

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: SB 572

INTRODUCER: Senator Harrell

SUBJECT: Ethics for Public Employees

DATE: January 23, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Cleary	Roberts	EE	Favorable
2. White	McVane	GO	Pre-meeting
3. _____	_____	RC	_____

I. Summary:

SB 572 revises the definition of the term “relative” in the Code of Ethics for the purpose of Florida’s gifts law, to include foster parents and foster children, adding these individuals to the exception to the gifts law’s prohibitions and reporting requirements.

Further, the bill reenacts s. 1001.421, F.S., relating to gifts to district school board members, to incorporate the amendment made to the term “relative” under the Code of Ethics.

The bill is not expected to impact state and local government revenues and expenditures.

The bill takes effect July 1, 2026.

II. Present Situation:

Ethical Standards

The Code of Ethics for Public Officers and Employees (Code of Ethics)¹ establishes ethical standards for public officials and applies to officers and employees of the state or a political subdivision.² The Code of Ethics ensures that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law.³ The Code of Ethics addresses various issues, such as ethics trainings, voting conflicts, full and public disclosure of financial interests, standards of conduct, and the Commission on Ethics,

¹ See pt. III. Ch. 112, F.S.

² Section 112.311(5), F.S.

³ Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*, p. 1., <https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf?cp=202619> (last visited January 9, 2026)

among others.⁴ Various activities by public officers and employees are limited or prohibited by the Code of Ethics, including, in relevant part, solicitation and acceptance of gifts.⁵

Gift Laws

The Code of Ethics' gift law provides that Reporting Individuals⁶ and Procurement Employees⁷ (RIPE) generally may not accept gifts. This includes gifts that are for the personal benefit of a family member of the RIPE. The prohibition against solicitation is comprehensive, there is no valuation threshold, and it applies even to food and beverages.

Under s. 112.312, F.S., for purposes of ethics in government and financial disclosures, a “gift,” includes anything accepted directly by or on behalf of an individual, or paid for or given to another on that individual’s behalf. Types of gifts include:

- Real property.
- The use of real property.
- Tangible or intangible personal property.
- The use of tangible or intangible personal property.
- A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin.
- Forgiveness of an indebtedness.
- Transportation, other than that provided to a public officer or employee by an agency in relation to officially approved governmental business, lodging, or parking.
- Food or beverage.
- Membership dues.
- Entrance fees, admission fees, or tickets to events, performances, or facilities.
- Plants, flowers, or floral arrangements.
- Services provided by persons pursuant to a professional license or certificate.
- Other personal services for which a fee is normally charged by the person providing the services.
- Any other similar service or thing having an attributable value not already provided for in this section.

⁴ See pt III. Ch. 112, F.S.

⁵ Sections 112.311(2) and (3), and 112.313, F.S.; see also 9 FLA. JUR. 2D CIVIL SERVANTS s. 168 *Standards of conduct for public officers and employees* (2024).

⁶ Section 112.3148(2)(d), F.S. (Reporting individual “means any individual, including a candidate upon qualifying, who is required by law, pursuant to s. 8, Art. II of the State Constitution or s. 112.3145, to file full or limited public disclosure of his or her financial interests or any individual who has been elected to, but has yet to officially assume the responsibilities of, public office”).

⁷ Section 112.3148(2)(e), F.S., (Procurement employee “means any employee of an officer, department, board, commission, council, or agency of the executive branch or judicial branch of state government who has participated in the preceding 12 months through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in s. 287.012, if the cost of such services or commodities exceeds or is expected to exceed \$10,000 in any fiscal year”).

A gift does not include:

- Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization.
- With certain exceptions, contributions or expenditures reported pursuant to chapter 106, contributions or expenditures reported pursuant to federal election law, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party or affiliated party committee.
- An honorarium or an expense related to an honorarium event paid to a person or the person's spouse.
- An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service.
- An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.
- The use of a public facility or public property, made available by a governmental agency, for a public purpose.
- Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business.
- Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

Exceptions to Gift Disclosure Requirements

However, RIPE may accept gifts from relatives.⁸ The law also provides that RIPE do not have to disclose gifts given to them by relatives, irrespective of their monetary value.⁹ Section 112.313(21), F.S., defines the term “relative” for purposes of Florida’s gift law.¹⁰ The current statutory definition of the term “relative” is broad and includes persons sharing the same legal residence, as well as those who are engaged to be married.¹¹ However, this definition does not include the current and former foster children and foster parents of a RIPE. Gifts from such persons are therefore subject to the gifts restriction and disclosures in law.¹²

Gifts to district school board members are governed by s. 1001.421, F.S., District school board members and their “relatives” are prohibited from directly or indirectly soliciting any gift, or

⁸ See s. 112.3148, F.S.

