

1 A bill to be entitled
2 An act relating to gubernatorial transition; creating
3 s. 14.059, F.S.; providing definitions; requiring the
4 Governor to designate a transition liaison within the
5 Executive Office of the Governor; requiring the head
6 of each state agency to designate an agency transition
7 liaison; providing duties of agency transition
8 liaisons; requiring the Department of Management
9 Services and each state agency to provide temporary
10 office space to certain persons during the transition
11 period; requiring each state agency to provide the
12 Governor-elect and his or her staff with access to
13 agency leadership personnel during the transition
14 period; authorizing the Governor-elect and his or her
15 staff to be granted access to state agency records
16 under certain conditions; providing criminal
17 penalties; requiring the Florida Digital Service to
18 provide the Governor-elect and his or her staff with
19 specified resources; amending s. 14.057, F.S.;
20 conforming provisions to changes made by the act;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 **Section 1. Section 14.059, Florida Statutes, is created to**

26 **read:**

27 14.059 Gubernatorial transition; coordination, access, and
28 agency obligations.—

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

30 (a) "State agency" means an executive branch agency the
31 head of which is appointed solely by the Governor.

32 (b) "Transition period" means the period beginning on the
33 day the Elections Canvassing Commission certifies the results of
34 a general election in a year in which the Governor is elected
35 and ending on the day the Governor-elect is inaugurated as
36 Governor. The term does not include any period following the
37 reelection of an incumbent Governor to a second consecutive
38 term.

39 (2) No later than the 10th day after the primary election,
40 the Governor shall designate a transition liaison within the
41 Executive Office of the Governor. The transition liaison shall:

42 (a) Serve as the primary point of contact between the
43 current administration and the Governor-elect and his or her
44 staff.

45 (b) Oversee and coordinate transition planning and
46 operations with state agencies.

47 (c) Create a transition directory that summarizes the
48 statutory authority, programs, functions, and organizational
49 structure of each state agency. The transition directory must be
50 delivered to the Governor-elect within 3 days after the

51 beginning of the transition period.

52 (d) Create and coordinate transition training,
53 orientation, and briefings for the Governor-elect and his or her
54 staff which cover:

55 1. The organizational structure of the executive branch of
56 state government.

57 2. Administrative processes of state agencies, including
58 personnel systems.

59 3. Public records and meeting requirements.

60 4. Ethics and financial disclosure laws.

61 5. Rulemaking procedures under the Administrative
62 Procedure Act.

63 6. State budgeting and financial management processes.

64 7. Any additional subject identified by the Governor-elect
65 and determined by the transition liaison to be reasonably
66 necessary to support an orderly transition between
67 administrations and the continuity of state agency operations.

68 (e) Establish instructions and guidance for agency
69 transition liaisons regarding the preparation, content, and
70 delivery of standardized briefing books under paragraph (3)(b).

71 (3) No later than the 10th day after the primary election,
72 the head of each state agency shall designate an agency
73 transition liaison. The agency transition liaison shall:

74 (a) Serve as the primary point of contact between the
75 agency and the transition liaison.

76 (b) Prepare standardized briefing books in accordance with
77 instructions and guidance established by the transition liaison.
78 The briefing books shall be delivered to the Governor-elect
79 within 3 days after the beginning of the transition period and
80 shall:

81 1. Outline the agency's organizational structure, mission,
82 programs, budget, major contracts, recently concluded and
83 pending litigation, and rulemaking activity.

84 2. Identify all agency leadership personnel, including the
85 chief of staff, general counsel, deputy chiefs of staff, deputy
86 secretaries, division directors, and bureau chiefs.

87 3. Include any information deemed necessary by the
88 transition liaison to support an orderly transition between
89 administrations and the continuity of state agency operations.

90 (4) (a) The Department of Management Services shall provide
91 the Governor-elect, his or her staff, and the inauguration staff
92 with temporary office facilities in the Capitol Center during
93 the transition period.

94 (b) Each state agency shall provide temporary office space
95 within the agency headquarters for use by the Governor-elect and
96 his or her staff during the transition period.

97 (5) (a) Upon request and in coordination with the
98 transition liaison, each state agency shall provide the
99 Governor-elect and his or her staff with access to agency
100 leadership personnel during the transition period, including the

101 chief of staff, general counsel, deputy chiefs of staff, deputy
102 secretaries, division directors, and bureau chiefs.

103 (b) Each state agency may assign limited personnel to
104 assist the Governor-elect and his or her staff during the
105 transition period to the extent consistent with the agency's
106 operational needs.

107 (6)(a) During the transition period, the Governor-elect
108 and his or her staff shall be granted access to all state agency
109 records upon request, including records that are exempt or
110 confidential and exempt from s. 119.07(1) or s. 24(a), Art. I of
111 the State Constitution. Before accessing any exempt or
112 confidential and exempt records, the Governor-elect and his or
113 her staff with access to such records must sign a memorandum of
114 understanding acknowledging that:

115 1. Such records will remain exempt or confidential and
116 exempt.

117 2. Disclosure of such records is prohibited unless
118 specifically authorized by law.

119 3. A violation of subparagraph 1. or subparagraph 2. is a
120 crime punishable as a first degree misdemeanor.

121 (b) A person who willfully and knowingly violates
122 subparagraph (a)1. or subparagraph (a)2. commits a misdemeanor
123 of the first degree, punishable as provided s. 775.082 or s.
124 775.083.

125 (7)(a) Upon request of the Governor-elect, the Florida

Digital Service shall provide the Governor-elect and his or her staff with secure access to state information technology systems necessary for transition operations during the transition period. The Governor-elect must designate in writing each person who must be provided access to the systems. Access may not be granted until the designee signs the memorandum of understanding in subsection (6).

(b) The Florida Digital Service must provide the Governor-elect and his or her designated staff with:

1. Secure e-mail accounts.
2. Access to collaboration tools and data-sharing platforms.
3. Cybersecurity training and monitoring.
4. Technical assistance related to the use of state information technology systems.

Section 2. Subsection (2) of section 14.057, Florida Statutes, is amended to read:

14.057 Governor-elect; establishment of operating fund.—

~~(2) The Department of Management Services shall provide for the Governor-elect, the Governor-elect's staff, and the inauguration staff temporary office facilities in the capitol center for the period extending from the day of the certification of the Governor-elect's election by the Elections Canvassing Commission to the day of his or her inauguration.~~

Section 3. This act shall take effect upon becoming a law.