

Tab 1	CS/SB 332 by JU, Bradley; Similar to CS/CS/H 00655 Public Meetings/Private Property Rights				
328364	D	S	GO, Bradley	Delete everything after	02/10 01:02 PM
Tab 2	SB 464 by Avila; Identical to H 00409 Observance of Veterans' Day by K-12 Schools				
Tab 3	SB 576 by Harrell; Compare to CS/H 01085 Local Government Cyber Security				
104076	D	S	GO, Harrell	Delete everything after	02/10 03:12 PM
Tab 4	SB 830 by Leek; Identical to H 00263 Public Records/County Administrators and City Managers				
Tab 5	SB 964 by Wright; Similar to H 06011 Financial Disclosures				
Tab 6	SB 984 by DiCeglie (CO-INTRODUCERS) Smith; Identical to H 00813 Firefighter Cancer Benefits and Prevention				
Tab 7	SB 1096 by Burgess; Compare to CS/H 01407 Remedies for Violations of the Florida Civil Rights Act				
Tab 8	SB 1296 by Martin; Similar to CS/H 00995 Public Employees Relations Commission				
655050	PCS	S	GO		02/10 03:20 PM
Tab 9	SB 1298 by Martin; Similar to H 00997 Public Records/Public Employees Relations Commission				
396156	PCS	S	GO		02/10 03:21 PM
Tab 10	SB 1612 by DiCeglie; Similar to CS/H 00967 Electronic Payments to Local Governments				
948168	D	S	GO, DiCeglie	Delete everything after	02/10 01:56 PM
Tab 11	SB 1656 by Burgess; Identical to CS/H 00249 Designation of the Official State Flagship				

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

GOVERNMENTAL OVERSIGHT AND ACCOUNTABILITY

Senator Mayfield, Chair
Senator DiCeglie, Vice Chair

MEETING DATE: Wednesday, February 11, 2026
TIME: 3:00—5:30 p.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Building*

MEMBERS: Senator Mayfield, Chair; Senator DiCeglie, Vice Chair; Senators Arrington, Bracy Davis, Brodeur, Grall, McClain, Polsky, and Rodriguez

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 332 Judiciary / Bradley (Similar CS/CS/H 655)	Public Meetings/Private Property Rights; Providing that specified entities may meet in private with their attorneys to discuss certain claims concerning private property rights; requiring that such meetings be transcribed; providing that such transcripts become public records at specified times; providing for future legislative review and repeal; providing a statement of public necessity, etc. JU 01/27/2026 Fav/CS GO 02/11/2026 RC	
2	SB 464 Avila (Identical H 409)	Observance of Veterans' Day by K-12 Schools; Requiring school districts to observe Veterans' Day as a school holiday, etc. ED 01/20/2026 Favorable GO 02/11/2026 RC	
3	SB 576 Harrell (Compare CS/H 1085)	Local Government Cyber Security; Creating the Local Government Cybersecurity Protection Program; requiring local governments to participate in the program and to apply to the Florida Digital Service to use cybersecurity programs and software; establishing priority for certain counties under the program; requiring the Florida Digital Service through the department to secure and administer federal funds, etc. GO 02/11/2026 AEG AP	

COMMITTEE MEETING EXPANDED AGENDA

Governmental Oversight and Accountability

Wednesday, February 11, 2026, 3:00—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 830 Leek (Identical H 263)	Public Records/County Administrators and City Managers; Providing an exemption from public records requirements for the personal identifying and location information of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers, including the names and personal identifying and location information of the spouses and children of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers; providing for future legislative review and repeal; providing for retroactive application; providing a statement of public necessity, etc. CA 01/20/2026 Favorable GO 02/11/2026 RC	
5	SB 964 Wright (Similar H 6011)	Financial Disclosures; Requiring reporting individuals and procurement employees to file annual reports listing certain gifts with the Commission on Ethics instead of with the required financial disclosure statement; requiring such individuals and employees who have left office or employment within a specified timeframe to file the annual report with the commission instead of at the same location as their financial disclosure statement; requiring reporting individuals and procurement employees to disclose the name, address, and affiliation of a person providing specified honorarium expenses with the commission instead of with the required financial disclosure statement, etc. EE 01/21/2026 Favorable GO 02/11/2026 RC	
6	SB 984 DiCeglie (Identical H 813)	Firefighter Cancer Benefits and Prevention; Revising conditions under which a specified one-time payment must be made by a former employer upon a firefighter's cancer diagnosis; requiring a former employer to provide death benefits for a specified timeframe under certain circumstances; deleting the requirement for the Division of State Fire Marshal to adopt rules for establishing employer cancer prevention best practices, etc. CA 01/27/2026 Favorable GO 02/11/2026 AP	

COMMITTEE MEETING EXPANDED AGENDA

Governmental Oversight and Accountability

Wednesday, February 11, 2026, 3:00—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	SB 1096 Burgess (Compare CS/H 1407)	Remedies for Violations of the Florida Civil Rights Act; Revising the timeframe when a civil action may be brought for violations of the act; providing that if the Florida Commission on Human Relations or the Equal Employment Opportunity Commission does not make a determination within a specified timeframe, the complainant may bring a civil action within a specified timeframe, etc. JU 02/03/2026 Favorable GO 02/11/2026 RC	

A proposed committee substitute for the following bill (SB 1296) is expected to be considered:

8	SB 1296 Martin (Similar CS/H 995, Compare H 997, Linked S 1298)	Public Employees Relations Commission; Deleting a provision requiring exceptions to a recommended order to be filed within a specified timeframe; authorizing subpoenas to be served by certified mail, return receipt requested, or by personal service; requiring an employee organization, within a specified timeframe, to revoke the membership of and cease the collection of membership dues from a public employee; revising requirements for the certification and recertification of an employee organization; deleting provisions relating to conflicts between any collective bargaining agreement provision and certain laws, ordinances, rules, or regulations, etc. GO 02/02/2026 Temporarily Postponed GO 02/11/2026 AEG FP	
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A proposed committee substitute for the following bill (SB 1298) is expected to be considered:

COMMITTEE MEETING EXPANDED AGENDA

Governmental Oversight and Accountability

Wednesday, February 11, 2026, 3:00—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
9	SB 1298 Martin (Similar H 997, Compare CS/H 995, Linked S 1296)	Public Records/Public Employees Relations Commission; Providing an exemption from public records requirements for the chair, commissioners, and hearing officers of the Public Employees Relations Commission; revising the exemption from public records requirements for draft orders and related written communications or the issuance of any order by the commission or its designees; providing an exemption from public records requirements for a showing of interest signed by the employees or group of employees who no longer desire to be represented by a certified bargaining agent; providing for future legislative review and repeal of the exemption; providing statements of public necessity, etc. GO 02/02/2026 Temporarily Postponed GO 02/11/2026 AEG FP	
10	SB 1612 DiCeglie (Similar CS/H 967)	Electronic Payments to Local Governments; Revising legislative intent; requiring each unit of local government to accept electronic payment online for payments received by and financial obligations owed to the unit of local government, etc. CA 01/27/2026 Favorable GO 02/11/2026 RC	
11	SB 1656 Burgess (Identical CS/H 249)	Designation of the Official State Flagship; Redesignating the official state flagship as the S.S. American Victory, etc. MS 01/26/2026 Favorable GO 02/11/2026 RC	

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
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Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.

Director and Chief Judge, Division of Administrative Hearings

12	Schwartz, Darren A. ()	Pleasure of Governor
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Florida Commission on Community Service

13	Brodeur, Christina ()	09/14/2028
14	Tuggerson, Katrina (Tallahassee)	09/14/2026
15	Puwalski, Jason ()	09/14/2028
16	Killinger, Lori (Tampa)	09/14/2028

COMMITTEE MEETING EXPANDED AGENDA

Governmental Oversight and Accountability

Wednesday, February 11, 2026, 3:00—5:30 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
17	Kerner, David M. ()	09/14/2028	
18	Kerce, Samuel (Tallahassee)	09/14/2026	
19	Karlinsky, Autumn (Weston)	09/14/2027	
20	Jefferson, Savannah Kelly (Tallahassee)	09/14/2027	
21	Hays, Jessica ()	09/14/2028	
22	Goff, Kristen Rhea (Santa Rosa Beach)	09/14/2028	
23	Flury, Michael ()	09/14/2027	
24	Edwards, Stefanie Ink (Fort Myers)	09/14/2028	
25	Cardoch, Lynette (Miami)	09/14/2027	
Florida Commission on Human Relations			
26	Tapia, Jose ()	09/30/2027	
Investment Advisory Council			
27	Hosseini, Morteza "Mori" (Ormond Beach)	06/10/2029	
28	Jones, Peter D. (Clearwater)	03/05/2029	
Governor's Mansion Commission			
29	Chaney, Ashley (Tallahassee)	09/30/2026	
30	Jefferson, Savannah Kelly (Tallahassee)	09/14/2027	
Public Employees Relations Commission			
31	Aaron, Jeffrey (Maitland)	01/01/2029	

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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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 Governmental Oversight and Accountability

BILL: CS/SB 332

INTRODUCER: Judiciary Committee and Senator Bradley

SUBJECT: Public Meetings/Private Property Rights

DATE: February 10, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bond</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
2.	<u>Harmsen</u>	<u>McVane</u>	<u>GO</u>	Pre-meeting
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 332 creates a public meetings exemption to allow the members of a governmental entity board to meet privately to review a claim made against the government pursuant to the Bert J. Harris, Jr., Property Rights Protection Act. Once the claim is resolved or has expired, the records of the meeting, including a transcript, will be open to the public.

The Bert Harris Act creates a means for a landowner to seek compensation in certain instances where a local government entity has taken an action that has reduced the fair market value of the property. A claimant must make a claim prior to filing a lawsuit and the local government must respond to the claim.

Under current law, the meeting among government officials to discuss a Bert Harris claim and determine potential settlement offers must be open to the public. However, similar meetings of a public body to discuss lawsuit strategies and settlement offers in the same type of matter are closed to the public during the course of the lawsuit but open when the litigation is concluded.

The bill is expected to have an indeterminate impact on state and local government expenditures.

The bill is subject to Article I, section 24 of the State Constitution, which requires a two-thirds vote of each house of the Legislature on final passage.

The bill is effective July 1, 2026.

II. Present Situation:

Open Meetings Law

The Florida Constitution provides that the public has a right to access governmental meetings.¹ Each collegial body must provide notice of its meetings to the public and permit the public to attend any meeting at which official acts are taken or at which public business is transacted or discussed.² This applies to the meetings of any collegial body of the executive branch of state government, counties, municipalities, school districts, or special districts.

Public policy regarding access to government meetings is also addressed in the Florida Statutes. Section 286.011, F.S., which is also known as the “Government in the Sunshine Law,”³ or the “Sunshine Law,”⁴ requires all meetings of any board or commission of any state or local agency or authority at which official acts are to be taken be open to the public.⁵ A commonly used exception creates an exception for meetings often referred to as a “shade meeting.” By general law passed by a two-thirds vote of each house, the Legislature may exempt any meeting from the public meeting requirements.⁶

Shade Meetings

A shade meeting refers to a private meeting of any public board or commission to discuss litigation strategy with an attorney hired by that board or commission.⁷ To be lawful, a shade meeting must comply with these requirements:

- The board or commission’s attorney must advise the board or commission at a public meeting that the attorney desires advice concerning the litigation.
- The subject matter of the meeting must be confined to settlement negotiations or strategy sessions related to litigation expenditures.
- The entire private session must be recorded by a certified court reporter.
- The entity must give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session.
- The transcript must be made part of the public record upon conclusion of the litigation.⁸

Bert Harris Act

The “Bert J. Harris, Jr., Private Property Rights Protection Act” was first enacted by the 1995 Legislature.⁹

¹ FLA. CONST., art. I, s. 24(b).

² *Id.*

³ *Times Pub. Co. v. Williams*, 222 So. 2d 470, 472 (Fla. 2d DCA 1969).

⁴ *Board of Public Instruction of Broward County v. Doran*, 224 So. 2d 693, 695 (Fla. 1969).

⁵ Section 286.011(1)-(2), F.S.

⁶ FLA. CONST., art. I, s. 24(c).

⁷ Section 286.011(8), F.S.

⁸ Sections 286.011(8)(a)-(e), F.S.

⁹ Chapter 95-181, Laws of Fla. Bert J. Harris, Jr. was known as a champion of private property rights in Florida. He was a state Representative who represented the Lake Placid area from 1982 to 1996. He made the promotion of agriculture his life’s avocation. A 1943 honors graduate of the University of Florida with a degree in agriculture, Harris served as a corporal in the U.S. Army Air Corps during World War II. A citrus grower and rancher himself, Harris owned Rainbow Caladiums and was an independent farming consultant until his election into the Legislature. Harris’ efforts with the passage of private property

The act provides that, when a specific action of a governmental entity has inordinately burdened an existing use of real property or a vested right to a specific use of real property, the property owner of that real property is entitled to relief, which may include compensation for the actual loss to the fair market value of the real property caused by the action of government.¹⁰ The stated intent of the act is to provide relief in cases that may not rise to the level of a taking under the State Constitution or the United States Constitution.¹¹

For purposes of the act, a governmental entity is an agency of the state, a regional or local government created by the State Constitution or by general or special act, a county or municipality, or any other entity that independently exercises governmental authority.¹²

The act creates a civil cause of action for an affected property owner.¹³ At least 90 days prior to filing a lawsuit, the property owner must file a claim with the governmental entity. The claim must include a written appraisal report that supports the claim and demonstrates the loss in fair market value to the real property.¹⁴ During the 90-day-notice period, unless extended by agreement of the parties, the governmental entity must reply with a written settlement offer that includes actions that the entity may take to mitigate the impact, including one or more of the following:

- An adjustment of land development or permit standards or other provisions controlling the development or use of land.
- Increases or modifications in the density, intensity, or use of areas of development.
- Transfer of development rights.
- Land swaps or exchanges.
- Other mitigation including payments in lieu of onsite mitigation, or location on the least sensitive portion of the property.
- Conditioning the amount of development or use permitted.
- A requirement that issues be addressed on a more comprehensive basis than a single proposed use or development.
- Issuance of the development order, a variance, a special exception, or any other extraordinary relief.
- Purchase of the real property, or an interest therein, by an appropriate governmental entity or payment of compensation.

rights to protect landowners from excessive government resulted in the naming of the bill the “Bert J. Harris Jr. Private Property Rights Protection Act.” He also sponsored legislation to settle citrus canker cases, passed legislation to prevent the disparagement of perishable food products and worked to meet the Greenbelt Law. He passed away in 2019. This note is a compilation of historical data gleaned from the Florida Agricultural Hall of Fame, at <https://floridaaghalloffame.org/1999/10/bert-j-harris-jr/> and other sources, including https://en.wikipedia.org/wiki/Bert_J._Harris_Jr.

