

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1445 (2025)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

Committee/Subcommittee hearing bill: State Affairs Committee
Representative Mayfield offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 20.70, Florida Statutes, is created to read:

20.70 Residency requirements.—Notwithstanding any other law:

(1)(a) Effective October 1, 2025, each of the following persons must be United States citizens and residents of this state:

1. A member of a commission.

2. A member of a licensing board.

3. The chairperson of the governing board of, or the chief executive of a statewide entity that is explicitly created or

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established by statute, regardless of its legal form, for a public purpose or to effectuate a government program and which is not under the direct control of a governmental entity.

4. Any other person appointed to hold state office.

(b) The office of a person listed in subparagraphs 1., 2., and 3., that does not meet the requirements of paragraph (a), is automatically deemed vacant.

(2) (a) Effective October 1, 2025, each of the following persons must be United States citizens, must be residents of this state, and must reside in the same county as their respective departments' headquarters or within 30 miles of the departments' headquarters:

1. The secretary of a department.

2. The executive director of a department of the executive branch.

3. The chief administrative officer of any unit of state government that is housed under a department for administrative purposes but is not subject to the control, supervision, or direction of such department.

(b) The office of a person listed in subparagraphs 1., 2., and 3., that does not meet the requirements of paragraph (a), is automatically deemed vacant.

(3) Effective, January 6, 2027, each member of a university board of trustees must be a United States citizen and either a resident of this state or a graduate of the university

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42 the administration of which is overseen by the board. The office
43 of any member that does not meet the requirements of this
44 subsection is automatically deemed vacant.

45 (4) Effective January 6, 2027, each member of the Board of
46 Governors must be a United States citizen and either a resident
47 of this state or a graduate of a state university, as defined in
48 s. 1000.21. The office of any member of the Board of Governors
49 that does not meet the requirements of this subsection is
50 automatically deemed vacant.

51 **Section 2. Section 104.31, Florida Statutes, is amended to**
52 **read:**

53 104.31 Political activities of ~~state, county, and~~
54 municipal officers and employees.—

55 (1) No officer or employee of ~~the state, or of any county~~
56 ~~or municipality thereof, except as hereinafter exempted from~~
57 ~~provisions hereof,~~ shall:

58 (a) Use his or her official authority or influence for the
59 purpose of interfering with an election or a nomination of
60 office or coercing or influencing another person's vote or
61 affecting the result thereof.

62 (b) Directly or indirectly coerce or attempt to coerce,
63 command, or advise any other officer or employee to pay, lend,
64 or contribute any part of his or her salary, or any money, or
65 anything else of value to any party, committee, organization,
66 agency, or person for political purposes. Nothing in this

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paragraph or in any county or municipal charter or ordinance shall prohibit an employee from suggesting to another employee in a noncoercive manner that he or she may voluntarily contribute to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes.

(c) Directly or indirectly coerce or attempt to coerce, command, and advise any such officer or employee as to where he or she might purchase commodities or to interfere in any other way with the personal right of said officer or employee.

The provisions of this section shall not be construed so as to prevent any person from becoming a candidate for and actively campaigning for any elective office in this state. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature, of elected officials or candidates for public office in the state or of any county or municipality thereof; ~~and the provisions of paragraph (a) shall not be construed so as to limit the political activity in general or special elections of the officials appointed as the heads or directors of state administrative agencies, boards, commissions, or committees or~~

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92 ~~of the members of state boards, commissions, or committees,~~
93 ~~whether they be salaried, nonsalaried, or reimbursed for~~
94 ~~expense. In the event of a dual capacity of any member of a~~
95 ~~state board, commission, or committee, any restrictive~~
96 ~~provisions applicable to either capacity shall apply. The~~
97 ~~provisions of paragraph (a) shall not be construed so as to~~
98 ~~limit the political activity in a general, special, primary,~~
99 ~~bond, referendum, or other election of any kind or nature of the~~
100 ~~Governor, the elected members of the Governor's Cabinet, or the~~
101 ~~members of the Legislature. The provisions of paragraphs (b) and~~
102 (c) shall apply to all officers and employees ~~of the state or~~ of
103 any county or municipality thereof, whether elected, appointed,
104 or otherwise employed, or whether the activity shall be in
105 connection with a primary, general, special, bond, referendum,
106 or other election of any kind or nature.

