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

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30 provisions relating to financial statements filed by
31 mail; revising a provision requiring the commission to
32 adopt a specified rule; requiring an individual
33 appointed to replace an elected local officer who
34 leaves office before the end of his or her term to
35 file a full and public disclosure of financial
36 interests annually for the remainder of his or her
37 term in office; amending s. 112.31445, F.S.; requiring
38 the commission to publish a specified notice on the
39 electronic filing system for the disclosure of
40 financial interests; requiring that the filing system
41 allow a filer to include attachments and other
42 supporting documentation; amending s. 112.31446, F.S.;
43 requiring that the electronic filing system allow a
44 filer to submit attachments and other supporting
45 documentation when a disclosure is filed; reenacting
46 and amending s. 112.3145, F.S.; deleting a prohibition
47 on including a federal income tax return or copy
48 thereof in a financial disclosure; deleting a
49 provision requiring specified local officers to file
50 reports with the supervisor of elections of the
51 officer's county of principal employment or residence;
52 requiring local officers to file their quarterly
53 reports of the names of clients they represent for a
54 fee or commission with the Commission on Ethics;
55 deleting a provision requiring the commission to
56 provide a specified list to the supervisors of
57 elections; requiring the commission to allow a filer
58 to include attachments or other documentation when

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59 filing a disclosure; deleting a provision requiring
60 the commission to provide the supervisors of elections
61 a certain list annually by a specified date; requiring
62 the commission to provide a certain notice by e-mail,
63 beginning on a specified date; providing that,
64 beginning on a specified date, paper forms will no
65 longer be provided; requiring the commission, before a
66 specified date, to determine which persons have not
67 submitted a required statement and to send delinquency
68 notices to such persons; requiring that disclosure
69 statements be filed using the electronic filing
70 system, beginning on a specified date; revising the
71 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.; requiring the
80 commission to investigate specified entities or
81 individuals that intentionally failed to disclose any
82 material fact or that knowingly submitted false
83 information in certain required reports; authorizing
84 the commission to dismiss certain complaints and
85 investigations; requiring the commission to issue a
86 specified public report if it dismisses such a
87 complaint or investigation; making technical changes;

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88 amending s. 112.324, F.S.; revising applicability;
89 requiring the commission to revise financial
90 disclosure forms and rules for the 2022 filing year to
91 conform to changes made by the act; exempting such
92 revisions from specified rulemaking requirements;
93 providing an effective date.
94

95 Be It Enacted by the Legislature of the State of Florida:
96

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

99 99.061 Method of qualifying for nomination or election to
100 federal, state, county, or district office.—

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

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117 Constitution or this subsection.

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

121 1. A properly executed check drawn upon the candidate's
122 campaign account payable to the person or entity as prescribed
123 by the filing officer in an amount not less than the fee
124 required by s. 99.092, unless the candidate obtained the
125 required number of signatures on petitions pursuant to s.
126 99.095. The filing fee for a special district candidate is not
127 required to be drawn upon the candidate's campaign account. If a
128 candidate's check is returned by the bank for any reason, the
129 filing officer shall immediately notify the candidate and the
130 candidate shall have until the end of qualifying to pay the fee
131 with a cashier's check purchased from funds of the campaign
132 account. Failure to pay the fee as provided in this subparagraph
133 shall disqualify the candidate.

134 2. The candidate's oath required by s. 99.021, which must
135 contain the name of the candidate as it is to appear on the
136 ballot; the office sought, including the district or group
137 number if applicable; and the signature of the candidate, which
138 must be verified under oath or affirmation pursuant to s.
139 92.525(1) (a).

140 3. If the office sought is partisan, the written statement
141 of political party affiliation required by s. 99.021(1) (b); or
142 if the candidate is running without party affiliation for a
143 partisan office, the written statement required by s.
144 99.021(1) (c).

145 4. The completed form for the appointment of campaign

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146 treasurer and designation of campaign depository, as required by
147 s. 106.021.

