

Tab 1	SB 564 by Yarborough ; Identical to H 00461 Student Volunteers at Polling Locations
Tab 2	SB 572 by Harrell ; Identical to H 00603 Ethics for Public Employees
Tab 3	SB 414 by Bracy Davis ; Identical to H 00361 Use of Campaign Funds for Campaign-related Child Care Expenses
Tab 4	SB 620 by Mayfield ; Identical to H 00535 Candidate Qualifying
Tab 5	SB 500 by Avila ; Identical to H 00401 Security for Statewide Constitutional Office Candidates
Tab 6	CS/SB 92 by GO, Gaetz ; Compare to H 00139 Employee Protections

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
Senator Gaetz, Chair
Senator Bernard, Vice Chair

MEETING DATE: Tuesday, January 13, 2026

TIME: 4:00—6:00 p.m.

PLACE: *Mallory Horne Committee Room, 37 Senate Building*

MEMBERS: Senator Gaetz, Chair; Senator Bernard, Vice Chair; Senators Avila, Bradley, Garcia, Grall, Polsky, and Rouson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 564 Yarborough (Identical H 461)	<p>Student Volunteers at Polling Locations; Providing that specified high school students who volunteer to assist poll workers are not subject to provisions prohibiting certain agencies and state and local officials from soliciting, accepting, or otherwise using private funds or certain personal services for election-related expenses, etc.</p> <p>EE 01/13/2026 Favorable ED RC</p>	Favorable Yea 8 Nays 0
2	SB 572 Harrell (Identical H 603)	<p>Ethics for Public Employees; Revising the definition of the term "relative" to include foster parents and foster children, etc.</p> <p>EE 01/13/2026 Favorable GO RC</p>	Favorable Yea 8 Nays 0
3	SB 414 Bracy Davis (Identical H 361)	<p>Use of Campaign Funds for Campaign-related Child Care Expenses; Authorizing a candidate to use funds on deposit in his or her campaign account to pay for campaign-related child care expenses under specified conditions; requiring a candidate to maintain specified records for a specified timeframe and provide such records to the Division of Elections upon request; requiring a candidate to disclose the use of campaign funds for campaign-related child care expenses in his or her regular campaign finance reports, etc.</p> <p>EE 01/13/2026 Temporarily Postponed JU RC</p>	Temporarily Postponed
4	SB 620 Mayfield (Identical H 535)	<p>Candidate Qualifying; Requiring certain candidates to provide the filing officer a statement disclosing dual citizenship for nomination and election to federal, state, county, multicounty, district, or judicial office or to a district school board, etc.</p> <p>EE 01/13/2026 Favorable JU RC</p>	Favorable Yea 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 13, 2026, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	SB 500 Avila (Identical H 401)	Security for Statewide Constitutional Office Candidates; Requiring the Department of Law Enforcement to provide certain candidates with a protective security detail for a specified time period, etc. EE 01/13/2026 Favorable ACJ FP	Favorable Yea 6 Nays 2
6	CS/SB 92 Governmental Oversight and Accountability / Gaetz (Compare H 139, Linked S 1650)	Employee Protections; Providing that public officers, public employees, and local government attorneys commit a breach of the public trust when they initiate adverse personnel actions against specified agency employees or independent contractors under certain circumstances; prohibiting agencies and independent contractors from taking specified actions against employees or certain persons for disclosing certain information to the Commission on Ethics; requiring that information disclosed include specified violations or alleged violations; providing that specified provisions protect employees and persons who submit written complaints to the commission or provide information to an investigator during an investigation of a complaint or referral, etc. GO 12/09/2025 Fav/CS EE 01/13/2026 Favorable RC	Favorable Yea 8 Nays 0
TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<p>Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.</p>			
<p>Board of Directors, Florida High School Athletic Association</p>			
7	Cervera, Adam ()	08/21/2026	Recommend Confirm Yea 8 Nays 0
<p>Tampa-Hillsborough County Expressway Authority</p>			
8	Barrow, Bennett H. (Tampa)	07/01/2027	Recommend Confirm Yea 8 Nays 0
	Cassidy, Vincent J. (Tampa)	07/01/2028	Recommend Confirm Yea 8 Nays 0
	Nandam, Lakshmikanth (Valrico)	07/01/2029	Recommend Confirm Yea 8 Nays 0
<p>Commission for Independent Education</p>			
9	Litvack, Steven B. (Delray Beach)	06/30/2027	Recommend Confirm Yea 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 13, 2026, 4:00—6:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Tampa Port Authority			
10	Allman, Patrick H. III (Tampa)	02/06/2026	Recommend Confirm Yea 8 Nays 0
	Harrod, Chadwick William ()	11/14/2026	Recommend Confirm Yea 8 Nays 0
	Kaplan, Mark (Tampa)	02/06/2028	Recommend Confirm Yea 8 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
-----	-------------------------	--	------------------

Other Related Meeting Documents

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 Ethics and Elections

BILL: SB 564

INTRODUCER: Senator Yarborough

SUBJECT: Student Volunteers at Polling Locations

DATE: January 14, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Biehl	Roberts	EE	Favorable
2.		ED	
3.		RC	

I. Summary:

SB 564 revises an existing prohibition against use of private funds for election-related expenses by authorizing Florida high school students who are registered or preregistered to vote to volunteer to assist poll workers for the purpose of receiving community service hours.

The bill takes effect July 1, 2026.

II. Present Situation:

Poll Workers

Poll workers are short-term employees of supervisors of elections who staff voting sites, assist voters, and work in the elections office. Before beginning service as a poll worker, a person must complete a training curriculum developed by the Department of State.¹

Use of Private Funds for Election-Related Expenses

Current law prohibits an agency or a state or local official responsible for conducting elections from soliciting, accepting, using, or disposing of any donation in the form of money, grants, property, or personal services from an individual or nongovernmental entity for the purpose of funding any type of expenses related to election administration. Such expenses include, but are not limited to, voter education, voter outreach, voter registration programs, or the cost of any litigation related to election administration.²

¹ Section 102.014(1), F.S.

² Section 97.0291, F.S.

The prohibition does not include the donation and acceptance of space to be used for a polling room or an early voting site.³

Qualifications to Register or Vote

A person may become a registered voter only if that person:

- Is at least 18 years of age;
- Is a citizen of the United States;
- Is a legal resident of the State of Florida;
- Is a legal resident of the county in which that person seeks to be registered; and
- Registers pursuant to the Florida Election Code.⁴

A person who is otherwise qualified may preregister on or after that person's 16th birthday and may vote in any election occurring on or after that person's 18th birthday.⁵ Because registration books must be closed on the 29th day before each election and remain closed until after that election,⁶ preregistration allows a person to ensure that he or she will be able to vote in an election that may occur soon after his or her 18th birthday.

III. Effect of Proposed Changes:

SB 564 revises the prohibition against the use of private funds for election-related expenses. Specifically, the bill provides that the section does not prohibit high school students in this state who are registered or preregistered to vote from volunteering to assist poll workers for the purpose of receiving community service hours.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

³ *Id.*

⁴ Section 97.041(1)(a), F.S.

⁵ Section 97.041(1)(b), F.S.

⁶ Section 97.055(1)(a), F.S.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 97.0291, 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.

By Senator Yarborough

4-00196A-26

2026564

A bill to be entitled

An act relating to student volunteers at polling locations; amending s. 97.0291, F.S.; providing that specified high school students who volunteer to assist poll workers are not subject to provisions prohibiting certain agencies and state and local officials from soliciting, accepting, or otherwise using private funds or certain personal services for election-related expenses; providing an effective date.

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

Section 1. Section 97.0291, Florida Statutes, is amended to read:

97.0291 Prohibition on use of private funds for election-related expenses.—

(1) An ~~no~~ agency or a state or local official responsible for conducting elections, including, but not limited to, a supervisor of elections, may not solicit, accept, use, or dispose of any donation in the form of money, grants, property, or personal services from an individual or a nongovernmental entity for the purpose of funding any type of expenses related to election administration, including, but not limited to, voter education, voter outreach, voter registration programs, or the cost of any litigation related to election administration.

(2) This section does not prohibit:

(a) The donation and acceptance of space to be used for a polling room or an early voting site.

(b) High school students in this state who are registered

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

4-00196A-26

2026564

or preregistered to vote from volunteering to assist poll workers for the purpose of receiving community service hours.

Section 2. This act shall take effect July 1, 2026.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1/13/2026

The Florida Senate

APPEARANCE RECORD

SB564

Meeting Date

Bill Number or Topic

Ethics & Elections

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name **Jerry Holland**

Phone **904-318-6877**

Address **105 E. Monroe St.**

Email **jholland@coj.net**

Street

Jacksonville

FL

32202

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/13/2026

The Florida Senate

APPEARANCE RECORD

564

Meeting Date

Bill Number or Topic

Ethics & Elections

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Jessica Lowe-Minor

Phone 850-228-3646

Address

407 Vinedge Ridge

Email jessica@LWVFL.org

Street

Tallahassee

FL

32303

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

League of Women Voters of
Florida

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/13/26

The Florida Senate

APPEARANCE RECORD

SB 564

Meeting Date
Ethics and Elections
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name JONATHAN Webber Phone 954-573-4449
Address PO Box 1018
Street Tallahassee
City FL State 32302 Zip

Email JONATHAN. Webber@splcenter. org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Southern Poverty Law Center

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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 Ethics and Elections

BILL: SB 572

INTRODUCER: Senator Harrell

SUBJECT: Ethics for Public Employees

DATE: January 14, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cleary</u>	<u>Roberts</u>	<u>EE</u>	<u>Favorable</u>
2. _____	_____	<u>GO</u>	_____
3. _____	_____	<u>RC</u>	_____

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 takes effect July 1, 2026.

II. Present Situation:

The Code of Ethics for Public Officers and Employees (Code of Ethics)¹ establishes ethical standards for public officials and is intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law.² 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, among other things.³

¹ See pt. III. Ch. 112, F.S.

² Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*, p. 1., available at <https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf?cp=202619> (last visited January 9, 2026)

³ See pt III. Ch. 112, F.S.

The Code of Ethics' gifts law provides that Reporting Individuals⁴ and Procurement Employees⁵ (RIPE) do not have any restrictions related to accepting gifts from relatives.⁶ The law also provides that RIPE do not have to disclose gifts given to them by relatives, irrespective of their monetary value.⁷ Section 112.313(21), F.S., defines the term "relative" for purposes of Florida's gifts law.⁸ 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.⁹ However, this definition does not include the current and former foster children and foster parents of a RIPE, therefore such persons are subject to the gifts law.¹⁰

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 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.

III. Effect of Proposed Changes:

The bill revises the definition of the term "relative" in the Code of Ethics to include foster parents and foster children. In effect, current and former foster children and foster parents of a RIPE would now be included under the exception to the Code of Ethics' gifts law's restrictions and reporting requirements.

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."

⁴ 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").

⁵ 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").

⁶ See s. 112.3148, F.S.

⁷ *Id.*

⁸ 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.

⁹ *Id.*

¹⁰ *Id.*

The Commission on Ethics proposed these changes in their Legislative Recommendations for the 2026 Legislative Session.¹¹

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

¹¹ *Legislative Recommendations for 2026*, Florida Commission on Ethics Memorandum, (dated September 18, 2025), <https://www.flsenate.gov/Committees/DownloadMeetingDocument/7839> (The Commission makes 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).

VII. Related Issues:

None.

VIII. Statutes Affected

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

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Harrell

31-00857-26

2026572

A bill to be entitled

An act relating to ethics for public employees; amending s. 112.312, F.S.; revising the definition of the term "relative" to include foster parents and foster children; reenacting s. 1001.421, F.S., relating to gifts to district school board members, to incorporate the amendment made to s. 112.312, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (21) of section 112.312, Florida Statutes, is amended to read:

112.312 Definitions.—As used in this part and for purposes of the provisions of s. 8, Art. II of the State Constitution, unless the context otherwise requires:

(21) "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, or step great grandchild; an individual who, while the public officer or employee was a minor, was his or her legally recognized foster parent in the jurisdiction where the relationship occurred or an individual who is a current or

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

31-00857-26

2026572

former legally recognized foster child of the public officer or employee in the jurisdiction where the relationship occurs or occurred; a 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.

Section 2. For the purpose of incorporating the amendment made by this act to section 112.312, Florida Statutes, in a reference thereto, section 1001.421, Florida Statutes, is reenacted to read:

1001.421 Gifts.—Notwithstanding any other provision of law to the contrary, district school board members and their relatives, as defined in s. 112.312(21), may not directly or indirectly solicit any gift, or directly or indirectly accept any gift in excess of \$50, from any person, vendor, potential vendor, or other entity doing business with the school district. The term "gift" has the same meaning as in s. 112.312(12).

Section 3. This act shall take effect July 1, 2026.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

January 13, 2026

The Florida Senate

APPEARANCE RECORD

SB 572

Meeting Date
Committee on Ethics & Elections

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee
Name **Kerrie Stillman, Executive Director**

Phone **850-488-7864**

Amendment Barcode (if applicable)

Address **325 John Knox Road, Bldg. E, Suite 200**
Street

Email **stillman.kerrie@leg.state.fl.us**

Tallahassee **FL** **32303**

City State Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:		
<input type="checkbox"/> I am appearing without compensation or sponsorship.	<input checked="" type="checkbox"/> I am a registered lobbyist, representing: Florida Commission on Ethics	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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 Ethics and Elections

BILL: **SB 414**

INTRODUCER: Senator Bracy Davis

SUBJECT: Use of Campaign Funds for Campaign-related Child Care Expenses

DATE: January 9, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<u>Pre-meeting</u>
2. _____	_____	<u>JU</u>	_____
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 414 allows a candidate to use campaign funds for campaign-related child care expenses.

Current law generally prohibits campaign funds from being used to defray a candidate's living expenses, unless one of a specified list of expenses is incurred during travel in the course of the campaign. This bill expands that exception to also allow a candidate to use campaign funds to pay for campaign-related child care expenses if the expense would not exist were it not for the candidate's campaign.

The bill also prescribes certain record retention and reporting requirements for a candidate who uses campaign funds to pay for child care expenses.

The bill takes effect July 1, 2026.

II. Present Situation:

Each candidate¹ for public office must appoint a campaign treasurer and designate a campaign depository before he or she may accept a contribution² or make an expenditure³ in furtherance of his or her candidacy.⁴ Contributions must be deposited in, and expenditures disbursed from, a designated campaign account.

State law prohibits a candidate or spouse of a candidate from using funds on deposit in a campaign account to defray normal living expenses for the candidate or the candidate's family, other than expenses actually incurred for transportation, meals, and lodging by the candidate or a family member during travel in the course of the campaign.⁵ Generally, the question asked to determine if such expense is incurred in the course of the campaign is whether the expense would exist if the campaign did not.

In 2018, the Federal Election Commission released an opinion allowing campaign funds to be used to pay for a federal candidate's childcare expenses that are incurred as a direct result of campaign activities.⁶ Since that opinion, 14 states have enacted their own laws allowing state and local candidates to use campaign funds for campaign-related child care expenses.⁷

¹ A candidate is a person who seeks to qualify for nomination or election by means of the petition process; seeks to qualify for election as a write-in candidate; receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office; appoints a treasurer and designates a primary depository; or files qualification papers and subscribes to a candidate's oath as required by law (s. 106.011(3), F.S.). The definition does not include any candidate for a political party executive committee.