¹⁰ Section 70.001(2), F.S.

¹¹ Section 70.001(9), F.S.

¹² Section 70.001(3)(c), F.S.

¹³ Section 70.001(5)(b), F.S.

¹⁴ Section 70.001(4)(a), F.S.

Alternatively, the entity may reply with a statement that there will be no changes to the action of the governmental entity.¹⁵ The governmental entity must also make a written statement of allowable uses of the property, whether or not it makes a settlement offer.¹⁶

If the property owner rejects the settlement offer and written statement of allowable uses, then the property owner has exhausted the available remedies and may file a claim in circuit court in the county in which the real property is located.¹⁷ Any act prior to the property owner's filing of a claim is a pre-suit action, for which certain protections—namely, a public meeting exemption prescribed in s. 286.011(8), F.S.—that apply to parties in pending litigation do not apply.¹⁸ Thus, in order to craft a proposed settlement as required in s. 70.001(4)(c), F.S., the governmental entity must hold a public meeting that claimants can attend these meetings and discover the entity's view of the claim and its possible responses.

The governmental entity must reply to the property owner's claim within the judicial process after a claim is filed. Before filing for a judgment on the claim (or other type of pleading), the movant attorney has a duty to confer with opposing counsel (or the opposing party) to make a good-faith effort to resolve the issues raised in the motion—including a discussion of the anticipated results if they do not settle and alternative settlement strategies.¹⁹ Ordinarily, lawyers and clients can meet in private regarding litigation strategy, whether they are private actors or public.²⁰ The reason for this privacy is to encourage the client to be open and honest with his or her attorney without fear that others will be able to pry into those conversations. Further, being fully informed by the client enables the attorney to provide the best legal advice.²¹

III. Effect of Proposed Changes:

The bill creates a public meetings exemption allowing a public entity to conduct a private meeting with an attorney for the purpose of discussing a pre-suit claim submitted pursuant to the procedures required by the Bert J. Harris, Jr. Private Property Rights Protection Act.

The meeting must be:

- Limited to the subject of settlement negotiations or strategy sessions relating to the claim.
- Noticed to occur during an otherwise open meeting, and the notice must include the time and date of the session, and the names of who will attend.
- Initiated upon the governmental attorney's notice at a public meeting that he or she desires advice concerning a Bert Harris Act claim;
- Recorded by a certified court reporter, whose notes must also include the start and finish times of the closed session, all discussion and proceedings, the name of all persons present,

¹⁵ Section 70.001(4)(c)11., F.S.

¹⁶ Section 70.001(4)(c) and (5)(a), F.S.

¹⁷ Section 70.001(5)(b), F.S.

¹⁸ Op. Att'y Gen, Fla. 09-25 (2009).

¹⁹ Florida Rule of Civil Procedure Rule 1.202.

²⁰ Section 90.502, F.S.

²¹ Jacqueline Kate Unger, *Maintaining the Privilege: A Refresher on Important Aspects of the Attorney-Client Privilege*, ABA Law Today (Oct. 2013), https://www.americanbar.org/groups/business_law/resources/business-law-today/2013-october/maintaining-the-privilege/.

and the names of all persons speaking. These notes must be transcribed and filed with the governmental entity's clerk within a reasonable time after the meeting.

Any transcript created becomes public record upon any settlement of the claim, or at the expiration of the statute of limitations for hearing a claim arising under the Bert Harris Act if no litigation is filed and there is no settlement of a claim.

Upon resolution of the claim, the exemption ends and the records of the meeting, including transcripts, are open to public inspection and copying. The process created for this pre-suit meeting is the same as the process provided for in s. 286.011(8), F.S., that currently applies to the very similar attorney-client meetings of a governing body.

The bill also includes a public necessity statement and complies with the Open Government Sunset Review Act.

The bill is effective July 1, 2026, and is repealed October 2, 2031, unless saved from repeal.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public meetings requirements. This bill creates an exemption for meetings that occur within the context of the Bert Harris Act to facilitate a settlement. Thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public meetings requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption from the public meetings requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to provide for private discussion of litigation and settlement strategies for a Bert Harris Act claim. This bill closes only those portions of

the meetings at which such conversations are had and therefore is no broader than necessary.

However, the bill requires the local government to record and create a transcript of the pre-suit settlement meeting that is intended to be protected from open meetings requirements by this bill. However, the transcript, recording, and any related notes (if they classify as a public record) are not protected from disclosure by any current public records exemption. The sponsor may wish to include a public record exemption for these documents to ensure the protection of the information disclosed at the pre-suit settlement meeting.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill is expected to have an indeterminate impact on state and local government expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 70.90 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.)

CS by Judiciary on January 27, 2026:

The amendment changed the placement of the exemption to a standalone section without changing process or effect, added a public necessity statement, and added a future repeal to comply with the Open Government Sunset Review Act.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 70.90, Florida Statutes, is created to
read:

70.90 Public meetings and records regarding a claim under
the Bert J. Harris, Jr., Private Property Rights Protection
Act.—

(1) A meeting or portion of a meeting between an agency as



328364

defined in s. 119.011, or the chief administrative or executive officer of an agency, and the agency's attorney during the 90-day notice period specified in s. 70.001(4) to discuss claims submitted in accordance with that subsection is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution, provided that:

(a) The agency's attorney shall advise the agency at a public meeting that he or she desires advice concerning a claim submitted in accordance with s. 70.001(4).

(b) The subject matter of the meeting must be confined to settlement negotiations or strategy sessions relating to a claim submitted in accordance with s. 70.001(4).

(c) The entire session must be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session may be off the record. The court reporter's notes must be fully transcribed and filed with the agency's clerk within a reasonable time after the meeting.

(d) The agency shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session must commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting must be reopened, and the person chairing the meeting shall announce the termination of the session.



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(e) The transcript must be made part of the public record upon settlement of a claim under s. 70.001, or upon the expiration of the statute of limitations for the claim arising under this chapter in the event that no litigation is filed and there is no settlement of a claim under s. 70.001.

(2) Transcripts, recordings, minutes, and records generated during an exempt meeting or portion of such a meeting, pursuant to subsection (1), are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(3) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity that meetings or portions of meetings between an agency as defined in s. 119.011, Florida Statutes, or the chief administrative or executive officer of an agency, and the agency's attorney during the 90-day notice period specified in s. 70.001(4), Florida Statutes, to discuss claims submitted in accordance with that subsection be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Article I of the State Constitution, provided that certain conditions are met. When those meetings are conducted in an open meeting, the agency cannot effectively review, discuss, and prepare strategies for resolution of the claim. Similar meetings regarding ongoing litigation are currently confidential. Making these meetings, or portions of these meetings, closed to the public encourages agencies to reasonably develop negotiation strategies that make prelitigation resolution more likely. Requiring meetings



328364

relating to a Bert Harris claim to be public defeats the purpose of having a prelitigation claim process, namely, to foster settlement quickly while limiting attorney fees of all parties. The public is protected by the requirement that the records of the meeting be open once the claim is settled.

(2) The Legislature finds that it is a public necessity that the transcripts, recordings, minutes, and records generated during meetings or portions of meetings between an agency as defined in s. 119.011, Florida Statutes, or the chief administrative or executive officer of an agency, and the agency's attorney during the 90-day notice period specified in s. 70.001(4), Florida Statutes, to discuss claims submitted in accordance with that subsection be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Release of such information during negotiations or settlement discussions would negate the public meeting exemption. As such, the Legislature finds that the public record exemption is a public necessity.

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

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to public records and public meetings;
creating s. 70.90, F.S.; providing an exemption from
public meetings requirements for meetings or portions
of meetings between agencies and their attorneys to



328364

discuss certain claims concerning private property
rights; specifying what may be discussed during such
meetings; requiring that such meetings be transcribed;
providing that such transcripts become public records
at specified times; providing an exemption from public
records requirements for transcripts, recordings,
minutes, and records generated during the exempt
meetings or portions of such meetings; providing for
future legislative review and repeal of the
exemptions; providing a statement of public necessity;
providing an effective date.

By the Committee on Judiciary; and Senator Bradley

590-02242-26

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A bill to be entitled

An act relating to public meetings; creating s. 70.90, F.S.; providing that specified entities may meet in private with their attorneys to discuss certain claims concerning private property rights; specifying what may be discussed during such closed meetings; requiring that such meetings be transcribed; providing that such transcripts become public records at specified times; providing for future legislative review and repeal; providing a statement of public necessity; providing an effective date.

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

Section 1. Section 70.90, Florida Statutes, is created to read:

70.90 Public meetings and records regarding a claim under the Bert J. Harris, Jr., Private Property Rights Protection Act.—

(1) Notwithstanding s. 286.011(1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity may meet in private with the entity's attorney during the 90-day-notice period specified in s. 70.001(4) to discuss claims submitted in accordance with that subsection provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning a claim

Page 1 of 3

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submitted in accordance with s. 70.001(4).

(b) The subject matter of the meeting must be confined to settlement negotiations or strategy sessions relating to a claim submitted in accordance with s. 70.001(4).

(c) The entire session must be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session may be off the record. The court reporter's notes must be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session must commence at an open meeting at which the person chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting must be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript must be made part of the public record upon settlement of a claim under s. 70.001, or upon the expiration of the statute of limitations for the claim arising under this chapter in the event that no litigation is filed and there is no settlement of a claim under s. 70.001.

(2) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal

Page 2 of 3

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59 through reenactment by the Legislature.

60 Section 2. The Legislature finds that it is a public
61 necessity that meetings to discuss a presuit claim under the
62 Bert J. Harris, Jr., Private Property Rights Protection Act be
63 made confidential and closed to the public. When those meetings
64 are conducted in an open meeting, the governing body cannot
65 effectively review, discuss, and prepare strategies for
66 resolution of the claim. Similar meetings regarding ongoing
67 litigation are currently confidential. Making these hearings
68 confidential and closed to the public encourages a local
69 government to reasonably develop negotiation strategies that
70 make presuit resolution more likely. Requiring public hearings
71 relating to a Bert Harris claim defeats the purpose of having a
72 presuit claim process, namely, to foster settlement quickly
73 while limiting attorney fees of all parties. The public is
74 protected by the requirement that the records of the meeting are
75 open once the claim is settled.

76 Section 3. 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 Governmental Oversight and Accountability

BILL: SB 464

INTRODUCER: Senator Avila

SUBJECT: Observance of Veterans' Day by K-12 Schools

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2.	<u>McVaney</u>	<u>McVaney</u>	<u>GO</u>	Pre-meeting
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 464 requires each school district to observe Veterans' Day as a school holiday.

The bill is effective July 1, 2026.

II. Present Situation:

History of Veterans Day

World War I – known at the time as “The Great War” – officially ended when the Treaty of Versailles was signed on June 28, 1919, in the Palace of Versailles outside the town of Versailles, France. However, fighting ceased seven months earlier when an armistice, or temporary cessation of hostilities, between the Allied nations and Germany went into effect on the eleventh hour of the eleventh day of the eleventh month. For that reason, November 11, 1918, was generally regarded as the end of “the war to end all wars.”¹

The United States Congress officially recognized the end of World War I when it passed a resolution on June 4, 1926, recognizing the 11th of November and that the recurring anniversary of this date should be commemorated. As the legislatures of twenty-seven states had already declared November 11th to be a legal holiday the resolution requested that the President of the United States issue a proclamation calling upon officials to display the flag of the United States on all government buildings on November 11th and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies of friendly relations with all other peoples.²

¹ U.S Department of Veterans Affairs, *History of Veterans Day*, <https://department.va.gov/veterans-day/history-of-veterans-day/> (last visited January 13, 2026).

² *Id.*

In 1938, the 11th of November was designated each year as a legal holiday in an act of Congress and at that time was known as “Armistice Day,” and was primarily set aside to honor veterans of World War I. In 1954 the act was amended to replace “Armistice” with “Veterans” and became a day to honor all American Veterans of all wars.³

Veterans and Veterans’ Day in Florida

There are nearly 1.4 million veterans living in Florida as of 2023, second only to Texas with over 1.5 million veterans. Of those 1.4 million, 1.1 million are wartime veterans and 504,000 are service-connected disabled veterans. Some 692,000 Florida veterans are aged 65 or older.⁴

Florida law designates Veterans’ Day (November 11th) as one of numerous legal holidays to be observed in the state and provides that if a legal holiday falls on a Sunday that the following Monday will be considered the legal holiday.⁵ Florida law also designates November as “Veterans Appreciation Month” and allows the governor to issue an annual proclamation designating the observance and encouraging counties, municipalities, public schools and residents to create special programs and events to show appreciation the veterans who have served the United States.⁶

Florida law also designates Veterans’ Day on November 11th as a paid holiday for all state branches and agencies and stipulates that if the observance falls on a Saturday that the preceding Friday will be observed as the holiday and if the observance falls on a Sunday, the following Monday will be observed as the holiday.⁷

Florida district school boards are charged with setting the opening and closing of schools within each district and designating the observance of school holidays and vacation periods.⁸ For the 2025-2026 school year, 44 of 67 geographic school districts observed Veterans’ Day as a holiday while 11 of 13 special districts (e.g., the Florida Virtual School and laboratory schools) also observed the holiday.⁹

III. Effect of Proposed Changes:

The bill modifies s. 1002.42, F.S., to require that each school district observe Veterans’ Day as a school holiday. This aligns with the Legislature’s recognition of the day as a state holiday.