107 (2) An employee of ~~the state or~~ any political subdivision
108 may not participate in any political campaign for an elective
109 office while on duty.

110 (3) Any person violating the provisions of this section is
111 guilty of a misdemeanor of the first degree, punishable as
112 provided in s. 775.082 or s. 775.083.

113 (4) Nothing contained in this section or in any county or
114 municipal charter shall be deemed to prohibit any public
115 employee from expressing his or her opinions on any candidate or
116 issue or from participating in any political campaign during the

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employee's off-duty hours, so long as such activities are not in conflict with the provisions of subsection (1) ~~or s. 110.233.~~

Section 3. Section 104.315, Florida Statutes, is created to read:

104.315 Political activities of state officers and employees.—

(1) As used in this section, the term:

(a) "Contribution" has the same meaning as in s. 106.011.

(b) "Electioneering communications organization" has the same meaning as in s. 106.011.

(c) "Issue" has the same meaning as in s. 106.011.

(d) "Political committee" has the same meaning as in s. 106.011.

(2) No officer or employee of the state, except for an elected official, may:

(a) Solicit or receive a contribution for, or on behalf of, any of the following:

1. A political party.

2. A political committee, affiliated party committee, or any other committee.

3. An electioneering communications organization or any other organization.

4. An agency.

5. A person.

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(b) Participate in any political campaign, whether on behalf of a candidate for public office, an elected public official, an issue, a political party, a political committee, an affiliated party committee, or an electioneering communications organization:

1. While on duty; or

2. Within any period of time during which the officer or employee is expected to perform services for which he or she receives compensation from the state.

(c) Use his or her official authority or influence for the purpose of:

1. Interfering with a campaign for elective office or an issue;

2. Coercing or influencing another person's vote in a general, special, primary, or referendum election; or

3. Affecting, directly or indirectly, the results of a campaign for elective office or an issue.

(2) A supervisor of an officer or employee of the state may not require, request, or otherwise pressure such officer or employee to engage in conduct prohibited by this section.

(3) The provisions of this section shall not be construed so as to limit a person's right to vote as he or she may choose or to express his or her opinions on all political subjects and candidates.

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165 (4) Any person violating the provisions of this section is
166 guilty of a misdemeanor of the first degree, punishable as
167 provided in s. 775.082 or s. 775.083.

168 **Section 4. Paragraph (b) of subsection (4) of section**
169 **110.233, Florida Statutes, is amended to read:**

170 110.233 Political activities and unlawful acts
171 prohibited.—

172 (4) As an individual, each employee retains all rights and
173 obligations of citizenship provided in the Constitution and laws
174 of the state and the Constitution and laws of the United States.
175 However, no employee in the career service shall:

176 (b) Use the authority or influence of his or her position
177 for any of the purposes described in s. 104.315(2). ~~to secure~~
178 ~~support for, or oppose, any candidate, party, or issue in a~~
179 ~~partisan election or affect the results thereof.~~

180 **Section 5. Section 112.31251, Florida Statutes, is created**
181 **to read:**

182 112.31251 Definition of the term "office."—

183 (1)(a) For purposes of s. 5(a), Art. II of the State
184 Constitution, the term "office," when referring to an office in
185 this state, means any position in state, county, or municipal
186 government that:

187 1. Delegates to the individual holding such position a
188 portion of the sovereign power of the government.

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189 2. Requires the exercise of independent governmental
190 authority, which is performed in an official capacity and is not
191 based solely on a contractual or employment relationship.

