

1                                   A bill to be entitled  
2       An act relating to the Department of Financial  
3       Services; creating s. 17.324, F.S.; providing  
4       definitions; establishing the Florida Agency for  
5       Fiscal Oversight within the Department of Financial  
6       Services; providing the purpose and duties of the  
7       agency; requiring local governments to notify the  
8       agency after authorizing specified referendums;  
9       requiring the agency to conduct an audit; authorizing  
10      the agency to request certain information; providing  
11      penalties for noncompliance with such request;  
12      requiring certain funds to be deposited in a specified  
13      trust fund; authorizing the agency to waive fines in  
14      certain circumstances; providing that certain actions  
15      may be challenged in a specified manner; authorizing  
16      the agency to report certain evidence to specified  
17      parties; authorizing the Florida Commission on Ethics  
18      to make certain recommendations; authorizing the  
19      Department of Financial Services to create a certain  
20      analysis using specified information; requiring that  
21      such analysis be posted in a specified manner to  
22      certain parties; authorizing the Department of  
23      Financial Services to adopt rules; amending s. 17.325,  
24      F.S.; removing a requirement that a specified hotline  
25      be operated for a certain amount of time each day;

26 removing a requirement that the hotline be advertised  
27 in a specified manner; creating s. 112.31424, F.S.;  
28 providing definitions; requiring specified employees  
29 to take a certain training annually; requiring the  
30 first training to be completed by a specified  
31 deadline; requiring certain employees who report  
32 information to the Florida Agency for Fiscal Oversight  
33 be afforded the same protection as whistle-blowers;  
34 providing construction; prohibiting local governments  
35 from executing certain documents with specified  
36 provisions; providing that such contracts are void;  
37 requiring local governments to submit a certain report  
38 to the Department of Financial Services by a specified  
39 date; requiring the department to adopt rules;  
40 requiring the department to submit information from  
41 the reports to certain entities by a specified date;  
42 amending s. 215.985, F.S.; requiring counties to use  
43 certain contract tracking systems; providing  
44 information required to be tracked; authorizing the  
45 use of an alternate contract tracking system in  
46 certain circumstances; providing that certain  
47 provisions may not be enforced until a specified  
48 event; requiring the Chief Financial Officer to make  
49 specified changes to the secure contract tracking  
50 system by a specified date; providing an effective

51 date.

52  
53 Be It Enacted by the Legislature of the State of Florida:

54  
55 **Section 1. Section 17.324, Florida Statutes, is created to**  
56 **read:**

57 17.324 Florida Agency for Fiscal Oversight.—

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

59 (a) "Agency" has the same meaning as in s. 283.30.

60 (b) "Local government" has the same meaning as in s.  
61 106.113(1).

62 (c) "Noncompliant" means, as determined by the Chief  
63 Financial Officer, failing to respond to a request for  
64 information, failing to include any requested information, or  
65 providing incomplete or materially inaccurate information.

66 (d) "State funds" means funds provided to a local  
67 government by the state, state shared revenue, state grants,  
68 sales tax collected pursuant to chapter 212, and enterprise  
69 funds as defined in s. 350.81(1); however, it does not include  
70 local funds derived from local taxes or fees or funds related to  
71 public safety.

72 (2) The Florida Agency for Fiscal Oversight is established  
73 within the department. The purpose of Florida Agency for Fiscal  
74 Oversight is to identify and report unnecessary spending within  
75 any agency or local governments and to provide fiscal management

76 and public spending education and training to such governments.

77 The Florida Agency for Fiscal Oversight shall:

78 (a) Develop the mandatory financial ethics training  
79 required under s. 112.31424(2). The training must include  
80 instruction on:

81 1. Recognizing misuse of public funds.

82 2. Reporting financial misconduct.

83 3. Whistle-blower rights and protections.

84 (b) Provide guidance and materials to agencies and local  
85 governments for internal training sessions.

86 (c) Complete the audit of a local government required  
87 under subsection (3).

88 (d) Determine the information required in the Local  
89 Government Efficiency Report required by s. 112.31424(5).

90 (3)(a) A local government must notify the Florida Agency  
91 for Fiscal Oversight within 5 days after authorizing a  
92 referendum to levy a tax, increase a current tax, or increase  
93 the millage rate. The Florida Agency for Fiscal Oversight shall  
94 conduct an audit of any such local government. The Florida  
95 Agency for Fiscal Oversight may request any information it deems  
96 necessary to conduct such audit. If a local government is  
97 noncompliant, and at the discretion of the Chief Financial  
98 Officer:

99 1. At least 15 days after the initial request:

100 a. The Florida Agency for Fiscal Oversight may impose

101 administrative fines on local governments of no more than \$1,000  
102 each day; however, such fines may not be retroactive to the date  
103 the request was first made.