³ U.S Department of Veterans Affairs, *History of Veterans Day*, <https://department.va.gov/veterans-day/history-of-veterans-day/> (last visited Feb. 4, 2026).

⁴ Florida Department of Veterans’ Affairs, *Fast Facts*, <https://floridavets.org/our-veterans/profilefast-facts/> (last visited Feb. 4, 2026).

⁵ Section 683.01(1)(r), F.S.

⁶ Section 683.1475, F.S.

⁷ Section 110.117(1), F.S.

⁸ Section 1001.42(4)(f) and (g), F.S.

⁹ Florida Department of Education, *PK-12 Public School Data Publications & Reports: School District Calendars (2025-2026)*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/index.shtml> (last visited Feb. 4, 2026).

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have an impact on state or local government revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1001.42 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.

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

By Senator Avila

39-00583-26

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A bill to be entitled

An act relating to observance of Veterans' Day by K-12 schools; amending s. 1001.42, F.S.; requiring school districts to observe Veterans' Day as a school holiday; providing an effective date.

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

Section 1. Paragraph (g) of subsection (4) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.— Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, including, but not limited to, the following:

(g) *Observance of school holidays and vacation periods.*— Designate the observance of school holidays and vacation periods. Each school district shall observe Veterans' Day, as listed in s. 110.117(1)(f), as a school holiday.

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 Governmental Oversight and Accountability

BILL: SB 576

INTRODUCER: Senator Harrell

SUBJECT: Local Government Cyber Security

DATE: February 10, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Harmsen	McVaney	GO	Pre-meeting
2. _____	_____	AEG	_____
3. _____	_____	AP	_____

I. Summary:

SB 576 creates the Local Government Cybersecurity Protection Program, which will be administered by the Florida Digital Service (FLDS), within the Department of Management Services (DMS), to provide local governments and law enforcement access to programs and software to protect against cybersecurity threats and ransomware incidents. The FLDS must secure federal grants to further the program.

Local governments are required to participate in and apply for the program; fiscally constrained counties will be given priority.

The bill grants the DMS rulemaking authority to adopt an application form for the grant program.

The impact on local government revenues and expenditures is indeterminate. Local government may experience cost savings if it receives programs and software that would otherwise be funded with local revenues, but it may be required to expend funds to accommodate the programs and software if that chosen by the FLDS does not comport with its current information technology strategy.

The bill takes effect July 1, 2026.

II. Present Situation:

The Department of Management Services (DMS) oversees information technology (IT)¹ governance and security for the executive branch in Florida.² The Florida Digital Service (FLDS) is housed within the DMS and was established in 2020 to replace the Division of State Technology.³ The FLDS works under the DMS to implement policies for information technology and cybersecurity for state agencies.⁴

The head of the FLDS is appointed by the Secretary of Management Services⁵ and serves as the state chief information officer (CIO).⁶ The CIO must have at least five years of experience in the development of IT system strategic planning and IT policy and, preferably, have leadership-level experience in the design, development, and deployment of interoperable software and data solutions.⁷ The FLDS must propose innovative solutions that securely modernize state government, including technology and information services, to achieve value through digital transformation and interoperability, and to fully support Florida's cloud first policy.⁸

The DMS, through the FLDS, has the following powers, duties, and functions:

- Develop IT policy for the management of the state's IT resources;
- Develop an enterprise architecture;
- Establish project management and oversight standards with which state agencies must comply when implementing IT projects;
- Perform project oversight on all state agency IT projects that have a total cost of \$10 million or more and that are funded in the General Appropriations Act or any other law; and
- Identify opportunities for standardization and consolidation of IT services that support interoperability, Florida's cloud first policy, and business functions and operations that are common across state agencies.⁹

State Cybersecurity Act

The State Cybersecurity Act¹⁰ (the Cybersecurity Act) requires the DMS, acting through the FLDS, to establish standards and processes for assessing state agencies' cybersecurity risks and determine appropriate security measures. For purposes of the State Cybersecurity Act, a "state agency" is any official, officer, commission, board, authority, council, committee, or department

¹ The term "information technology" means equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form. Section 282.0041(20), F.S.

² See s. 20.22, F.S.

³ Chapter 2020-161, L.O.F.

⁴ See s. 20.22(2)(b), F.S.

⁵ The Secretary of Management Services serves as the head of the DMS and is appointed by the Governor, subject to confirmation by the Senate. Section 20.22(1), F.S.

⁶ Section 282.0051(2)(a), F.S.

⁷ *Id.*

⁸ Section 282.0051 (1), F.S.

⁹ *Id.*

¹⁰ Section 282.318(1), F.S.

of the executive branch and specifically includes the Department of Legal Affairs, the Department of Agriculture and Consumer Services, and the Department of Financial Services, but excludes university boards of trustees or state universities.¹¹

Additionally, under the Cybersecurity Act, the DMS must:¹²

- Adopt rules to mitigate risk and to safeguard state agency digital assets, data, information, and IT resources to ensure its confidentiality and integrity;
- Designate a chief information security officer (CISO);
- Develop an annual cybersecurity strategic plan that includes the identification and mitigation of risk, proactive protection against threats, and threat reporting and response and recovery protocols for a cyber incident;
- Publish an IT security framework for use by state agencies;
- Annually review state agencies' strategic and operational cybersecurity plans; and
- Operate a Cybersecurity Operations Center (CSOC), which serves as "a clearinghouse for threat information" and coordinates with the Department of Law Enforcement to support state agencies with their response to a confirmed or suspected cybersecurity incident.

Each state agency is also vested with responsibilities under the Cybersecurity Act, which include:¹³

- Creating a cybersecurity response team that convenes upon notice of a cybersecurity incident and reports on all confirmed or suspected incidents;
- Submitting an annual report on the agency's strategic and operational cybersecurity plans;
- Performing a triennial comprehensive risk assessment to determine security threats to the agency;
- Developing internal procedures, including procedures for reporting cybersecurity incidents and breaches to the Cybercrime Office and the FLDS;
- Receiving recommendations from the DMS regarding identified risks to agency data, information, and IT resources, and implementation of safeguards and risk assessment remediation plans to resolve the risk;
- Ensuring the performance of periodic internal audits and evaluations of the agency's cybersecurity program for the data, information, and IT resources of the agency; and
- Submitting an after-action report, including a summary of "insights gained as a result of the incident" to the FLDS within one week after the agency's resolution or remediation of a cybersecurity incident or ransomware incident.

Local Government Cybersecurity Act

The Local Government Cybersecurity Act (Local Act),¹⁴ which applies to any county or municipality, requires each local government to have adopted by January 1, 2025, cybersecurity standards, consistent with generally accepted best practices, that safeguard its data, IT, and IT resources to ensure availability, confidentiality, and integrity. The Local Act additionally requires a local government to notify the Cybersecurity Operations Center within the Florida

¹¹ Sections 282.0041(34) and 282.318(2), F.S.

¹² Section 282.318(3), F.S.

¹³ Section 282.318(4), F.S.

¹⁴ Section 282.3185, F.S.

Department of Law Enforcement and the sheriff who has jurisdiction over the local government of any cybersecurity or ransomware incident.

The Local Act also requires the FLDS to develop basic and advanced cybersecurity training for local government employees, who must complete the training within 30 days of beginning their employment and annually thereafter. The FLDS may collaborate with the Cybercrime Office of the Department of Law Enforcement, a private sector entity, or an institution of the State University System to develop this training.¹⁵

Florida Local Government Cybersecurity Grant Program

The Florida Local Government Cybersecurity Grant Program (Grant Program) is currently administered by the FLDS. The Grant Program has been authorized in proviso language beginning with the Fiscal Year (FY) 2023-2024 General Appropriations Act (GAA).¹⁶ Proviso language in the FY 2025-2026 GAA requires the DMS, through the FLDS, to administer a competitive grant program that provides nonrecurring technical assistance to local governments for the development and enhancement of cybersecurity risk management programs. The FLDS is required to include language in the local government agreements that release the state from all liability related to cybersecurity incidents impacting the local government recipient.¹⁷ For FY 2025-26, the Grant Program prioritized fiscally constrained rural areas of opportunity.¹⁸

The grant itself does not define what constitutes a fiscally constrained county. However, s. 218.67(1), F.S., defines a fiscally constrained county as one that:

- Has been designated by the Governor pursuant to s. 288.0656, F.S.;
- Has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster that presents a unique economic development opportunity; and
- That meets specified population limits.¹⁹

Alternatively, a county may be classified as a rural area of opportunity if the value of a mill of ad valorem taxes will raise no more than \$5 million in revenue for the county, based on the taxable value used in the determination of funding allocations from the Florida Education Finance Program under s. 1011.62(4)(a)1.a, F.S.

In Fiscal Year 2025-2026, there are 29 fiscally constrained counties.²⁰

¹⁵ Section 282.3185(3), F.S.

¹⁶ Ch. 2023-239, L.O.F., proviso language for Specific Appropriation 3013A.

¹⁷ Ch. 2025-198, L.O.F., proviso language for Specific Appropriation 2708.

¹⁸ See FLDS, *Florida Local Government Cybersecurity Grant Program*, <https://cybergrants.fl.gov/> (last visited Feb. 1, 2026).

¹⁹ A rural area of opportunity is a rural community, which is defined in s. 288.0656(2)(e), F.S., as:

1. A county with a population of 75,000 or fewer.
2. A county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer.
3. A municipality within a county described in subparagraph 1. or subparagraph 2.
4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph (c) and verified by the department.

²⁰ Florida Department of Revenue, *Fiscally Constrained Counties*, https://floridarevenue.com/property/Documents/fcc_map.pdf (last visited Feb. 5, 2026).

The FLDS has chosen to procure cybersecurity solutions²¹ directly on behalf of awarded applicants,²² rather than issue direct funding to local governments through the grant awards. The grants are designed to support the delivery of new or expanded cybersecurity capabilities, and cannot subsidize payments for existing tools, services, or contracts held by a local government. As a condition of award, local governments must agree to grant FLDS permission to see telemetry²³ and solutions²⁴ data generated by the software awarded to the local government for FLDS to assist with responding to cybersecurity incidents.²⁵

The DMS has been appropriated a total of \$55 million through FY 2025-2026 for FLDS to administer the Grant Program and has disbursed \$35,235,536.88 as of January 29, 2026.²⁶ From these funds, 278 local governments have received access to cybersecurity solutions.²⁷

Federal “State and Local Government Cybersecurity Grant Program”

The State and Local Government Cybersecurity Grant Program (SLCGP) is administered by Department of Homeland Security through the Cybersecurity and Infrastructure Security Agency (CISA) and the Federal Emergency Management Agency (FEMA) at the federal level. The SLCGP made \$91.7 million in FY 2025-2026 available to state and local governments “for a range of cybersecurity improvements, including planning and exercises, hiring experts in the community, and improving services for their citizens.”²⁸

Funding from the SLCGP helps eligible entities address cybersecurity risks and threats to information systems owned or operated by—or on behalf of—SLCGP governments.²⁹ State

²¹ See, FLDS, *Florida Local Government Cybersecurity Grant Program—Cybersecurity Capabilities*, <https://cybergrants.fl.gov/capabilities.html> (last visited January 31, 2026).

²² See FLDS, *Florida Local Government Cybersecurity Grant Program—About the FY 2025-26 Program*, <https://cybergrants.fl.gov/> (last visited January 31, 2026) (“Rather than issuing direct funding, the Florida Digital Service will procure cybersecurity solutions directly on behalf of awarded applicants. No payments will be made to grant recipients.”)

²³ FLDS, *Local Government Cybersecurity Grant Program Grant Agreement—Exhibit A, Cybersecurity Incident Response Rider*, https://cybergrants.fl.gov/download/Year_3_Local_Grant_Agreement_FY2025-26_Draft.pdf (last visited Jan. 31, 2026). (“Telemetry data” means data generated by Grantee through automated communication processes from multiple data sources and processed by Software Entitlements.)

²⁴ *Id.* at 33. “Solution data” is defined as data, reports, or other information generated by Software Entitlements. This may be derived from, but does not include Telemetry Data.

²⁵ *Id.*

²⁶ See Dep’t. of Management Services, *Technology Program, 2024-25 Disbursements by Summary Object: Special Categories ~ Grants and Aids – Cybersecurity Grants*, TRANSPARENCY FLORIDA, https://www.transparencyflorida.gov/Disbursements/DisbBySummObj.aspx?FY=25&BE=72900700&AC=100856&Fund=1000&FundType=&LI=*****&OB=Y&SC=F (last visited Feb. 3, 2025); Dep’t of Management Services, *Technology Program, 2025-26 Disbursements by Summary Object: Special Categories ~ Grants and Aids – Cybersecurity Grants*, TRANSPARENCY FLORIDA, available at https://www.transparencyflorida.gov/Disbursements/DisbBySummObj.aspx?FY=25&BE=72900700&AC=100856&Fund=1000&FundType=&LI=*****&OB=Y&SC=F (last visited Feb. 3, 2026).

²⁷ See FLDS, *FY 2024-2025 Florida Local Government Cybersecurity Grant Program Report Round 1 and FY 2024-2025 Florida Local Government Cybersecurity Grant Program Report Round 2* (on file with the Information Technology Budget and Policy Subcommittee).

²⁸ Cybersecurity and Infrastructure Security Agency (CISA), *DHS Launches Over \$100 Million in Funding to Strengthen Communities’ Cyber Defenses* (Aug. 1, 2025), <https://www.cisa.gov/news-events/news/dhs-launches-over-100-million-funding-strengthen-communities-cyber-defenses> (last visited Feb. 1, 2026).

²⁹ CISA, *State and Local Cybersecurity Grant Program*, <https://www.cisa.gov/cybergrants/slccgp> (last visited Feb. 1, 2026).