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

155 Section 2. Paragraph (e) of subsection (2) of section
156 112.3142, Florida Statutes, is amended to read:

157 112.3142 Ethics training for specified constitutional
158 officers, elected municipal officers, and commissioners.-

159 (2)

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

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175 Section 3. Notwithstanding the expiration date in section
176 92 of chapter 2022-157, Laws of Florida, paragraph (c) of
177 subsection (6), paragraphs (a) and (c) of subsection (7), and
178 subsections (8) and (10) of section 112.3144, Florida Statutes,
179 are reenacted and amended, and paragraphs (d) and (e) are added
180 to subsection (1) of that section, to read:

181 112.3144 Full and public disclosure of financial
182 interests.—

183 (1)

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

187 1. Mayors.

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

189 (e) Beginning January 1, 2024, each member of the
190 Commission on Ethics must comply with the financial disclosure
191 requirements of s. 8, Art. II of the State Constitution and this
192 section.

193 (6)

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

203 (7) (a) Beginning January 1, 2023, a filer may not include

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

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

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

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

227 3. Any filer has a right to request that the commission
228 redact from his or her filing any social security number, bank
229 account number, or debit, charge, or credit card number
230 contained in the filing. Such request must be made in writing
231 and delivered to the commission. The request must specify the
232 information to be redacted and the specific section or sections

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233 of the disclosure in which it was included.

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

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

251 (b) Not later than June 1 of each year, the commission
252 shall notify by e-mail all persons required to file a full and
253 public disclosure of financial interests of all of the
254 following:

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

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

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262
263 Beginning January 1, 2023, paper forms may not be provided and
264 persons required to file a full and public disclosure of
265 financial interests must complete and file their disclosures on
266 the electronic filing system pursuant to subsection (2) ~~Not~~
267 ~~later than June 1 of each year, the commission shall distribute~~
268 ~~a copy of the form prescribed for compliance with full and~~
269 ~~public disclosure and a notice of the filing deadline to each~~
270 ~~person on the list. Beginning January 1, 2022, no paper forms~~
271 ~~will be provided by mail. The notice required under this~~
272 ~~paragraph and instructions for electronic submission must be~~
273 ~~delivered by e-mail.~~

274 (c) Not later than August 1 of each year, the commission
275 shall determine which persons on the list have failed to file
276 full and public disclosure and shall send delinquency notices to
277 such persons. Each notice must state that a grace period is in
278 effect until September 1 of the current year. ~~Beginning January~~
279 ~~1, 2022,~~ The notice required under this paragraph must be
280 delivered by e-mail and must be redelivered on a weekly basis by
281 e-mail as long as a person remains delinquent.

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

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291 request of the filer, the commission must provide verification
292 to the filer that the commission has received the filed
293 disclosure.

294 (e) Beginning January 1, 2023, a written declaration, as
295 provided for under s. 92.525(2), accompanied by an electronic
296 signature satisfies the requirement that the disclosure be
297 sworn.

298 (f) Any person who is required to file full and public
299 disclosure of financial interests and whose name is on the
300 commission's list, and to whom notice has been sent, but who
301 fails to timely file is assessed a fine of \$25 per day for each
302 day late up to a maximum of \$1,500; however this \$1,500
303 limitation on automatic fines does not limit the civil penalty
304 that may be imposed if the statement is filed more than 60 days
305 after the deadline and a complaint is filed, as provided in s.
306 112.324. The commission must provide by rule the grounds for
307 waiving the fine and the procedures by which each person whose
308 name is on the list and who is determined to have not filed in a
309 timely manner will be notified of assessed fines and may appeal.
310 The rule must provide for and make specific that the amount of
311 the fine due is based upon when the disclosure is filed on the
312 electronic filing system created and maintained by the
313 commission as provided in s. 112.31446. ~~the following:~~

314 1. ~~The amount of the fine due is based upon the earliest of~~
315 ~~the following:~~

