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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/22/2025	.	
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The Committee on Rules (Grall) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 20.71, Florida Statutes, is created to  
read:

20.71 Residency requirements.—Notwithstanding any other  
law:

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



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12       1. The secretary of a department.  
13       2. The executive director of a department.  
14       3. The chief administrative officer of any unit of state  
15 government which is housed under a department for administrative  
16 purposes but is not subject to the control, supervision, or  
17 direction of such department.  
18       4. A member of a commission.  
19       5. A member of a licensing board.  
20       6. The chair of the governing board, or the chief  
21 executive, of a statewide entity that is explicitly created or  
22 established by statute, regardless of its legal form, for a  
23 public purpose or to carry out a government program and that is  
24 not under the direct control of a governmental entity.  
25       7. Any other person appointed to hold state office in the  
26 executive branch of state government.  
27       (b) Section 114.01 applies to each office described in  
28 paragraph (a).  
29       (2) Effective January 6, 2027, each member of a state  
30 university board of trustees must be a United States citizen and  
31 either a resident of this state or a graduate of the state  
32 university, the administration of which is overseen by such  
33 board of trustees. If any member of a state university board of  
34 trustees does not meet the requirements of this subsection, such  
35 member's office is automatically deemed vacant.  
36       (3) Effective January 6, 2027, each member of the Board of  
37 Governors must be a United States citizen and either a resident  
38 of this state or a graduate of a state university as defined in  
39 s. 1000.21. If any member of the Board of Governors does not  
40 meet the requirements of this subsection, such member's office



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41 is automatically deemed vacant.

42       Section 2. Subsections (1) and (2) of section 104.31,  
43 Florida Statutes, are amended to read:

44       104.31 Political activities of state, county, and municipal  
45 officers and employees.—

46       (1) No officer or employee of the state, or of any county  
47 or municipality thereof, except as hereinafter exempted from  
48 provisions hereof, shall:

49       (a) Use his or her official authority or influence for the  
50 purpose of interfering with an election or a nomination of  
51 office or coercing or influencing another person's vote or  
52 affecting the result thereof.

53       (b) Directly or indirectly coerce or attempt to coerce,  
54 command, or advise any other officer or employee to pay, lend,  
55 or contribute any part of his or her salary, or any money, or  
56 anything else of value to any party, committee, organization,  
57 agency, or person for political purposes. Nothing in this  
58 paragraph or in any county or municipal charter or ordinance  
59 shall prohibit an employee from suggesting to another employee  
60 in a noncoercive manner that he or she may voluntarily  
61 contribute to a fund which is administered by a party,  
62 committee, organization, agency, person, labor union or other  
63 employee organization for political purposes.

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

68  
69 The provisions of this section may ~~shall~~ not be construed so as



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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) may ~~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 of the members of state boards, commissions, or committees, whether they be salaried, nonsalaried, or reimbursed for expense. In the event of a dual capacity of any member of a state board, commission, or committee, any restrictive provisions applicable to either capacity shall apply. 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 the Governor, the elected members of the Governor's Cabinet, or the members of the Legislature.~~ The provisions of paragraphs (b) and (c) shall apply to all officers and employees of the state or of any county or municipality thereof, whether elected, appointed, or otherwise employed, or whether the activity shall be in connection with a primary, general, special, bond, referendum, or other election of any kind or nature.

(2) An employee of the state or any political subdivision



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may not participate in any political campaign ~~for an elective office~~ while on duty.

Section 3. Paragraph (b) of subsection (4) of section 110.233, Florida Statutes, is amended to read:

110.233 Political activities and unlawful acts prohibited.—

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

(b) Use the authority or influence of his or her position ~~for any of the purposes described in s. 104.31 to secure support for, or oppose, any candidate, party, or issue in a partisan election or affect the results thereof.~~

Section 4. Subsection (4) of section 112.061, Florida Statutes, is amended, and paragraph (j) is added to subsection (3) of that section, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons; statewide travel management system.—

(3) AUTHORITY TO INCUR TRAVEL EXPENSES.—

(j) Reimbursement of transportation expenses as provided in subsection (7) may not be authorized or approved for travel of a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. between the person's residence and his or her official headquarters. Per diem and subsistence allowances as provided in subsection (6) may not be authorized or approved for a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. when that person remains overnight in the person's county of residence. For the purposes of this section, "residence" means



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the dwelling in which the person permanently resides.

(4) OFFICIAL HEADQUARTERS.—The official headquarters of a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. must be the city or town in which the department's official headquarters is located, and the official headquarters of any other ~~an~~ officer or employee assigned to an office must ~~shall~~ be the city or town in which the office is located except that:

(a) The official headquarters of a person located in the field must ~~shall~~ be the city or town nearest to the area where the majority of the person's work is performed, or such other city, town, or area as may be designated by the agency head provided that in all cases such designation must be in the best interests of the agency and not for the convenience of the person.

(b) When any state employee is stationed in any city or town for a period of more than ~~over~~ 30 continuous workdays, such city or town must ~~shall~~ be deemed to be the employee's official headquarters, and he or she may ~~shall~~ not be allowed per diem or subsistence, as provided in this section, after such ~~the said~~ period of 30 continuous workdays has elapsed, unless this period of time is extended by the express approval of the agency head or his or her designee.

