

1 A bill to be entitled
2 An act relating to ethics; creating s. 112.3131, F.S.;
3 defining terms; prohibiting candidates, elected public
4 officers, appointed public officers, and public
5 employees from knowingly misrepresenting their Armed
6 Forces of the United States service records, awards,
7 or qualifications or wearing any uniform, medal, or
8 insignia that they are not authorized to wear;
9 providing applicability; providing civil penalties;
10 providing construction; amending s. 112.317, F.S.;
11 providing that certain penalties are delinquent if not
12 paid to the Commission on Ethics within a specified
13 timeframe; requiring the Attorney General to attempt
14 to determine whether an individual owing certain
15 penalties is a current public officer or public
16 employee; requiring the Attorney General to notify the
17 Chief Financial Officer or the governing body of a
18 county, municipality, school district, or special
19 district of the total amount of any such penalty owed
20 by a current public officer or public employee;
21 requiring the Chief Financial Officer or the governing
22 body to begin withholding portions of any salary-
23 related payment that would otherwise be paid to the
24 officer or employee; requiring that the withheld
25 payments be remitted to the commission until the

26 penalty is satisfied; authorizing the Chief Financial
 27 Officer or the governing body to retain a portion of
 28 each retained payment for administrative costs;
 29 authorizing the Attorney General to refer certain
 30 unpaid fines to a collection agency; authorizing the
 31 collection agency to use any lawful collection method;
 32 authorizing the Attorney General to collect an unpaid
 33 fine within a specified period after issuance of the
 34 civil penalty or restitution penalty; providing an
 35 effective date.

36
 37 Be It Enacted by the Legislature of the State of Florida:

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 39 **Section 1. Section 112.3131, Florida Statutes, is created**
 40 **to read:**

41 112.3131 Stolen valor.—

42 (1) For the purposes of this section, the term:

43 (a) "Armed Forces of the United States" has the same
 44 meaning as the term "armed forces" in s. 250.01 and includes the
 45 National Guard of any state.

46 (b) "Material gain" means any thing of value, regardless
 47 of whether such value is monetary, remunerative, or tangible,
 48 which is received by or given to, or is intended to be received
 49 by or given to, an individual. The term includes, but is not
 50 limited to, food; lodging; compensation; travel expenses;

51 placards; public benefits; public relief; financial relief;
52 obtaining or retaining employment or a promotion in such
53 individual's current employment or public employment, including
54 gaining a position in state or local government with authority
55 over another person, regardless of whether the individual
56 receives compensation or remuneration for his or her service in
57 the position; obtaining or retaining state or local public
58 office through election or appointment; or any thing in which or
59 for which a tangible benefit was gained, even if the value of
60 such benefit is de minimis.

61 (c) "Servicemember" has the same meaning as in s. 250.01.

62 (2) (a) A candidate, an elected public officer, an
63 appointed public officer, or a public employee may not, for the
64 purpose of material gain, knowingly do any of the following:

65 1. Misrepresent by making false, fictitious, or fraudulent
66 statements or representations, directly or indirectly, that he
67 or she is or was a servicemember or veteran of the Armed Forces
68 of the United States.

69 2. Misrepresent by making false, fictitious, or fraudulent
70 statements or representations, directly or indirectly, that he
71 or she is or was the recipient of a decoration, medal, title, or
72 honor from the Armed Forces of the United States or otherwise
73 related to military service, including, but not limited to, any
74 of the following:

75 a. Air Force Combat Action Medal.

