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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/05/2014	.	
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The Committee on Community Affairs (Latvala) recommended the following:

Senate Amendment (with title amendment)

Before line 101

insert:

Section 1. Present subsections (2) through (9) of section 11.045, Florida Statutes, are renumbered as subsections (3) through (10), respectively, present subsections (8) and (9) of that section are amended, and a new subsection (2) is added to that section, to read:

11.045 Lobbying before the Legislature; registration and



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11 reporting; exemptions; penalties.-

12 (2) An elected county or municipal officer may not lobby or
13 register to lobby the Legislature on behalf of a person or
14 entity other than his or her political subdivision. This
15 subsection does not prohibit a person from being employed by, or
16 contracting with, a lobbying firm if he or she does not
17 personally represent clients before the Legislature.

18 (9)~~(8)~~ Any person required to be registered or to provide
19 information pursuant to this section or pursuant to rules
20 established in conformity with this section who knowingly fails
21 to disclose any material fact required by this section or by
22 rules established in conformity with this section, or who
23 knowingly provides false information on any report required by
24 this section or by rules established in conformity with this
25 section, commits a noncriminal infraction, punishable by a fine
26 not to exceed \$5,000. Such penalty shall be in addition to any
27 other penalty assessed by a house of the Legislature pursuant to
28 subsection (8) ~~(7)~~.

29 (10)~~(9)~~ There is hereby created the Legislative Lobbyist
30 Registration Trust Fund, to be used for the purpose of funding
31 any office established for the administration of the
32 registration of lobbyists lobbying the Legislature, including
33 the payment of salaries and other expenses, and for the purpose
34 of paying the expenses incurred by the Legislature in providing
35 services to lobbyists. The trust fund is not subject to the
36 service charge to general revenue provisions of chapter 215.
37 Fees collected pursuant to rules established in accordance with
38 subsection (3) ~~(2)~~ shall be deposited into the Legislative
39 Lobbyist Registration Trust Fund.



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40 Section 2. Present subsections (3) through (15) of section
41 112.3215, Florida Statutes, are renumbered as subsections (4)
42 through (16), respectively, present subsection (11) of that
43 section is amended, and a new subsection (3) is added to that
44 section, to read:

45 112.3215 Lobbying before the executive branch or the
46 Constitution Revision Commission; registration and reporting;
47 investigation by commission.—

48 (3) An elected county or municipal officer may not lobby or
49 register to lobby an agency on behalf of a person or entity
50 other than his or her political subdivision. This subsection
51 does not prohibit a person from being employed by, or
52 contracting with, a lobbying firm if he or she does not
53 personally represent clients before an agency.

54 (12)~~(11)~~ Any person who is required to be registered or to
55 provide information under this section or under rules adopted
56 pursuant to this section and who knowingly fails to disclose any
57 material fact that is required by this section or by rules
58 adopted pursuant to this section, or who knowingly provides
59 false information on any report required by this section or by
60 rules adopted pursuant to this section, commits a noncriminal
61 infraction, punishable by a fine not to exceed \$5,000. Such
62 penalty is in addition to any other penalty assessed by the
63 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

64 Section 3. Subsections (3), (4), and (7) of section
65 11.0455, Florida Statutes, are amended to read:

66 11.0455 Electronic filing of compensation reports and other
67 information.—

68 (3) A report filed pursuant to this section must be



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69 completed and filed through the electronic filing system not
70 later than 11:59 p.m. of the day designated in s. 11.045. A
71 report not filed by 11:59 p.m. of the day designated is a late-
72 filed report and is subject to the penalties under s. 11.045(4)
73 ~~s. 11.045(3)~~.

74 (4) Each report filed pursuant to this section is deemed to
75 meet the certification requirements of s. 11.045(4)(a)4. ~~s.~~
76 ~~11.045(3)(a)4.~~, and as such subjects the person responsible for
77 filing and the lobbying firm to the provisions of s. 11.045(8)
78 and (9) ~~s. 11.045(7) and (8)~~. Persons given a secure sign-on to
79 the electronic filing system are responsible for protecting it
80 from disclosure and are responsible for all filings using such
81 credentials, unless they have notified the office that their
82 credentials have been compromised.

83 (7) Each house of the Legislature shall provide by rule
84 that the office make all the data filed available on the
85 Internet in an easily understood and accessible format. The
86 Internet website must also include, but not be limited to, the
87 names and business addresses of lobbyists, lobbying firms, and
88 principals, the affiliations between lobbyists and principals,
89 and the classification system designated and identified by each
90 principal pursuant to s. 11.045(3) ~~s. 11.045(2)~~.

91 Section 4. Subsections (3), (4), and (7) of section
92 112.32155, Florida Statutes, are amended to read:

93 112.32155 Electronic filing of compensation reports and
94 other information.—

95 (3) A report filed pursuant to this section must be
96 completed and filed through the electronic filing system not
97 later than 11:59 p.m. of the day designated in s. 112.3215. A



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98 report not filed by 11:59 p.m. of the day designated is a late-
99 filed report and is subject to the penalties under s.
100 112.3215(6) ~~s. 112.3215(5)~~.

101 (4) Each report filed pursuant to this section is
102 considered to meet the certification requirements of s.
103 112.3215(6)(a)4. ~~s. 112.3215(5)(a)4.~~ Persons given a secure
104 sign-on to the electronic filing system are responsible for
105 protecting it from disclosure and are responsible for all
106 filings using such credentials, unless they have notified the
107 commission that their credentials have been compromised.

108 (7) The commission shall make all the data filed available
109 on the Internet in an easily understood and accessible format.
110 The Internet website shall also include, but not be limited to,
111 the names and business addresses of lobbyists, lobbying firms,
112 and principals, the affiliations between lobbyists and
113 principals, and the classification system designated and
114 identified by each principal pursuant to s. 112.3215(4) ~~s.~~
115 ~~112.3215(3)~~.

117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete line 2

120 and insert:

121 An act relating to governmental ethics; amending ss.
122 11.045 and 112.3215, F.S.; prohibiting an elected
123 county or municipal officer from registering to lobby
124 the Legislature or an agency on behalf of another
125 person or entity other than his or her political
126 subdivision; authorizing such an officer to be



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127 employed by or contracted with a lobbying firm under
128 certain circumstances; amending ss. 11.0455 and
129 112.32155, F.S.; conforming cross-references to
130 changes made by the act; amending s.