(c) A traveler may leave his or her assigned post to return to his or her residence ~~home~~ overnight, over a weekend, or during a holiday, but any time lost from regular duties must ~~shall~~ be taken as annual leave and authorized in the usual manner. The traveler may ~~shall~~ not be reimbursed for travel expenses in excess of the established rate for per diem



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allowable had he or she remained at his or her assigned post. A person serving in a position described in s. 20.71(1)(a)1., 2., or 3. may not be reimbursed for travel expenses for travel between the person's assigned post and residence. However, when a traveler has been temporarily assigned away from his or her official headquarters for an approved period extending beyond 30 days, he or she ~~is shall be~~ entitled to reimbursement for travel expenses at the established rate of one round trip for each 30-day period actually taken to his or her residence ~~home~~ in addition to pay and allowances otherwise provided.

(d) A Lieutenant Governor who permanently resides outside of Leon County, may, if he or she so requests, have an appropriate facility in his or her county designated as his or her official headquarters for purposes of this section. This official headquarters may only serve as the Lieutenant Governor's personal office. The Lieutenant Governor may not use state funds to lease space in any facility for his or her official headquarters.

1. A Lieutenant Governor for whom an official headquarters is established in his or her county of residence pursuant to this paragraph is eligible for subsistence at a rate to be established by the Governor for each day or partial day that the Lieutenant Governor is at the State Capitol to conduct official state business. In addition to the subsistence allowance, a Lieutenant Governor is eligible for reimbursement for transportation expenses as provided in subsection (7) for travel between the Lieutenant Governor's official headquarters and the State Capitol to conduct state business.

2. Payment of subsistence and reimbursement for



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transportation between a Lieutenant Governor's official headquarters and the State Capitol shall be made to the extent appropriated funds are available, as determined by the Governor.

3. This paragraph expires July 1, 2025.

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

112.31251 Definition of the term "office."—

(1)(a) For purposes of s. 5(a), Art. II of the State Constitution, the term "office," when referring to an office in this state, means any position in state, county, or municipal government which all of the following apply:

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

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

3. Has a prescribed tenure.

4. Exists independently of the individual holding such position.

(b) The term "office" includes, but is not limited to, each of the following positions:

1. The Governor.

2. The Lieutenant Governor.

3. A member of the Cabinet.

4. A state senator.

5. A state representative.

6. A county commissioner.

7. A sheriff.

8. A tax collector.





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- 215       9. A property appraiser.
- 216       10. A supervisor of elections.
- 217       11. A clerk of the circuit court.
- 218       12. A member of the Board of Governors of the State  
219 University System.
- 220       13. A member of a board of trustees for a state university.
- 221       14. A member of a district school board.
- 222       15. A member of a state, county, or municipal board or  
223 commission that exercises governmental authority and is not  
224 purely advisory in nature.
- 225       16. A member of the Board of Governors for the Citizens  
226 Property Insurance Corporation established under s. 627.351(6).
- 227       17. A member of the board of directors for the Florida  
228 Housing Finance Corporation established under s. 420.504.
- 229       18. A member of the board of directors for the Florida  
230 Healthy Kids Corporation established under s. 624.91, other than  
231 the member appointed pursuant to s. 624.91(6)(a)9.
- 232       19. An administrator or a manager of a county, a  
233 municipality, or a corporation established under s. 420.504, s.  
234 s. 624.91, or s. 627.351(6) who exercises in his or her own  
235 right any sovereign power or any prescribed independent  
236 authority of a governmental nature.
- 237       20. The director of a county or municipal emergency  
238 management agency who exercises in his or her own right any  
239 sovereign power or any prescribed independent authority of a  
240 governmental nature.
- 241       21. A state, county, or municipal law enforcement officer  
242 with the authority to arrest without a warrant.
- 243       22. Any position that meets all the criteria enumerated in



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paragraph (a).

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

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

(b) The position of an individual whose relationship with a state, county, or municipal government is considered employment.

For purposes of this paragraph, the term "employment" means a relationship with a state, county, or municipal government where an individual does not exercise in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

Section 6. This act shall take effect July 1, 2025.

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to public officers and employees;  
creating s. 20.71, F.S.; requiring that, beginning on  
a specified date, secretaries and executive directors  
of departments, chief administrative officers of  
certain units of state government, members of  
commissions and licensing boards, chairs of governing  
boards or certain chief executives of certain  
statewide entities, or any persons appointed to hold  
state office in the executive branch of state  
government be United States citizens and residents of



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this state; providing that a specified provision applies to each such office; requiring that, beginning on a specified date, members of the board of trustees for state universities be United States citizens and residents of this state or graduates of the state university that the board oversees; requiring that, beginning on a specified date, members of the Board of Governors of the State University System be United States citizens and either residents of this state or have graduated from a state university; providing that if any such requirements are not met, the office is deemed vacant; amending s. 104.31, F.S.; revising construction of provisions relating to political activities of state, county, and municipal officers and employees; amending s. 110.233, F.S.; prohibiting career service employees from using the influence of their positions for specified purposes; amending s. 112.061, F.S.; prohibiting the authorization or approval of reimbursements for travel expenses to and from the person's residence and his or her headquarters for specified positions; defining the term "residence"; requiring that the official headquarters for specified positions be the city or town in which the department's official headquarters is located; prohibiting persons serving in specified positions from being reimbursed for certain travel expenses; 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";



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providing an effective date.