104 b. The Florida Agency for Fiscal Oversight must provide  
105 the local government with written notice that if such local  
106 government remains noncompliant, the Florida Agency for Fiscal  
107 Oversight may initiate the process of withholding certain funds  
108 payable to a local government beginning 45 days after the  
109 initial request.

110 2. At least 45 days after the initial request, the Florida  
111 Agency for Fiscal Oversight may withhold state funds until the  
112 local government is no longer noncompliant or the final order  
113 requires the release of such funds.

114 (b) Fines collected under sub-subparagraph (a)1.a. must be  
115 deposited into the Insurance Regulatory Trust Fund. The Florida  
116 Agency for Fiscal Oversight may, for good cause or upon  
117 demonstration of extenuating circumstances, waive any such fines  
118 upon the request of the local government.

119 (c) The decision to withhold funds under subparagraph  
120 (a)2. constitutes an agency action under chapter 120 and is  
121 subject to review as provided in that chapter.

122 (4) The Florida Agency for Fiscal Oversight may report any  
123 evidence suggesting ethical violations, misconduct, or  
124 malfeasance by a local government official to the Governor and  
125 the Florida Commission on Ethics. The Florida Commission on

Ethics may recommend appropriate actions, including, but not limited to, the removal of local government officials from office.

(5) The department may create a Local Government Spending Analysis to evaluate each local government based on the information obtained under this section or from the report required under s. 112.31424(5). If the department produces a Local Government Spending Analysis, it must make such analysis available on its website, and the local government that is the subject of the analysis must include a link to the analysis in a clear and conspicuous place on the local government website.

(6) The department may adopt rules to implement this section, including procedures for training, reporting, investigations, and establishing financial thresholds, risk indicators, or other criteria that, when met, may trigger an audit, operational review, or investigation of a local government by the Florida Agency for Fiscal Oversight.

**Section 2. Subsections (1), (2), and (3) of section 17.325, Florida Statutes, are amended to read:**

17.325 Governmental efficiency hotline; duties of Chief Financial Officer.—

(1) The Chief Financial Officer shall establish and operate a statewide toll-free telephone hotline to receive information or suggestions from the residents of this state on how to improve the operation of state and local government,

151 increase state and local governmental efficiency, and eliminate  
152 waste in state and local government.

153 (2) ~~The Chief Financial Officer shall operate the hotline~~  
154 ~~24 hours a day.~~ The Chief Financial Officer may advertise the  
155 availability of the hotline in newspapers of general circulation  
156 in this state and shall provide for the posting of notices in  
157 conspicuous places in state agency offices, city halls, county  
158 courthouses, and places in which there is exposure to  
159 significant numbers of the general public, including, but not  
160 limited to, local convenience stores, shopping malls, shopping  
161 centers, gasoline stations, or restaurants. ~~The Chief Financial~~  
162 ~~Officer shall use the slogan "Tell us where we can 'Get Lean'"~~  
163 ~~for the hotline and in advertisements for the hotline.~~

164 (3) Each telephone call on the hotline shall be received  
165 by the office of the Chief Financial Officer, and the office of  
166 the Chief Financial Officer shall conduct an evaluation to  
167 determine if it is appropriate for the telephone call to be  
168 processed as a government efficiency hotline ~~"Get Lean"~~  
169 telephone call. If it is determined that the telephone call  
170 should be processed as a government efficiency hotline ~~"Get~~  
171 ~~Lean"~~ telephone call, a record of each suggestion or item of  
172 information received shall be entered into a log kept by the  
173 Chief Financial Officer. A caller on the hotline may remain  
174 anonymous, and, if the caller provides his or her name, the name  
175 shall be confidential. If a caller discloses that he or she is a

state employee, the Chief Financial Officer, in addition to maintaining a record as required by this section, may refer any information or suggestion from the caller to an existing state awards program administered by the affected agency. The affected agency shall conduct a preliminary evaluation of the efficacy of any suggestion or item of information received through the hotline and shall provide the Chief Financial Officer with a preliminary determination of the amount of revenues the state might save by implementing the suggestion or making use of the information.

**Section 3. Section 112.31424, Florida Statutes, is created to read:**

112.31424 Financial ethics of governments.—

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

(a) "Agency" has the same meaning as in s. 112.3187(3).

(b) "Employee" has the same meaning as in s. 112.3187(3).

(c) "Local government" has the same meaning as in s. 106.113(1).

(2) All agency employees, elected officials, and volunteers must complete the training on financial ethics created pursuant to s. 17.324(2)(a) annually. The first training must be completed within 30 days after:

(a) For a person employed by an agency, the first day of employment.

(b) For an elected official within an agency, the day the



201 elected official takes office.

202 (c) For a volunteer of an agency, the first day the  
203 volunteer begins volunteering.