² "Contribution" means (a) a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication; (b) a transfer of funds between political committees, between electioneering communications organizations, or between any combination of these groups; (c) the payment, by a person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services; or (d) the transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes interest earned on such account or certificate (s. 106.011(5), F.S.).

³ "Expenditure" means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering contribution (s. 106.011(10)(a), F.S.).

⁴ Section 106.021(1)(a), F.S.

⁵ Section 106.1405, F.S.

⁶ ⁶ See Federal Election Commission, *Advisory Opinion 2018-06* (May 10, 2018), available at <https://www.fec.gov/files/legal/aos/2018-06/2018-06.pdf> (concluding that a candidate could use campaign funds to pay for certain childcare expenses because such expenses would not exist irrespective of the candidacy).

⁷ National Conference of State Legislatures, *Use of Campaign Funds for Child Care Expenses*, <https://www.ncsl.org/elections-and-campaigns/use-of-campaign-funds-for-child-care-expenses> (last visited January 7, 2026). In addition, Minnesota has a similar law that preceded the 2018 federal opinion.

III. Effect of Proposed Changes:

SB 414 provides the two following definitions:

- “Campaign-related child care expenses” means the costs associated with the care of a candidate’s dependent child due to campaign activities, such as participating in campaign events, canvassing, participating in debates, and meeting with constituents or donors.
- “Eligible child care provider” means any individual or licensed organization that provides child care services, including center-based, family-based, and in-home care, for compensation; is legally operating under state law; and complies with all applicable state and local requirements for the provision of child care services.

Based upon these definitions, the bill allows a candidate to use campaign funds to pay for campaign-related child care expenses if the expense would not exist were it not for the candidate’s campaign and the following conditions are met:

- The campaign funds are not used for child care expenses unrelated to campaign activities, such as personal errands or routine child care.
- The candidate maintains and provides to the Division of Elections, upon request, clear records of all child care expenses reimbursed by campaign funds, including dates, times, and descriptions of campaign events engaged in.

In addition, the candidate must:

- Maintain, for auditing purposes, receipts or invoices from the eligible child care provider, along with proof of payment, for at least 3 years after the campaign ends.
- Disclose the use of campaign funds for child care in his or her regular campaign finance reports, specifying the amounts and dates of such expenses.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Candidates for state and local office will be able to use campaign funds to pay for child care expenses directly related to the campaign instead of having to use personal funds.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 106.1405 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.

By Senator Bracy Davis

15-00596-26

2026414

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

19 Section 1. Section 106.1405, Florida Statutes, is amended
20 to read:

21 106.1405 Use of campaign funds.-

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

23 (a) "Campaign-related child care expenses" means the costs
24 associated with the care of a candidate's dependent child due to
25 campaign activities, such as participating in campaign events,
26 canvassing, participating in debates, and meeting with
27 constituents or donors.

(b) "Eligible child care provider" means any individual or licensed organization that provides child care services,

Page 1 of 3

CODING: Words stricken are deletions; words underlined are additions.

15-00596-26

2026414

30 including center-based, family-based, and in-home care, for
31 compensation; is legally operating under state law; and complies
32 with all applicable state and local requirements for the
33 provision of child care services.

34 (2) A candidate or the spouse of a candidate may not use
35 funds on deposit in a campaign account of such candidate to
36 defray normal living expenses for the candidate or the
37 candidate's family, other than expenses actually incurred for
38 transportation, meals, and lodging by the candidate or a family
39 member during travel in the course of the campaign.

45 (a) Campaign funds may not be used for child care expenses
46 unrelated to campaign activities, such as personal errands or
47 routine child care.

53 1. Receipts or invoices from the eligible child care
54 provider, along with proof of payment, must be maintained for
55 auditing purposes for at least 3 years after the campaign ends.

56 2. A candidate shall disclose the use of campaign funds for
57 campaign-related child care expenses in his or her regular
58 campaign finance reports, specifying the amounts and dates of

Page 2 of 3

CODING: Words stricken are deletions; words underlined are additions.

15-00596-26

2026414____

59 such expenses.

60 Section 2. This act shall take effect July 1, 2026.

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 Ethics and Elections

BILL: SB 620

INTRODUCER: Senator Mayfield

SUBJECT: Candidate Qualifying

DATE: January 14, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Biehl	Roberts	EE	Favorable
2.		JU	
3.		RC	

I. Summary:

SB 620 adds to the list of items that a candidate must submit to the relevant filing officer in order to qualify. Specifically, if a candidate is a citizen of another country in addition to being a citizen of the United States, the candidate must submit a written statement disclosing such citizenship.

The bill takes effect July 1, 2026.

II. Present Situation:

Current law prescribes the process by which a person seeking nomination or election to a public office may qualify to do so.¹ Such a person must file his or her qualification papers with, and pay the qualifying fee² to, the relevant filing officer.³ The law also provides a process by which a person can obtain a certain number of signed petitions in lieu of paying the qualifying fee.⁴

¹ Sections 99.061 and 105.031, F.S.

² The qualifying fee consists of the filing fee and election assessment, and party assessment, if applicable (ss. 99.061(1), 99.092(1), and 105.031(3), F.S.). Write-in candidates are exempt from the filing fee requirement (s. 99.092(1), F.S.).

³ The filing officer for a federal, state, or multicounty district office, other than a judicial office or school board member, is the Department of State (s. 99.061(1), F.S.). The filing officer for a county office, or for a district office that is not multicounty, is the local supervisor of elections (s. 99.061(2), F.S.). Except for candidates for judicial office, nonpartisan candidates for multicounty office qualify with the Department of State, and nonpartisan candidates for countywide or less than countywide office file with the supervisor of elections. Candidates for county court judge file with the supervisor of elections; all other judicial candidates file with the Department of State. Section 105.031(1), F.S.

⁴ Sections 99.095 and 105.035, F.S.

In order for a candidate⁵ for an office other than a judgeship or a school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:⁶

- A properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.⁷
- The candidate's oath, as required by s. 99.021, F.S.⁸
- If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b), F.S.; or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c), F.S.
- The completed form for the appointment of campaign treasurer and designation of campaign depository.
- The candidate's financial disclosure.⁹

In order for a candidate for judicial office or the office of school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

- Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.
- The candidate's oath, as required by s. 105.031(4), F.S.
- The loyalty oath required by s. 876.05, F.S.¹⁰
- The completed form for the appointment of campaign treasurer and designation of campaign depository.
- For a candidate for judicial office, a signed statement that he or she has read and understands the requirements of the Florida Code of Judicial Conduct.

⁵ Section 106.011(3), F.S., defines "candidate" to mean a person to whom any of the following applies: 1) a person who seeks to qualify for nomination or election by means of the petitioning process; 2) a person who seeks to qualify for election as a write-in candidate; 3) a person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office; 4) a person who appoints a treasurer and designates a primary depository; or 5) a person who files qualification papers and subscribes to a candidate's oath as required by law. The definition excludes any candidate for a political party executive committee.

⁶ The qualifying period for the following offices is between the 120th and 116th days prior to the primary election: federal office, state attorney, public defender, or judicial office. The qualifying period for the following offices is between the 71st and 67th days prior to the primary election: state or multicounty district office, other than state attorney or public defender; county office or single-county district office; or school board. See ss. 99.061 and 105.031, F.S.

⁷ The filing fee for a special district candidate is not required be drawn upon his or her campaign account (s. 99.061(7)(a)1., F.S.).

⁸ Each candidate for an elected office in Florida must take and subscribe to in writing an oath or affirmation. Current law specifies oath formats for a candidate for federal office (s. 99.021(1)(a)2., F.S.), a candidate for a non-federal office other than a judicial office (s. 99.021(1)(a)1., F.S.), and a candidate for a state judicial office (s. 105.031(4)(b), F.S.). Generally, the oath or affirmation must, in substance, provide the name of the office for which the candidate is running; affirm that the candidate is a qualified elector of the county or court jurisdiction, as applicable; affirm that the candidate is qualified under the State Constitution and laws of Florida to hold the office for which he or she is running; affirm that the candidate has not qualified for any other public office in the state for which the term runs concurrently and that he or she has resigned from any office from which he or she is required to resign; and affirm that the candidate will support the constitutions of the United States and the State of Florida.

⁹ Section 99.061(7)(a), F.S.

¹⁰ Section 876.05, F.S., requires all persons who are employed by or are on the payroll of the state or any county, city, school board, school system, or institution of higher learning, except candidates for federal office, to swear or affirm that he or she will support the Constitution of the United States and of the State of Florida.

- The candidate's financial disclosure.¹¹

III. Effect of Proposed Changes:

SB 620 adds to the list of items that a candidate must submit to the relevant filing officer in order to qualify. Specifically, if a candidate is a citizen of another country in addition to being a citizen of the United States, the candidate must submit a written statement disclosing such citizenship.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

¹¹ Section 105.031(5)(a), F.S.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends sections 99.061 and 105.031, Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Mayfield

19-00947-26

2026620

1 A bill to be entitled
 2 An act relating to candidate qualifying; amending ss.
 3 99.061 and 105.031, F.S.; requiring certain candidates
 4 to provide the filing officer a statement disclosing
 5 dual citizenship for nomination and election to
 6 federal, state, county, multicounty, district, or
 7 judicial office or to a district school board;
 8 reenacting s. 99.012(1)(b), F.S., relating to
 9 definition of the term "qualifying," to incorporate
 10 the amendments made to ss. 99.061 and 105.031, F.S.,
 11 in references thereto; providing an effective date.
 12

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

14
 15 Section 1. Paragraph (a) of subsection (7) of section
 16 99.061, Florida Statutes, is amended to read:

17 99.061 Method of qualifying for nomination or election to
 18 federal, state, county, or district office.—

19 (7)(a) In order for a candidate to be qualified, the
 20 following items must be received by the filing officer by the
 21 end of the qualifying period:

22 1. A properly executed check drawn upon the candidate's
 23 campaign account payable to the person or entity as prescribed
 24 by the filing officer in an amount not less than the fee
 25 required by s. 99.092, unless the candidate obtained the
 26 required number of signatures on petitions pursuant to s.
 27 99.095. The filing fee for a special district candidate is not
 28 required to be drawn upon the candidate's campaign account. If a
 29 candidate's check is returned by the bank for any reason, the

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620

30 filing officer shall immediately notify the candidate and the
 31 candidate shall have until the end of qualifying to pay the fee
 32 with a cashier's check purchased from funds of the campaign
 33 account. Failure to pay the fee as provided in this subparagraph
 34 shall disqualify the candidate.

35 2. The candidate's oath required by s. 99.021, which must
 36 contain the name of the candidate as it is to appear on the
 37 ballot; the office sought, including the district or group
 38 number if applicable; and the signature of the candidate, which
 39 must be verified under oath or affirmation pursuant to s.
 40 92.525(1)(a).

41 3. If the office sought is partisan, the written statement
 42 of political party affiliation required by s. 99.021(1)(b); or
 43 if the candidate is running without party affiliation for a
 44 partisan office, the written statement required by s.
 45 99.021(1)(c).

46 4. The completed form for the appointment of campaign
 47 treasurer and designation of campaign depository, as required by
 48 s. 106.021.

49 5. The full and public disclosure or statement of financial
 50 interests required by subsection (5). A public officer who has
 51 filed the full and public disclosure or statement of financial
 52 interests with the Commission on Ethics before qualifying for
 53 office may file a copy of that disclosure or a verification or
 54 receipt of electronic filing as provided in subsection (5) at
 55 the time of qualifying.

56 6. If the candidate is a citizen of another country in
 57 addition to being a citizen of the United States, a statement
 58 disclosing any other country the candidate is also a citizen of.

Page 2 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620

59 Section 2. Paragraph (a) of subsection (5) of section
60 105.031, Florida Statutes, is amended to read:
61 105.031 Qualification; filing fee; candidate's oath; items
62 required to be filed.

(5) ITEMS REQUIRED TO BE FILLED -

1. Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate's campaign account in an amount not less than the fee required by subsection (3) or, in lieu thereof, the copy of the notice of obtaining ballot position pursuant to s. 105.035. If a candidate's check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall, the end of qualifying notwithstanding, have 48 hours from the time such notification is received, excluding Saturdays, Sundays, and legal holidays, to pay the fee with a cashier's check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

81 2. The candidate's oath required by subsection (4), which
82 must contain the name of the candidate as it is to appear on the
83 ballot; the office sought, including the district or group
84 number if applicable; and the signature of the candidate, duly
85 acknowledged.

86 3. The loyalty oath required by s. 876.05, signed by the
87 candidate and duly acknowledged

Page 3 of 5

CODING: Words stricken are deletions; words underlined are additions.

19-00947-26

2026620

88 4. The completed form for the appointment of campaign
89 treasurer and designation of campaign depository, as required by
90 s. 106.021. In addition, each candidate for judicial office,
91 including an incumbent judge, shall file a statement with the
92 qualifying officer, within 10 days after filing the appointment
93 of campaign treasurer and designation of campaign depository,
94 stating that the candidate has read and understands the
95 requirements of the Florida Code of Judicial Conduct. Such
96 statement shall be in substantially the following form:

Statement of Candidate for Judicial Office

100 I, ... (name of candidate) ..., a judicial candidate, have
101 received, read, and understand the requirements of the Florida
102 Code of Judicial Conduct.

... (Signature of candidate) ...
... (Date) ...

106 5. The full and public disclosure of financial interests
107 required by s. 8, Art. II of the State Constitution or the
108 statement of financial interests required by s. 112.3145,
109 whichever is applicable. A public officer who has filed the full
110 and public disclosure or statement of financial interests with
111 the Commission on Ethics or the supervisor of elections prior to
112 qualifying for office may file a copy of that disclosure at the
113 time of qualifying.

114 6. If the candidate is a citizen of another country in
115 addition to being a citizen of the United States, a statement
116 disclosing any other country the candidate is also a citizen of

Page 4 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

19-00947-26

2026620__

117 Section 3. For the purpose of incorporating the amendments
118 made by this act to sections 99.061 and 105.031, Florida
119 Statutes, in references thereto, paragraph (b) of subsection (1)
120 of section 99.012, Florida Statutes, is reenacted to read:

121 99.012 Restrictions on individuals qualifying for public
122 office.--

123 (1) As used in this section:

124 (b) "Qualify" means to fulfill the requirements set forth
125 in s. 99.061(7)(a) or s. 105.031(5)(a).

126 Section 4. This act shall take effect July 1, 2026.

01/13/26

Meeting Date

Electronst Ethics

Committee

Name Amina Spaheic Phone
Address Ameena Spa-heech Email
Street

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 620

Bill Number or Topic

Amendment Barcode (if applicable)

City State Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida For All

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

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 Ethics and Elections

BILL: SB 500

INTRODUCER: Senator Avila

SUBJECT: Security for Statewide Constitutional Office Candidates

DATE: January 14, 2026 REVISED: 1/13/2026 _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cleary</u>	<u>Roberts</u>	<u>EE</u>	<u>Favorable</u>
2. _____	_____	<u>ACJ</u>	_____
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 500 requires the Florida Department of Law Enforcement (FDLE) to provide certain candidates with protective security detail for a specified time period.

