

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 1063](#)

**TITLE:** Gubernatorial Transition

**SPONSOR(S):** Overdorf

**COMPANION BILL:** [CS/SB 1078](#) (Grall)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[State Affairs](#)

22 Y, 0 N, As CS



[Budget](#)

## SUMMARY

### Effect of the Bill:

The bill establishes a process governing gubernatorial transitions to support the Governor-elect in preparing to assume office. The bill requires the designation of transition liaisons within the Executive Office of the Governor and state agencies under the supervision of the Governor, provides for transition planning and standardized briefing materials, authorizes access to agency facilities, personnel, and records, and provides for the provision of information technology and related services.

### Fiscal or Economic Impact:

The bill will likely have an indeterminate, negative fiscal impact on state government expenditures.

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## ANALYSIS

### EFFECT OF THE BILL:

The bill creates a process governing gubernatorial transitions in Florida. Under the bill, the transition period begins on the day the [Elections Canvassing Commission](#) certifies the results of the general election and ends on the day the Governor-elect is inaugurated. (Section [1](#))

The bill requires the Governor to designate a transition liaison within the [Executive Office of the Governor](#) no later than 10 days after the primary election. The transition liaison must:

- Serve as the primary point of contact between the outgoing administration and the Governor-elect and his or her staff.
- Oversee and coordinate transition planning and operations with state agencies.
- Create a transition directory summarizing the statutory authority, programs, functions, and organizational structure of each state agency. The directory must be delivered to the Governor-elect within three days after the transition period begins.
- Develop and coordinate transition training, orientation, and briefings for the Governor-elect and staff, including briefings on the structure of the executive branch, administrative processes, public record and public meeting requirements, ethics and financial disclosure laws, rulemaking procedures, state budgeting and financial management, and any other subjects deemed necessary to support an orderly transition and continuity of agency operations. (Section [1](#))

The bill requires each state agency whose head is appointed solely by the Governor to designate an agency transition liaison no later than 10 days after the primary election. Agency transition liaisons must:

- Serve as the primary point of contact between the agency and the transition liaison.
- Prepare standardized briefing books in accordance with guidance established by the transition liaison. The briefing books must be delivered within three days after the transition period begins and must include information regarding the agency's organizational structure, mission, programs, budget, major contacts,

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recent and pending litigation, rulemaking activity, and key leadership personnel, as well as any additional information deemed necessary to support an orderly transition and continuity of agency operations. (Section [1](#))

The bill requires state agencies to provide temporary office space within agency headquarters for use by the Governor-elect and staff, and authorizes agencies to assign limited personnel to assist with transition activities to the extent consistent with agency operational needs. Upon request and in coordination with the transition liaison, the Governor-elect and his or her staff are authorized to access state agency leadership personnel during the transition period. (Section [1](#))

The bill provides that, upon request, the Governor-elect and his or her staff must be granted access to all state agency [public records](#), including records that are confidential or exempt from public disclosure. However, access to confidential or exempt records is limited to those persons designated by the Governor in writing and no more than one person per temporary office space may be granted access. Before accessing confidential or exempt records, the Governor-elect and his or her designated staff must execute a memorandum of understanding acknowledging that:

- Such records will remain confidential or exempt.
- Unauthorized disclosure of such records is prohibited.
- All records will be returned to the custodian after the transition period.
- The Governor-elect and his or her designees may not disclose or use confidential or exempt information for their personal gain, or for the personal gain or benefit of another person or business entity.
- A violation is punishable as a third-degree felony. (Section [1](#))

The bill requires the [Department of Management Services](#), upon request, to provide the Governor-elect and his or her staff with information technology and related services necessary to support transition operations. Information technology and services includes computers and equipment necessary for their use, secure email accounts, cybersecurity training and monitoring, and technical assistance. Access may only be granted to individuals designated in writing by the Governor-elect, and the Governor-elect and his or her designees must execute a memorandum of understanding acknowledging they will adhere to state cybersecurity standards and return the equipment after the transition period. (Section [1](#))