192 3. Has a prescribed tenure.

193 4. Exists independently of the individual holding such
194 position.

195 (b) The term includes, but is not limited to, all of the
196 following positions:

197 1. The Governor.

198 2. The Lieutenant Governor.

199 3. A member of the Cabinet.

200 4. A state senator.

201 5. A state representative.

202 6. A county commissioner.

203 7. A sheriff.

204 8. A tax collector.

205 9. A property appraiser.

206 10. A supervisor of elections.

207 11. A clerk of the circuit court.

208 12. A member of the Board of Governors of the State
209 University System.

210 13. A member of a board of trustees for a state
211 university.

212 14. A member of a district school board.

213 15. The county or municipal administrator.

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214 16. The director of a county or municipal emergency
215 management agency.

216 17. A member of a state, county, or municipal board or
217 commission that exercises governmental authority and is not
218 purely advisory in nature.

219 18. A member of the board of the Citizens Property
220 Insurance Corporation established under s. 627.351(6).

221 19. A member of the board of the Florida Housing Finance
222 Corporation established under s. 420.504.

223 20. A member of the board of the Florida Healthy Kids
224 Corporation established under s. 624.91.

225 (2) The term "office" does not include either of the
226 following:

227 (a) A legislative designation of an officer to perform ex
228 officio the functions of another office; or

229 (b) The position of an individual whose relationship with
230 a state, county, or municipal government is considered
231 employment. For purposes of this subsection, the term
232 "employment" means a relationship with a state, county, or
233 municipal government where an individual does not exercise in
234 his or her own right any sovereign power or any prescribed
235 independent authority of a governmental nature.

236 **Section 6. Subsection (1) of section 1001.71, Florida**
237 **Statutes, is amended to read:**

238 1001.71 University boards of trustees; membership.—

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(1) Pursuant to s. 7(c), Art. IX of the State Constitution, each local constituent university shall be administered by a university board of trustees comprised of 13 members as follows: 6 citizen members appointed by the Governor subject to confirmation by the Senate; 5 citizen members appointed by the Board of Governors subject to confirmation by the Senate; the chair of the faculty senate or the equivalent; and the president of the student body of the university. The appointed members shall serve staggered 5-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments by the Governor, 2 members shall serve 2-year terms, 3 members shall serve 3-year terms, and 1 member shall serve a 5-year term and of the initial appointments by the Board of Governors, 2 members shall serve 2-year terms, 2 members shall serve 3-year terms, and 1 member shall serve a 5-year term. ~~There shall be no state residency requirement~~ For university board members, ~~but~~ the Governor and the Board of Governors shall consider diversity and regional representation. Beginning July 2, 2020, for purposes of this subsection, regional representation shall include the chair of a campus board established pursuant to s. 1004.341.

Section 7. This act shall take effect July 1, 2025.

T I T L E A M E N D M E N T

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Remove everything before the enacting clause and insert:
An act relating to public officers and employees;
creating s. 20.70, F.S.; requiring certain public
officers and employees to be United States citizens
and residents of this state, and, for specified public
officers and employees, to reside in a certain county
or within a certain area; amending s. 104.31, F.S.;
narrowing applicability of certain prohibitions
regarding political activities; creating s. 104.315,
F.S.; defining terms; prohibiting certain state
officers and employees from engaging in certain
political activities; prohibiting certain state
officers from using the authority or influence of
their positions for certain purposes; prohibiting
supervisors from engaging in certain conduct;
providing applicability; providing a criminal penalty;
amending s. 110.233, F.S.; prohibiting career service
employees from using the authority or influence of
their positions for certain purposes; creating s.
112.31251, F.S.; defining the term "office" for
purposes of s. 5(a), Art. II of the State
Constitution; defining the term "employment"; amending
s. 1001.71, F.S.; deleting a provision that provides
that there are no state residency requirements for
university boards of trustees; providing an effective

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