Security would be provided to major-party nominees for Governor, Lieutenant Governor, and Cabinet offices after the Elections Canvassing Commission (ECC) certifies the primary election results and continue until the nominee either concedes the general election or the general election results are officially certified.

The bill requires FDLE to provide protective security detail to the officers-elect until the officers-elect assume office.

The bill takes effect July 1, 2026.

II. Present Situation:

According to nationwide studies, there has been an increase in the rise of polarization in American politics that coincides with an increase in observed threats to public officials, which have steadily risen in the past decade, culminating in actual acts of violence, assassination or attempted assassination of public officials.¹

Evidence suggests the prevalence of threats to public officials is perceived to be growing and exerting pressure on public officials and systems of governance.² In terms of the type of public

¹ Simon A. Levin, Helen V. Milner, and Charles Perrings, “*The dynamics of political polarization*,” Proceedings of the National Academy of Sciences 118:50 (2021).

² Simi Pete, Ligon Gina, Hughes Seamus, Standridge Natalie, “*Rising Threats to Public Officials: A Review of 10 Years of Federal Data*, CTC Sentinel (May 2024), (“[T]he data reveals something new emerged during the past decade: a concentration of threats that began to spike in 2017 corresponding with a general increase in polarization following the 2016

officials targeted with threats of violence, elected officials were among the most common at 41 percent of the threat targets.³

Currently in Florida, there is no protective security provided from state law enforcement to nominees of any political party for state office. FDLE⁴ is directed by Section 943.68, F.S., to provide and maintain security for:

- The Governor, the Governor's immediate family, the Governor's office, mansion, and grounds;⁵
- Visiting governors and families upon request by the Governor;⁶ and
- Other persons visiting the state for whom such services are requested by the Governor, the Lieutenant Governor, a member of the Cabinet, the Speaker of the House of Representatives, the President of the Senate, the Chief Justice of the Supreme Court, and for whom the failure to provide security or transportation could result in a clear and present danger to the personal safety of such persons or could result in public embarrassment to the state.⁷

FDLE is directed to coordinate all protective services with the United States Department of State and the United States Secret Service when requested to do so by such agencies or by the Governor or member of the Cabinet.⁸

FDLE is required to submit a report each August 15th to the Governor, the Legislature, and the Cabinet detailing all transportation and protective services provided under sections 943.68(1), (5), and (6), F.S. within the preceding fiscal year.⁹

presidential election. While 2013-2016 had on average 38 federal charges involving threats to public officials per year, that average sharply increased during the period of 2017-2022, with the average number of federal charges increasing to 62 per year. It seems the clamor of threats to public officials has grown louder since 2017, with gradual, steady increases").

³ *Id.*

⁴ *Structure of the Florida Cabinet*, The Governor & Cabinet of the State of Florida Website, <https://www.cabinet.myflorida.com/> (last visited 1/5/2026) (The Department maintains a dual role of direct investigative and enforcement responsibilities along with assisting other state law enforcement agencies—serving as the primary statewide investigative agency concerning organized, complex, and multi-jurisdictional crimes. The Department also provides administrative and technological support to criminal justice agencies through all of its organizational divisions and delivers a comprehensive information system of investigative, intelligence, operational and management data through the Florida Intelligence Center (FIC) and the Florida Crime Information Center (FCIC), which is interfaced with the National Crime Information Center (NCIC)); *See Protective Operations*, Florida Department of Law Enforcement webpage, <https://www.fdle.state.fl.us/regions-divisions/protective-operations> (Last visited January 5, 2026) (FDLE's Protective operations section has been providing protective operations for the Governor and first family since 1973. Special agents in this detail routinely work holidays, nights and weekends and must maintain the confidentiality and trust of the Governor and first family. In addition to Protective Operations providing critical protection for the Governor and first family, they also provide protection for the Governor's office, Governor's mansion and grounds. The Protective Operations Section is also authorized to provide protection and transportation for visiting governors and other dignitaries when requested).

⁵ Section 943.68(1), F.S.

⁶ Section 943.68(5), F.S.

⁷ Section 943.68(6), F.S.

⁸ Section 943.68(8), F.S.

⁹ Section 943.68(9), F.S.; *See* Commissioner Mark Glass, *Florida Department of Law Enforcement Transportation and Protective Services Report July 1, 2024, through June 30, 2025* (August 15, 2025),

<https://s3.documentcloud.org/documents/26074041/tps-2024-25-report.pdf> (The total amount for protective costs for the period of July 1, 2024, through June 30, 2025 was \$11,146.541.29. The costs incurred for protective services for the Governor, the Governor's Office, Governor's Family, Mansion, and grounds for the period of July 1, 2024, through June 30, 2025, was \$10,657,189.62. For the same period, 113 protective details were performed for visiting dignitaries totaling \$489,351.67).

III. Effect of Proposed Changes:

The bill creates 99.112, F.S., requiring:

- FDLE, upon the adjournment of the meeting of the ECC certifying the results of the primary election under s. 102.111, F.S.,¹⁰ to provide protective security detail to all nominees of major political parties,¹¹ for the offices of Governor, Lieutenant Governor, and Cabinet Officers.¹²
- Protective security detail to be provided from the immediate adjournment of the meeting of the ECC certifying the results of the primary election until the relevant nominees concede the general election or upon adjournment of the meeting of the ECC certifying the results of the general election.
- FDLE to continue to provide protective security detail to the officers-elect until the officers-elect assume office.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁰ S. 102.111, F.S. (The Elections Canvassing Commission consists of the Governor and two members of the Cabinet selected by the Governor. The Commission is required to meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment).

¹¹ See *Political Parties*, Florida Department of State web page, <https://dos.fl.gov/elections/candidates-committees/political-parties/> (last visited January 13, 2026) (There are only two major political parties in Florida, 1) Republican Party of Florida, and 2) Florida Democratic Party).

¹² *Structure of the Florida Cabinet*, The Governor & Cabinet of the State of Florida Website, <https://www.cabinet.myflorida.com/> (last visited January 5, 2026) (Florida, under Article IV of the Florida Constitution has four statewide elected constitutional offices that form the Governor and Cabinet. These officials are elected by voters across the entire state and, along with the Governor, comprise the Florida Cabinet, which acts as a collective decision-making body for several key state agencies. **Governor** – The chief executive officer of the state. **Lieutenant Governor** – a constitutional officer but is elected on a joint ticket with the Governor, rather than independently statewide. **Attorney General** – The state's chief legal officer and head of the Department of Legal Affairs. **Chief Financial Officer** – Oversees the state's finances, acts as the State Fire Marshal, and heads the Department of Financial Services. **Commissioner of Agriculture** – Safeguards the public through food product testing and inspection, manages public lands, and heads the Department of Agriculture and Consumer Services.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

FDLE estimates the bill will increase the workload of existing FDLE agents. Additional costs and resources are needed to comply with the new requirements.

If the bill becomes law, FDLE requests rental vehicles, travel, and overtime costs for 20 Protective Operations Special Agents, specifically:

- Overtime for existing protective operations positions - \$622,773;
- Rental vehicles - \$60,130 (nonrecurring);
- Additional travel - \$480,000 (nonrecurring);
- Soft body armor - \$3,250 (nonrecurring); and
- Vehicle armor - \$20,000 (nonrecurring).

FDLE estimates the Total Fiscal Impact as \$1,186,153 (\$563,380 nonrecurring).¹³

VI. Technical Deficiencies:

The term “Minor Political Parties” is not specifically defined in the bill. But the term “Minor Political Parties,” is defined in the Election Code under section 97.021(20), F.S. “as any group as specified in s. 103.095 which on January 1 preceding a primary election does not have registered as members 5 percent of the total registered electors of the state.” According to the Florida Department of State currently there are only two major political parties recognized in the State Florida: 1) Republican Party of Florida, and 2) Florida Democratic Party.¹⁴

¹³ Florida Department of Law Enforcement, *Senate Bill Analysis 500 Agency Analysis* (Jan. 6, 2026) (on file with the Senate Committee on Ethics and Elections).

¹⁴ See Political Parties, Florida Department of State web page, <https://dos.fl.gov/elections/candidates-committees/political-parties/> (last visited January 13, 2026)

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates the following section of the Florida Statutes: 99.122

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Avila

39-01004-26

2026500

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

Section 1. Section 99.122, Florida Statutes, is created to read:

99.122 Protective security detail for nominees and officers-elect.—

21 (a) The Governor.
22 (b) The Lieutenant Governor.
23 (c) A cabinet officer.

(2) The protective security detail must be provided immediately upon the adjournment of the meeting of the Elections Canvassing Commission certifying the results of the primary election under s. 102.111 until the relevant nominee concedes the general election or upon adjournment of the meeting of the Elections Canvassing Commission certifying the results of the

Page 1 of 2

CODING: Words stricken are deletions; words underlined are additions.

39-01004-26

2026500

30 general election under s. 102.111, whichever is earlier. The
31 Department of Law Enforcement must continue to provide a
32 protective security detail to the officers-elect until the
33 officers-elect assume office.

34 Section 2. This act shall take effect July 1, 2026.

Page 2 of 2

CODING: Words ~~strieken~~ are deletions; words underlined are additions.

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 Ethics and Elections

BILL: CS/SB 92

INTRODUCER: Governmental Oversight and Accountability Committee and Senator Gaetz

SUBJECT: Employee Protections

DATE: January 14, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. White	McVaney	GO	Fav/CS
2. Cleary	Roberts	EE	Favorable
3. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 92 addresses retaliatory actions taken against an employee for disclosing to the Commission on Ethics (Commission) violations of:

- The Code of Ethics for Public Officers and Employees (part III, ch. 112, F.S.);
- Article II, section 8 of the State Constitution;
- Certain standards of conduct for the Public Service Commission and the Public Service Commission Nominating Council;
- Certain standards of conduct for the Florida Gaming Control Commission;
- Restrictions on use of public funds to retain lobbyists; and
- Requirements for the use of, and procurement for, state means of transportation.

Under the bill, a public officer, public employee, or local government attorney breaches public trust if he or she initiates, or uses his or her influence and position to cause another to initiate, an adverse personnel action against an agency employee or independent contractor in retaliation for a disclosure of an ethical violation.

If an employee is discharged, disciplined, or subjected to other adverse personnel action as a result of his or her disclosure, the employee may file a complaint for such retaliatory actions with the Commission. Upon receiving a notice that the Commission terminated its investigation into the alleged retaliatory action, a complainant may pursue an administrative remedy or file a civil action. The bill lists available relief.

The bill provides that, upon a written request, the Commission shall provide a copy of the complaint for ethical violations, and any timely amendments thereto, to Public Employee Relations Commission, the person who filed the ethics complaint, or a current or former employee of the alleged violator who is identified in the text of the complaint or amendment thereto. The Commission, prior to releasing the complaint, must redact any designations regarding an ongoing ethics investigation, the records of which are protected from public records disclosures.

The bill takes effect January 1, 2027.

II. Present Situation:

Ethical Standards & the Public Trust

The people of the state of Florida “have the right to secure and sustain [public trust] against abuse.”¹ As the Florida Supreme Court has stated, the right to a secure public trust requires the State to protect the public’s right to know an official’s interest, deter corruption and conflicting interest, create public confidence in Florida’s public officials, and assist in detecting and prosecuting officials who violate the law and ethical standards.² The State Constitution further requires the Legislature to adopt a code of ethics for state employees to prohibit conflicts between public duty and private interest.³

A breach of public trust is a breach of the ethical standards placed on public employees and officers, and encompasses violations of:

- The “Sunshine Amendment” and other constitutional provisions governing public officials’ conduct;
- The Code of Ethics for Public Officers and Employees (Code of Ethics), part III, ch. 112, F.S.;
- Restrictions on agencies’ use of public funds to retain lobbyists;
- Standards of conduct for the Public Service Commission and its nominating council;
- Standards for the procurement relating to and use of state motor vehicles and aircraft;
- Standards of conduct for the Florida Gaming Control Commission; and
- Gift and honoraria laws.⁴

The State Constitution Sunshine Amendment

The Sunshine Amendment addresses potential conflicts between the public duties of state employees and officers and their private interests, especially private monetary interests. Under the Sunshine Amendment, elected constitutional officers, candidates for such offices, and other designated persons must file full and public disclosure of their financial interests and campaign finances. Public officers during, and for a certain period following their tenure, are prohibited from personally representing another individual before government bodies or being paid to lobby

¹ FLA. CONST. art. II, s. 8.

² *Plante v. Smathers*, 372 So. 2d 933, 937 (Fla. 1979) (discussing FLA. CONST. art. II, s. 8).

³ FLA. CONST. art. III, s. 18

⁴ Rule 34.50015, F.A.C.; Florida Commission on Ethics, *Ethics Laws*, <https://ethics.state.fl.us/Research/EthicsLaws.aspx> (last visited Oct. 28, 2025).

on another's behalf. Public officers and employees are additionally prohibited from using their office or position for disproportional personal benefit.

The Code of Ethics (Part III, Chapter 112, F.S.)

The Code of Ethics establishes statutory ethical standards for public officials and employees and applies to officers and employees of the state or a political subdivision.⁵ The Code of Ethics serves as both a guide for the official conduct of public servants as well as a basis for discipline of those who violate its provisions.⁶ Various activities by public officers and employees are limited or prohibited by the Code of Ethics, including:

- Soliciting or accepting gifts;
- Doing business with any entity in which the officer or employee or his or her spouse or child has a position or interest;
- Accepting any unauthorized compensation, payment, or thing of value;
- Corruptly using his or her official position to secure a special privilege, benefit, or exemption for him- or herself or others;
- Having or holding any employment or contractual relationship that conflicts with his or her public position;
- Using information gained by reason of his or her official position for personal gain;
- Representing another person or entity before the government body or agency of which the individual served for a specified period following vacation of office;
- Holding dual-offices simultaneously;
- Serving on a professional and occupational licensing board while serving as a member of a state examining or licensing board for the profession or occupation; and
- Lobbying by certain officers before a specified time.⁷

The Code of Ethics also requires lobbyists who regularly engage in lobbying to disclose their identity, expenditures, and activities, even if their lobbying is done by solicitation of others to engage in such efforts.⁸

Restrictions on Agencies' Use of Public Funds to Retain Lobbyist

Section 11.062, F.S., prohibits executive, judicial, and quasi-judicial departments and agencies from using state funds to pay for lobbying. While a department of the executive branch, a state university, a community college, or a water management district may not use public funds to retain a lobbyist to represent it before the legislative or executive branch, their full-time employees may register and serve as a lobbyist for their employer.

The Commission on Ethics investigates potential violations of s. 11.062, F.S.⁹

⁵ *Id.*

⁶ Section 112.311(5), F.S.

⁷ 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).

⁸ Section 112.311(3), F.S.

⁹ Florida Commission on Ethics Rule 34.50015.