Administrative Agencies may apply to receive SLCGP funds from the federal government and, if awarded, must distribute at least 80 percent of the funding to local governments in accordance with state law, procedures, and federal legislative requirements.³⁰ At least 25 percent of the distributed funds must go to rural areas of the state.³¹ However, the state entity must match the federal funds with a 40 percent match.³² In Fiscal Year 2023-2024, Florida received \$11,997,340 from the SLCGP; in Fiscal Year 2024-2025, it received \$8,704,903.³³

III. Effect of Proposed Changes:

The bill creates the Local Government Cybersecurity Protection Program (program), which will be administered by the Florida Digital Service (FLDS), within the Department of Management Services (DMS), to give local governments and law enforcement access to programs and software to protect against cybersecurity threats and ransomware incidents.

The FLDS must secure and administer federal grants to further the program by awarding information technology (IT) commodities and services directly to local governments. Florida's 29 fiscally constrained counties³⁴ will be given priority in the program. The bill defines a fiscally constrained county as it is defined in s. 218.67(1), F.S.,—a county entirely within a rural area of opportunity (as designated by the Governor pursuant to s. 288.0656, F.S.), or each county for which the value of a mill of ad valorem taxes will raise no more than \$5 million in revenue.

The program requires each local government to participate in the program and to apply to the FLDS for use of cybersecurity programs and software on an application form prescribed by the DMS.

The bill grants rulemaking authority to the DMS to implement the bill and specifically directs the DMS to adopt an application form for local governments to apply for the program.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

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

³⁰ CISA, *State and Local Cybersecurity Grant Program Fact Sheet Pass-through Requirements* (Aug. 12, 2025), <https://www.cisa.gov/resources-tools/resources/state-and-local-cybersecurity-grant-program-fact-sheet> (last visited Feb. 1, 2026).

³¹ CISA, *State and Local Cybersecurity Grant Program Fact Sheet, Cost Share Requirements* (Aug. 12, 2025), <https://www.cisa.gov/resources-tools/resources/state-and-local-cybersecurity-grant-program-fact-sheet> (last visited Feb. 1, 2026).

³² *Id.*

³³ Federal Emergency Management Agency, *State and Local Cybersecurity Grant Program Funding Allocations*, https://www.fema.gov/grants/preparedness/state-local-cybersecurity-grant-program/funding_allocations (last visited Feb. 1, 2026).

³⁴

have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If the FLDS purchases software or other IT commodities for the grant program from a vendor, then the vendor may benefit from funds that would not have otherwise been spent.

C. Government Sector Impact:

Local governments may see a decrease in their costs associated with cybersecurity threat and ransomware incident IT resources because of the FLDS' purchase of said commodities on their behalf. However, the local government may see associated costs with retrofitting its IT, purchasing additional licenses, or staff training to accommodate the resources chosen for it by the FLDS.

The FLDS may see an increase in cost for the administration of the grant program and review of applications by local governments. This can likely be absorbed into existing resources.

VI. Technical Deficiencies:

Lines 27-28 refer to "local governments and law enforcement." Section 282.3185, F.S., defines a "local government" as any county or municipality (which would include law enforcement run by those entities), but this definition does not extend to s. 282.31855, F.S., as created by this bill. The Legislature could either create the grant program under s. 282.3185, F.S., to adopt the

definition of “local government;” or, in the alternative, create a definition of “local government and law enforcement” in s. 282.31855, F.S.

The bill requires all local governments to both participate in and apply to the grant program, but the term “participate” is not defined. Similarly, it is unclear how the grant program will be administered and if there will be enough commodities to give to all counties. It is, therefore, unknown whether there will be sufficient funds to allow each local government to participate (whether or not it wishes to).

It is unclear at what point in time a local government’s participation must occur because there is no deadline for their application or participation. If the FLDS administers the grant program created by this bill in the same manner as its Florida Local Government Cybersecurity Grant Program, then the application window would likely operate from July 11-August 31, 2026; with grant award notices and software access beginning in the next calendar year.

The DMS may not be able to adopt an application form by rule prior to the July 11 application opening date, if the FLDS continues to operate its grant program on the same cycle as the past two years. An earlier effective date may facilitate more timely adoption of such a form.

VII. Related Issues:

In some instances, the cybersecurity commodities provided by the FLDS may not prove helpful to the local governments, either because they provide less security than programs and software the local governments currently use, or because of compatibility with other software and programs already procured by the local government. However, the bill will compel such local governments to use the FLDS commodity despite these concerns.

VIII. Statutes Affected:

This bill creates section 282.31855 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.



104076

LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 282.31855, Florida Statutes, is created
to read:

282.31855 Local Government Cybersecurity Protection
Program.—

(1) The Local Government Cybersecurity Protection Program
is created within the Florida Digital Service, to be



104076

11 administered by the Florida Digital Service. The purpose of the
12 grant program is to assist eligible local governments in
13 mitigating and defending against cybersecurity threats,
14 including, but not limited to, ransomware incidents.

15 (2) Under the grant program, the Florida Digital Service
16 shall enter into data-sharing agreements with local governments
17 as necessary to facilitate the collection, analysis, and
18 exchange of security-related information to support the
19 detection, prevention, and response to cybersecurity incidents
20 consistent with s. 282.318.

21 (3)(a) The Florida Digital Service shall administer the
22 grant program based on objective eligibility and evaluation
23 criteria to provide information technology commodities and
24 services directly to local governments for the purpose of
25 developing and enhancing cybersecurity risk management programs
26 consistent with s. 282.3185.

27 (b) The Florida Digital Service shall contract for
28 information technology commodities and services and shall award
29 such commodities and services to local governments eligible
30 under the grant program criteria.

31 (c) In awarding information technology commodities and
32 services, the Florida Digital Service shall give preference to
33 fiscally constrained counties as described in s. 218.67(1).

34 (d) Grants shall be awarded to eligible local governments
35 by October 1 of each year.

36 (4) The Florida Digital Service may apply for and accept
37 any funds or grants made available to it by any agency or
38 department of the Federal Government to further the grant
39 program.



104076

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

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to local government cybersecurity;
creating s. 282.31855, F.S.; creating the Local
Government Cybersecurity Protection Program within the
Florida Digital Service; requiring the grant program
to be administered by the Florida Digital Service;
providing the purpose of the grant program; requiring
the Florida Digital Service to enter into certain
data-sharing agreements with local governments for a
specified purpose; requiring the Florida Digital
Service to administer the grant program based on
specified criteria to provide information technology
commodities and services to local governments for a
specified purpose; requiring the Florida Digital
Service to contract for information technology
commodities and services and award such commodities
and services to local governments; establishing
preference for certain counties under the grant
program; requiring grants to be annually awarded by a
certain date; authorizing the Florida Digital Service
to apply for and accept certain funds or grants;
providing an effective date.

By Senator Harrell

31-00943-26

2026576__

A bill to be entitled

An act relating to local government cyber security; creating s. 282.31855, F.S.; creating the Local Government Cybersecurity Protection Program; providing the purpose of the program; requiring local governments to participate in the program and to apply to the Florida Digital Service to use cybersecurity programs and software; providing that such application must be made on a form prescribed by the Department of Management Services; establishing priority for certain counties under the program; requiring the Florida Digital Service through the department to secure and administer federal funds; authorizing the department to adopt rules; requiring that such rules encourage intergovernmental cooperation for a specified purpose; providing an effective date.

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

Section 1. Section 282.31855, Florida Statutes, is created to read:

282.31855 Local Government Cybersecurity Protection Program.—

(1) The Local Government Cybersecurity Protection Program is created within the department and shall be administered by the Florida Digital Service.

(2) The purpose of the program is to give local governments and law enforcement access to cybersecurity programs and software to protect against cybersecurity threats and ransomware

Page 1 of 2

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

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incidents.

(3)(a) Each local government shall participate in the program and shall apply to the Florida Digital Service to use cybersecurity programs and software. The application must be made on a form prescribed by the department.

(b) A fiscally constrained county as described in s. 218.67(1) shall be given priority in the program.

(4) The Florida Digital Service through the department shall secure and administer federal grants to further the program.

(5) The department may adopt rules to implement this section. The rules must encourage intergovernmental cooperation, collaboration, and information sharing to protect digital enterprise data.

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

Page 2 of 2

CODING: Words ~~stricken~~ 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 Governmental Oversight and Accountability

BILL: SB 830

INTRODUCER: Senator Leek

SUBJECT: Public Records/County Administrators and City Managers

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Tolmich</u>	<u>Fleming</u>	<u>CA</u>	Favorable
2.	<u>White</u>	<u>McVaney</u>	<u>GO</u>	Pre-meeting
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

I. Summary:

SB 830 creates a public records exemption for certain personal identifying and location information of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers. Specifically, the bill exempts from public records inspection and copying requirements the home addresses, telephone numbers, and dates of birth of these personnel.

Additionally, the bill exempts from public records inspection and copying requirements the following personal information of the spouses and children of such personnel:

- Names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children; and
- Names and locations of schools and day care facilities attended by the children.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides a statement of public necessity as required by the State Constitution. The bill creates a new public records exemption; therefore, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

Although the bill may increase the workload on state and local agencies relating to the redaction of the exempt information, the bill is not expected to impact state and local government revenues and expenditures.

The bill takes effect July 1, 2026.

II. Present Situation:

County Administrators

A county administrator is an appointee of the board of county commissioners (board) who serves as the administrative head of the county.¹ The county administrator is responsible for advising the board and does not hold separate governmental power.² County administrators are granted a variety of administrative powers to carry out, enforce, and report on the board's directives and policies.³ Such powers include hiring, suspending, and removing county employees; providing the board with data or information concerning county government; and negotiating leases and contracts.⁴ Furthermore, the county administrator prepares and submits annual operating and capital budgets to the board for consideration and adoption, establishes budgetary procedures, and submits annual financial reports and recommendations to the board.⁵

City Managers

City councils or commissions may appoint a city manager to serve as the chief administrative officer of the city.⁶ City managers are responsible for overseeing the day-to-day operations and providing direction for all city departments.⁷ City managers also prepare annual budgets and submit annual reports on the finances and administrative activities of the city.⁸ Other responsibilities of a city manager may include enforcement of rules, regulations, and policies and the management and monitoring of contracts.⁹

Access to Public Records – Generally

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹⁰ 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.¹¹

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in

¹ Section 125.73, F.S.

² Section 125.74(2), F.S.

³ Section 125.74(1), F.S.

⁴ *Id.*

⁵ *Id.*

⁶ See e.g., City of Brooksville, *City Manager*, available at <https://www.cityofbrooksville.us/194/City-Manager> (last visited January 14, 2026).

⁷ See e.g., City of Fort Myers, *City Manager*, available at <https://www.fortmyers.gov/1169/City-Manager> (last visited January 14, 2026).

⁸ See e.g., Polk City, *City Manager Responsibilities*, available at <https://www.mypolkcity.org/city-manager> (last visited January 14, 2026).

⁹ See e.g., City of Newberry, *City Manager*, available at <https://www.newberryfl.gov/cm> (last visited January 16, 2026).

¹⁰ Article I, s. 24(a), FLA CONST.

¹¹ *Id.*

s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.¹² Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.¹³ Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by agencies.

Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.¹⁴

Section 119.011(12), F.S., defines “public records” to include:

All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”¹⁵

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.¹⁶ A violation of the Public Records Act may result in civil or criminal liability.¹⁷

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.¹⁸ The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.¹⁹

¹² See Rule 1.48, *Rules and Manual of the Florida Senate*, (2024-2026) and Rules 14.1 and 14.2, *Rules of the Florida House of Representatives*, Edition 1, (2024-2026).

¹³ *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).

¹⁴ Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

¹⁵ *Shevin v. Byron, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

¹⁶ Section 119.07(1)(a), F.S.

¹⁷ Section 119.10, F.S. Public record laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

¹⁸ Article I, s. 24(c), FLA CONST.

¹⁹ *Id.*

General exemptions from public record requirements are contained in the Public Records Act.²⁰ Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.²¹

When creating a public record 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*.²² 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.²³ Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.²⁴

Public Record Exemptions for Specified Personnel and their Families (s. 119.071(4)(d), F.S.)

Provisions in s. 119.071(4)(d), F.S., exempt from public records inspection and copying requirements the personal information of specific government employees when held by government agencies. In paragraph (d), the term “home addresses” is defined as the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address. Additionally, the term “telephone numbers” is defined to include home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

Section 119.071(4)(d)2., F.S., generally exempts from public records inspection and copying requirements the home addresses, dates of birth, and telephone numbers of specified public employees and their spouses and children. Additionally exempted, typically, are the spouse’s place of work as well as the name and location of any schools or day care facilities of the public employee’s children, if any. These public employees include, in relevant part:

- Active or former sworn or civilian law enforcement personnel employed by a law enforcement agency;²⁵
- Certain current or former nonsworn investigative personnel of the Department of Financial Services;²⁶
- Certain current or former nonsworn investigative personnel of the Office of Financial Regulation’s Bureau of Financial Investigations;²⁷
- Current or former certified firefighters;²⁸

²⁰ See s. 119.071, F.S.

²¹ See, e.g., s. 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

²² *WFTV, Inc. v. The Sch. Bd. Of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

²³ *Id.*

²⁴ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

²⁵ Section 119.071(4)(d)2.a., F.S.

²⁶ Section 119.071(4)(d)2.b., F.S.

²⁷ Section 119.071(4)(d)2.c., F.S.

²⁸ Section 119.071(4)(d)2.d., F.S.