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

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

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

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

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320 ~~dated.~~

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

330 ~~2.3.~~ Any reporting person may appeal or dispute a fine,
331 based upon unusual circumstances surrounding the failure to file
332 on the designated due date, and may request and is entitled to a
333 hearing before the commission, which may waive the fine in whole
334 or in part for good cause shown. Any such request must be in
335 writing and received by the commission within 30 days after the
336 notice of payment due is transmitted. In such a case, the
337 reporting person must, within the 30-day period, notify the
338 person designated to review the timeliness of reports in writing
339 of his or her intention to bring the matter before the
340 commission. For purposes of this subparagraph, "unusual
341 circumstances" does not include the failure to monitor an e-mail
342 account or failure to receive notice if the person has not
343 notified the commission of a change in his or her e-mail
344 address.

345 (g) Any person subject to the annual filing of full and
346 public disclosure under s. 8, Art. II of the State Constitution,
347 or other state law, whose name is not on the commission's list
348 of persons required to file full and public disclosure is not

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349 subject to the fines or penalties provided in this part for
350 failure to file full and public disclosure in any year in which
351 the omission occurred, but nevertheless is required to file the
352 disclosure statement.

353 (h) The notification requirements and fines of this
354 subsection do not apply to candidates or to the first filing
355 required of any person appointed to elective constitutional
356 office or other position required to file full and public
357 disclosure, unless the person's name is on the commission's
358 notification list and the person received notification from the
359 commission. The appointing official shall notify such newly
360 appointed person of the obligation to file full and public
361 disclosure by July 1. The notification requirements and fines of
362 this subsection do not apply to the final filing provided for in
363 subsection (10).

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

373 (10) Each person required to file full and public
374 disclosure of financial interests shall file a final disclosure
375 statement within 60 days after leaving his or her public
376 position for the period between January 1 of the year in which
377 the person leaves and the last day of office or employment,

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378 unless within the 60-day period the person takes another public
379 position requiring financial disclosure under s. 8, Art. II of
380 the State Constitution, or is otherwise required to file full
381 and public disclosure for the final disclosure period. The head
382 of the agency of each person required to file full and public
383 disclosure for the final disclosure period shall notify such
384 persons of their obligation to file the final disclosure and may
385 designate a person to be responsible for the notification
386 requirements of this subsection. When an elected local officer
387 specified in paragraph (1)(d) leaves office before the
388 expiration of his or her term, any individual appointed to
389 replace such officer for the remainder of that term must file a
390 full and public disclosure of financial interests annually
391 thereafter for the remainder of his or her term in office.

392 Section 4. Subsections (4) and (5) are added to section
393 112.31445, Florida Statutes, to read:

394 112.31445 Electronic filing system; full and public
395 disclosure of financial interests.—

396 (4) The commission shall publish a notice on the electronic
397 filing system instructing filers to redact a social security
398 number; a bank, mortgage, or brokerage account number; a debit,
399 charge, or credit card number; a personal identification number;
400 or a taxpayer identification number in their filings.

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

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

406 112.31446 Electronic filing system for financial

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407 disclosure.-

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

411 (f) Allow a filer to include attachments or other
412 supporting documentation when submitting a disclosure or a
413 statement through the system.

414 Section 6. Notwithstanding the expiration date in section
415 95 of chapter 2022-157, Laws of Florida, paragraphs (b) and (e)
416 of subsection (2), paragraphs (a) and (c) of subsection (4), and
417 subsections (6) and (8) of section 112.3145, Florida Statutes,
418 are reenacted and amended to read:

419 112.3145 Disclosure of financial interests and clients
420 represented before agencies.-

421 (2)

422 (b) Each state or local officer, except local officers
423 specified in s. 112.3144(1)(d), and each specified state
424 employee shall file a statement of financial interests no later
425 than July 1 of each year. Each state officer, local officer, and
426 specified state employee shall file a final statement of
427 financial interests within 60 days after leaving his or her
428 public position for the period between January 1 of the year in
429 which the person leaves and the last day of office or
430 employment, unless within the 60-day period the person takes
431 another public position requiring financial disclosure under
432 this section or s. 8, Art. II of the State Constitution or
433 otherwise is required to file full and public disclosure or a
434 statement of financial interests for the final disclosure
435 period. Each state or local officer who is appointed and each