Standards of Conduct for the Public Service Commission and the Public Service Commission Nominating Council

Florida Statutes provide for standards of conduct for commissioners and employees of the Public Service Commission as well as those serving on its Nominating Council.¹⁰ These standards prohibit members of the council and commission, as well as their spouses, from engaging in any potential direct or indirect financial benefit from entities regulated by the commission. In addition, commissioners and employees of the Public Service Commission may not represent regulated entities in actions before the commission for a set amount of time after leaving the commission. Commissioners are additionally prohibited from entertaining certain ex parte communications concerning the merits, threat, or offer of reward in any currently pending proceeding.

The Commission on Ethics has the authority to accept and investigate alleged violations of these standards of conduct by the members or employees of the Public Service Commission or its Nominating Council.

Standards of Conduct for the Florida Gaming Control Commission

Section 16.715, F.S., sets forth standards of conduct for commissioners and employees of the Florida Gaming Control Commission (FGC). Commissioners and employees must behave professionally, avoid impropriety, and act in a manner that promotes public confidence in the impartiality and integrity of the commission.

Commissioners and employees may not accept anything from any business or entity affiliated with or that is before the commission or regulated by the commission. Nor may FGC commissioners or employees accept special financial benefits or free food at conferences that are not available to all conference participants. A commissioner may not serve as a representative, officer, or employee of a political party or any executive committee or governing body of a political party. Nor may a commissioner receive remuneration for activities on behalf of a candidate or otherwise participate in the solicitation of votes for a candidate. Commissioners are additionally prohibited from entertaining certain ex parte communications concerning the merits, threat, or offer of reward in any currently pending proceeding. A former commissioner or employee cannot represent an entity or person regulated by the commission for two years after their service with the FGC ends.

The Commission on Ethics has the authority to accept and investigate alleged violations of s. 16.715, F.S.

Use of State Motor Vehicles and Aircraft

Part III, ch. 287, F.S., governs the use and procurement of means of transportation for officers and employees of the executive and judicial branches of state government. Such state officers and employees may only purchase or continue to pay for the lease of state motor vehicles with funds appropriated by the Legislature for that purpose. Additional requirements provide for oversight by the Department of Management Services, limitations on the types and use of the vehicles, and repairs and service of the vehicles. Any violation of the standards for acquiring,

¹⁰ See ss. 350.031, 350.04, 350.041, 350.042, and 350.0605, F.S.

funding, and using vehicles constitutes a misuse of public position and breach of public trust. The Chief Financial Officer reports suspected violations to the Commission on Ethics who has the authority to investigate possible violations of public trust.¹¹

Gift and Honoraria Laws

Various statutes address public officers or employees accepting expenditure, gifts, or other honoraria and require the public disclosure of any financial benefit or gifts received. The Commission on Ethics investigates any violations of these laws.

The Commission on Ethics & Investigation Into Breaches of Ethics Standards and the Public Trust

The Commission on Ethics (Commission) has the constitutional duty to investigate “all complaints concerning breach of public trust by public officers or employees not within the jurisdiction of the judicial qualifications commission.”¹² To this end, the Commission reviews and investigates possible violations of the State’s ethics laws by state and local elected or appointed public officers and public employees and others designated by Florida law. The Commission’s jurisdiction is limited to individual public officers and employees and does not extend to open meetings or public records laws, residency requirements, elections laws, or to judges, federal officials, or most employees or officers of private companies or attorneys in private practice.¹³ The Commission must complete an investigation, including the probable cause determination, within one year of receiving a complaint.¹⁴

Initiating an Investigation

The Commission on Ethics investigates written, sworn complaints of alleged breaches of public trust upon receipt of a written complaint executed on a form prescribed by the Commission and signed under oath or affirmation, or upon receipt of a written referral of a possible violation from the Governor, the Department of Law Enforcement, a State Attorney, or a United States Attorney.¹⁵ Within 30 days of receiving a complaint or referral, the Commission must conduct a preliminary investigation into the legal sufficiency of the complaint or referral and determine whether there is probable cause that a violation has occurred.

Any individual can submit a complaint, but the complaint must be based upon personal knowledge or information other than hearsay,¹⁶ and made within five years of the alleged breach of public trust.¹⁷ Complainants have 60 days from when the Commission receives the original complaint to amend the complaint.¹⁸ Within five days of receiving the complaint, the Commission must forward a copy of the complaint to the alleged violator.¹⁹

¹¹ Section 287.175, F.S.

¹² FLA. CONST. art. II, s. 8(g); *see* s. 112.320, F.S. (other ethical standards).

¹³*Id.*; Florida Commission on Ethics, *Complaints* (Updated Oct. 9, 2024), <https://ethics.state.fl.us/Complaints/Complaints.aspx> (last visited Dec. 9, 2025).

¹⁴ Sections 112.311-112.3261, F.S.

¹⁵ Section 112.324(1), F.S.

¹⁶ Section 112.324(1)(a), F.S.

¹⁷ Section 112.3231(1), F.S.

¹⁸ Section 112.324(3)(a), F.S.

¹⁹ Section 112.324(1), F.S.

Staff of the Commission conduct a technical and clerical review upon receipt of the complaint by staff of the Commission. If the complaint is incomplete or alleges a matter or names a person not within the jurisdiction of the Commission, the complaint is returned to the complainant identifying the defect.²⁰ Only complaints that pass the technical and clerical review are forwarded.²¹

After the technical and clerical review, the complaint is reviewed to determine whether the complaint is legally sufficient to allege a breach of public trust. Complaints are sufficient if the allegations by the complainant, if true, may constitute a breach of public trust, and each element of the statute to be investigated, except elements pertaining to mental state, intent, or knowledge of an individual, is supported by information in the complaint that is based on personal knowledge of the complainant or information other than hearsay.²²

If the complaint is legally sufficient, the Executive Director of the Commission orders an investigation.²³

Preliminary Investigation

Within 30 days of receiving a technically and legally sufficient complaint, the Commission must conduct a preliminary investigation to determine whether there is probable cause that a violation has occurred.²⁴ Investigations are conducted by Commission staff, by personnel of the Department of Legal Affairs, or by any other person or agency designated by the Commission.²⁵

During the investigation, the Commission may subpoena witnesses and compel their attendance and testimony, administer oaths and affirmations, take evidence, and require by subpoena the production of any books, papers, records, or other relevant items.²⁶ The Commission may also call upon appropriate agencies of state government for such professional assistance as may be needed in the discharge of its duties.²⁷ If any person called to give evidence in a proceeding before the Commission refuses to give evidence because of a claim of possible self-incrimination, the Commission, with the written authorization of the appropriate state attorney, may apply to the chief judge of the appropriate judicial circuit for a judicial grant of immunity ordering the testimony or other evidence of such person notwithstanding his or her objection, but in such case no testimony or other information compelled under the order, or any information directly or indirectly derived from such testimony or other information, may be used against the witness in any criminal proceeding.²⁸

²⁰ Rule 34-5.002(2), F.A.C.

²¹ Rule 34-5.001(4), F.A.C.

²² Rule 34-5.002(1) and (2), F.A.C.; *see* s. 112.324(1)(a), F.S.

²³ Rule 34-5.002(3) and (4), F.A.C.

²⁴ Section 112.324(3)(a), F.S.

²⁵ Rule 34-5.004, F.A.C.

²⁶ Section 112.322(4), F.S.

²⁷ Section 112.322(6), F.S.

²⁸ Section 112.3232, F.S.

Investigatory Report

Within 150 days of the order to conduct the investigation, the investigator provides an investigatory report to the Commission.²⁹ The report contains a narrative account of all pertinent information obtained through interviews of witnesses, documentary evidence, or other sources and must include a discussion of any conflicts in the evidence. The report cannot contain any determination or speculation with respect to whether the evidence indicates a breach of public trust, nor may the report make any recommendations.³⁰ The investigator keeps an investigatory file maintained in the office of the Commission. The investigatory file must include:

- Copies of all documents obtained during the course of the investigation;
- Tape recordings of interviews with witnesses and, if no recording is made, a summary of the interview;
- A list of the names and addresses of all persons actually interviewed;
- Any other relevant documents; and
- The investigator's report(s) to the Commission.³¹

The investigatory report is sent to the alleged violator and to counsel representing the Commission within five days. Counsel representing the Commission then has 15 days to recommend to the Commission the disposition of the complaint. The counsel's report is forwarded to the alleged violator within five days and the violator has 14 days to respond.³² The Commission, once it receives counsel's recommendations, schedules a probable cause hearing.³³

Informal Disposition

Informal disposition of the complaint may be made via stipulation, agreed settlement, or consent order between counsel for the Commission and the alleged violator, so long as the Commission approves in a public meeting and finds that the settlement is in the best interest of the state.³⁴ The Commission can only deviate or reject stipulations and settlements recommended by counsel via a two-thirds vote. The Commission cannot impose a penalty via settlement.³⁵

Probable Cause Determination

No matter the outcome, the probable cause determination ends the preliminary investigation. If the Commission does not find probable cause, it dismisses the matter and provides the complainant and alleged violator a public report stating with particularity its reasons for dismissal. At that time, the complaint or referral and all materials relating to the complaint or referral become a matter of public record.³⁶

If the Commission finds probable cause to believe a violation has occurred, it must send the alleged violator and complainant an order finding probable cause in writing within five days.³⁷

²⁹ Section 112.324(3)(b), F.S.

³⁰ Rule 34-5.004(7), F.A.C.

³¹ Rule 34-5.004(8), F.A.C.

³² Section 112.324(3)(b), F.S.

³³ Section 112.324(3)(c), F.S.

³⁴ Section 112.324(3)(h), F.S.; Rule 34-5.020, F.A.C.

³⁵ Section 112.324(3)(h), F.S.

³⁶ Section 112.324(3)(d), F.S.

³⁷ Section 112.324(3)(e), F.S.

Prior to a probable cause determination, the complaint and records relating to the preliminary investigation are confidential and exempt from public records disclosure requirements unless the complaint is dismissed as legally insufficient or the alleged violator requests in writing that the records be made public. During the same time, related proceedings are exempt from open meetings requirements.³⁸

Rights of Respondents

An alleged violator may request in writing to have a public hearing within 14 days of the mailing date of the probable cause notification. The alleged violator may elect to have a formal hearing before the Division of Administrative Hearings or an informal investigation before the Commission.³⁹ Informal hearings before the Commission must happen within 75 days of the probable cause determination.⁴⁰ During a probable cause hearing, the alleged violator may make brief oral statements, similar to oral argument, to the Commission.⁴¹ An alleged violator has the right to request a hearing before the Commission to present oral or written testimony in response to the allegations.⁴² The alleged violator may appear on their own behalf or representation of counsel, and, within a reasonable timeframe, move for dismissal if the Commission lacks proper jurisdiction.⁴³

Investigations Into Facts Discovered During the Preliminary Investigation

An investigator may uncover during his or her investigation facts materially and not materially related or relevant to the underlying complaint. The Commission must investigate all facts materially relevant to the complaint,⁴⁴ including facts that tend to show additional incidents of ethical violations that (1) are separate instances of the same or similar conduct; or (2) arise out of or in connection with the allegations in the complaint.⁴⁵ Materially relevant facts are included in the investigatory report.

If, during an investigation, an investigator uncovers evidence of a wrongful act not materially related to the complaint at issue, he or she shall report such evidence to the Commission in a separate report. The Commission may forward the information to the appropriate disciplinary or law enforcement authority, but the wrongful act is not further investigated by the investigator in the absence of a complaint with respect thereto.⁴⁶ If the disciplinary authority chooses to file a complaint with the Commission upon receiving the information, such complaint is treated as a separate complaint.⁴⁷

³⁸ *Id.*; see Florida Office of the Attorney General, *Government-In-The-Sunshine Manual: 2025 Edition*, pp. 26, 99.

³⁹ Section 112.324(3)(e), F.S.

⁴⁰ Section 112.324(3)(f), F.S.

⁴¹ Rule 34-5.006(5), F.A.C.

⁴² Section 112.322(2)(a), F.S.

⁴³ Rule 34-5.0054(1), F.A.C.; Rule 34-5.005, F.A.C.

⁴⁴ Rule 34-5.0043, F.A.C.

⁴⁵ Rule 34-5.0043(1), F.A.C.

⁴⁶ Rule 34-5.004(4), F.A.C.

⁴⁷ *See id.*

Penalties

In addition to any civil or criminal penalty for the underlying conduct, violations of the ethical standards investigated by the Commission may be punishable by one or more of the following:

- For public officers: impeachment, removal or suspension from office, public censure and reprimand, forfeiture of up to one-third of his or her salary for up to one year, a civil penalty of no more than \$20,000, and restitution of any pecuniary benefits received because of the violation committed.
- For public employees: dismissal, suspension of up to 90 days without pay, demotion, reduction in salary, public censure and reprimand, forfeiture of up to one-third of his or her salary for up to one year, a civil penalty of no more than \$20,000, and restitution of any pecuniary benefits received because of the violation committed.
- For candidates: disqualification from being on the ballot, public censure, reprimand, and a civil penalty of no more than \$20,000.
- For former public officers and employees: public censure and reprimand, a civil penalty of no more than \$20,000, and restitution of any pecuniary benefits received because of the violation committed.⁴⁸

In certain violations, public employees and officers may also forfeit all rights and benefits under any public retirement system of which he or she is a member, except for the return of his or her accumulated contributions as of the date of termination.⁴⁹

Complainants who file complaints with a malicious intent to injure the reputation of the officer, employee, or candidate who is the subject of the complaint may be liable for costs and reasonable attorney's fees.⁵⁰

The Florida Commission on Human Relations (CHR)

The Florida Commission on Human Relations (CHR) is housed within the Department of Management Services but is not subject to any control or supervision by or direction from the department.⁵¹ The CHR is comprised of 12 individuals who are appointed by the Governor and confirmed by the Senate. The members must broadly represent various racial, religious, ethnic, social, economic, political, and professional groups in Florida.⁵²

The Legislature created the CHR to administer the predecessor to the Florida Civil Rights Act of 1992 and the Florida Fair Housing Act.⁵³ The CHR's jurisdiction was later expanded to take over the responsibilities for administering the public WBA. In accordance with and for the sole purpose of the, WBA, the CHR may:

- Protect employees and applicants for employment from personnel actions prohibited under the WBA;

⁴⁸ Section 112.317(1), F.S.

⁴⁹ Section 112.3173, F.S.

⁵⁰ Section 112.317(7), F.S.

⁵¹ Section 760.04, F.S.

⁵² Section 760.03, F.S.

⁵³ Chapter 760, F.S., Part II. Cf ch. 83-221, ss. 1 and 9, Laws of Fla. (creating the Fair Housing Act and assigning the duty of administration to the commission) and ch. 69-287 s. 1 (creating the original civil rights laws in Florida and assigning the commission to administer such laws).

