

**By** Senator DiCeglie

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

50  
51       Be It Enacted by the Legislature of the State of Florida:

52  
53       Section 1. Section 17.324, Florida Statutes, is created to  
54       read:

55       17.324 Florida Agency for Fiscal Oversight.—

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

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

58       (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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175 required by this section, may refer any information or  
176 suggestion from the caller to an existing state awards program  
177 administered by the affected agency. The affected agency shall  
178 conduct a preliminary evaluation of the efficacy of any  
179 suggestion or item of information received through the hotline  
180 and shall provide the Chief Financial Officer with a preliminary  
181 determination of the amount of revenues the state might save by  
182 implementing the suggestion or making use of the information.

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

185 112.31424 Financial ethics of governments.—

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

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

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

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

190 106.113(1).

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

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

197 (b) For an elected official within an agency, the day the  
198 elected official takes office.

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

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

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

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

210 (a) Prohibits an agency or a vendor, as defined in s.  
211 287.1351(1), from participating with the Florida Agency for  
212 Fiscal Oversight.

213 (b) Requires an agency or a vendor, as defined in s.  
214 287.1351(1), to execute a nondisclosure agreement as a condition  
215 for performing any duties or functions with the Florida Agency  
216 for Fiscal Oversight.

217  
218 Any such contract, agreement, or document shall be void.

219 (5) Each local government shall submit an annual Local  
220 Government Efficiency Report to the Department of Financial  
221 Services by October 30 of each year. The Department of Financial  
222 Services shall adopt rules prescribing the format of such  
223 reports and the information that must be included. The  
224 department shall submit recommendations and findings from the  
225 report to the President of the Senate and the Speaker of the  
226 House of Representatives and Office of Policy and Budget in the  
227 Executive Office of the Governor by January 1 of each year.

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

230 215.985 Transparency in government spending.—

231 (14) The Chief Financial Officer shall establish and  
232 maintain a secure contract tracking system available for viewing

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233 and downloading by the public through a secure website. The  
234 Chief Financial Officer shall use appropriate Internet security  
235 measures to ensure that no person has the ability to alter or  
236 modify records available on the website.

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

240 1. The names of the contracting entities.  
241 2. The procurement method.  
242 3. The contract beginning and ending dates.  
243 4. The nature or type of the commodities or services  
244 purchased.

245 5. Applicable contract unit prices and deliverables.  
246 6. Total compensation to be paid or received under the  
247 contract.

248 7. All payments made to the contractor to date.  
249 8. Applicable contract performance measures.  
250 9. If a competitive solicitation was not used to procure  
251 the goods or services, the justification of such action,  
252 including citation to a statutory exemption or exception from  
253 competitive solicitation, if any.

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

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

261 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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291 system may not reveal information made confidential or exempt by  
292 law.

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

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

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

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

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

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

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

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

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

342 2. A request for a copy of a contract or procurement  
343 document or certified copy of a contract or procurement document  
344 shall be made to the state entity or county that is party to the  
345 contract. The request may not be made to the Chief Financial  
346 Officer, the Department of Financial Services, or an officer,  
347 employee, or contractor thereof, unless the Chief Financial  
348 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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378 board, authority, council, committee, or department of the  
379 executive branch of state government; a state attorney, public  
380 defender, criminal conflict and civil regional counsel, capital  
381 collateral regional counsel, and the Justice Administrative  
382 Commission; the Public Service Commission; and any part of the  
383 judicial branch of state government.

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

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

395 Section 5. The amendments made by this act to s.

396 215.985(14), Florida Statutes, may not be enforced until the  
397 secure contract tracking system is able to accept reports. The  
398 Chief Financial Officer shall make any changes necessary to the  
399 secure contract tracking system to allow counties to make the  
400 reports required by s. 215.985(14) (b), Florida Statutes, before  
401 July 1, 2027.

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