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436 specified state employee who is employed shall file a statement
437 of financial interests within 30 days from the date of
438 appointment or, in the case of a specified state employee, from
439 the date on which the employment begins, except that any person
440 whose appointment is subject to confirmation by the Senate shall
441 file before ~~prior to~~ confirmation hearings or within 30 days
442 from the date of appointment, whichever comes first.

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

450 (4) (a) ~~Beginning January 1, 2024,~~ A filer may not include
451 in a filing to the commission ~~a federal income tax return or a~~
452 ~~copy of thereof;~~ a social security number; a bank, mortgage, or
453 brokerage account number; a debit, charge, or credit card
454 number; a personal identification number; or a taxpayer
455 identification number. If a filer includes such information in
456 his or her filing, the information may be made available as part
457 of the official records of the commission available for public
458 inspection and copying unless redaction is requested by the
459 filer. The commission is not liable for the release of social
460 security numbers, bank account numbers, or debit, charge, or
461 credit card numbers included in a filing to the commission if
462 the filer has not requested redaction of the information.

463 (c) The commission must conspicuously post a notice, in
464 substantially the following form, in the instructions for the

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465 electronic filing system specifying that:

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

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

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

481 (6) Each elected constitutional officer, state officer,
482 local officer, and specified state employee shall file a
483 quarterly report of the names of clients represented for a fee
484 or commission, except for appearances in ministerial matters,
485 before agencies at his or her level of government. For the
486 purposes of this part, agencies of government shall be
487 classified as state-level agencies or agencies below state
488 level. ~~Each local officer shall file such report with the~~
489 ~~supervisor of elections of the county in which the officer is~~
490 ~~principally employed or is a resident.~~ Each state officer,
491 elected constitutional officer, and specified state employee
492 shall file such report with the commission. Beginning January 1,
493 2024, each local officer shall file such report with the

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494 commission. The report must ~~shall~~ be filed only when a
495 reportable representation is made during the calendar quarter
496 and must ~~shall~~ be filed no later than the last day of each
497 calendar quarter, for the previous calendar quarter.
498 Representation before any agency shall be deemed to include
499 representation by such officer or specified state employee or by
500 any partner or associate of the professional firm of which he or
501 she is a member and of which he or she has actual knowledge. For
502 the purposes of this subsection, the term "representation before
503 any agency" does not include appearances before any court or the
504 Deputy Chief Judge of Compensation Claims or judges of
505 compensation claims or representations on behalf of one's agency
506 in one's official capacity. Such term does not include the
507 preparation and filing of forms and applications merely for the
508 purpose of obtaining or transferring a license based on a quota
509 or a franchise of such agency or a license or operation permit
510 to engage in a profession, business, or occupation, so long as
511 the issuance or granting of such license, permit, or transfer
512 does not require substantial discretion, a variance, a special
513 consideration, or a certificate of public convenience and
514 necessity.

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

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523 and instructions ~~distribute forms~~ in the following manner:

524 (a)~~1.~~ Not later than May 1 of each year, the commission
525 shall prepare a current list of the names, e-mail addresses, and
526 physical addresses of, and the offices or positions held by,
527 every state officer, local officer, and specified employee. Each
528 unit of government shall assist the commission in compiling the
529 list by providing to the commission not later than February 1 of
530 each year the name, e-mail address, physical address, and name
531 of agency of, and the office or position held by, each state
532 officer, local officer, or specified state employee within the
533 respective unit of government as of December 31 of the preceding
534 year.

535 ~~2. Not later than May 15 of each year, the commission shall~~
536 ~~provide each supervisor of elections with a current list of all~~
537 ~~local officers required to file with such supervisor of~~
538 ~~elections.~~

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

543 1. All applicable filing deadlines for completing and
544 filing the statement on the electronic filing system.