- Petition for stays and for corrective actions, such as temporary reinstatement;
- Recommend disciplinary proceedings pursuant to investigation and appropriate agency rules and procedures;
- Forward to appropriate entities, including the Florida Department of Law Enforcement, potential violations of any law, rule, or regulation;
- Administer oaths, examine witnesses, take statements, issue subpoenas, order the taking of depositions, order responses to written interrogatories, and make appropriate motions to limit discovery;
- Intervene or otherwise participate in any appeal or other proceeding arising under the statute before the Public Employees Relations Commission or any other appropriate agency; and
- Conduct investigations even in the absence of a complaint.⁵⁴

The CHR may petition for an award of attorney's fees and expenses from a state agency.⁵⁵

Appeals of WBA Decisions

State agency employees must first report prohibited retaliatory actions to the CHR. Within 21 days of receipt of a notice of termination of investigation by the CHR, the complainant may file a complaint with the Public Employees Relations Commission or seek judicial review.⁵⁶

The Public Employees Relations Commission

The Public Employees Relations Commission (PERC) helps in resolve disputes between public employees and public employers.⁵⁷ Part II, Chapter 447, F.S., designates the PERC as having preemptive jurisdiction in resolving labor disputes between public employers and public employees.⁵⁸ There are state employees who have civil service privileges under the Florida Constitution concerning discipline, such as discharge, demotion and suspensions. They have the right to appeal these actions to the PERC which will appoint a hearing officer to hold an evidentiary hearing to determine if there was cause for the discipline and, in certain cases, whether the discipline should be mitigated.

Florida public employees have the right to form, join, and participate in, or to refrain from forming, joining, or participating in, any employee organization of their own choosing.⁵⁹ The PERC additionally reviews and addresses disputes about the composition of bargaining units and alleged unfair labor practices; oversees the registration of public employee collective bargaining units; and conducts elections when public employees express the desire to be represented by a union.

⁵⁴ Section 112.31895(3)(a), F.S.

⁵⁵ Section 112.31895(3)(j), F.S.

⁵⁶ Section 112.31895(4), F.S.

⁵⁷ Section 447.201, F.S.

⁵⁸ *Maxwell v. Sch. Bd. of Broward Cnty.*, 330 So. 2d 177, 179 (Fla. 4th DCA 1976).

⁵⁹ Section 447.301, F.S.

Preclusion of Remedies

A public employee may not elect to pursue remedies through a WBA action against an employer and through a collective bargain grievance procedure.⁶⁰

Florida Private Sector Whistleblower's Act

Florida has two whistleblower laws with different requirements, one for the public-sector (the WBA) and one private-sector law. Unlike the WBA, the private-sector law affords private employees an immediate remedy via civil court. Chapter 448, F.S., provides general labor provisions for employers and employees in Florida. More specifically, ss. 448.101-448.105, F.S., the Private Sector Whistleblower's Act, prohibit retaliatory attacks on employees in private workplaces who disclose illegal workplace practices and provide the remedies and rights that flow from that prohibition.

Under Florida's Private Sector Whistleblower's Act, employees are protected from retaliatory actions for disclosing or threatening to disclose an activity, policy, or practice of the employer that is in violation of a law, rule, or regulation adopted by any federal, state, or local governing body. An employer, for Florida's Private Sector Whistleblower's Act, is limited to a *private* individual, partnership, institution, corporation, or association that employs ten or more persons.⁶¹

It is unclear if this protection extends to employees who, in good faith, report a lawful activity, policy, or practice they believe is unlawful.⁶² To be covered by Florida's Private-Sector Whistleblower's Act, an employee must:

- Refuse to participate in unlawful activity, policy, or practice;
- Cooperate with an investigating governmental agency; or
- Disclose the unlawful activity, policy, or practice, to an appropriate governmental agency in writing and under oath. In this instance, the employee must first, in writing, bring the unlawful activity, policy, or practice to the private employer's attention and provide the employer a reasonable opportunity to correct the activity, policy, or practice.

An employee subjected to retaliatory actions in violation of Florida's Private Sector Whistleblower's Act may file a civil action in court; the employee need not engage in administrative procedures like those in the WBA. The CHR does not have jurisdiction over violations of Florida's Private Sector Whistleblower's Act

Overlap with the Public-Sector Whistle-blower's Act (WBA)

Employees of independent contractors are not precluded from filing an action under both the public-sector Whistle-blower's Act (WBA) and Florida's Private-Sector Whistleblower's Act.

⁶⁰ *Taylor v. Pub. Employees Relations Com'n*, 878 So. 2d 421 (Fla. 4th DCA 2004)

⁶¹ Section 448.101(3), F.S.

⁶² The First and Second District Court of Appeals' opinions conflict with the Fourth District's. See *Gessner v. Southern Co.*, 396 So. 3d 908, 910 (Fla. 1st DCA 2024) (holding that the conduct must actually be unlawful); *Kearns v. Farmer Acquisition Co.*, 157 So. 3d 458, 465 (Fla. 2d DCA 2015) (same); *contra Aery v. Wallace Lincoln-Mercury, LLC*, 118 So. 3d 904, 916 (Fla. 4th DCA 2013) (holding a good faith belief that the activity was illegal, whether or not actually illegal, invokes the protections of the private-sector whistle-blower's act).

The fact that an employer might be independent contractor of the state is incidental and does not exclude employer's actions from private-sector whistleblower act. The WBA does not claim to be an exclusive remedy for employees of independent contractors of state agencies. Both the WBA and Florida's Private-Sector Whistleblower's Act specifically state that their provisions did not diminish rights, privileges, or remedies of employees under any other law or rule.⁶³

Moreover, there may be instances in which the WBA provides protections to employees of independent contractors that are not available under Florida's Private-Sector Whistleblower's Act. As mentioned above, Florida's Private-Sector Whistleblower's Act protects an employee's disclosures of unlawful conduct by his or her *private* employer. The WBA's protections extend to disclosures by an employee or agent of an agency or independent contractor. The alleged wrong-doer does not, under the WBA, need to be the employee's actual employer.

Public Records

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.⁶⁴ The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.⁶⁵ When creating a public records exemption, the Legislature may provide that a record is "exempt" or "confidential and exempt." There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.⁶⁶ Records designated as "confidential and exempt" are not subject to inspection by the public and may only be released under the circumstances defined by statute.⁶⁷ Records designated as "exempt" may be released at the discretion of the records custodian under certain circumstances.⁶⁸

III. Effect of Proposed Changes:

The bill provides protections against retaliation to government employees, applicants for employment with agencies, and employees of private employers doing business with state or local government, for their disclosures of alleged violations of certain standards of conduct and ethical obligations of public employees and officers.

Specifically, the bill protects disclosure of any violation or suspected violation of:

- The Code of Ethics for Public Officers and Employees;
- The Sunshine Amendment and other constitutional provisions relating to public officials' conduct;
- Restrictions on agencies' use of public funds to retain non-employee lobbyists;

⁶³ *Dahl v. Eckerd Family Youth Alternatives, Inc.*, 843 So. 2d 956 (Fla. 2d DCA 2003).

⁶⁴ FLA. CONST. art. I, s. 24(a).

⁶⁵ *Id. See also, Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

⁶⁶ *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

⁶⁷ *Id.*

⁶⁸ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

- Standards of conduct for the Public Service Commission and the Public Service Commission Nominating Council;
- Standards of conduct for the Florida Gaming Control Commission;
- Requirements for the use, purchase, and lease of state motor vehicles and aircraft; and
- Gift and honoraria laws.

The bill additionally makes instigating such retaliatory actions a violation of the standards of conduct for public officers, employees of agencies, and local government attorneys

Adverse personnel action includes the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment.

The protections against retaliatory acts are only provided for information disclosed to the Commission on Ethics. Thus, if the information is disclosed through other channels, even if such channel is elsewhere permitted in law, these protections do not apply.

New Ethics Standard

Section 1 adds to the standards of conduct for public officers, employees of agencies, and local government attorneys, a prohibition against taking retaliation against an agency employee or independent contractor for protected activity. A public officer, public employee, or local government attorney breaches the public trust if he or she initiates an adverse personnel action against an agency employee or independent contractor who has engaged in a protected activity by an exercise of the public officer's, public employee's, or local government attorney's ultimate decisionmaking authority or a grant of his or her approval. It is also a breach of the public trust for a public officer, public employee, or local government attorney to use his or her position to cause another to initiate such an adverse personnel action, if the protected activity is the primary reason motivating the adverse personnel action.

“Protected activity” means submitting a written complaint to the Commission executed on the form specified in s. 112.324(1) and signed under oath or affirmation or providing information to an investigator during an investigation of a complaint or referral. This would encompass complaints for violations of ethical standards for public employees and officers.

“Exercise of ultimate decisionmaking authority” or “grant of approval” means having and using the authority to commence an adverse personnel action.

The communication or execution of an adverse personnel action initiated by another's ultimate decisionmaking authority or grant of approval does not constitute an exercise of one's ultimate decisionmaking authority or a grant of one's approval.

Protections Against Retaliation

This bill provides a basis for any employee or individual who faces retaliatory actions for such disclosures to file a complaint with the Commission. These protections cover retaliation taken as a result of specific disclosures to the Commission on Ethics. These protections and procedures

closely follow similar protections against retaliation provided in the Whistle-blower's Act for public employees (WBA), but this bill extends the protections to additional ethical complaints not covered by the WBA.

The protections only apply to complaints filed with, or assistance provided to, the Commission on Ethics. The complaint must be provided in writing on a form prescribed by the Commission and signed under oath or affirmation.

The bill's protections do not apply where an individual makes false disclosures in bad faith or participates in the underlying violation.

Definitions

An "agency," under the bill, is any state, regional, county, local, or municipal governmental entity, whether executive, legislative, or judicial; any official, officer, department, division, bureau, commission, authority, or political subdivision therein; or any public school, community college, or state university. Unless otherwise noted, agency refers to local and state level public entities. Independent contractors are private persons doing business with an agency.

These definitions closely mirror the WBA.

"Investigative Procedures" Established by this Bill to Obtain Remedies

The procedures established for investigating whether remedies are available that are created by this bill closely mirror procedures in the WBA.

The bill allows employees of, and applicants for employment with, agencies⁶⁹ who are subject to adverse personnel actions in violation of this bill to file a complaint with the Commission in order to claim the remedies and relief available under this bill. Complainants have 60 days from the prohibited adverse personnel action to file a complaint with the Commission, which must acknowledge receipt of the complaint within five working days.

The Commission provides copies of the complaint and any other preliminary information available concerning the disclosure to the employer, who shall acknowledge receipt to the complainant. The Commission conducts an informal fact-finding into legally sufficient complaints to the extent necessary to determine whether there are reasonable grounds to believe that a prohibited personnel action has occurred, is occurring, or will occur. Within 180 days of receiving the complaint, the Commission provides the fact-finding report, which may include recommended resolution, to the agency head or independent contractor and the complainant.

If the Commission determines there is no reasonable grounds, it terminates its investigation.

⁶⁹ In this instance, the bill refers to the definition of state agency in s. 216.011, F.S.: "any official, officer, commission, board, authority, council, committee, or department of the executive branch of state government. For purposes of this chapter and chapter 215, "state agency" or "agency" includes, but is not limited to, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, the Justice Administrative Commission, the Florida Housing Finance Corporation, and the Florida Public Service Commission."

If the Commission determines that reasonable grounds exist, it must report that determination, with a fact-finding report, to the agency head or independent contractor and the complainant. If the agency or independent contractor implements a corrective action in response to the Commission's fact-finding report, the Commission terminates its investigation. If the agency or independent contractor does not implement a corrective action within 35 days, the Commission still terminates its investigation and, along with a notice of termination, notifies the complainant of his or her right to appeal. The complainant may, within 21 days after receipt of a notice to terminate an investigation, may file a complaint regarding the alleged prohibited personnel action with the Public Employees Relations Commission. The complainant may also seek judicial review.

An employing agency or independent contractor cannot take disciplinary action against an employee for reporting an alleged prohibited personnel action that is under investigation, or for reporting any related activity, or against an employee for participating in an investigation, without notifying the Commission.

The bill provides an affirmative defense to employers to justify the adverse action by showing the action was predicated on other grounds and would have been taken absent the employee or person's exercise of rights under the section.

Relief From Retaliatory Actions

The relief for an employee or applicant who successfully brings a complaint for a violation of this bill must include:

- Reinstatement of the employee to the same position held before the adverse action was commenced or to an equivalent position or reasonable front pay as alternative relief;
- Reinstatement of the employee's full fringe benefits and seniority rights as appropriate;
- Compensation, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse action;
- Payment of reasonable costs, including attorney's fees; and
- Issuance of an injunction, if appropriate, by a court of competent jurisdiction.

An employee, except for a municipal employee, may also be temporarily reinstated to his or her former position or equivalent position pending the final outcome on the complaint, so long as the court or Commission on Human Relations determines that the disclosure was not made in bad faith and the agency initiated the personnel action after the disclosure to the Commission on Ethics. Such personnel action, to qualify, cannot include documentation of the employee's violation of a disciplinary standard or performance deficiency.

A prevailing employer may receive attorney's fees if the employee filed a frivolous action in bad faith.

The bill explicitly states that it does not diminish the rights, privileged, or remedies of an employee under other law or rule or under any collective bargaining agreement or employment contract. The election of remedies in s. 447.401, F.S., however, does apply to actions under this section. Section 447.401, F.S., addresses labor organizations and bargaining agents for public employees.

Release of the Complaint by the Commission on Ethics

Section 3 of the bill requires the Commission on Ethics to release a complaint for violations of ethical standards, and timely amendments thereto, to:

- An agency conducting an investigation of a claim asserted under the bill. The agency must submit a written request to the commission;
- The person who filed the complaint upon receiving a notarized, written request; and
- A person who identifies himself or herself as a current or former employee or independent contractor of the agency or individual that allegedly violated the ethical standard. In this instance, the commission must receive a notarized, written request.

Typically, such complaint would be exempt from disclosures under s. 112.324(2)(a)-(d), F.S., however this bill allows the Commission on Ethics to release the information notwithstanding and without affecting the public records exemption. Prior to releasing the complaint, however, the Commission on Ethics must redact any designations regarding an ongoing ethics investigation, where the records of that investigation are exempt from public records disclosures. These designations include, but are not limited to, date stamps, receipt stamps, and complaint serial numbers.

Miscellaneous

The bill provides legislative intent to protect employees who report violations of the Code of Ethics for Public Officers and Employees, found in ss. 112.311 to 112.3261, F.S., or article II, section 8 of the State Constitution, from retaliatory actions, and to additionally protect any person who discloses information to an appropriate agency regarding alleged breaches of public trust or violations of article II, section 8 of the State Constitution on the part of an agency, public officer, or employee. This intent mirrors the legislative intent provided for in the WBA but is tailored to the protection of disclosures of ethical violations.

The bill gives the Commission the power to adopt rules as necessary to implement the “investigative procedures” prescribed in the bill.

Section 5 reenacts s. 112.313, F.S., to incorporate other amendments made in the bill.

Section 6 provides the act takes effect on January 1, 2027. This gives the Commission on Ethics time to promulgate the necessary rules to administer the bill.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce the authority of municipalities or counties to raise revenue, or reduce the percentage of state tax shared with counties and 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 identified.

B. Private Sector Impact:

The private sector will likely incur additional costs if private contractors are subjected to the Code of Ethics and other standards of conduct for public officers and employees.

C. Government Sector Impact:

The Commission on Ethics will likely see an increase in workload associated with these investigations.