The bill retains the requirement for the Department of Management Services to provide temporary office facilities in the Capitol Center for the Governor-elect, transition staff, and inauguration staff during the transition period. (Section [1](#))

The bill makes conforming changes. (Section [2](#))

The effective date of the bill is upon becoming a law. (Section [3](#))

## **FISCAL OR ECONOMIC IMPACT:**

### **STATE GOVERNMENT:**

The bill will likely have an indeterminate, negative fiscal impact on state government expenditures. State agencies may incur costs associated with the bill's requirements, including transition coordination, preparation of briefing materials, participating in training activities, provisioning of office space, and information technology support. Any such costs will vary based on the scope of transition activities and the level of agency involvement. Accordingly, the fiscal impact is indeterminate.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Executive Branch

Florida's executive branch is constitutionally structured to divide executive authority among the Governor and an independently elected Cabinet,<sup>1</sup> consisting of the Attorney General,<sup>2</sup> the Chief Financial Officer,<sup>3</sup> and the Commissioner of Agriculture.<sup>4</sup> The structure of the executive branch is established in the State Constitution and further refined by statute.<sup>5</sup>

The State Constitution provides that “[a]ll functions of the executive branch of state government [must] be allotted to among not more than twenty-five departments,” excluding those explicitly created or authorized by the Constitution.<sup>6</sup> A “department” is the principal administrative unit within the executive branch<sup>7</sup> and is generally headed by a secretary<sup>8</sup> appointed by the Governor or by an executive director<sup>9</sup> appointed by the Governor and Cabinet or by a board.<sup>10</sup>

#### Executive Office of the Governor

The Executive Office of the Governor (EOG) is headed by the Governor.<sup>11</sup> The EOG serves as the primary administrative and policy support entity for the Governor and assists in the execution of the Governor's constitutional and statutory duties, including policy development, budget preparation, appointments, and coordination with executive branch agencies.<sup>12</sup> The EOG also provides expenditure and reporting forms for the Governor-elect's operating<sup>13</sup> and inauguration<sup>14</sup> expense funds during the transition period between election certification and inauguration.

#### Department of Management Services

The Department of Management Services (DMS), acting through the Florida Digital Service, is responsible for developing information technology standards, supporting interoperability, establishing cybersecurity standards and best practices, and providing training and technical assistance to state agencies.<sup>15</sup> In addition, DMS oversees and monitors certain state agency information technology projects and provides guidance and support to ensure compliance with applicable technology standards.<sup>16</sup> DMS also operates and maintains the state's cybersecurity operations center, which serves as a clearinghouse for threat information and coordinates with law enforcement to support state agencies' response to cybersecurity incidents.<sup>17</sup>

<sup>1</sup> [Art. IV, s. 4\(a\), FLA. CONST.](#)

<sup>2</sup> The Attorney General is the state's chief legal officer. [Art. IV, s. 4\(b\), FLA. CONST.](#)

<sup>3</sup> The Chief Financial Officer is the state's chief fiscal officer, responsible for settling state accounts and keeping all state funds and securities. [Art. IV, s. 4\(c\), FLA. CONST.](#)

<sup>4</sup> The Commissioner of Agriculture is responsible for supervising matters pertaining to agriculture. [Art. IV, s. 4\(d\), FLA. CONST.](#)

<sup>5</sup> See [ch. 20, F.S.](#)

<sup>6</sup> [Art. IV, s. 6, FLA. CONST.](#)

<sup>7</sup> [S. 20.03\(8\), F.S.](#)

<sup>8</sup> See [s. 20.03\(12\), F.S.](#)

<sup>9</sup> See [s. 20.03\(10\), F.S.](#)

<sup>10</sup> For example, the executive director of the State Board of Administration is appointed by a majority vote of the Board of Trustees comprised of the Governor, the Chief Financial Officer, and the Attorney General. The Governor must vote on the prevailing side. [S. 215.441, F.S.](#)

<sup>11</sup> [S. 14.201, F.S.](#)

<sup>12</sup> See EOG, [Careers](#) (last visited January 17, 2026).