- Current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges and current judicial assistants;²⁹
- Current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors;³⁰
- Current or former code enforcement officers;³¹
- Current or former guardians ad litem;³²
- Current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel;³³
- Current or former investigators or inspectors of the Department of Business and Professional Regulation;³⁴
- County tax collectors;³⁵
- Current or former certified emergency medical technicians and paramedics;³⁶
- Current or former directors, managers, supervisors, nurses, and clinical employees of an addiction treatment facility;³⁷
- Current or former directors, managers, supervisors, and clinical employees of certain child advocacy centers;³⁸ and
- Current or former staff of domestic violence centers, including domestic violence advocates.³⁹

Records that include exempt information about the above-specified personnel and their spouses and children (minor or adult) may be held by, among others, their employing agency, clerks of court and comptrollers, county tax collectors and property appraisers, school districts, and law enforcement agencies. County property appraisers⁴⁰ and county tax collectors⁴¹ holding exempted information need only remove the name of an individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exemption status from all publicly available records. County property appraisers and county tax collectors may not remove the street address, legal description, or other information identifying real property so long as the name or personal information otherwise exempt is not associated with the property or otherwise displayed in the public records.⁴²

The personnel, their spouses or children, or their employing agency claiming an exemption under s. 119.071(4)(d)2., F.S., must affirmatively assert the right to the exemption by submitting a written and notarized request to each non-employer agency that holds the employee's or their spouse or child's information. The individual or entity asserting the exemption must provide,

²⁹ Section 119.071(4)(d)2.e., F.S.

³⁰ Section 119.071(4)(d)2.f., F.S.

³¹ Section 119.071(4)(d)2.i., F.S.

³² Section 119.071(4)(d)2.j., F.S.

³³ Section 119.071(4)(d)2.l., F.S.

³⁴ Section 119.071(4)(d)2.m., F.S.

³⁵ Section 119.071(4)(d)2.n., F.S.

³⁶ Section 119.071(4)(d)2.q., F.S.

³⁷ Section 119.071(4)(d)2.s., F.S.

³⁸ Section 119.071(4)(d)2.t., F.S.

³⁹ Section 119.071(4)(d)2.u., F.S.

⁴⁰ See s. 192.001(3), F.S.

⁴¹ See s. 192.001(4), F.S.

⁴² Section 119.071(4)(d)4., F.S.

under oath, the statutory basis for the individual's exemption and confirm the individual's status as a party eligible for exempt status.⁴³

These exemptions under s. 119.071(4)(d)2., F.S., have retroactive application, applying to information held by an agency before, on, or after the effective date of the exemption.⁴⁴ Home addresses, however, are no longer exempt in the Official Records if the protected party no longer resides at the dwelling⁴⁵ or upon his or her death.⁴⁶

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act⁴⁷ (the Act), prescribe a legislative review process for newly created or substantially amended⁴⁸ public record or open meeting exemptions, with specified exceptions.⁴⁹ The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.⁵⁰

The Act provides that a public record or open meeting exemption may be created and maintained only if it serves an identifiable public purpose and is no broader than is necessary.⁵¹ An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;⁵²
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is kept exempt;⁵³ or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.⁵⁴

⁴³ Section 119.071(4)(d)3., F.S.

⁴⁴ Section 119.071(4)(d)6., F.S.

⁴⁵ The protected individual must submit a notarized, written request to release the removed information. Section 119.071(4)(d)8., F.S.

⁴⁶ A certified copy of a death certificate or court order must be presented with a notarized request to release the information to remove the exemption. Section 119.071(4)(d)9., F.S. Note, the Clerk is also called the "county recorder." See s. 28.222(2), F.S.

⁴⁷ Section 119.15, F.S.

⁴⁸ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

⁴⁹ Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

⁵⁰ Section 119.15(3), F.S.

⁵¹ Section 119.15(6)(b), F.S.

⁵² Section 119.15(6)(b)1., F.S.

⁵³ Section 119.15(6)(b)2., F.S.

⁵⁴ Section 119.15(6)(b)3., F.S.

The Act also requires specified questions to be considered during the review process.⁵⁵ In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.⁵⁶ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.⁵⁷

III. Effect of Proposed Changes:

The bill exempts from public records inspection and copying requirements certain personal identifying and location information of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers. Specifically, the bill exempts the home addresses, telephone numbers, and dates of birth of these personnel from public records inspection and copying requirements.

Additionally, the bill exempts from public records inspection and copying requirements the following personal information of the spouses and children of such personnel:

- Names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children; and
- Names and locations of schools and day care facilities attended by the children.

The bill provides a public necessity statement as required by the State Constitution. The statement provides that responsibilities of the identified personnel may include making decisions and determination that may upset members of the public and may incur the ill will of those residents. As a result, the identified personnel and their spouses and children may become targets for revenge and the release of the information protected in the bill could seriously jeopardize the safety of the identified personnel and their spouses and families.

The bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill takes effect July 1, 2026.

⁵⁵ Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means?
If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

⁵⁶ See generally s. 119.15, F.S.

⁵⁷ Section 119.15(7), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by article VII, section 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, section 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. The bill enacts a new exemption for the personal identifying and location information of current county administrators and city managers and their spouses and children; thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, section 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public record disclosure requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption, which provides that it is necessary to exempt the identifying and location information of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers and their spouses and children from public disclosure requirements in order to protect such individuals from becoming victims of fraud and to prevent the release of sensitive personal, financial, medical, or familial information, which could cause great financial or professional harm to the individual. It further provides that current county administrators and city managers may make decisions and determinations that upset members of the public and may incur the ill will of those residents, making such individuals and their spouses and children targets for acts of revenge. Therefore, if such identifying and location information is released, the safety of current county administrators and city managers and their spouses and children could be seriously jeopardized.

Breadth of Exemption

Article I, section 24(c) of the State Constitution requires an exemption from public record requirements to be no broader than necessary to accomplish the stated purpose of the law. The stated purpose of the law is to protect the safety and the sensitive personal, financial, medical, and familial information of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers, as well as their spouses and children. The bill exempts only certain personal identifying information from public disclosure requirements, consistent

with other exemptions in current law. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The private sector may be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

C. Government Sector Impact:

The bill may minimally increase the workload of local governments holding records that contain the exempt information. This workload is associated with redacting the exempt information prior to releasing a record. However, the workload should be absorbed as part of the day-to-day responsibilities.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 119.071 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.

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

By Senator Leek

7-00899-26

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1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; providing an exemption from public
 4 records requirements for the personal identifying and
 5 location information of current county administrators,
 6 deputy county administrators, assistant county
 7 administrators, city managers, deputy city managers,
 8 and assistant city managers, including the names and
 9 personal identifying and location information of the
 10 spouses and children of current county administrators,
 11 deputy county administrators, assistant county
 12 administrators, city managers, deputy city managers,
 13 and assistant city managers; providing for future
 14 legislative review and repeal; providing for
 15 retroactive application; providing a statement of
 16 public necessity; providing an effective date.
 17
 18 Be It Enacted by the Legislature of the State of Florida:
 19
 20 Section 1. Paragraph (d) of subsection (4) of section
 21 119.071, Florida Statutes, is amended to read:
 22 119.071 General exemptions from inspection or copying of
 23 public records.—
 24 (4) AGENCY PERSONNEL INFORMATION.—
 25 (d)1. For purposes of this paragraph, the term:
 26 a. "Home addresses" means the dwelling location at which an
 27 individual resides and includes the physical address, mailing
 28 address, street address, parcel identification number, plot
 29 identification number, legal property description, neighborhood

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30 name and lot number, GPS coordinates, and any other descriptive
 31 property information that may reveal the home address.
 32 b. "Judicial assistant" means a court employee assigned to
 33 the following class codes: 8140, 8150, 8310, and 8320.
 34 c. "Telephone numbers" includes home telephone numbers,
 35 personal cellular telephone numbers, personal pager telephone
 36 numbers, and telephone numbers associated with personal
 37 communications devices.
 38 2.a. The home addresses, telephone numbers, dates of birth,
 39 and photographs of active or former sworn law enforcement
 40 personnel or of active or former civilian personnel employed by
 41 a law enforcement agency, including correctional and
 42 correctional probation officers, personnel of the Department of
 43 Children and Families whose duties include the investigation of
 44 abuse, neglect, exploitation, fraud, theft, or other criminal
 45 activities, personnel of the Department of Health whose duties
 46 are to support the investigation of child abuse or neglect, and
 47 personnel of the Department of Revenue or local governments
 48 whose responsibilities include revenue collection and
 49 enforcement or child support enforcement; the names, home
 50 addresses, telephone numbers, photographs, dates of birth, and
 51 places of employment of the spouses and children of such
 52 personnel; and the names and locations of schools and day care
 53 facilities attended by the children of such personnel are exempt
 54 from s. 119.07(1) and s. 24(a), Art. I of the State
 55 Constitution.
 56 b. The home addresses, telephone numbers, dates of birth,
 57 and photographs of current or former nonsworn investigative
 58 personnel of the Department of Financial Services whose duties

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include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

e. The home addresses, dates of birth, and telephone

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numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges and current judicial assistants; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges and current judicial assistants; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges and of current judicial assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division

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117 of Administrative Hearings, and child support enforcement
 118 hearing officers; the names, home addresses, telephone numbers,
 119 dates of birth, and places of employment of the spouses and
 120 children of general magistrates, special magistrates, judges of
 121 compensation claims, administrative law judges of the Division
 122 of Administrative Hearings, and child support enforcement
 123 hearing officers; and the names and locations of schools and day
 124 care facilities attended by the children of general magistrates,
 125 special magistrates, judges of compensation claims,
 126 administrative law judges of the Division of Administrative
 127 Hearings, and child support enforcement hearing officers are
 128 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 129 Constitution.

130 h. The home addresses, telephone numbers, dates of birth,
 131 and photographs of current or former human resource, labor
 132 relations, or employee relations directors, assistant directors,
 133 managers, or assistant managers of any local government agency
 134 or water management district whose duties include hiring and
 135 firing employees, labor contract negotiation, administration, or
 136 other personnel-related duties; the names, home addresses,
 137 telephone numbers, dates of birth, and places of employment of
 138 the spouses and children of such personnel; and the names and
 139 locations of schools and day care facilities attended by the
 140 children of such personnel are exempt from s. 119.07(1) and s.
 141 24(a), Art. I of the State Constitution.

142 i. The home addresses, telephone numbers, dates of birth,
 143 and photographs of current or former code enforcement officers;
 144 the names, home addresses, telephone numbers, dates of birth,
 145 and places of employment of the spouses and children of such

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146 personnel; and the names and locations of schools and day care
 147 facilities attended by the children of such personnel are exempt
 148 from s. 119.07(1) and s. 24(a), Art. I of the State
 149 Constitution.

150 j. The home addresses, telephone numbers, places of
 151 employment, dates of birth, and photographs of current or former
 152 guardians ad litem, as defined in s. 39.01; the names, home
 153 addresses, telephone numbers, dates of birth, and places of
 154 employment of the spouses and children of such persons; and the
 155 names and locations of schools and day care facilities attended
 156 by the children of such persons are exempt from s. 119.07(1) and
 157 s. 24(a), Art. I of the State Constitution.

158 k. The home addresses, telephone numbers, dates of birth,
 159 and photographs of current or former juvenile probation
 160 officers, juvenile probation supervisors, detention
 161 superintendents, assistant detention superintendents, juvenile
 162 justice detention officers I and II, juvenile justice detention
 163 officer supervisors, juvenile justice residential officers,
 164 juvenile justice residential officer supervisors I and II,
 165 juvenile justice counselors, juvenile justice counselor
 166 supervisors, human services counselor administrators, senior
 167 human services counselor administrators, rehabilitation
 168 therapists, and social services counselors of the Department of
 169 Juvenile Justice; the names, home addresses, telephone numbers,
 170 dates of birth, and places of employment of spouses and children
 171 of such personnel; and the names and locations of schools and
 172 day care facilities attended by the children of such personnel
 173 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 174 Constitution.

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175 1. The home addresses, telephone numbers, dates of birth,
 176 and photographs of current or former public defenders, assistant
 177 public defenders, criminal conflict and civil regional counsel,
 178 and assistant criminal conflict and civil regional counsel; the
 179 names, home addresses, telephone numbers, dates of birth, and
 180 places of employment of the spouses and children of current or
 181 former public defenders, assistant public defenders, criminal
 182 conflict and civil regional counsel, and assistant criminal
 183 conflict and civil regional counsel; and the names and locations
 184 of schools and day care facilities attended by the children of
 185 current or former public defenders, assistant public defenders,
 186 criminal conflict and civil regional counsel, and assistant
 187 criminal conflict and civil regional counsel are exempt from s.
 188 119.07(1) and s. 24(a), Art. I of the State Constitution.

189 m. The home addresses, telephone numbers, dates of birth,
 190 and photographs of current or former investigators or inspectors
 191 of the Department of Business and Professional Regulation; the
 192 names, home addresses, telephone numbers, dates of birth, and
 193 places of employment of the spouses and children of such current
 194 or former investigators and inspectors; and the names and
 195 locations of schools and day care facilities attended by the
 196 children of such current or former investigators and inspectors
 197 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 198 Constitution.

199 n. The home addresses, telephone numbers, and dates of
 200 birth of county tax collectors; the names, home addresses,
 201 telephone numbers, dates of birth, and places of employment of
 202 the spouses and children of such tax collectors; and the names
 203 and locations of schools and day care facilities attended by the

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204 children of such tax collectors are exempt from s. 119.07(1) and
 205 s. 24(a), Art. I of the State Constitution.

206 o. The home addresses, telephone numbers, dates of birth,
 207 and photographs of current or former personnel of the Department
 208 of Health whose duties include, or result in, the determination
 209 or adjudication of eligibility for social security disability
 210 benefits, the investigation or prosecution of complaints filed
 211 against health care practitioners, or the inspection of health
 212 care practitioners or health care facilities licensed by the
 213 Department of Health; the names, home addresses, telephone
 214 numbers, dates of birth, and places of employment of the spouses
 215 and children of such personnel; and the names and locations of
 216 schools and day care facilities attended by the children of such
 217 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 218 the State Constitution.

219 p. The home addresses, telephone numbers, dates of birth,
 220 and photographs of current or former impaired practitioner
 221 consultants who are retained by an agency or current or former
 222 employees of an impaired practitioner consultant whose duties
 223 result in a determination of a person's skill and safety to
 224 practice a licensed profession; the names, home addresses,
 225 telephone numbers, dates of birth, and places of employment of
 226 the spouses and children of such consultants or their employees;
 227 and the names and locations of schools and day care facilities
 228 attended by the children of such consultants or employees are
 229 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 230 Constitution.