⁹ *Id.*

¹⁰ The full definition provides: ‘Relative,’ unless otherwise specified in this part, means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the public officer or employee or who otherwise holds himself or herself out as or is generally known as the person whom the public officer or employee intends to marry or with whom the public officer or employee intends to form a household, or any other natural person having the same legal residence as the public officer or employee.

¹¹ *Id.*

¹² *Id.*

directly or indirectly accepting any gift in excess of \$50, from any person, vendor, potential vendor, or other entity doing business with the school district. The term “relative” under s. 1001.421, F.S., uses the same definition as that in the Code of Ethics.

Other Ethical Standard Involving “Relatives”

An agency employee acting in an official capacity may not directly or indirectly procure contractual services for his or her own agency from any business entity of which a relative is an officer, partner, director, or proprietor.¹³

III. Effect of Proposed Changes:

The bill revises the definition of the term “relative” in the Code of Ethics to include current and former foster parents and foster children. In effect, this allows Reporting Individuals and Procurement Employees to receive gifts from current and former foster children and foster parents without having to report the gift to the Commission on Ethics pursuant to s. 112.3148, F.S. This mirrors the exemption from reporting requirements of gifts provided to a wide variety of family members.

The definition of “relative” amended by this bill also applies to certain contractual prohibitions for agency employees set forth in s. 112.3185, F.S. An agency employee acting in an official capacity may not directly or indirectly procure contractual services for his or her own agency from any business entity of which a relative is an officer, partner, director, or proprietor. The bill expands this prohibition on contractual relationships to include business entities in which a public employee’s current or former foster parent or foster child is an officer, partner, director, or proprietor.

Further, the bill incorporates the changes made to the Code of Ethics definition of “relative” to s. 1001.421, F.S., relating to the gifts law prohibitions for district school board members and their “relatives.”

The Commission on Ethics proposed these changes in their Legislative Recommendations for the 2026 Legislative Session.¹⁴

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities

¹³ Section 112.3185, F.S.

¹⁴ *Legislative Recommendations for 2026*, Florida Commission on Ethics Memorandum, (dated September 18, 2025), <https://www.flsenate.gov/Committees/DownloadMeetingDocument/7839> (providing the recommendation because foster parents do not necessarily adopt the children they foster, but these foster parents and foster children often maintain a familial relationship through their lives, even after their legal relationship ends).

have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

Additional Citations to the term Relative Not Included in the Bill

The following sections of law rely on the definition of “relative” codified in s. 112.312, F.S., but are not reenacted by the bill:

- Sections 106.07 and 106.0702, F.S., which require certain disclosures and filings on behalf of a candidate, political committee, and individual seeking a publicly elected position on a political party executive committee. These disclosures must include all contributions received, and all expenditures made, by or on behalf of such candidate or political committee. Reports must include, in relevant part, the occupation of each contributor and, if a

corporation, the principal type of business conducted. If the contributor is a relative, however, the occupation of the contributor or the principal type of business need not be listed.

- Section 348.0305, F.S., which requires certain prompt disclosures by each officer, employee, and consultant of the Greater Miami Expressway Agency. This includes disclosures of:
 - Any relative and any employment or contractual relationship of such relative which, if held by the officer, employee, or consultant, would violate certain provisions of the Code of Ethics.
 - Any relative who is a lobbyist and such lobbyist's principal.
 - Any direct or indirect interest in real property and such interest of any relative if such property is located within one-half mile of any actual or prospective agency project.

The Legislature may wish to reenact these sections of law to properly incorporate the updated definition.

Updates to Rules

The Commission on Ethics will have to update rules in order to properly reflect the change in the statutory definition.

VIII. Statutes Affected

This bill substantially amends sections 112.312 and 1001.421 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.