545 2. Instructions on how to complete and file the statement
546 on the electronic filing system, or where to access such
547 instructions.

548
549 Beginning January 1, 2024, paper forms may not be provided and
550 persons required to file a statement of financial interests must
551 complete and file such statements on the electronic filing

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552 system pursuant to paragraph (2) (e) ~~Not later than June 1 of~~
553 ~~each year, the commission and each supervisor of elections, as~~
554 ~~appropriate, shall distribute a copy of the form prescribed for~~
555 ~~compliance with subsection (3) and a notice of all applicable~~
556 ~~disclosure forms and filing deadlines to each person required to~~
557 ~~file a statement of financial interests. Beginning January 1,~~
558 ~~2024, no paper forms will be provided. The notice required under~~
559 ~~this paragraph and instructions for electronic submission must~~
560 ~~be delivered by e-mail.~~

561 (c) Not later than August 1 of each year, the commission
562 ~~and each supervisor of elections~~ shall determine which persons
563 required to file a statement of financial interests ~~in their~~
564 ~~respective offices~~ have failed to do so and shall send
565 delinquency notices to these persons. Through December 31, 2023,
566 delinquency notices must be sent by certified mail, return
567 receipt requested. Each notice must state that a grace period is
568 in effect until September 1 of the current year; that no
569 investigative or disciplinary action based upon the delinquency
570 will be taken by the agency head or commission if the statement
571 is filed by September 1 of the current year; that, if the
572 statement is not filed by September 1 of the current year, a
573 fine of \$25 for each day late will be imposed, up to a maximum
574 penalty of \$1,500; ~~for notices distributed by a supervisor of~~
575 ~~elections, that he or she is required by law to notify the~~
576 ~~commission of the delinquency;~~ and that, if upon the filing of a
577 sworn complaint the commission finds that the person has failed
578 to timely file the statement within 60 days after September 1 of
579 the current year, such person will also be subject to the
580 penalties provided in s. 112.317. Beginning January 1, 2024,

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581 notice required under this paragraph must be delivered by e-mail
582 and must be redelivered on a weekly basis by e-mail as long as
583 the person remains delinquent.

584 (d) Beginning January 1, 2024, disclosure statements
585 required to be filed with the commission must be filed by 11:59
586 p.m. on the due date using the commission's electronic filing
587 system pursuant to s. 112.31446 ~~No later than November 15 of~~
588 ~~each year, the supervisor of elections in each county shall~~
589 ~~certify to the commission a list of the names and addresses of,~~
590 ~~and the offices or positions held by, all persons who have~~
591 ~~failed to timely file the required statements of financial~~
592 ~~interests. The certification must include the earliest of the~~
593 ~~dates described in subparagraph (g)1. The certification shall be~~
594 ~~on a form prescribed by the commission and shall indicate~~
595 ~~whether the supervisor of elections has provided the disclosure~~
596 ~~forms and notice as required by this subsection to all persons~~
597 ~~named on the delinquency list.~~

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

609 ~~(f)~~ Beginning January 1, 2023, the statement must be

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610 accompanied by a declaration as provided in s. 92.525(2) and an
611 electronic acknowledgment thereof.

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

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

- 629 a. ~~When a statement is actually received by the office.~~
630 b. ~~When the statement is postmarked.~~
631 c. ~~When the certificate of mailing is dated.~~
632 d. ~~When the receipt from an established courier company is~~
633 ~~dated.~~

634 2. ~~for a specified state employee, or a state officer, or~~
635 local officer, upon receipt of the disclosure statement by the
636 commission or upon accrual of the maximum penalty, whichever
637 occurs first, ~~and for a local officer upon receipt by the~~
638 ~~commission of the certification from the local officer's~~

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639 ~~supervisor of elections pursuant to paragraph (d),~~ the
640 commission shall determine the amount of the fine which is due
641 and shall notify the delinquent person. The notice must include
642 an explanation of the appeal procedure under subparagraph 2. 3.
643 The fine must be paid within 30 days after the notice of payment
644 due is transmitted, unless appeal is made to the commission
645 pursuant to subparagraph 2. 3. The moneys are to be deposited
646 into the General Revenue Fund.

