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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/3R

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03/26/2014 09:17 AM

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Senator Sobel moved the following:

Senate Amendment

Delete lines 170 - 275

and insert:

(h) "Local officer" means a state attorney, public defender, sheriff, tax collector, property appraiser, supervisor of elections, clerk of the circuit court, county commissioner, district school board member, superintendent of schools, or an elected municipal officer other than an elected municipal officer of a small city, as defined in s. 120.52.

(i) ~~(h)~~ "Office" means the Office of Legislative Services.



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12 (j)~~(i)~~ "Principal" means the person, firm, corporation, or
13 other entity which has employed or retained a lobbyist.

14 (2) A local officer may not register as a lobbyist for the
15 purpose of lobbying the Legislature on behalf of a person or
16 entity other than his or her political subdivision. This
17 subsection does not prohibit a local officer from being employed
18 by, or contracting with, a lobbying firm if he or she does not
19 personally represent clients before the Legislature.

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

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



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41 Lobbyist Registration Trust Fund.

42 Section 2. Subsection (1) of section 112.3215, Florida
43 Statutes, is amended, present subsections (3) through (15) of
44 that section are renumbered as subsections (4) through (16),
45 respectively, a new subsection (3) is added to that section, and
46 present subsection (11) of that section is amended, to read:

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

50 (1) For the purposes of this section:

51 (a) "Agency" means the Governor, the Governor and Cabinet,
52 or any department, division, bureau, board, commission, or
53 authority of the executive branch. In addition, "agency" shall
54 mean the Constitution Revision Commission as provided by s. 2,
55 Art. XI of the State Constitution.

56 (b) "Agency official" or "employee" means any individual
57 who is required by law to file full or limited public disclosure
58 of his or her financial interests.

59 (c) "Compensation" means a payment, distribution, loan,
60 advance, reimbursement, deposit, salary, fee, retainer, or
61 anything of value provided or owed to a lobbying firm, directly
62 or indirectly, by a principal for any lobbying activity.

63 (d) "Expenditure" means a payment, distribution, loan,
64 advance, reimbursement, deposit, or anything of value made by a
65 lobbyist or principal for the purpose of lobbying. The term
66 "expenditure" does not include contributions or expenditures
67 reported pursuant to chapter 106 or contributions or
68 expenditures reported pursuant to federal election law,
69 campaign-related personal services provided without compensation



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70 by individuals volunteering their time, any other contribution
71 or expenditure made by or to a political party or an affiliated
72 party committee, or any other contribution or expenditure made
73 by an organization that is exempt from taxation under 26 U.S.C.
74 s. 527 or s. 501(c)(4).

75 (e) "Fund" means the Executive Branch Lobby Registration
76 Trust Fund.

77 (f) "Lobbies" means seeking, on behalf of another person,
78 to influence an agency with respect to a decision of the agency
79 in the area of policy or procurement or an attempt to obtain the
80 goodwill of an agency official or employee. "Lobbies" also means
81 influencing or attempting to influence, on behalf of another,
82 the Constitution Revision Commission's action or nonaction
83 through oral or written communication or an attempt to obtain
84 the goodwill of a member or employee of the Constitution
85 Revision Commission.

86 (g) "Lobbying firm" means a business entity, including an
87 individual contract lobbyist, that receives or becomes entitled
88 to receive any compensation for the purpose of lobbying, where
89 any partner, owner, officer, or employee of the business entity
90 is a lobbyist.

91 (h) "Lobbyist" means a person who is employed and receives
92 payment, or who contracts for economic consideration, for the
93 purpose of lobbying, or a person who is principally employed for
94 governmental affairs by another person or governmental entity to
95 lobby on behalf of that other person or governmental entity.

96 "Lobbyist" does not include a person who is:

97 1. An attorney, or any person, who represents a client in a
98 judicial proceeding or in a formal administrative proceeding



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99 conducted pursuant to chapter 120 or any other formal hearing
100 before an agency, board, commission, or authority of this state.

101 2. An employee of an agency or of a legislative or judicial
102 branch entity acting in the normal course of his or her duties.

103 3. A confidential informant who is providing, or wishes to
104 provide, confidential information to be used for law enforcement
105 purposes.

106 4. A person who lobbies to procure a contract pursuant to
107 chapter 287 which contract is less than the threshold for
108 CATEGORY ONE as provided in s. 287.017.

109 (i) "Local officer" means a state attorney, public
110 defender, sheriff, tax collector, property appraiser, supervisor
111 of elections, clerk of the circuit court, county commissioner,
112 district school board member, superintendent of schools, or an
113 elected municipal officer other than an elected municipal
114 officer of a small city, as defined in s. 120.52.