204 (3) Notwithstanding any other law, an employee who reports  
205 information to the Florida Agency for Fiscal Oversight shall be  
206 afforded the same protection as a whistle-blower under chapter  
207 112. Such employee is not required to report the information  
208 directly to his or her supervisory officials, his or her Chief  
209 Executive Officer as defined in s. 447.203(9), or any other  
210 appropriate local official.

211 (4) An agency may not execute any contract, agreement, or  
212 other document that:

213 (a) Prohibits an agency or a vendor, as defined in s.  
214 287.1351(1), from participating with the Florida Agency for  
215 Fiscal Oversight.

216 (b) Requires an agency or a vendor, as defined in s.  
217 287.1351(1), to execute a nondisclosure agreement as a condition  
218 for performing any duties or functions with the Florida Agency  
219 for Fiscal Oversight.

220  
221 Any such contract, agreement, or document shall be void.

222 (5) Each local government shall submit an annual Local  
223 Government Efficiency Report to the Department of Financial  
224 Services by October 30 of each year. The Department of Financial  
225 Services shall adopt rules prescribing the format of such

reports and the information that must be included. The  
department shall submit recommendations and findings from the  
report to the Legislature and Office of Policy and Budget by  
January 1 of each year.

**Section 4. Subsection (14) of section 215.985, Florida Statutes, is amended to read:**

215.985 Transparency in government spending.—

(14) The Chief Financial Officer shall establish and maintain a secure contract tracking system available for viewing and downloading by the public through a secure website. The Chief Financial Officer shall use appropriate Internet security measures to ensure that no person has the ability to alter or modify records available on the website.

(a) Within 30 calendar days after executing a contract, each state entity shall post the following information relating to the contract on the contract tracking system:

1. The names of the contracting entities.
2. The procurement method.
3. The contract beginning and ending dates.
4. The nature or type of the commodities or services purchased.
5. Applicable contract unit prices and deliverables.
6. Total compensation to be paid or received under the contract.
7. All payments made to the contractor to date.

251 8. Applicable contract performance measures.

252 9. If a competitive solicitation was not used to procure  
253 the goods or services, the justification of such action,  
254 including citation to a statutory exemption or exception from  
255 competitive solicitation, if any.

256 10. Electronic copies of the contract and procurement  
257 documents that have been redacted to exclude confidential or  
258 exempt information.

259 (b) Within 30 calendar days after executing a contract,  
260 each county shall post the following information relating to the  
261 contract on the contract tracking system or an alternate  
262 contract tracking system authorized by the department:

263 1. The names of the contracting entities.

264 2. The procurement method.

265 3. The contract beginning and ending dates.

266 4. The nature or type of the commodities or services  
267 purchased.

268 5. Applicable contract unit prices and deliverables.

269 6. Total compensation to be paid or received under the  
270 contract.

271 7. Applicable contract performance measures.

272 8. If a competitive solicitation was not used to procure  
273 the goods or services, the justification of such action,  
274 including citation to a statutory exemption or an exception from  
275 competitive solicitation, if any.

276        9. Electronic copies of the contract and procurement  
277        documents that have been redacted as required by paragraph (e).

278        (c)~~(b)~~ Within 30 calendar days after an amendment to an  
279        existing contract, the state entity or county that is a party to  
280        the contract must update the information described in paragraph  
281        (a) or paragraph (b), respectively, in the contract tracking  
282        system. An amendment to a contract includes, but is not limited  
283        to, a renewal, termination, or extension of the contract or a  
284        modification of the terms of the contract.

285        (d)~~(e)~~ For each contract for which a state entity makes a  
286        payment pursuant to a contract executed, amended, or extended on  
287        or after July 1, 2023, the state entity shall post any documents  
288        submitted pursuant to s. 216.1366 which indicate the use of  
289        state funds as remuneration under the contract or a specified  
290        payment associated with the contract on the contract tracking  
291        system.

292        (e)~~(d)~~ 1. Records made available on the contract tracking  
293        system may not reveal information made confidential or exempt by  
294        law.

295        2. Each state entity or county that is a party to a  
296        contract must redact confidential or exempt information from the  
297        contract and procurement documents before posting an electronic  
298        copy on the contract tracking system. If a state entity or  
299        county that is a party to the contract becomes aware that an  
300        electronic copy of a contract or a procurement document has been

301 posted but has not been properly redacted, the state entity or  
302 county must immediately notify the Chief Financial Officer and  
303 must immediately remove the contract or procurement document  
304 from the contract tracking system. Within 7 business days, the  
305 state entity must post a properly redacted copy of the contract  
306 or procurement document on the contract tracking system.