647 2.3. Any reporting person may appeal or dispute a fine,
648 based upon unusual circumstances surrounding the failure to file
649 on the designated due date, and may request and is entitled to a
650 hearing before the commission, which may waive the fine in whole
651 or in part for good cause shown. Any such request must be in
652 writing and received by the commission within 30 days after the
653 notice of payment due is transmitted. In such a case, the
654 reporting person must, within the 30-day period, notify the
655 person designated to review the timeliness of reports in writing
656 of his or her intention to bring the matter before the
657 commission. For purposes of this subparagraph, the term "unusual
658 circumstances" does not include the failure to monitor an e-mail
659 account or failure to receive notice if the person has not
660 notified the commission of a change in his or her e-mail
661 address.

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

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668 nevertheless is required to file the disclosure statement.

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

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

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

684 112.317 Penalties.—

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

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

- 694 1. Impeachment.
- 695 2. Removal from office.
- 696 3. Suspension from office.

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

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726 3. Reprimand.

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

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

732 1. Public censure and reprimand.

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

734 3. Restitution of any pecuniary benefits received because
735 of the violation committed. The commission may recommend that
736 the restitution penalty be paid to the agency of the public
737 officer or employee or to the General Revenue Fund.

738 (e) In the case of a person who is subject to the standards
739 of this part, other than a lobbyist or lobbying firm under s.
740 112.3215 for a violation of s. 112.3215, but who is not a public
741 officer or employee:

742 1. Public censure and reprimand.

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

744 3. Restitution of any pecuniary benefits received because
745 of the violation committed. The commission may recommend that
746 the restitution penalty be paid to the agency of the person or
747 to the General Revenue Fund.

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

753 112.3215 Lobbying before the executive branch or the
754 Constitution Revision Commission; registration and reporting;

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755 investigation by commission.—

756 (8)

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

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

772 (9) If the commission finds no probable cause to believe
773 that a violation of this section occurred, it must ~~shall~~ dismiss
774 the complaint, whereupon the complaint, together with a written
775 statement of the findings of the investigation and a summary of
776 the facts, becomes ~~shall become~~ a matter of public record, and
777 the commission must ~~shall~~ send a copy of the complaint,
778 findings, and summary to the complainant and the alleged
779 violator. If, after investigating information from a random
780 audit of lobbying reports, the commission finds no probable
781 cause to believe that a violation of this section occurred, a
782 written statement of the findings of the investigation and a
783 summary of the facts becomes ~~shall become~~ a matter of public

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784 record, and the commission must ~~shall~~ send a copy of the
785 findings and summary to the alleged violator. If the commission
786 finds probable cause to believe that a violation occurred, it
787 must ~~shall~~ report the results of its investigation to the
788 Governor and Cabinet and send a copy of the report to the
789 alleged violator by certified mail. Such notification and all
790 documents made or received in the disposition of the complaint
791 ~~shall then~~ become public records. Upon a request submitted to
792 the Governor and Cabinet in writing, any person whom the
793 commission finds probable cause to believe has violated ~~any~~
794 ~~provision of~~ this section shall be entitled to a public hearing.
795 Such person shall be deemed to have waived the right to a public
796 hearing if the request is not received within 14 days following
797 the mailing of the probable cause notification. However, the
798 Governor and Cabinet may on its own motion require a public
799 hearing and may conduct such further investigation as it deems
800 necessary.

801 Section 9. Paragraph (a) of subsection (11) of section
802 112.324, Florida Statutes, is amended to read:

803 112.324 Procedures on complaints of violations and
804 referrals; public records and meeting exemptions.—

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

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813 ~~referrals pursuant to ss. 112.3144 and 112.3145.~~

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

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