VI. Technical Deficiencies:

It is unclear if the “breach of public trust” created in section 1 of the bill encompasses adverse actions taken against employees of independent contractors. Unlike the rest of this bill, section 1 specifically speaks to taking adverse action against an agency employee or independent contractor—rather than an employee of an independent contractor. Consequently, a public employee or officer who uses his or her position to pressure an independent contractor to take adverse employment actions against an employee of said contractor may not be considered an ethics violation. It further is unclear how a public officer or employee could take adverse personnel action prohibited by section 1 against an independent contractor. The Legislature may consider clarifying that the breach of public trust in section 1 extends to actions taken “against an employee of an agency or independent contractor,” at lines 109-110.

Lines 191–199 (section 2) may be inconsistent with lines 274–370 (section 4). Both discuss the same remedial process but identify different protected classes. Section 2 states any “employee of or applicant for employment with an agency,” can use the process outlined in section 4. Section 4, however, makes the process available to an “employee or former employee of an

agency or independent contractor.”⁷⁰ While both sections cover agency employees, section 2 also includes agency job applicants, which section 4 does not. Conversely, section 4 includes employees and former employees of independent contractors—as well as former agency employees—which section 2 does not. The Legislature may wish to ensure the protected parties at lines 191-199 matches those discussed in section 4 by referring to “employees and former employees of agencies and independent contractors, and applicants for employment with agencies.”

It appears that the bill may intend to create a new administrative process that precludes filing of a complaint in civil court for action taken in violation of this bill. This, however, is never explicitly stated. Generally, an individual must exhaust contractual and administrative remedies prior to going to court. The Legislature may wish to clarify this point by explicitly stating—after line 358—that the process established in the bill constitutes an administrative process for purposes of exhaustion, including for employees of independent contractors, prior to filing a civil action.

VII. Related Issues:

Individuals and Actions Not Protected Under This Bill

There are various means and channels available to report or disclose ethical violations. The bill, however, only protects complaints and disclosures to the Commission on Ethics (Commission). Thus, if the complainant submits a complaint through other permissible channels these protections do not apply.

For instance, disclosures and complaints made to, and cooperation with, the following are not protected under the bill:

- Local commission on ethics;
- Superiors, managers, and internal processes—this differs from both the WBA and the Private Sector Whistleblower Act;
- The Chief Financial Officer, with whom individuals presumably report violations of the relevant ethical standards for means of transportation for state officers and employees;
- Department of Law Enforcement; and
- Other governmental entities that are charged with investigating or having oversight authority over the alleged ethical violation.

The Legislature may wish to extend protections to reports and disclosures “to an agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act,” or appropriate supervisor. This would mirror the language in the WBA.

Additionally, the following are not protected under the bill:

- Refusals to participate in a prohibited retaliatory action—which differs from the WBA; and
- Reports about an employee or commissioner of the Commission on Ethics, because those complaints are not filed with the Commission on Ethics.

⁷⁰ See e.g., lines 278-279, 306-307 (although the latter does not include former employees).

Application to “Independent Contractors”

The legislative intent section, specifically lines 126-137, provides that the bill intends to “prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency any violation of this part or s. 8, Art. II of the State Constitution on the part of a public employer or an independent contractor.” The quoted language appears to hold independent contractors to the standards of conduct for public officers and employees under article II, section 8 of the State Constitution. This may impose additional costs on the private businesses working with state agencies, which in turn may discourage private businesses from working with state agencies. The Legislature may wish to amend the legislative intent section to clearly delineate for whom it intends to impose these ethical standards.

It is unclear whether the bill is intended to expand the Commission’s investigatory authority to include retaliation claims brought by employees of independent contractors—and to recommend remedies—before the matter reaches civil court. Although the bill’s process for determining whether a prohibited personnel action warrants a remedy is similar to the process used by the Commission on Human Relations (CHR) under the WBA, the two are not identical. Notably, the WBA does not appear to grant the CHR jurisdiction to investigate retaliation committed by independent contractors against their employees. As written, the bill seems to require the Commission to assume investigatory responsibility for actions by independent contractors that fall outside both its current authority and the new jurisdiction created in section 1.

The bill also creates uncertainty about the remedial process for employees of independent contractors. Under the WBA, local public employees must file complaints with their local governmental entity, while “any other person protected” may file a civil action only after exhausting applicable contractual and administrative remedies. The bill eliminates these distinctions and appears to subject employees of independent contractors to the same administrative process used for agency employees through the Commission on Ethics.⁷¹

It is unclear how this new administrative process would interact with contractual remedies referenced in the WBA and generally provided for and discussed in law. Specifically, the bill does not clarify whether its administrative process supersedes those contractual remedies—potentially allowing an employee of an independent contractor to pursue a civil action without first exhausting contractual remedies, so long as the employee follows the procedures established in the bill.

The Legislature may wish to clarify how the Commission’s investigations under this bill apply to independent contractors.

VIII. Statutes Affected:

This bill creates section 112.3242 of the Florida Statutes and substantially amends section 112.324 of the Florida Statutes.

⁷¹ For further discussion about relevant inconsistency in the bill, see *supra* discussion of lines 191-199 versus section 4 of the bill under Vi. Technical Deficiencies.

IX. Additional Information:

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

CS by Governmental Oversight and Accountability on December 9, 2025:

The CS makes the retaliatory actions prohibited by the bill an ethical violation itself. As an ethical violation, the Commission on Ethics becomes the appropriate body to investigate.

The amendment makes the Commission on Ethics, instead of the Commission on Human Relations, responsible for determining whether remedies are available and prescribes the procedures for such determination; grants the Commission on Ethics authority make rules; and standardizes the applicable process for employees of and applicants for employment with an agency.

B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Governmental Oversight and Accountability;
and Senator Gaetz

585-01751-26

202692c1

Page 1 of 14

CODING: Words stricken are deletions; words underlined are additions.

585-01751-26

202692c1

adverse personnel action was predicated on grounds other than the exercising of certain protected rights; providing construction; amending s. 112.324, F.S.; requiring the Commission on Ethics to deliver copies of complaints and any amendment thereto to the Public Employees Relations Commission upon receiving a written request from the agency; providing that such delivery does not affect specified exemptions in regard to the complaint and amendments; requiring that such delivery be within a reasonable timeframe; requiring that the Commission on Ethics redact certain information under specified conditions; requiring the commission to deliver complaints and any amendment thereto to certain persons upon a notarized written request; providing that such delivery does not affect the specified exemptions of the complaint; requiring that such delivery be within a reasonable timeframe; requiring that the commission redact certain information under specified conditions; creating s. 112.3243, F.S.; authorizing certain employees to file a complaint with the commission within a specified timeframe; requiring that the commission acknowledge receipt of such complaint and provide copies of the complaint and any other information to the agency head or independent contractor within a specified timeframe; requiring the commission to conduct informal fact-finding regarding legally sufficient complaints and provide, within a specified timeframe, a certain report to the agency head or independent

Page 2 of 14

CODING: Words stricken are deletions; words underlined are additions.

585-01751-26

202692c1

59 contractor; providing that the commission is empowered
 60 to take specified actions; requiring the commission to
 61 notify a complainant of the status of the
 62 investigation and actions taken when appropriate;
 63 requiring the commission to make a certain
 64 determination and provide a fact-finding report to
 65 specified entities under specified conditions;
 66 requiring the commission to file such determination
 67 and report with the agency head or independent
 68 contractor under specified conditions; requiring the
 69 commission to provide a certain notice to specified
 70 entities under specified conditions; requiring the
 71 commission to terminate investigations under specified
 72 circumstances; prohibiting disciplinary action against
 73 an employee under specified conditions; authorizing
 74 complainants to file a complaint against the employer
 75 agency with the Public Employees Relations Commission;
 76 providing that such commission has jurisdiction over
 77 such complaints; authorizing the Commission on Ethics
 78 to adopt rules; reenacting s. 112.3136(1), F.S.,
 79 relating to standards of conduct for officers and
 80 employees of entities serving as chief administrative
 81 officer of political subdivisions, to incorporate the
 82 amendment made to s. 112.313, F.S., in a reference
 83 thereto; providing an effective date.

84
 85 Be It Enacted by the Legislature of the State of Florida:

86
 87 Section 1. Subsection (18) is added to section 112.313,

Page 3 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

88 Florida Statutes, to read:
 89 112.313 Standards of conduct for public officers, employees
 90 of agencies, and local government attorneys.—
 91 (18) RETALIATION FOR PROTECTED ACTIVITY PROHIBITED.—
 92 (a) As used in this subsection, the term:
 93 1. "Adverse personnel action" means the discharge,
 94 suspension, transfer, or demotion of an employee; the
 95 withholding of bonuses or reduction in salary or benefits of an
 96 employee; or any other adverse action taken against an employee
 97 within the terms and conditions of employment by an agency or
 98 independent contractor of an agency.
 99 2. "Exercise of ultimate decisionmaking authority" or
 100 "grant of approval" means having and using the authority to
 101 commence an adverse personnel action.
 102 3. "Protected activity" means submitting a written
 103 complaint to the commission executed on the form specified in s.
 104 112.324(1) and signed under oath or affirmation or providing
 105 information to an investigator during an investigation of a
 106 complaint or referral.
 107 (b) A public officer, public employee, or local government
 108 attorney commits a breach of the public trust when he or she
 109 initiates an adverse personnel action against an agency employee
 110 or independent contractor who has engaged in a protected
 111 activity by an exercise of the public officer's, public
 112 employee's, or local government attorney's ultimate
 113 decisionmaking authority or a grant of his or her approval, or
 114 uses his or her position to cause another to initiate such an
 115 adverse personnel action, if the protected activity is the
 116 primary reason motivating the adverse personnel action. The

Page 4 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

117 communication or execution of an adverse personnel action
 118 initiated by another's ultimate decisionmaking authority or
 119 grant of approval does not constitute an exercise of one's
 120 ultimate decisionmaking authority or a grant of one's approval.

121 Section 2. Section 112.3242, Florida Statutes, is created
 122 to read:

123 112.3242 Adverse action against employee for disclosing
 124 information of specified nature to the Commission on Ethics
 125 prohibited; employee remedy and relief.-

126 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
 127 to prevent agencies or independent contractors from taking
 128 retaliatory action against an employee who reports to an
 129 appropriate agency any violation of this part or s. 8, Art. II
 130 of the State Constitution on the part of a public employer or an
 131 independent contractor. It is further the intent of the
 132 Legislature to prevent agencies or independent contractors from
 133 taking retaliatory action against any person who discloses
 134 information to an appropriate agency regarding alleged breaches
 135 of the public trust or violations of s. 8, Art. II of the State
 136 Constitution on the part of an agency, a public officer, or an
 137 employee.

138 (2) DEFINITIONS.-As used in this section and s. 112.3243,
 139 unless otherwise specified, the term:

140 (a) "Adverse personnel action" means the discharge,
 141 suspension, transfer, or demotion of any employee or the
 142 withholding of bonuses, the reduction in salary or benefits, or
 143 any other adverse action taken against an employee within the
 144 terms and conditions of employment by an agency or independent
 145 contractor.

Page 5 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

146 (b) "Agency" means any state, regional, county, local, or
 147 municipal governmental entity, whether executive, judicial, or
 148 legislative; any official, officer, department, division,
 149 bureau, commission, authority, or political subdivision therein;
 150 or any public school, community college, or state university.

151 (c) "Employee" means a person who performs services for,
 152 and is under the control and direction of, or contracts with, an
 153 agency or independent contractor for wages or other
 154 remuneration.

155 (d) "Independent contractor" means a person, other than an
 156 agency, who is engaged in any business and enters into a
 157 contract, including a provider agreement, with an agency.

158 (3) ACTIONS PROHIBITED.-

159 (a) An agency or independent contractor may not dismiss,
 160 discipline, or take any other adverse personnel action against
 161 an employee for disclosing information protected under this
 162 section.

163 (b) An agency or independent contractor may not take any
 164 adverse personnel action that affects the rights or interests of
 165 a person in retaliation for the person's disclosure of
 166 information protected under this section.

167 (c) This subsection does not apply when an employee or a
 168 person discloses information known by the employee or person to
 169 be false or when the employee or person discloses information
 170 that forms the basis of an award of costs or attorney fees or
 171 both pursuant to s. 112.317(7).

172 (4) NATURE OF INFORMATION DISCLOSED.-The protected
 173 information disclosed under this section must include any
 174 violation or suspected violation of:

Page 6 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

175 (a) Any standard of conduct imposed by this part;
 176 (b) Section 8, Art. II of the State Constitution; or
 177 (c) Section 11.062, s. 16.715, part II of chapter 287, s.
 178 350.031, s. 350.04, s. 350.041, s. 350.042, or s. 350.0605.

179 (5) TO WHOM INFORMATION IS DISCLOSED.—The information
 180 disclosed under this section must be disclosed to the
 181 commission.

182 (6) EMPLOYEES AND PERSONS PROTECTED.—This section protects
 183 employees and persons who submit a written complaint to the
 184 commission executed on the form specified in s. 112.324(1) and
 185 signed under oath or affirmation or who provide information to
 186 an investigator during an investigation of a complaint. A remedy
 187 or other protection under this section does not apply to any
 188 employee or person who has committed or intentionally
 189 participated in committing the violation or suspected violation
 190 for which protection under this section is being sought.

191 (7) REMEDIES.—Any employee of or applicant for employment
 192 with an agency who is subjected to adverse personnel action
 193 because he or she engaged in an activity protected by this
 194 section may file a complaint, which must be made in accordance
 195 with s. 112.3243. Upon receipt of notice from the commission of
 196 termination of the investigation, the complainant may elect to
 197 pursue the administrative remedy available under s. 112.3243 or
 198 bring a civil action within 180 days after receipt of the
 199 notice.

200 (8) RELIEF.—In any action brought under this section, the
 201 relief must include the following:

202 (a) Reinstatement of the employee to the same position held
 203 before the adverse personnel action was commenced, or to an

Page 7 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

204 equivalent position, or reasonable front pay as an alternative
 205 relief.

206 (b) Reinstatement of the employee's full fringe benefits
 207 and seniority rights, as appropriate.

208 (c) Compensation to the employee, if appropriate, for lost
 209 wages, benefits, or other lost remuneration caused by the
 210 adverse personnel action.

211 (d) Payment of reasonable costs, including attorney fees,
 212 to a substantially prevailing employee, or to the prevailing
 213 employer if the employee filed a frivolous action in bad faith.

214 (e) Issuance of an injunction, if appropriate, by a court
 215 of competent jurisdiction.

216 (f) Temporary reinstatement of the employee to his or her
 217 former position or to an equivalent position, pending the final
 218 outcome on the complaint, if an employee complains of being
 219 discharged in retaliation for a protected disclosure and if a
 220 court of competent jurisdiction or the commission, as applicable
 221 under s. 112.3243, determines that the disclosure was not made
 222 in bad faith or for a wrongful purpose or that the disclosure
 223 occurred after an agency's or independent contractor's
 224 initiation of a personnel action against the employee which
 225 includes documentation of the employee's violation of a
 226 disciplinary standard or performance deficiency. This paragraph
 227 does not apply to an employee of a municipality.

228 (9) DEFENSE.—It is an affirmative defense to any action
 229 brought pursuant to this section that the adverse personnel
 230 action was predicated upon grounds other than, and would have
 231 been taken absent, the employee's or person's exercise of rights
 232 protected by this section.

