

By Senator Grall

29-01485-26

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A bill to be entitled

An act relating to gubernatorial transition; creating s. 14.059, F.S.; defining terms; requiring the Governor to designate a transition liaison within the Executive Office of the Governor within a specified timeframe; providing duties of the transition liaison; requiring the head of each state agency to designate an agency transition liaison within a specified timeframe; providing duties of the agency transition liaisons; requiring the Department of Management Services and each state agency to provide certain temporary office facilities to certain persons during the transition period; requiring, upon request, each state agency to provide the Governor-elect and his or her staff with access to agency leadership personnel during the transition period; authorizing state agencies to assign limited personnel to assist the Governor-elect and his or her staff; requiring the Governor-elect and his or her staff to be granted access to state agency records under certain conditions; providing criminal penalties; requiring the Florida Digital Service to provide the Governor-elect and his or her staff with specified resources; amending s. 14.057, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 14.059, Florida Statutes, is created to

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read:

14.059 Gubernatorial transition; coordination, access, and agency obligations.-

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

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

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

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

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

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

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

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

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59 1. The organizational structure of the executive branch of
60 state government.

61 2. Administrative processes of state agencies, including
62 personnel systems.

63 3. Public records and meeting requirements.

64 4. Ethics and financial disclosure laws.

65 5. Rulemaking procedures under the Administrative Procedure
66 Act.

67 6. State budgeting and financial management processes.

68 7. Any additional subject identified by the Governor-elect
69 and determined by the transition liaison to be reasonably
70 necessary to support an orderly transition between
71 administrations and the continuity of state agency operations.

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

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

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

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

85 1. Outline the agency's organizational structure, mission,
86 programs, budget, major contracts, recently concluded and
87 pending litigation, and rulemaking activity.

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88 2. Identify all agency leadership personnel, including the
89 chief of staff, general counsel, deputy chiefs of staff, deputy
90 secretaries, division directors, and bureau chiefs.

91 3. Include any information deemed necessary by the
92 transition liaison to support an orderly transition between
93 administrations and the continuity of state agency operations.

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

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

101 (5) (a) Upon request and in coordination with the transition
102 liaison, each state agency shall provide the Governor-elect and
103 his or her staff with access to agency leadership personnel
104 during the transition period, including the chief of staff,
105 general counsel, deputy chiefs of staff, deputy secretaries,
106 division directors, and bureau chiefs.

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

111 (6) (a) During the transition period, the Governor-elect and
112 his or her staff shall be granted access to all state agency
113 records upon request, including records that are exempt or
114 confidential and exempt from s. 119.07(1) or s. 24(a), Art. I of
115 the State Constitution. Before accessing any exempt or
116 confidential and exempt records, the Governor-elect and his or

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her staff must sign a memorandum of understanding acknowledging that:

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

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

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

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

(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

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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.