231 q. The home addresses, telephone numbers, dates of birth,
 232 and photographs of current or former emergency medical

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233 technicians or paramedics certified under chapter 401; the
 234 names, home addresses, telephone numbers, dates of birth, and
 235 places of employment of the spouses and children of such
 236 emergency medical technicians or paramedics; and the names and
 237 locations of schools and day care facilities attended by the
 238 children of such emergency medical technicians or paramedics are
 239 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 240 Constitution.

241 r. The home addresses, telephone numbers, dates of birth,
 242 and photographs of current or former personnel employed in an
 243 agency's office of inspector general or internal audit
 244 department whose duties include auditing or investigating waste,
 245 fraud, abuse, theft, exploitation, or other activities that
 246 could lead to criminal prosecution or administrative discipline;
 247 the names, home addresses, telephone numbers, dates of birth,
 248 and places of employment of spouses and children of such
 249 personnel; and the names and locations of schools and day care
 250 facilities attended by the children of such personnel are exempt
 251 from s. 119.07(1) and s. 24(a), Art. I of the State
 252 Constitution.

253 s. The home addresses, telephone numbers, dates of birth,
 254 and photographs of current or former directors, managers,
 255 supervisors, nurses, and clinical employees of an addiction
 256 treatment facility; the home addresses, telephone numbers,
 257 photographs, dates of birth, and places of employment of the
 258 spouses and children of such personnel; and the names and
 259 locations of schools and day care facilities attended by the
 260 children of such personnel are exempt from s. 119.07(1) and s.
 261 24(a), Art. I of the State Constitution. For purposes of this

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262 sub-subparagraph, the term "addiction treatment facility" means
 263 a county government, or agency thereof, that is licensed
 264 pursuant to s. 397.401 and provides substance abuse prevention,
 265 intervention, or clinical treatment, including any licensed
 266 service component described in s. 397.311(27).

267 t. The home addresses, telephone numbers, dates of birth,
 268 and photographs of current or former directors, managers,
 269 supervisors, and clinical employees of a child advocacy center
 270 that meets the standards of s. 39.3035(2) and fulfills the
 271 screening requirement of s. 39.3035(3), and the members of a
 272 Child Protection Team as described in s. 39.303 whose duties
 273 include supporting the investigation of child abuse or sexual
 274 abuse, child abandonment, child neglect, and child exploitation
 275 or to provide services as part of a multidisciplinary case
 276 review team; the names, home addresses, telephone numbers,
 277 photographs, dates of birth, and places of employment of the
 278 spouses and children of such personnel and members; and the
 279 names and locations of schools and day care facilities attended
 280 by the children of such personnel and members are exempt from s.
 281 119.07(1) and s. 24(a), Art. I of the State Constitution.

282 u. The home addresses, telephone numbers, places of
 283 employment, dates of birth, and photographs of current or former
 284 staff and domestic violence advocates, as defined in s.
 285 90.5036(1)(b), of domestic violence centers certified by the
 286 Department of Children and Families under chapter 39; the names,
 287 home addresses, telephone numbers, places of employment, dates
 288 of birth, and photographs of the spouses and children of such
 289 personnel; and the names and locations of schools and day care
 290 facilities attended by the children of such personnel are exempt

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291 from s. 119.07(1) and s. 24(a), Art. I of the State
 292 Constitution.

293 v. The home addresses, telephone numbers, dates of birth,
 294 and photographs of current or former inspectors or investigators
 295 of the Department of Agriculture and Consumer Services; the
 296 names, home addresses, telephone numbers, dates of birth, and
 297 places of employment of the spouses and children of current or
 298 former inspectors or investigators; and the names and locations
 299 of schools and day care facilities attended by the children of
 300 current or former inspectors or investigators are exempt from s.
 301 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 302 sub-subparagraph is subject to the Open Government Sunset Review
 303 Act in accordance with s. 119.15 and shall stand repealed on
 304 October 2, 2028, unless reviewed and saved from repeal through
 305 reenactment by the Legislature.

306 w. The home addresses, telephone numbers, dates of birth,
 307 and photographs of current county attorneys, assistant county
 308 attorneys, deputy county attorneys, city attorneys, assistant
 309 city attorneys, and deputy city attorneys; the names, home
 310 addresses, telephone numbers, photographs, dates of birth, and
 311 places of employment of the spouses and children of current
 312 county attorneys, assistant county attorneys, deputy county
 313 attorneys, city attorneys, assistant city attorneys, and deputy
 314 city attorneys; and the names and locations of schools and day
 315 care facilities attended by the children of current county
 316 attorneys, assistant county attorneys, deputy county attorneys,
 317 city attorneys, assistant city attorneys, and deputy city
 318 attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of
 319 the State Constitution. This exemption does not apply to a

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320 county attorney, assistant county attorney, deputy county
 321 attorney, city attorney, assistant city attorney, or deputy city
 322 attorney who qualifies as a candidate for election to public
 323 office. This sub-subparagraph is subject to the Open Government
 324 Sunset Review Act in accordance with s. 119.15 and shall stand
 325 repealed on October 2, 2029, unless reviewed and saved from
 326 repeal through reenactment by the Legislature.

327 x. The home addresses, telephone numbers, dates of birth,
 328 and photographs of current or former commissioners of the
 329 Florida Gaming Control Commission; the names, home addresses,
 330 telephone numbers, dates of birth, photographs, and places of
 331 employment of the spouses and children of such current or former
 332 commissioners; and the names and locations of schools and day
 333 care facilities attended by the children of such current or
 334 former commissioners are exempt from s. 119.07(1) and s. 24(a),
 335 Art. I of the State Constitution. This sub-subparagraph is
 336 subject to the Open Government Sunset Review Act in accordance
 337 with s. 119.15 and shall stand repealed on October 2, 2029,
 338 unless reviewed and saved from repeal through reenactment by the
 339 Legislature.

340 y. The home addresses, telephone numbers, dates of birth,
 341 and photographs of current clerks of the circuit court, deputy
 342 clerks of the circuit court, and clerk of the circuit court
 343 personnel; the names, home addresses, telephone numbers, dates
 344 of birth, and places of employment of the spouses and children
 345 of current clerks of the circuit court, deputy clerks of the
 346 circuit court, and clerk of the circuit court personnel; and the
 347 names and locations of schools and day care facilities attended
 348 by the children of current clerks of the circuit court, deputy

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clerks of the circuit court, and clerk of the circuit court personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

z.(I) As used in this sub-subparagraph, the term:

(A) "Congressional member" means a person who is elected to serve as a member of the United States House of Representatives or is elected or appointed to serve as a member of the United States Senate.

(B) "Partial home address" means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the partial home address, except for the city and zip code.

(C) "Public officer" means a person who holds one of the following offices: Governor, Lieutenant Governor, Chief Financial Officer, Attorney General, Agriculture Commissioner, state representative, state senator, property appraiser, supervisor of elections, school superintendent, school board member, mayor, city commissioner, or county commissioner.

(II) The following information is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

(A) The partial home addresses of a current congressional member or public officer and his or her spouse or adult child.

(B) The telephone numbers of a current congressional member

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or public officer and his or her spouse or adult child.

(C) The name, home addresses, telephone numbers, and date of birth of a minor child of a current congressional member or public officer and the name and location of the school or day care facility attended by the minor child.

(III) This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

aa. The home addresses, telephone numbers, and dates of birth of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers; and the names and locations of schools and day care facilities attended by the children of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

3.a. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the

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officer, employee, justice, judge, or other person specified in subparagraph 2. must maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written and notarized request for maintenance of the exemption to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt status.

b. An agency that is the custodian of information specified in sub-subparagraph 2.z. and that is not the employer of the congressional member, public officer, or other person specified in sub-subparagraph 2.z. must maintain the exempt status of that information only if an individual requests the maintenance of an exemption pursuant to sub-subparagraph 2.z. on the basis of eligibility as a current congressional member or public officer and his or her spouse or child submits, as part of the written and notarized request required by sub-subparagraph a., the date of the congressional member's or public officer's election or appointment to public office, the date on which that office is next subject to election, and, if applicable, the date on which the current congressional member's or public officer's minor child reaches the age of majority. The custodian must maintain an exemption granted pursuant to sub-subparagraph 2.z. until the qualifying conditions for the exemption no longer apply to the person subject to the exemption.

4.a. A county property appraiser, as defined in s. 192.001(3), or a county tax collector, as defined in s. 192.001(4), who receives a written and notarized request for

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maintenance of the exemption pursuant to subparagraph 3. must comply by removing the name of the individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exempt status from all publicly available records maintained by the property appraiser or tax collector. For written requests received on or before July 1, 2021, a county property appraiser or county tax collector must comply with this sub-subparagraph by October 1, 2021. A county property appraiser or county tax collector may not remove the street address, legal description, or other information identifying real property within the agency's records so long as a name or personal information otherwise exempt from inspection and copying pursuant to this section is not associated with the property or otherwise displayed in the public records of the agency.

b. Any information restricted from public display, inspection, or copying under sub-subparagraph a. must be provided to the individual whose information was removed.

5. An officer, an employee, a justice, a judge, or other person specified in subparagraph 2. may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information.

6. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

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7. Information made exempt under this paragraph may be disclosed pursuant to s. 28.2221 to a title insurer authorized pursuant to s. 624.401 and its affiliates as defined in s. 624.10; a title insurance agent or title insurance agency as defined in s. 626.841(1) or (2), respectively; or an attorney duly admitted to practice law in this state and in good standing with The Florida Bar.

8. The exempt status of a home address contained in the Official Records is maintained only during the period when a protected party resides at the dwelling location. Upon conveyance of real property after October 1, 2021, and when such real property no longer constitutes a protected party's home address as defined in sub-subparagraph 1.a., the protected party must submit a written request to release the removed information to the county recorder. The written request to release the removed information must be notarized, must confirm that a protected party's request for release is pursuant to a conveyance of his or her dwelling location, and must specify the Official Records book and page, instrument number, or clerk's file number for each document containing the information to be released.

9. Upon the death of a protected party as verified by a certified copy of a death certificate or court order, any party can request the county recorder to release a protected decedent's removed information unless there is a related request on file with the county recorder for continued removal of the decedent's information or unless such removal is otherwise prohibited by statute or by court order. The written request to release the removed information upon the death of a protected

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party must attach the certified copy of a death certificate or court order and must be notarized, must confirm the request for release is due to the death of a protected party, and must specify the Official Records book and page number, instrument number, or clerk's file number for each document containing the information to be released. A fee may not be charged for the release of any document pursuant to such request.

Section 2. The Legislature finds that it is a public necessity that the home addresses, telephone numbers, and dates of birth of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers; the names, home addresses, telephone numbers, dates of birth, photographs, and places of employment of the spouses and children of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers; and the names and locations of schools and day care facilities attended by the children of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Such identifying and location information can be used as a tool to perpetrate fraud against an individual or to acquire sensitive personal, financial, medical, or familial information, the release of which could cause great financial or professional harm to the individual. In the course of performing their managerial functions, current county administrators, deputy county administrators, assistant county administrators,

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523 city managers, deputy city managers, and assistant city managers
524 may make decisions and determinations that upset members of the
525 public and may incur the ill will of those residents, making
526 current county administrators, deputy county administrators,
527 assistant county administrators, city managers, deputy city
528 managers, and assistant city managers and their spouses and
529 children targets for acts of revenge. If such identifying and
530 location information is released, the safety of current county
531 administrators, deputy county administrators, assistant county
532 administrators, city managers, deputy city managers, and
533 assistant city managers and their spouses and children could be
534 seriously jeopardized. For these reasons, the Legislature finds
535 that it is a public necessity that such information be made
536 exempt from public records requirements.

537 Section 3. 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 Governmental Oversight and Accountability

BILL: SB 964

INTRODUCER: Senator Wright

SUBJECT: Financial Disclosures

DATE: February 10, 2026

REVISED: _____

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

I. Summary:

SB 964 revises requirements for reporting of certain gifts and honoraria.

Current law requires individuals who must file a financial disclosure under the Code of Ethics, as well as procurement employees, to report certain gifts and honoraria in conjunction with the annual financial disclosure.

To clarify requirements for reporting of such gifts and honoraria, the bill:

- Decouples the annual reporting requirement for certain gifts from the filing of the required annual financial disclosure.
- Changes the entity with whom reporting individuals who have left office or employment must file the annual report to the Commission on Ethics, instead of at the same location as their financial disclosure statement.
- Changes the entity with whom reporting individuals must disclose specified information regarding honorarium expenses to the Commission on Ethics, instead of with the entity with whom the required financial disclosure statement is filed.

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

This bill takes effect upon becoming law.

II. Present Situation:

The Code of Ethics for Public Officers and Employees

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 others.³

Disclosure of Financial Interests

Full and Public Disclosure (CE Form 6)

The Florida Constitution requires all elected constitutional officers, candidates for such offices, and statewide elected officers to file a full and public disclosure of their financial interests.⁴ Other public officers, candidates, and public employees may be required to file a full and public disclosure of their financial interests as determined by law.⁵ Pursuant to general law, the Commission on Ethics has created by rule CE Form 6 (Form 6), which is used to make the required full and public financial disclosure.⁶ Reporting individuals are required to electronically file a form 6 annually with the Commission on Ethics by July 1 through the Commission's electronic filing system.⁷

Statement of Financial Interests (CE Form 1)

In addition to provisions governing the Form 6, current law provides for a less detailed disclosure of financial interests using the Commission's CE Form 1 (Form 1).⁸ Initially, each local officer/employee, state officer, and specified state employee must file within 30 days of the date of his or her appointment or of the beginning of employment.⁹ Thereafter, each state or local officer, and each specified state employee shall file a statement of financial interests by July 1st each year in which they hold their positions.¹⁰ State officers and specified state employees must file their statements of financial interests with the Commission on Ethics through the Commission's electronic filing system.¹¹ A candidate not subject to an annual filing requirement does not file with the Commission on Ethics, but may complete and print a statement of financial interests to file with the officer before whom he or she qualifies.¹²

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=2026112> (last visited January 12, 2026).