Page 8 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

233 (10) EXISTING RIGHTS.—This section does not diminish the
 234 rights, privileges, or remedies of an employee under any other
 235 law or rule or under any collective bargaining agreement or
 236 employment contract; however, the election of remedies in s.
 237 447.401 also applies to actions under this section.

238 Section 3. Paragraphs (g) and (h) are added to subsection
 239 (2) of section 112.324, Florida Statutes, to read:

240 112.324 Procedures on complaints of violations and
 241 referrals; public records and meeting exemptions.—

242 (2)

243 (g) Notwithstanding the exemptions in paragraphs (a)-(d),
 244 the Commission on Ethics shall deliver a copy of an ethics
 245 complaint, and its timely amendments, to the Public Employees
 246 Relations Commission upon receiving a written request from the
 247 agency. The Commission on Ethics' delivery of the complaint, and
 248 any amendment thereto, does not affect the exemptions in
 249 paragraphs (a)-(d) in any other context. The Commission on
 250 Ethics shall deliver the complaint, and any amendment thereto,
 251 within a reasonable timeframe. If the exemptions in paragraphs
 252 (a)-(d) are applicable at the time of the request, the
 253 commission must redact any designation to the complaint form it
 254 supplied after the form was filed, including, but not limited
 255 to, date stamps, receipt stamps, and complaint serial numbers.

256 (h) Notwithstanding the exemptions in paragraphs (a)-(d),
 257 the commission shall deliver a copy of an ethics complaint, and
 258 its timely amendments, to the person who filed the ethics
 259 complaint and identified himself or herself in the text of the
 260 complaint or its timely amendments as a current or former
 261 employee of the agency associated with the respondent named in

Page 9 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

262 the complaint or of an independent contractor of that agency,
 263 upon receiving a notarized, written request from such person.
 264 The commission's delivery of the complaint, and any amendment
 265 thereto, does not affect the exemptions in paragraphs (a)-(d) in
 266 any other context. The commission shall deliver the complaint
 267 within a reasonable timeframe. If the exemptions in paragraphs
 268 (a)-(d) are applicable at the time of the request, the
 269 commission must redact any designation to the complaint form it
 270 supplied after the form was filed, including, but not limited
 271 to, date stamps, receipt stamps, and complaint serial numbers.

272 Section 4. Section 112.3243, Florida Statutes, is created
 273 to read:

274 112.3243 Investigative procedures in response to prohibited
 275 personnel actions against ethics complaints.—

276 (1) COMPLAINT.—

277 (a) If a disclosure under s. 112.3242 results in alleged
 278 retaliation by an employer, the employee or former employee of
 279 an agency or independent contractor that is so affected may file
 280 a complaint alleging a prohibited personnel action, which must
 281 be made by filing a written complaint with the commission no
 282 later than 60 days after the prohibited personnel action.

283 (b) Within 5 working days after receiving a complaint under
 284 this section, the commission shall acknowledge receipt of the
 285 complaint and provide copies of the complaint and any other
 286 preliminary information available concerning the disclosure of
 287 information under s. 112.3242 to the employer, who shall
 288 acknowledge receipt of such copies to the complainant.

289 (2) FACT-FINDING.—The commission shall:

290 (a) Receive any allegation of a personnel action prohibited

Page 10 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

291 by s. 112.3242, including a proposed or potential action, and
 292 conduct informal fact-finding regarding any allegation of a
 293 legally sufficient complaint under this section to the extent
 294 necessary to determine whether there are reasonable grounds to
 295 believe that a prohibited personnel action under s. 112.3242 has
 296 occurred, is occurring, or is to be taken.

297 (b) Within 180 days after receiving the complaint, provide
 298 the agency head or independent contractor and the complainant
 299 with a fact-finding report that may include recommendations to
 300 the parties or a proposed resolution of the complaint. The fact-
 301 finding report is admissible in any subsequent or related
 302 administrative or judicial review.

303 (3) INVESTIGATIVE POWERS AND TERMINATION OF INVESTIGATION.—

304 (a) The commission, in accordance with this section, is
 305 empowered to:

306 1. Receive and investigate complaints from employees
 307 alleging retaliation by agencies or independent contractors.

308 2. Administer oaths, examine witnesses, take statements,
 309 issue subpoenas, order the taking of depositions, order
 310 responses to written interrogatories, and make appropriate
 311 motions to limit discovery, pursuant to investigations under
 312 subparagraph 1.

313 3. Create fact-finding reports and make determinations
 314 regarding investigations under subparagraph 1.

315 (b) The commission shall notify a complainant of the status
 316 of the investigation and any action taken at such times as the
 317 commission deems appropriate.

318 (c) 1. If the commission determines that, in connection with
 319 any investigation, reasonable grounds exist to believe that a

Page 11 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

320 prohibited action has occurred, is occurring, or is to be taken
 321 which requires corrective action, the commission must report the
 322 determination together with a fact-finding report to the agency
 323 head or independent contractor and the complainant. The
 324 commission may include in the report recommendations for
 325 corrective action.

326 2. If the commission, in consultation with the individual
 327 subject to the prohibited action, finds that the agency or
 328 independent contractor has implemented a corrective action in
 329 response to the commission's determination and fact-finding
 330 report, the commission must file such finding with the agency
 331 head or independent contractor, together with any written
 332 comments that the individual provides, and terminate the
 333 investigation. The commission shall provide notice of the
 334 termination of its investigation, along with the reason for
 335 termination, to the complainant and the agency head or
 336 independent contractor.

337 3. If the agency or independent contractor, after 35 days,
 338 does not implement a corrective action, the commission must
 339 terminate the investigation. If an investigation is terminated
 340 pursuant to this subparagraph, the commission must provide
 341 notice of the termination of its investigation, along with the
 342 reason for termination, to the complainant and the agency head
 343 or independent contractor, and notify the complainant of the
 344 right to appeal under subsection (4).

345 (d) If the commission determines that there are no
 346 reasonable grounds to believe that a prohibited personnel action
 347 has occurred, is occurring, or is to be taken, the commission
 348 must terminate its investigation and report its determination,

Page 12 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

349 together with a fact-finding report and a notice of termination
 350 of investigation, to the agency head or independent contractor
 351 and the complainant.

352 (e) During any investigation under this section,
 353 disciplinary action may not be taken against an employee of an
 354 agency or independent contractor for reporting an alleged
 355 prohibited personnel action that is under investigation, or for
 356 reporting any related activity, or against any employee for
 357 participating in an investigation without notifying the
 358 commission.

359 (4) RIGHT TO APPEAL.—

360 (a) The complainant may, within 21 days after receipt of a
 361 notice of termination of an investigation from the commission,
 362 file a complaint against the employer agency regarding the
 363 alleged prohibited personnel action with the Public Employees
 364 Relations Commission. The Public Employees Relations Commission
 365 has jurisdiction over such complaints under ss. 112.3242 and
 366 447.503(4) and (5).

367 (b) Judicial review of any final order of the commission
 368 must be as provided in s. 120.68.

369 (5) RULEMAKING.—The commission may adopt rules to implement
 370 this section.

371 Section 5. For the purpose of incorporating the amendment
 372 made by this act to section 112.313, Florida Statutes, in a
 373 reference thereto, subsection (1) of section 112.3136, Florida
 374 Statutes, is reenacted to read:

375 112.3136 Standards of conduct for officers and employees of
 376 entities serving as chief administrative officer of political
 377 subdivisions.—The officers, directors, and chief executive

Page 13 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

585-01751-26

202692c1

378 officer of a corporation, partnership, or other business entity
 379 that is serving as the chief administrative or executive officer
 380 or employee of a political subdivision, and any business entity
 381 employee who is acting as the chief administrative or executive
 382 officer or employee of the political subdivision, for the
 383 purposes of the following sections, are public officers and
 384 employees who are subject to the following standards of conduct
 385 of this part:

386 (1) Section 112.313, and their "agency" is the political
 387 subdivision that they serve; however, the contract under which
 388 the business entity serves as chief executive or administrative
 389 officer of the political subdivision is not deemed to violate s.
 390 112.313(3) or (7).

391 Section 6. This act shall take effect January 1, 2027.

Page 14 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

January 13, 2026

The Florida Senate

APPEARANCE RECORD

CS/SB 92

Meeting Date
Committee on Ethics & Elections

Committee
Name

Kerrie Stillman, Executive Director

Phone 850-488-7864

Address 325 John Knox Road, Bldg. E, Suite 200

Email stillman.kerrie@leg.state.fl.us

Street

Tallahassee

FL

32303

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:					
<input type="checkbox"/>	I am appearing without compensation or sponsorship.				
<input checked="" type="checkbox"/>	I am a registered lobbyist, representing: Florida Commission on Ethics				
<input type="checkbox"/>	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:				

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

COMMITTEE MEETING PACKET TAB

Ethics and Elections

7

A55C

MEETING DATE: Tuesday, January 13, 2026

TIME: 4:00—6:00 p.m.

PLACE: Mallory Horne Committee Room, 37 Senate Building

Board of Directors, Florida High School Athletic Association



Recommendation for Senate Confirmation of Executive Appointment

Appointee: Cervera, Adam
Term: 10/17/2025 – 08/21/2026
City/County: Tamarac/Broward
Office: Board of Directors, Florida High School Athletic Association, Member
Authority: s. 1006.20(4)(d)
Reference(s): Committee on Education Pre-K - 12-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 6 filed as of 7/1/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/13/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: Attorney at Becker & Poliakoff, P.A.

Compensation:

Requirements: a) The executive and legislative authority of the FHSAA is vested in its board of directors, which is composed of 13 members, 8 of whom are appointed by the Governor and confirmed by the Senate, as follows:

1. Two public member school representatives elected from among its public school representative members. Each elected representative must be from a different administrative region.
2. Two nonpublic member school representatives elected from among its nonpublic school representative members. Each elected representative must be from a different administrative region that is also different from the public member school representatives elected under subparagraph 1.
3. Two public member school representatives appointed from different administrative regions.
4. Two nonpublic member school representatives appointed from different administrative regions that are also different than those represented by the public member school representatives appointed under subparagraph 3.
5. Two representatives, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions.
6. One district school superintendent appointed from the northernmost administrative region.
7. One district school board member appointed from the southernmost administrative region.
8. The commissioner or his or her designee from the department executive staff.

Additional Requirements:

(c) The FHSAA's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the FHSAA's board of directors, representative assembly, and appeals committees.

(d) Members of the board of directors shall serve terms of 3 years and are eligible to succeed themselves only once. A member of the board of directors, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

Notes: Number 15 - Mr. Cervera disclosed his employer, Becker & Poliakoff, P.A, has contractual relationships with the State.

Number 17 - Mr. Cervera is serving on the Broward County School Board, since 2025.

COMMITTEE MEETING PACKET TAB

Ethics and Elections

MEETING DATE: Tuesday, January 13, 2026

TIME: 4:00—6:00 p.m.

PLACE: Mallory Horne Committee Room, 37 Senate Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Barrow, Bennett H. Appointed: 09/19/2025
Term: 09/19/2025 – 07/01/2027 Prior Term: 10/19/2016 - 07/01/2019
City/County: Tampa/Hillsborough
Office: Tampa-Hillsborough County Expressway Authority, Member
Authority: 348.52(2)(a), F.S.
Reference(s): Committee on Transportation-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/1/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/19/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: CEO of RareGuru, LLC

Compensation: Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

Requirements: The authority consists of seven members, as follows:

- Four members who are appointed by the Governor subject to Senate confirmation;
- One member who is the Mayor of Tampa or the mayor's designee, serving as a member ex officio;
- One member who is a member of the Board of County Commissioners of Hillsborough County, serving as a member ex officio; and
- One member who is a district secretary of the Department of Transportation from the district which contains Hillsborough County, serving as a member ex officio.

Additional Requirements: Terms are for four years.

Required to file Form 6 with Commission on Ethics.

Notes: Number 8 - Governor's Appointment

Number 19 - Mr. Barrow was the assistant to the chief of staff for the Hillsborough County Supervisor of Elections from 2003-2004.

Education Verified

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Cassidy, Vincent J. Appointed: 09/19/2025
Term: 09/19/2025 – 07/01/2028 Prior Term: 08/28/2017 - 07/01/2021
City/County: Tampa/Hillsborough
Office: Tampa-Hillsborough County Expressway Authority, Member
Authority: 348.52(2)(a), F.S.
Reference(s): Committee on Transportation-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 6 filed as of 6/16/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 10/31/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: CEO of Majesty Title Services, LLC (Title Insurance)

Compensation: Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

Requirements: The authority consists of seven members, as follows:

- Four members who are appointed by the Governor subject to Senate confirmation;
- One member who is the Mayor of Tampa or the mayor's designee, serving as a member ex officio;
- One member who is a member of the Board of County Commissioners of Hillsborough County, serving as a member ex officio; and
- One member who is a district secretary of the Department of Transportation from the district which contains Hillsborough County, serving as a member ex officio.

Additional Requirements: Terms are for four years.

Requirements: Required to file Form 6 with Commission on Ethics.

Notes: Number 8 - Governor's Appointment

Number 15 - Mr. Cassidy disclosed that his business issued a title policy ordered by the City of Tampa.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Nandam, Lakshmikanth
Term: 09/19/2025 – 07/01/2029
City/County: Valrico/Hillsborough
Office: Tampa-Hillsborough County Expressway Authority, Member
Authority: 348.52(2)(a), F.S.
Reference(s): Committee on Transportation-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Appointed: 09/19/2025

Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 6 filed as of 6/12/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/13/25
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

Occupation: GFT Inc.

Compensation: Reimbursed for per diem and travel expenses pursuant to s. 112.061, F.S.

Requirements: The authority consists of seven members, as follows:

- Four members who are appointed by the Governor subject to Senate confirmation;
- One member who is the Mayor of Tampa or the mayor's designee, serving as a member ex officio;
- One member who is a member of the Board of County Commissioners of Hillsborough County, serving as a member ex officio; and
- One member who is a district secretary of the Department of Transportation from the district which contains Hillsborough County, serving as a member ex officio.

Additional Requirements: Terms are for four years.

Required to file Form 6 with Commission on Ethics.

Notes: Number 19 - Mr. Nandam worked for the Department of Transportation 2004-2016. Mr. Nandam worked for the City of Boca Raton 1998-2004.