307 3.a. If a party to a contract, or an authorized  
308 representative of a party to a contract, discovers that an  
309 electronic copy of a contract or procurement document has been  
310 posted to the contract tracking system but has not been properly  
311 redacted, the party or representative may request the state  
312 entity or county that is a party to the contract to redact the  
313 confidential or exempt information. Upon receipt of the request,  
314 the state entity or county shall redact the confidential or  
315 exempt information.

316 b. A request to redact confidential or exempt information  
317 must be made in writing and delivered by mail, facsimile,  
318 electronic transmission, or in person to the state entity or  
319 county that is a party to the contract. The request must  
320 identify the specific document, the page numbers that include  
321 the confidential or exempt information, the information that is  
322 confidential or exempt, and the applicable statutory exemption.  
323 A fee may not be charged for a redaction made pursuant to the  
324 request.

325 c. A party to a contract may petition the circuit court

326 for an order directing compliance with this paragraph.

327 4. The contract tracking system shall display a notice of  
328 the right of an affected party to request redaction of  
329 confidential or exempt information contained on the system.

330 5.a. The Chief Financial Officer, the Department of  
331 Financial Services, or an officer, employee, or contractor  
332 thereof, is not responsible for redacting confidential or exempt  
333 information from an electronic copy of a contract or procurement  
334 document posted by another state entity or county on the system.

335 b. The Chief Financial Officer, the Department of  
336 Financial Services, or an officer, employee, or contractor  
337 thereof, is not liable for the failure of a state entity or  
338 county to redact the confidential or exempt information.

339 (e)1. The posting of information on the contract tracking  
340 system or the provision of contract information on a website for  
341 public viewing and downloading does not supersede the duty of a  
342 state entity or county to respond to a public records request or  
343 subpoena for the information.

344 2. A request for a copy of a contract or procurement  
345 document or certified copy of a contract or procurement document  
346 shall be made to the state entity or county that is party to the  
347 contract. The request may not be made to the Chief Financial  
348 Officer, the Department of Financial Services, or an officer,  
349 employee, or contractor thereof, unless the Chief Financial  
350 Officer or the department is a party to the contract.

351           3. A subpoena for a copy of a contract or procurement  
352 document or certified copy of a contract or procurement document  
353 must be served on the state entity or county that is a party to  
354 the contract and that maintains the original documents. The  
355 Chief Financial Officer, the Department of Financial Services,  
356 or an officer, employee, or contractor thereof, may not be  
357 served a subpoena for those records unless the Chief Financial  
358 Officer or the department is a party to the contract.

359           (g)~~(f)~~ The Chief Financial Officer may regulate and  
360 prohibit the posting of records that could facilitate identity  
361 theft or fraud, such as signatures; compromise or reveal an  
362 agency investigation; reveal the identity of undercover  
363 personnel; reveal proprietary business information or trade  
364 secrets; reveal an individual's medical information; or reveal  
365 another record or information that the Chief Financial Officer  
366 believes may jeopardize the health, safety, or welfare of the  
367 public. However, such action by the Chief Financial Officer does  
368 not supersede the duty of a state entity or county to provide a  
369 copy of a public record upon request.

370           (h)~~(g)~~ The Chief Financial Officer may adopt rules to  
371 administer this subsection.

372           (i)~~(h)~~ For purposes of this subsection, the term:

373           1. "Procurement document" means any document or material  
374 provided to the public or any vendor as part of a formal  
375 competitive solicitation of goods or services undertaken by a

376 state entity or county, and a document or material submitted in  
377 response to a formal competitive solicitation by any vendor who  
378 is awarded the resulting contract.

379 2. "State entity" means an official, officer, commission,  
380 board, authority, council, committee, or department of the  
381 executive branch of state government; a state attorney, public  
382 defender, criminal conflict and civil regional counsel, capital  
383 collateral regional counsel, and the Justice Administrative  
384 Commission; the Public Service Commission; and any part of the  
385 judicial branch of state government.

386 (i) In lieu of posting in the contract tracking system  
387 administered by the Chief Financial Officer, the Department of  
388 Legal Affairs and the Department of Agriculture and Consumer  
389 Services may post the information described in paragraphs (a)  
390 through (d) ~~(e)~~ to its own agency-managed website. The data  
391 posted on the agency-managed website must be downloadable in a  
392 format that allows offline analysis.

393 (j) The requirement under paragraphs (a) through (d) ~~(e)~~  
394 that each agency or county post information and documentation  
395 relating to contracts on the tracking system does not apply to  
396 any record that could reveal attorney work product or strategy.

397 **Section 5.** The amendments made by this act to s.  
398 215.985(14), Florida Statutes, may not be enforced until the  
399 secure contract tracking system is able to accept reports. The  
400 Chief Financial Officer shall make any changes necessary to the



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secure contract tracking system to allow counties to make the  
reports required by the amendments to s. 215.985(14)(b), Florida  
Statutes, before July 1, 2027.

**Section 6.** This act shall take effect July 1, 2026.