³ See pt. III. Ch. 112, F.S.

⁴ Section 8(a), art. II, Fla. Const.; see ss. 112.3144(1)(b), 112.3145, F.S.

⁵ *Id.*

⁶ Section 112.3144(8), F.S.; see R. 34-8.002, F.A.C.

⁷ Section (8)(j)(1), art. II, Fla. Const.; see s. 112.3144(2), F.S.

⁸ See s. 112.3145, F.S.; R. 34-8.202, F.A.C.

⁹ Section 112.3145(2)(b), F.S.

¹⁰ *Id.*

¹¹ Section 112.3145(2)(d), F.S.

¹² Section 112.3145(2)(d), F.S.

Final Statement of Financial Interests (CE Form 1F)¹³ and (CE Form 6F)¹⁴

Each person required to file full and public disclosure of financial interests (Form 6) shall file a final disclosure statement CE Form 6F (Form 6F) and each state officer, local officer, and specified state employee required to file a statement of financial interests (Form 1) shall file a final statement of financial interests CE Form 1F (Form 1F) within 60 days after leaving his or her public position for the period between January 1 of the year in which the person leaves and the last day of office or employment, unless within the 60-day period the person takes another public position requiring financial disclosure under s. 8, Art. II of the State Constitution, or is otherwise required to file full and public disclosure for the final disclosure period.¹⁵

Electronic Filing of Disclosure of Financial Interests with the Commission on Ethics

Beginning January 1, 2023, statements of full and public disclosure of financial interests (Form 6), a final statement of full and public disclosure (Form 6F) and any amendments thereto, or any other form required under s. 112.3144, F.S., except specifically excluded, must be filed electronically through the Florida Commission on Ethics electronic filing system.¹⁶

Also, beginning January 1, 2024, a statement of financial interests (Form 1), a final statement of financial interests (Form 1F) and any amendments thereto, or any other form required under s. 112.3145, F.S., except any statement of a candidate who is not subject to an annual filing requirement, must be filed electronically through the Florida Commission on Ethics electronic filing system.¹⁷

Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses (CE Form 10)***Who Must File a Form 10***

State law requires qualifying individuals to make an annual disclosure to the Commission on Ethics of gifts from governmental entities and direct support organizations, as well as honorarium event-related expenses on CE Form 10 (Form 10).¹⁸

All persons required to file a Form 1¹⁹ (Statement of Financial Interests) and all persons required to file a Form 6²⁰ (Full and Public Disclosure of Financial Interests), including candidates, must

¹³ See CE Form 1F – Effective January 1, 2026, incorporated by reference in Rules 34-8.001 and 34-8.208, F.A.C.

¹⁴ See CE Form 6F – Effective January 1, 2026, incorporated by reference in Rules 34-8.001 and 34-8.008, F.A.C.

¹⁵ See ss. 112.3144(10), 112.3145(2)(b), F.S.

¹⁶ See ss. 112.3144(8)(b), 112.31446, F.S.

¹⁷ See ss. 112.3145(2)(e) and 112.31446, F.S.

¹⁸ CE Form 10 – Effective January 1, 2007, incorporated by reference in Rule 34-7.010(1)(h), F.A.C., Revised 10/2015, <https://ethics.state.fl.us/Documents/Forms/Form%2010.PDF?cp=202618>.

¹⁹ See s. 112.3145, F.S. (Qualifying local/officers/employees, state officers, and specified state employees must file within 30 days of their appointment or the beginning of employment. Candidate must file at the same time they file their qualifying papers. Thereafter, electronically file their Form 1 via the Florida Commission on Ethics Electronic Financial Disclosure Management System by July 1 following each calendar year in which they hold their positions).

²⁰ See s. 112.3144, F.S. (Qualifying officers are required to electronically file their Form 6 via Florida Commission on Ethics Electronic Financial Disclosure Management System, no later July 1, 2026. Qualifying candidates required to file a Form 6, must file during the qualifying period).

file a Form 10 annually with their Form 1 or Form 6 financial disclosures.²¹ In addition, state “procurement employees”²² are required to file a Form 10, as well as former reporting individuals and procurement employees who left office or employment during the calendar year covered by the report.²³

When and Where to File the Form 10

The Form 10 is required to be submitted by July 1 of the year following the year covered by the Form 10 the individual is submitting.

Individuals who are required to file a Form 1 or Form 6 are required to file the Form 10 with their Form 1 or Form 6.²⁴ State procurement employees file their Form 10 with the Commission on Ethics.²⁵

Form 10: Gifts From Governmental Entities [Sec. 112.3148, Fla. Stat.]

Entities of the legislative or judicial branches, departments and commissions of the executive branch, counties, municipalities, airport authorities, school boards, water management districts created by 373.069, F.S., and the South Florida Regional Transportation Authority may give, either directly or indirectly, a gift worth over \$100 to persons who file Form 1 or Form 6 or to state procurement employees if a public purpose can be shown for the gift.²⁶

The governmental entity giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year.²⁷ The officer or employee then must disclose this information by filing a statement (Form 10) by July 1 with his or her annual financial disclosure (Form 1 or Form 6) that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year.²⁸ State procurement employees file their statements (Form 10) with the Commission on Ethics.²⁹

Form 10: Gifts from Direct Support Organizations [Sec. 112.3148, Fla. Stat.]

Direct support organizations specifically authorized by law to support a governmental entity may give a gift worth over \$100 to a person who files Form 1 or Form 6 or to a state procurement employee if the person or employee is an officer or employee of that governmental entity.³⁰

²¹ Section 112.3148(6)(d), F.S.

²² 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”).

²³ Section 112.3148(6)(d), F.S.

²⁴ Section 112.3148((6)(d), F.S.

²⁵ *Id.*

²⁶ Section 112.3148(6)(b), F.S.

²⁷ Section 112.3148(6)(c), F.S.

²⁸ Section 112.3148(6)(d), F.S.

²⁹ *Id.*

³⁰ Section 112.3148(6)(b), F.S.

The direct-support organization giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year.³¹ The officer or employee then must disclose the information by filing a statement (Form 10) by July 1 with his or her annual financial disclosure (Form 1 or Form 6) that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year.³² State procurement employees file their statements with the Commission on Ethics.³³

Honorarium Event Related Expenses [Sec. 112.3149, Fla. Stat]

Reporting individuals who file Form 1 and Form 6 and state procurement employees are prohibited from accepting an honorarium (a payment in exchange for a speech, oral presentation, writing, and the like) from a political committee, from a lobbyist who lobbies them or their public agency (or has done so within the previous 12 months), and from the employer, principal partner, or firm of such a lobbyist.³⁴ However, these persons and entities may pay or provide a reporting individual or procurement employee and his or her spouse for actual and reasonable transportation, lodging, event or meeting registration fee, and food and beverage expenses related to an event at which speech, presentation, or writing will be made by the public officer or employee.³⁵

Reporting individuals and state procurement employees must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on a Form 10 by July 1, for expenses received during the previous calendar year.³⁶ The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of honorarium event.³⁷ State procurement employees file their statements with the Commission on Ethics.³⁸

Issue with the Current Statutory Language Relating to the Filing of the Form 10

Current law provides that reporting individuals must file their Form 10s with their annual financial disclosure statement (the Form 1 or the Form 6). Since the Commission on Ethics moved to e-filing for the Form 1 and Form 6, the Commission has identified that the move to e-filing has caused confusion for filers of Form 10 for two reasons:³⁹

- When Form 1 and Form 6 were in paper form, some Form 1 filers were required to file with their local supervisors of elections, rather than with the Commission on Ethics. Therefore, those filers also filed their Form 10s with their local supervisors of elections. The financial disclosure statutes were recently amended to require all reporting individuals to e-file their Form 1 or Form 6 with the Commission on Ethics. However, the Form 10 requirements are

³¹ Section 112.3148(6)(c), F.S.

³² Section 112.3148(6)(d), F.S.

³³ *Id.*

³⁴ Section 112.3149(4), F.S.

³⁵ Section 112.3149(5), F.S.

³⁶ Section 112.3149(6), F.S.

³⁷ Section 112.3149(6), F.S.

³⁸ *Id.*

³⁹ See Commission on Ethics, Senate Bill 964 Agency Analysis (Jan 13, 2026) (on file with the Senate Committee on Ethics and Elections).

found in the gift statutes⁴⁰ and thus did not change when the financial disclosure statutes were amended to provide e-filing.

- Unlike Form 1 and Form 6, Form 10 is not available for e-filing; it is a paper form. Therefore, it is now impossible to file a Form 10 “with” a Form 1 or Form 6.

The Commission on Ethics in its 2026 Legislative Recommendations⁴¹ proposed a solution to resolve the confusion by requiring all reporting individuals and procurement employees to file their Form 10s with the Commission on Ethics.

III. Effect of Proposed Changes:

The bill implements the Commission on Ethics’ recommendation by clearly mandating that reporting individuals file paper Form 10s with the Commission on Ethics, rather than electronically with their Form 1s or Form 6s.⁴²

This is accomplished by deleting the current statutory language that requires that the Form 10s to be filed with the individuals’ financial disclosures. Specifically:

- **Section 1** amends s. 112.3148, F.S., to require reporting individuals and procurement employees to file their Form 10s listing certain gifts with the Commission on Ethics by paper form, instead of with either their annual⁴³ or final⁴⁴ financial disclosure statements.
- **Section 2** amends s. 112.3149, F.S., to require reporting individuals and procurement employees to file with the Commission on Ethics. Because the electronic filing system does not accommodate the filing of these forms nor is there a statutory requirement for filing electronically, the Form 10s will be filed in paper form disclosing the name, address, and affiliation of a person providing specified honorarium expenses instead of with the required annual or final financial disclosure statements.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

⁴⁰ See ss. 112.3148 and 112.3149 F.S.

⁴¹ Consideration of *Legislative Plan and Recommendations for 2026*, Commission on Ethics (August 28, 2025) available at <https://ethics.state.fl.us/Documents/Ethics/MeetingAgendas/Sep25Materials/LegislativeRecs.pdf>.

⁴² See Commission on Ethics, *Senate Bill 964 Agency Analysis* (Jan 13, 2026) (on file with the Senate Committee on Ethics and Elections).

⁴³ Form 1 or Form 6.

⁴⁴ Form 1F or Form 6F.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Commission on Ethics bill analysis states that this bill will not have an fiscal impact to the commission because the Form 10 is already filed with the commission, and this bill clarifies that in the ethics statutes.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 112.3148 and 112.3149 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.

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

By Senator Wright

8-00912-26

2026964

1 A bill to be entitled
2 An act relating to financial disclosures; amending s.
3 112.3148, F.S.; requiring reporting individuals and
4 procurement employees to file annual reports listing
5 certain gifts with the Commission on Ethics instead of
6 with the required financial disclosure statement;
7 requiring such individuals and employees who have left
8 office or employment within a specified timeframe to
9 file the annual report with the commission instead of
10 at the same location as their financial disclosure
11 statement; amending s. 112.3149, F.S.; requiring
12 reporting individuals and procurement employees to
13 disclose the name, address, and affiliation of a
14 person providing specified honorarium expenses with
15 the commission instead of with the required financial
16 disclosure statement; requiring such individuals and
17 employees who have left office or employment within a
18 specified timeframe to file the annual statement with
19 the commission instead of at the same location as
20 their financial disclosure statement; providing an
21 effective date.

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

25 Section 1. Paragraph (d) of subsection (6) of section
26 112.3148, Florida Statutes, is amended to read:

27 112.3148 Reporting and prohibited receipt of gifts by
28 individuals filing full or limited public disclosure of
29 financial interests and by procurement employees.-

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

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30 (6)
31 (d) No later than July 1 of each year, each reporting
32 individual or procurement employee shall file a statement
33 listing each gift having a value in excess of \$100 received by
34 the reporting individual or procurement employee, either
35 directly or indirectly, from a governmental entity or a direct-
36 support organization specifically authorized by law to support a
37 governmental entity. The statement shall list the name of the
38 person providing the gift, a description of the gift, the date
39 or dates on which the gift was given, and the value of the total
40 gifts given during the calendar year for which the report is
41 made. The reporting individual or procurement employee shall
42 attach to the statement any report received by him or her in
43 accordance with paragraph (c), which report shall become a
44 public record when filed with the statement of the reporting
45 individual or procurement employee. The reporting individual or
46 procurement employee may explain any differences between the
47 report of the reporting individual or procurement employee and
48 the attached reports. The annual report ~~filed by a reporting~~
49 ~~individual shall be filed with the financial disclosure~~
50 ~~statement required by either s. 8, Art. II of the State~~
51 ~~Constitution or s. 112.3145, as applicable to the reporting~~
52 ~~individual. The annual report filed by a procurement employee~~
53 shall be filed with the Commission on Ethics. The report filed
54 by a reporting individual or procurement employee who left
55 office or employment during the calendar year covered by the
56 report shall be filed with the Commission on Ethics by July 1 of
57 the year after leaving office or employment ~~at the same location~~
58 ~~as his or her final financial disclosure statement or, in the~~

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~~case of a former procurement employee, with the Commission on Ethics.~~

Section 2. Subsection (6) of section 112.3149, Florida Statutes, is amended to read:

112.3149 Solicitation and disclosure of honoraria.—

(6) A reporting individual or procurement employee who receives payment or provision of expenses related to any honorarium event from a person who is prohibited by subsection (4) from paying an honorarium to a reporting individual or procurement employee shall publicly disclose on an annual statement the name, address, and affiliation of the person paying or providing the expenses; the amount of the honorarium expenses; the date of the honorarium event; a description of the expenses paid or provided on each day of the honorarium event; and the total value of the expenses provided to the reporting individual or procurement employee in connection with the honorarium event. The annual statement of honorarium expenses shall be filed by July 1 of each year for those expenses received during the previous calendar year. The reporting individual or procurement employee shall attach to the annual statement a copy of each statement received by him or her in accordance with subsection (5) regarding honorarium expenses paid or provided during the calendar year for which the annual statement is filed. The attached statement shall become a public record upon the filing of the annual report. The annual statement ~~of a reporting individual shall be filed with the financial disclosure statement required by either s. 8, Art. II of the State Constitution or s. 112.3145, as applicable to the reporting individual. The annual statement of a procurement~~

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~~employee shall be filed with the Commission on Ethics. The statement filed by a reporting individual or procurement employee who left office or employment during the calendar year covered by the statement shall be filed with the Commission on Ethics by July 1 of the year after leaving office or employment ~~at the same location as his or her final financial disclosure statement or, in the case of a former procurement employee, with the Commission on Ethics.~~~~

Section 3. This act shall take effect upon becoming a law.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 984

INTRODUCER: Senator DiCeglie

SUBJECT: Firefighter Cancer Benefits and Prevention

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shuler	Fleming	CA	Favorable
2.	McVaney	McVaney	GO	Pre-meeting
3.			AP	

I. Summary:

SB 984 amends eligibility requirements for disability and death benefits available to current and former firefighters after a cancer diagnosis. Current law provides, as a disability benefit resulting from a cancer diagnosis, a \$25,000 one-time payout. The bill expands the eligibility for this payout to include a former firefighter for up to 10 years after terminating employment, regardless of whether the firefighter elects to continue coverage in an employer-sponsored health plan or group health insurance trust fund. Additionally, the payout will no longer expressly be limited to a current or former firefighter's "initial" diagnosis.