<sup>13</sup> Current law establishes an operating fund for use by the Governor-elect during the transition period. Expenditures are authorized for travel, transition-related expenses, and salaries for the Governor-elect and transition staff, including administrative, legal, fiscal, and public relations personnel. [S. 14.057\(1\), F.S.](#)

<sup>14</sup> Current law establishes an inauguration expense fund to support the planning and conducting of inauguration ceremonies. The Governor-elect must appoint an inauguration coordinator and staff, whose salaries are paid from the fund. [S. 14.058, F.S.](#)

<sup>15</sup> See [ss. 282.0051 and 282.318, F.S.](#)

<sup>16</sup> [S. 282.0051\(1\) and \(4\), F.S.](#)

<sup>17</sup> [S. 282.318\(3\)\(h\), F.S.](#)

## Elections Canvassing Commission

The Elections Canvassing Commission (commission) is composed of the Governor and two members of the Cabinet selected by the Governor.<sup>18</sup> The commission is responsible for certifying the official results of primary and general elections of federal, state, and multicounty offices, as well as constitutional amendments.<sup>19</sup> The commission meets on the ninth day after a primary election and the fourteenth day after a general election to certify election returns—those dates occur during this election cycle on August 27, 2026, and November 17, 2026, respectively. Commission certification establishes the official nominees of political parties following a primary election and the officers-elect following a general election.

## Public Records

The Florida Constitution guarantees every person the right to inspect or copy any public record made or received in connection with the official business of a public body, officer, or employee of the state.<sup>20</sup> The Constitution authorizes the Legislature to create exemptions from public record requirements only by general law passed by a two-thirds vote of each house. Any such exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish its stated purpose. The Legislature has enacted the Public Records Act,<sup>21</sup> which establishes custodial requirements for public records and requires agencies to maintain and preserve such records. Willful and knowing violations of the Public Records Act are punishable as a first-degree misdemeanor.<sup>22</sup>

### Public Records During Transitions

Current law applies public record requirements to certain officers-elect upon election; specifically, the Governor, Lieutenant Governor, and Cabinet officers. Officers-elect must adopt measures to ensure compliance with the Public Records Act, maintain records in accordance with the policies of the office to which they were elected, and deliver transition records to the applicable office upon taking the oath of office.<sup>23</sup> In addition, public officers leaving office must deliver all public records to their successors, and successors are required to demand delivery of any public records unlawfully withheld.<sup>24</sup>

<sup>18</sup> All members of the commission serve ex officio. [S. 102.111\(1\), F.S.](#)

<sup>19</sup> [S. 102.111\(2\), F.S.](#)

<sup>20</sup> [Art. I, s. 24, FLA. CONST.](#)

<sup>21</sup> See [ch. 119, F.S.](#)

<sup>22</sup> [S. 119.10\(2\)\(a\), F.S.](#)

<sup>23</sup> [S. 119.035, F.S.](#)

<sup>24</sup> [S. 119.021\(4\), F.S.](#) Any person unlawfully withholding public records must deliver such records to the successor within 10 days, unless just cause exists.

**BILL HISTORY**

<b>COMMITTEE REFERENCE</b>	<b>ACTION</b>	<b>DATE</b>	<b>STAFF DIRECTOR/ POLICY CHIEF</b>	<b>ANALYSIS PREPARED BY</b>
<a href="#">State Affairs Committee</a>	22 Y, 0 N, As CS	2/3/2026	Williamson	Villa

THE CHANGES ADOPTED BY THE COMMITTEE:

- Required the Governor-elect and designated staff to sign a memorandum of understanding before being provided with information technology and related services, acknowledging compliance with state cybersecurity standards and the return of equipment at the conclusion of the transition period.
- Limited access to confidential or exempt records to no more than one designated transition staff member per temporary office space.
- Prohibited the Governor-elect and designees from using confidential or exempt information for personal gain, or the personal gain of another person or business entity.
- Increased the criminal penalty for certain violations of the records-related memorandum of understanding from a first-degree misdemeanor to a third-degree felony.

[Budget Committee](#)

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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