- 76 | b. Air Force Cross.
- 77 | c. Combat Action Badge.
- 78 | d. Combat Action Ribbon.
- 79 | e. Combat Infantryman Badge.
- 80 | f. Combat Medical Badge.
- 81 | g. Distinguished Service Cross.
- 82 | h. Medal of Honor.
- 83 | i. Navy Cross.
- 84 | j. Purple Heart.
- 85 | k. Silver Star Medal.
- 86 | 3. Misrepresent by making false, fictitious, or fraudulent
- 87 | statements or representations, directly or indirectly, that he
- 88 | or she is a holder of an awarded qualification or military
- 89 | occupational specialty, including, but not limited to, any of
- 90 | the following:
- 91 | a. Aircraft pilot, navigator, or crew member.
- 92 | b. Explosive Ordnance Disposal Technician.
- 93 | c. Parachutist.
- 94 | d. United States Army Ranger.
- 95 | e. United States Navy Seal or Diver.
- 96 | f. United States special operations forces member.
- 97 | 4. Misrepresent by making false, fictitious, or fraudulent
- 98 | statements or representations, directly or indirectly, that he
- 99 | or she actively served in the Armed Forces of the United States
- 100 | during a wartime era, regardless of whether there was a declared

101 war, or served in combat operations in a warzone, or was a
 102 prisoner of war.

103 5. Wear the uniform or any medal or insignia authorized
 104 for use by members or veterans of the Armed Forces of the United
 105 States which he or she is not authorized to wear.

106 (b) This subsection does not prohibit individuals in the
 107 theatrical profession from wearing such uniforms, medals, or
 108 insignia during a performance while engaged in such profession.

109 (3) A candidate, an elected public officer, an appointed
 110 public officer, or a public employee who violates subsection (2)
 111 is subject to the penalties in s. 112.317.

112 (4) This section does not preclude prosecution of an
 113 individual for any action under subsection (2) which is
 114 prohibited by another law.

115 **Section 2. Subsection (2) of section 112.317, Florida**
 116 **Statutes, is amended to read:**

117 112.317 Penalties.—

118 (2)(a) In any case in which the commission finds a
 119 violation of this part or of s. 8, Art. II of the State
 120 Constitution and the proper disciplinary official or body under
 121 s. 112.324 imposes a civil penalty or restitution penalty, the
 122 Attorney General shall bring a civil action to recover such
 123 penalty. No defense may be raised in the civil action to enforce
 124 the civil penalty or order of restitution that could have been
 125 raised by judicial review of the administrative findings and

126 recommendations of the commission by certiorari to the district
127 court of appeal. The Attorney General shall collect any costs,
128 attorney fees, expert witness fees, or other costs of collection
129 incurred in bringing the action.

130 (b) For the purpose of this subsection, a civil penalty or
131 restitution penalty is considered delinquent if the individual
132 has not paid such penalty within 90 days after the penalty is
133 imposed by the commission. Before referring a delinquent civil
134 penalty or restitution penalty to the Department of Financial
135 Services, the Attorney General shall attempt to determine
136 whether the individual owing such penalty is a current public
137 officer or current public employee, and, if so, the Attorney
138 General must notify the Chief Financial Officer or the governing
139 body of the appropriate county, municipality, school district,
140 or special district of the total amount of the penalty owed by
141 such individual.

142 1. After receipt and verification of the notice from the
143 Attorney General, the Chief Financial Officer or the governing
144 body of the county, municipality, school district, or special
145 district shall begin withholding the lesser of 25 percent or the
146 maximum amount allowed under federal law from any salary-related
147 payment. The withheld payments must be remitted to the
148 commission until the fine is satisfied.

149 2. The Chief Financial Officer or the governing body of
150 the county, municipality, school district, or special district

151 may retain an amount of each withheld payment, as provided in s.
152 77.0305, to cover the administrative costs incurred under this
153 section.

154 (c) The Attorney General may refer any unpaid civil
155 penalty or restitution penalty to the appropriate collection
156 agency as directed by the Chief Financial Officer, and, except
157 as expressly limited by this section, such collection agency may
158 use any collection method authorized by law.

159 (d) The Attorney General may take any action to collect
160 any unpaid civil penalty or restitution penalty imposed within
161 20 years after the date the civil penalty or restitution penalty
162 is imposed.

163 **Section 3.** This act shall take effect July 1, 2025.