee, or to the General Revenue Fund.
- 725 8. Public censure and reprimand.

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726 (c) In the case of a candidate who violates this part or s.  
727 8(a) and (i), Art. II of the State Constitution:

- 728 1. Disqualification from being on the ballot.
- 729 2. Public censure.
- 730 3. Reprimand.

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

732 (d) In the case of a former public officer or employee who  
733 has violated a provision applicable to former officers or  
734 employees or whose violation occurred before the officer's or  
735 employee's leaving public office or employment:

- 736 1. Public censure and reprimand.
- 737 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 738 3. Restitution of any pecuniary benefits received because

739 of the violation committed. The commission may recommend that  
740 the restitution penalty be paid to the agency of the public  
741 officer or employee or to the General Revenue Fund.

742 (e) In the case of a person who is subject to the standards  
743 of this part, other than a lobbyist or lobbying firm under s.  
744 112.3215 for a violation of s. 112.3215, but who is not a public  
745 officer or employee:

- 746 1. Public censure and reprimand.
- 747 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.
- 748 3. Restitution of any pecuniary benefits received because

749 of the violation committed. The commission may recommend that  
750 the restitution penalty be paid to the agency of the person or  
751 to the General Revenue Fund.

752 Section 8. Present paragraph (d) of subsection (8) of  
753 section 112.3215, Florida Statutes, is redesignated as paragraph  
754 (e), a new paragraph (d) is added to that subsection, and

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755 paragraph (c) of that subsection is amended, to read:

756 112.3215 Lobbying before the executive branch or the  
757 Constitution Revision Commission; registration and reporting;  
758 investigation by commission.—

759 (8)

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

768 (d) Notwithstanding paragraphs (a), (b), and (c), the  
769 commission may dismiss any complaint or investigation resulting  
770 from a random audit of lobbying reports, at any state of  
771 disposition, if it determines that the public interest is not  
772 served by proceeding further, in which case the commission must  
773 issue a public report stating with particularity its reasons for  
774 the dismissals.

775 Section 9. Paragraph (a) of subsection (11) and subsection  
776 (12) of section 112.324, Florida Statutes, are amended to read:

777 112.324 Procedures on complaints of violations and  
778 referrals; public records and meeting exemptions.—

779 (11) (a) Notwithstanding subsections (1)-(8), the commission  
780 may dismiss any complaint or referral at any stage of  
781 disposition if it determines that the violation that is alleged  
782 or has occurred is a de minimis violation attributable to  
783 inadvertent or unintentional error. In determining whether a

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784 violation was de minimis, the commission shall consider whether  
785 the interests of the public were protected despite the  
786 violation. ~~This subsection does not apply to complaints or~~  
787 ~~referrals pursuant to ss. 112.3144 and 112.3145.~~

788 (12) Notwithstanding ~~the provisions of~~ subsections (1)-(8),  
789 the commission may, at its discretion, dismiss any complaint or  
790 referral, or dismiss any proceeding brought under s. 112.3215 at  
791 any stage of disposition should it determine that the public  
792 interest would not be served by proceeding further, in which  
793 case the commission shall issue a public report stating with  
794 particularity its reasons for the dismissal.

795 Section 10. This act shall take effect upon becoming a law.