Education Verified

COMMITTEE MEETING PACKET TAB

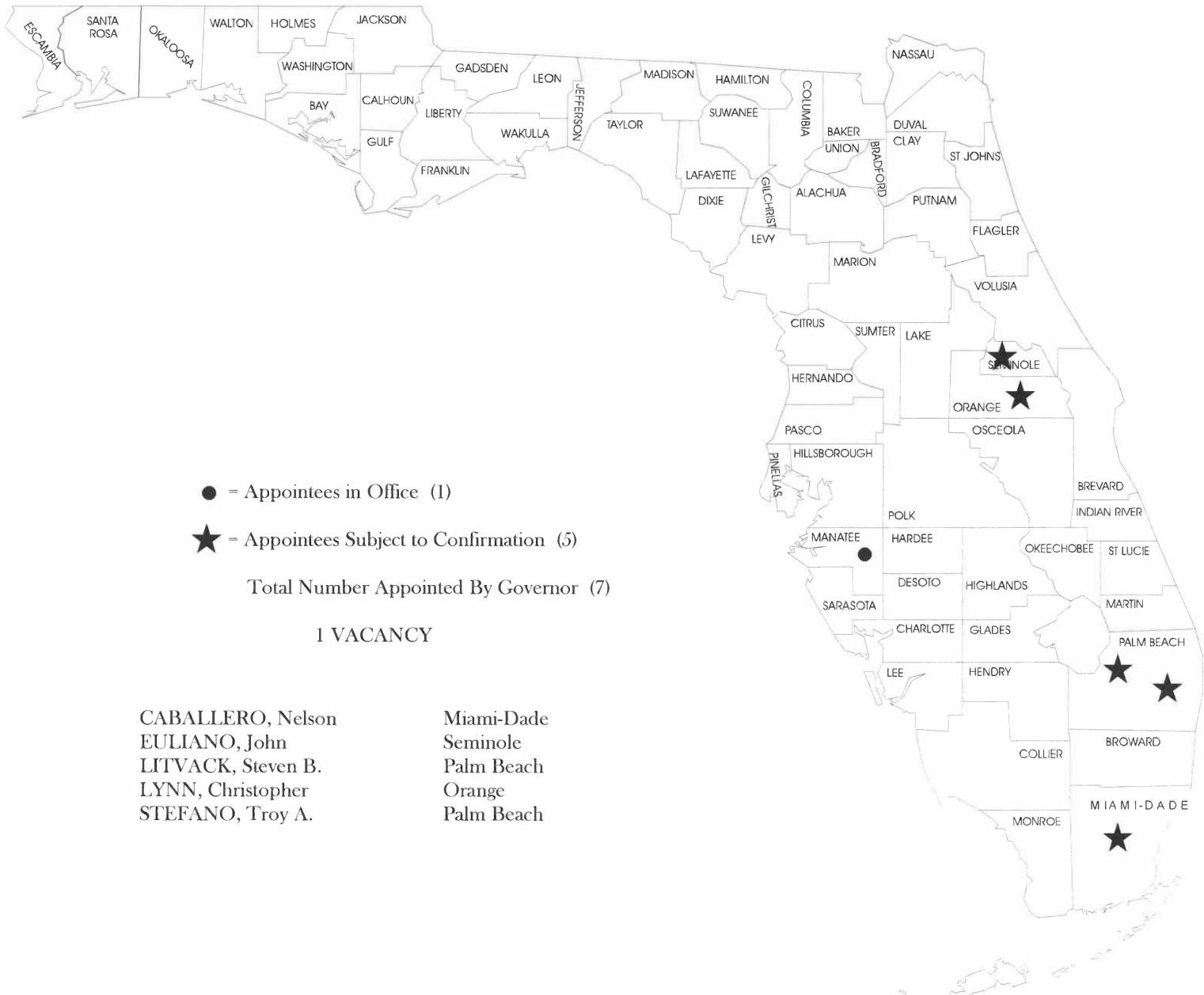
Ethics and Elections

MEETING DATE: Tuesday, January 13, 2026

TIME: 4:00—6:00 p.m.

PLACE: Mallory Horne Committee Room, 37 Senate Building

Commission for Independent Education



CABALLERO, Nelson	Miami-Dade
EULIANO, John	Seminole
LITVACK, Steven B.	Palm Beach
LYNN, Christopher	Orange
STEFANO, Troy A.	Palm Beach

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Litvack, Steven B. Appointed: 07/22/2025
Term: 07/22/2025 – 06/30/2027 Prior Term:
City/County: Delray Beach/Palm Beach
Office: Commission for Independent Education, Member
Authority: 1005.21(2), F.S.
Reference(s): Committee on Education Pre-K - 12-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/24/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/13/25
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: President of Jersey College

Compensation: Reimbursed for per diem and travel expenses pursuant to s. 112.061, F. S.

Requirements: The commission shall be composed of seven members who are residents of this state.

- Two representatives of independent colleges or universities licensed by the commission.
- Two representatives of independent nondegree granting schools licensed by the commission.
- One member from a public school district or Florida College System who is an administrator of career and technical education.
- One representative of a college that meets the criteria of s. 1005.06(1)(f).
- One lay member who is not affiliated with an independent postsecondary educational institution.

Additional Requirements: Terms are for three years.

Requirements: The Governor may remove from office any member for cause.

Required to file Form 1 with the Commission on Ethics.

Notes: Number 8 - Represents an Independent Colleges and Universities

Number 15 - Mr. Litvack disclosed his employer, Jersey College, has a contractual relationship with the State for WIOA and grants.

Ethics and Elections

MEETING DATE: Tuesday, January 13, 2026

TIME: 4:00—6:00 p.m.

PLACE: Mallory Horne Committee Room, 37 Senate Building

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Allman, Patrick H., III
Term: 10/24/2025 – 02/06/2026
Appointed: 10/24/2025
Prior Term: 10/14/2019 - 02/06/2022
City/County: Tampa/Hillsborough
Office: Tampa Port Authority, Member
Authority: 95-488, L.O.F. & 05-332, L.O.F.
Reference(s): Committee on Transportation-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/26/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 11/19/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: General Manager of Odyssey Manufacturing Co. (Chemical Manufacturing)

Attendance: Attended 67 of 76 meetings (88%) from October 14, 2019 through December 2, 2025.

Compensation: Members may not be compensated by the port authority for their services but may be otherwise reimbursed for travel as provided by this act.

Requirements: The port authority shall consist of seven member seats with Seats 1 through 5 appointed by the Governor.

- The numerical assignment of Seats 1, 2, and 3 shall be designated by the port authority and appointed by the Governor.
- Members occupying Seat 4 and Seat 5 shall be appointed from a list of persons who have maritime industry backgrounds, notwithstanding any provision of general law to the contrary, nominated for that purpose by a nominating committee and as otherwise provided by this act.

The Governor shall make appointments through the standard application process if no nominations for Seat 4 or Seat 5 are received from the nominating committee.

- Seat 6 shall be occupied by a member of the board of county commissioners, appointed by that board, ex officio.
- Seat 7 shall be occupied by the Mayor of the City of Tampa, ex officio.

Each appointed member of the port authority must be a qualified elector of the county.

Additional Requirements: Terms shall be for four years.

Requirements: Required to file Form 1 with SOE's office.

Notes: Number 6 - Mr. Allman served in the U.S. Navy and Reserves 1978-2013.

Number 8 - Seat 5

Number 15 - Mr. Allman disclosed that the company he is a General Manager for (Odyssey Manufacturing Co.) sells chemicals and related products to most water and wastewater utilities in Florida. Mr. Allman disclosed that his company does not have a contractual relationship with the Tampa Port Authority.

Number 18 - Mr. Allman has served on the Tampa Port Authority since 2011.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Harrod, Chadwick William
Term: 10/24/2025 – 11/14/2026
City/County: Tampa/Hillsborough
Office: Tampa Port Authority, Member
Authority: 95-488, L.O.F. & 05-332, L.O.F.
Reference(s): Committee on Ethics and Elections
Committee on Transportation-Recommend Confirm-12/09/2025

Appointed: 10/24/2025
Prior Term: 07/30/2019 - 11/14/2022

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/2/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	See Below
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/19/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

Occupation: CEO of Harrod Properties, Inc. (real estate development)

Attendance: Attended 64 of 76 meetings (84%) from July 30, 2019 through November 6, 2025.

Compensation: Members may not be compensated by the port authority for their services but may be otherwise reimbursed for travel as provided by this act.

Requirements: The port authority shall consist of seven member seats with Seats 1 through 5 appointed by the Governor.

- The numerical assignment of Seats 1, 2, and 3 shall be designated by the port authority and appointed by the Governor.
- Members occupying Seat 4 and Seat 5 shall be appointed from a list of persons who have maritime industry backgrounds, notwithstanding any provision of general law to the contrary, nominated for that purpose by a nominating committee and as otherwise provided by this act.

The Governor shall make appointments through the standard application process if no nominations for Seat 4 or Seat 5 are received from the nominating committee.

- Seat 6 shall be occupied by a member of the board of county commissioners, appointed by that board, ex officio.
- Seat 7 shall be occupied by the Mayor of the City of Tampa, ex officio.

Each appointed member of the port authority must be a qualified elector of the county.

Additional Requirements: Terms shall be for four years.
Required to file Form 1 with SOE's office.

Notes: Number 8 - Seat 1

Number 9 - Mr. Harrod disclosed he was charged with a misdemeanor because he brought a fire arm to a county courthouse while attending jury duty. He was subsequently acquitted. FDLE reported this incident occurred on 10/14/2009 in Hillsborough County and provided the case was dismissed on 12/16/2009.

Number 15 - Mr. Harrod disclosed his company is the landlord for the Department of Veterans' Affairs in Largo, the Pinellas County Convention and Visitors' Bureau, and the Pinellas County Sheriff's Office (Child Services). Mr. Harrod disclosed that he is a manager of the Park Owners Association where the Pinellas County Supervisor of Elections is renting office space.

Recommendation for Senate Confirmation of Executive Appointment

Appointee: Kaplan, Mark
Term: 10/24/2025 – 02/06/2028
City/County: Tampa/Hillsborough
Office: Tampa Port Authority, Member
Authority: 95-488, L.O.F. & 05-332, L.O.F.
Reference(s): Committee on Transportation-Recommend Confirm-12/09/2025
Committee on Ethics and Elections

Appointed: 10/24/2025

Prior Term:

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/17/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 11/19/25
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist			

Occupation: VP of Government & Community Relations for the University of Florida

Compensation: Members may not be compensated by the port authority for their services but may be otherwise reimbursed for travel as provided by this act.

Requirements: The port authority shall consist of seven member seats with Seats 1 through 5 appointed by the Governor.

- The numerical assignment of Seats 1, 2, and 3 shall be designated by the port authority and appointed by the Governor.
- Members occupying Seat 4 and Seat 5 shall be appointed from a list of persons who have maritime industry backgrounds, notwithstanding any provision of general law to the contrary, nominated for that purpose by a nominating committee and as otherwise provided by this act.

The Governor shall make appointments through the standard application process if no nominations for Seat 4 or Seat 5 are received from the nominating committee.

- Seat 6 shall be occupied by a member of the board of county commissioners, appointed by that board, ex officio.
- Seat 7 shall be occupied by the Mayor of the City of Tampa, ex officio.

Each appointed member of the port authority must be a qualified elector of the county.

Additional Requirements: Terms shall be for four years.

Requirements: Required to file Form 1 with SOE's office.

Notes: Number 8 - Seat 4

Number 18 - Mr. Kaplan served on the 1st DCA JNC 1999-2001. Mr. Kaplan served on the Florida Automobile JUA in 2004. Mr. Kaplan served on the State Board of Education 2010-2011. Mr. Kaplan served on the Tampa Port Authority 2017-2018.

Number 19 - Mr. Kaplan is VP of Government & Community Relations for the University of Florida, since 2018. Mr. Kaplan worked in the Executive Office of the Governor 2004-2007. Mr. Kaplan was the Executive Director of the Florida Housing Finance Corporation 2000-2003. Mr. Kaplan was OPS for the Department of Insurance 1984-1985.

CourtSmart Tag Report

Room: SB 37

Case No.:

Type:

Caption: Senate Ethics and Elections Committee

Judge:

Started: 1/13/2026 3:59:19 PM

Ends: 1/13/2026 4:38:04 PM

Length: 00:38:45

3:59:24 PM Chair Gaetz calls the meeting to order
3:59:26 PM Roll call
3:59:48 PM Chair Gaetz makes opening remarks
4:00:07 PM Tab 2, SB 572 by Senator Harrell, Ethics for Public Employees
4:00:13 PM Senator Harrell explains the bill
4:01:21 PM Chair Gaetz recognizes public testimony
4:01:29 PM Speaking:
4:01:38 PM Kerrie Stillman
4:01:55 PM Senator Harrell waives close on the bill
4:02:09 PM Roll Call
4:02:38 PM Tab 3, SB 414 by Senator Bracy Davis
4:02:48 PM Senator Bracy Davis explains the bill
4:04:58 PM Senator Bracey Davis moves to TP SB 414
4:05:08 PM Tab 5, SB 500 by Senator Avila, Security for Statewide Constitutional Office Candidates
4:05:15 PM Senator Avila explains the bill
4:07:31 PM Questions:
4:07:38 PM Senator Polsky
4:07:47 PM Senator Avila
4:08:12 PM Senator Polsky
4:08:17 PM Senator Avila
4:08:39 PM Senator Polsky
4:09:16 PM Senator Avila
4:09:35 PM Senator Bernard
4:09:58 PM Senator Avila
4:10:22 PM Senator Bernard
4:10:36 PM Senator Avila
4:11:13 PM Senator Garcia
4:11:32 PM Senator Avila
4:12:29 PM Senator Garcia
4:15:04 PM Senator Avila makes closing remarks and waives close on the bill
4:15:06 PM Roll Call
4:15:45 PM Tab 4, SB 620 by Senator Mayfield, Candidate Qualifying
4:15:54 PM Senator Mayfield explains the bill
4:16:53 PM Chair Gaetz recognizes public testimony
4:16:56 PM Speaking:
4:17:24 PM Amina Spahic
4:18:23 PM Debate:
4:18:33 PM Senator Rouson
4:20:29 PM Senator Mayfield makes closing remarks, and waives close
4:20:32 PM Roll Call
4:21:02 PM Tab 6, CS/SB 92 by Senator Gaetz/ Governmental Oversight and Accountability, Employee Protections
4:21:16 PM Chair Gaetz passes the Gavel to Senator Bernard
4:21:24 PM Senator Gaetz explains the bill
4:23:11 PM Chair Bernard recognizes public appearances
4:23:15 PM Speaking:
4:23:22 PM Kerrie Stillman
4:23:51 PM Senator Gaetz waives close on the bill
4:23:54 PM Roll Call
4:24:20 PM Chair Bernard passes the gavel back to Senator Gaetz
4:24:31 PM Tab 7-10, confirmation hearings for appointments
4:25:08 PM Vice Chair Bernard moves for appearances to be heard
4:25:14 PM Roll Call

4:25:38 PM Recording Paused
4:30:53 PM Recording Resumed
4:30:56 PM Chair Gaetz calls for recess
4:31:04 PM Tab 1, SB 564 by Senator Yarborough, Student Volunteers at Polling Locations
4:31:20 PM Senator Yarborough explains the bill
4:31:50 PM Questions:
4:31:55 PM Senator Rouson
4:32:34 PM Senator Yarborough
4:33:05 PM Chair Bernard recognizes public appearances
4:33:07 PM Speaking:
4:33:12 PM Jerry Holland
4:34:41 PM Debate:
4:34:48 PM Senator Bradley
4:35:40 PM Senator Yarborough
4:36:02 PM Senator Bradley
4:36:52 PM Senator Yarborough waives close
4:36:55 PM Roll Call
4:37:30 PM Chair Bernard recognizes closing remarks
4:37:41 PM Senator Bradley
4:37:56 PM Senator Garcia moves to adjourn
4:37:59 PM Meeting Adjourned