

By Senator DiCeglie

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A bill to be entitled

An act relating to the Department of Financial Services; creating s. 17.324, F.S.; defining terms; establishing the Florida Agency for Fiscal Oversight within the Department of Financial Services; providing the purpose and duties of the agency; requiring local governments to notify the agency after authorizing specified referenda; requiring the agency to conduct an audit; authorizing the agency to request certain information; providing penalties for noncompliance with such request; requiring certain funds to be deposited in a specified trust fund; authorizing the agency to waive fines in certain circumstances; providing that certain actions may be challenged in a specified manner; authorizing the agency to report certain evidence to specified parties; authorizing the Florida Commission on Ethics to make certain recommendations; authorizing the department to create a certain analysis using specified information; requiring that such analysis be posted in a specified manner to certain parties; authorizing the department to adopt rules; amending s. 17.325, F.S.; deleting a requirement that a specified hotline be operated for a certain amount of time each day; deleting a requirement that the hotline be advertised in a specified manner; creating s. 112.31424, F.S.; defining terms; requiring specified employees to take a certain training annually; requiring the first training to be completed by a specified deadline;

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requiring that certain employees who report information to the Florida Agency for Fiscal Oversight be afforded the same protection as whistle-blowers; providing construction; prohibiting agencies from executing certain documents containing specified provisions; providing that such documents are void; requiring local governments to submit a certain report to the department by a specified date; requiring the department to adopt rules; requiring the department to submit information from the reports to certain entities by a specified date; amending s. 215.985, F.S.; requiring counties to use certain contract tracking systems; providing information required to be tracked; authorizing the use of an alternate contract tracking system in certain circumstances; providing that certain provisions may not be enforced until a specified event; requiring the Chief Financial Officer to make specified changes to the secure contract tracking system by a specified date; providing an effective date.

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

Section 1. Section 17.324, Florida Statutes, is created to read:

17.324 Florida Agency for Fiscal Oversight.-

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

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

(b) "Local government" has the same meaning as in s.

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59 106.113(1).

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

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

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

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

- 79 1. Recognizing misuse of public funds.  
80 2. Reporting financial misconduct.  
81 3. Whistle-blower rights and protections.

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

84 (c) Complete the audit of a local government required under  
85 subsection (3).

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

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

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

98       a. The Florida Agency for Fiscal Oversight may impose  
99 administrative fines on local governments of no more than \$1,000  
100 each day; however, such fines may not be retroactive to the date  
101 the request was first made.

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

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

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

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

120       (4) The Florida Agency for Fiscal Oversight may report any  
121 evidence suggesting ethical violations, misconduct, or  
122 malfeasance by a local government official to the Governor and  
123 the Florida Commission on Ethics. The Florida Commission on  
124 Ethics may recommend appropriate actions, including, but not  
125 limited to, the removal of local government officials from  
126 office.

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

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

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

143       17.325 Governmental efficiency hotline; duties of Chief  
144 Financial Officer.—

145       (1) The Chief Financial Officer shall establish and operate

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146 a statewide toll-free telephone hotline to receive information  
147 or suggestions from the residents of this state on how to  
148 improve the operation of state and local government, increase  
149 state and local governmental efficiency, and eliminate waste in  
150 state and local government.

151 (2) ~~The Chief Financial Officer shall operate the hotline~~  
152 ~~24 hours a day.~~ The Chief Financial Officer may advertise the  
153 availability of the hotline in newspapers of general circulation  
154 in this state and shall provide for the posting of notices in  
155 conspicuous places in state agency offices, city halls, county  
156 courthouses, and places in which there is exposure to  
157 significant numbers of the general public, including, but not  
158 limited to, local convenience stores, shopping malls, shopping  
159 centers, gasoline stations, or restaurants. ~~The Chief Financial~~  
160 ~~Officer shall use the slogan "Tell us where we can 'Get Lean'"~~  
161 ~~for the hotline and in advertisements for the hotline.~~

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

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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 elected official takes office.

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

(3) Notwithstanding any other law, an employee who reports information to the Florida Agency for Fiscal Oversight shall be afforded the same protection as a whistle-blower under chapter

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112. Such employee is not required to report the information directly to his or her supervisory officials, his or her chief executive officer as defined in s. 447.203(9), or any other appropriate local official.

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

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

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

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

(5) Each local government shall submit an annual Local Government Efficiency Report to the Department of Financial Services by October 30 of each year. The Department of Financial 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 President of the Senate and the Speaker of the House of Representatives and Office of Policy and Budget in the Executive Office of the Governor 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



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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.
8. Applicable contract performance measures.
9. If a competitive solicitation was not used to procure the goods or services, the justification of such action, including citation to a statutory exemption or exception from competitive solicitation, if any.
10. Electronic copies of the contract and procurement documents that have been redacted to exclude confidential or exempt information.

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

1. The names of the contracting entities.

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262       2. The procurement method.

263       3. The contract beginning and ending dates.

264       4. The nature or type of the commodities or services  
265 purchased.

266       5. Applicable contract unit prices and deliverables.

267       6. Total compensation to be paid or received under the  
268 contract.

269       7. Applicable contract performance measures.

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

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

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

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

290       ~~(e)-(d)~~ 1. Records made available on the contract tracking

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system may not reveal information made confidential or exempt by law.

2. Each state entity or county that is a party to a contract must redact confidential or exempt information from the contract and procurement documents before posting an electronic copy on the contract tracking system. If a state entity or county that is a party to the contract becomes aware that an electronic copy of a contract or a procurement document has been posted but has not been properly redacted, the state entity or county must immediately notify the Chief Financial Officer and must immediately remove the contract or procurement document from the contract tracking system. Within 7 business days, the state entity must post a properly redacted copy of the contract or procurement document on the contract tracking system.

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

b. A request to redact confidential or exempt information must be made in writing and delivered by mail, facsimile, electronic transmission, or in person to the state entity or county that is a party to the contract. The request must identify the specific document, the page numbers that include the confidential or exempt information, the information that is

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confidential or exempt, and the applicable statutory exemption.  
A fee may not be charged for a redaction made pursuant to the  
request.

c. A party to a contract may petition the circuit court for  
an order directing compliance with this paragraph.

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

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

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

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

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

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

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

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

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

371           1. "Procurement document" means any document or material  
372 provided to the public or any vendor as part of a formal  
373 competitive solicitation of goods or services undertaken by a  
374 state entity or county, and a document or material submitted in  
375 response to a formal competitive solicitation by any vendor who  
376 is awarded the resulting contract.

377           2. "State entity" means an official, officer, commission,

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board, authority, council, committee, or department of the executive branch of state government; a state attorney, public defender, criminal conflict and civil regional counsel, capital collateral regional counsel, and the Justice Administrative Commission; the Public Service Commission; and any part of the judicial branch of state government.

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

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

Section 5. The amendments made by this act to s. 215.985(14), Florida Statutes, may not be enforced until the secure contract tracking system is able to accept reports. The Chief Financial Officer shall make any changes necessary to the secure contract tracking system to allow counties to make the reports required by s. 215.985(14) (b), Florida Statutes, before July 1, 2027.

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