The bill also requires that the payment of the \$75,000 firefighter cancer death benefit to a firefighter's beneficiary be made available for one year after employment, provided the former firefighter otherwise met the criteria at the time of termination of employment and was not subsequently employed as a firefighter.

The bill removes a duplicative grant of rulemaking authority to the Division of State Fire Marshal within the Department of Financial Services.

The bill may increase costs to state and local governments; the impact is indeterminate at this time.

The bill takes effect on July 1, 2026.

II. Present Situation:

Firefighter Cancer Benefits

Current law provides special disability and death benefits to firefighters who are diagnosed with certain cancers.¹ To qualify, a firefighter must:

- Be employed full time as a firefighter (or Florida-certified fire investigator);²
- Have been employed by the same employer for at least five continuous years;
- Not have used tobacco products in the preceding five years; and
- Have not been employed in any other position within the preceding five years that is proven to create a higher risk for cancer.³

Cancer Diagnosis Benefits

Upon a qualifying cancer diagnosis, an eligible firefighter is entitled to the following benefits, as an alternative to pursuing workers' compensation benefits:

- Coverage for cancer treatment under an employer-sponsored health plan or group health insurance trust fund, including timely reimbursement for any out-of-pocket deductible, copayment, or coinsurance costs incurred as a result of cancer treatment.
- A one-time cash payout of \$25,000 upon the firefighter's initial diagnosis of cancer.
- Leave time and employee retention benefits equivalent to those provided for other injuries or illnesses incurred in the line of duty.⁴

If a firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after terminating employment, the health coverage and cash payout benefits must be made available by the former employer for 10 years following the firefighter's termination of employment, provided the firefighter met the eligibility criteria at the time of separation and was not reemployed as a firefighter.⁵

Cancer Death Benefits

Current law provides death benefits to firefighters who die as a result of cancer or circumstances arising out of the treatment of cancer. If the firefighter participated in an employer-sponsored retirement plan, the plan must consider the firefighter to have died in the line of duty.⁶ If the firefighter did not participate in an employer-sponsored retirement plan, the employer must provide a death benefit to the firefighter's beneficiary equal to at least 42 percent of the

¹ The qualifying cancers include bladder, brain, breast, cervical, colon, esophageal, invasive skin, kidney, large intestinal, lung, malignant melanoma, mesothelioma, multiple myeloma, non-Hodgkin's lymphoma, oral cavity and pharynx, ovarian, prostate, rectal, stomach, testicular, and thyroid cancers. Section 112.1816(1)(a), F.S.

² "Firefighter" is defined for the section to mean an individual employed as a full-time firefighter or full-time, Florida-certified fire investigator within the fire department or public safety department of an employer whose primary responsibilities are the prevention and extinguishing of fires; the protection of life and property; and the enforcement of municipal, county, and state fire prevention codes and laws pertaining to the prevention and control of fires; or the investigation of fires and explosives. Section 112.1816(1)(c).

³ Section 112.1816(2), F.S.

⁴ Section 112.1816(2)(a)-(c), F.S.

⁵ Section 112.1816(2), F.S.

⁶ Section 112.1816(4)(a), F.S.

firefighter's annual salary for at least 10 years.⁷ In addition, the beneficiary is entitled to a one-time payment of \$75,000.⁸

Cancer Prevention Best Practices

Two provisions of current law, ss. 112.1816(6), and 633.520(2)(a), F.S., direct the Division of State Fire Marshal within the Department of Financial Services to adopt rules to establish employer cancer prevention best practices as it relates to personal protective equipment, decontamination, fire suppression apparatus, and fire stations. The adopted rule, Florida Administrative Code Rule 69A-62.025, provides an Employer Self-Assessment Tool listing cancer prevention best practices that are based on National Fire Protection Association and Federal Emergency Management Agency standards.

III. Effect of Proposed Changes:

Section 1 amends s. 112.1816, F.S., to extend the disability and death benefits arising out of a cancer diagnosis and treatment available to former firefighters and to remove certain limitations on the \$25,000 payout for current and former firefighters diagnosed with cancer.

The bill revises the cancer diagnosis benefits to remove the requirement that, in order to receive the \$25,000 cancer diagnosis payout within 10 years after terminating employment, a former firefighter must have elected to continue in an employer-sponsored health plan or group health insurance trust fund. This will allow a former firefighter who otherwise meets the eligibility criteria to receive the \$25,000 payout during that 10-year period regardless of whether he or she elects to continue coverage under the employer health plan or group health trust fund. Former firefighters must remain in the employer-sponsored health plan or group health insurance trust fund in order to receive coverage of cancer treatment and timely reimbursement of any qualifying out-of-pocket costs from the health plan or trust fund.

The bill also removes the term "initial" from the provision authorizing the \$25,000 cash payout upon a firefighter's "*initial* diagnosis of cancer." As a result, the payout will no longer be expressly limited to a firefighter's first cancer diagnosis and will now be available to qualifying current and former firefighters upon each cancer diagnosis.

The bill revises the firefighter cancer death benefit to require former employers to make the \$75,000 payout available to the beneficiary of a former firefighter for one year after the firefighter terminates employment, provided the firefighter otherwise met the eligibility criteria and was not subsequently employed as a firefighter.

The bill removes the provision from s. 112.1816, F.S., requiring the Division of State Fire Marshal to adopt rules for employer cancer prevention best practices that is duplicative of the provision in s. 633.520, F.S.

Section 2 provides that the bill takes effect on July 1, 2026.

⁷ Section 112.1816(4)(b), F.S.

⁸ Sections 112.1816(4)(c) and 112.191(2)(a), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18(a) of the Florida Constitution provides in pertinent part that “no county or municipality shall be bound by any general law requiring such county or municipality to spend funds . . . unless the legislature has determined that such law fulfills an important state interest and unless:

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or
- The expenditure is required to comply with a law that applies to all persons similarly situated.”

The bill requires public employers, including counties and municipalities, that employ firefighters to fund additional disability and death benefit payouts arising out of a cancer diagnosis and treatment. The bill appears to apply to all persons similarly situated (those public employers employing firefighters), including state agencies, school boards, community colleges, counties, municipalities and special districts. If this exception does not apply, the bill must be approved by two-thirds vote of each chamber. However, the bill does not contain a finding that the bill fulfills an important state interest; thus, these exceptions may not apply.

The mandates requirements do not apply to laws having an insignificant impact,^{9,10} which is \$2.4 million or less for Fiscal Year 2026-2027.¹¹ The fiscal impact of this bill has not yet been determined as the number of qualifying firefighters and potential claims cannot be readily ascertained.

If the bill does qualify as a mandate and does not meet an exemption or exception, in order to be binding upon cities and counties the bill must include a finding of important state interest and be approved by a two-thirds vote of the membership of each house.¹²

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁹ FLA. CONST. art. VII, s. 18(d).

¹⁰ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON COMTY. AFFAIRS, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Jan. 26, 2026).

¹¹ Based on the Demographic Estimating Conference’s estimated population adopted on June 30, 2025, <https://edr.state.fl.us/Content/conferences/population/archives/250630demographic.pdf> (last visited Jan. 26, 2026).

¹² FLA. CONST. art. VII, s. 18(a).

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of the bill is indeterminate at this time but will likely increase costs for state and local governments. The bill modifies the eligibility and timing requirements for certain cancer and death benefits for current and former firefighters to make these benefits available in more instances. State and local governments that employ firefighters may experience increased costs as a result of an increased number of claims for the \$25,000 payout and \$75,000 death payout. Moreover, state and local governments may have to provide multiple \$25,000 benefits payouts to current and certain former firefighters that have more than one cancer diagnosis.

The bill may reduce state and local government costs associated with former firefighters' participation in employer-sponsored health plans or group health insurance trust funds where those former firefighters only elected to continue coverage to qualify for the cancer diagnosis lump-sum benefit and can now qualify without remaining enrolled in coverage.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 112.1816 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.

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

By Senator DiCeglie

18-00836A-26

2026984

A bill to be entitled

An act relating to firefighter cancer benefits and prevention; amending s. 112.1816, F.S.; revising conditions under which a specified one-time payment must be made by a former employer upon a firefighter's cancer diagnosis; requiring a former employer to provide death benefits for a specified timeframe under certain circumstances; deleting the requirement for the Division of State Fire Marshal to adopt rules for establishing employer cancer prevention best practices; providing an effective date.

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

Section 1. Subsection (2), paragraph (c) of subsection (4), and subsection (6) of section 112.1816, Florida Statutes, are amended to read:

112.1816 Firefighters; cancer diagnosis.—

(2) Upon a diagnosis of cancer, a firefighter is entitled to the following benefits, as an alternative to pursuing workers' compensation benefits under chapter 440, if the firefighter has been employed by his or her employer for at least 5 continuous years, has not used tobacco products for at least the preceding 5 years, and has not been employed in any other position in the preceding 5 years which is proven to create a higher risk for any cancer:

(a) Cancer treatment covered within an employer-sponsored health plan or through a group health insurance trust fund. The employer must timely reimburse the firefighter for any out-of-

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pocket deductible, copayment, or coinsurance costs incurred due to the treatment of cancer. If the firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after he or she terminates employment, such benefits must be made available by his or her former employer for 10 years after the date on which the firefighter terminated employment so long as the firefighter otherwise met the criteria specified in this subsection when he or she terminated employment and was not employed as a firefighter after that date.

(b) A one-time cash payout of \$25,000, upon the firefighter's ~~initial~~ diagnosis of cancer. Such benefit must be made available by his or her former employer for 10 years after the date on which the firefighter terminates employment so long as the firefighter otherwise met the criteria specified in this subsection when he or she terminated employment and was not employed as a firefighter after that date.

(c) Leave time and employee retention benefits equivalent to those provided for other injuries or illnesses incurred in the line of duty.

~~If the firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after he or she terminates employment, the benefits specified in paragraphs (a) and (b) must be made available by the former employer of a firefighter for 10 years following the date on which the firefighter terminates employment so long as the firefighter otherwise met the criteria specified in this subsection when he or she terminated employment and was not~~

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subsequently employed as a firefighter following that date.

(4)

(c) Firefighters who die as a result of cancer or circumstances that arise out of the treatment of cancer are considered to have died in the manner as described in s. 112.191(2)(a), and all of the benefits arising out of such death are available to the deceased firefighter's beneficiary. Such death benefits must be made available by the former employer of the firefighter for 1 year after the date on which the firefighter terminated employment so long as the firefighter otherwise met the criteria specified in this subsection when he or she terminated employment and was not employed as a firefighter after that date.

~~(6) The Division of State Fire Marshal within the Department of Financial Services shall adopt rules to establish employer cancer prevention best practices as it relates to personal protective equipment, decontamination, fire suppression apparatus, and fire stations.~~

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 Governmental Oversight and Accountability

BILL: SB 1096

INTRODUCER: Senator Burgess

SUBJECT: Remedies for Violations of the Florida Civil Rights Act

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	Favorable
2.	<u>White</u>	<u>McVane</u>	<u>GO</u>	Pre-meeting
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

I. Summary:

SB 1096 clarifies the statute of limitation for the amount of time that a person who files an employment discrimination complaint with the Equal Employment Opportunity Commission or the Florida Human Relations Commission has to file a civil action for the alleged discrimination.

The bill provides that a complainant who chooses to file a civil action must file *no later than* 1 year after the Florida Commission issues a determination of reasonable cause or the EEOC issues a Notice of Right to Sue, whichever occurs *first*. However, if a determination is not made or a notice is not issued within 180 days after a complaint is filed, a civil action may be brought by the complainant, but no later than 18 months after the complaint was filed.

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

The bill takes effect July 1, 2026.

II. Present Situation:

Background

The Florida Civil Rights Act of 1992 (the Act) provides a forum for people to seek redress if they believe they have been discriminated against on the basis of race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.¹ The Florida Commission on Human Relations (Commission) is authorized to receive, investigate, hold hearings on, and act upon complaints that allege a discriminatory practice as defined in the Act.²

¹ Section 760.01(2), F.S.

² Section 760.06(5), F.S.

Procedure and Timelines

The Complaint Must Be Filed within 365 Days of the Alleged Violation

Anyone who believes that he or she has been discriminated against may file a complaint with the Commission, but it must be filed within 365 days after the alleged violation. The complaint must name the employer or alleged violator, describe the violation, and the relief that is sought. On the same day that the complaint is filed with the Commission, the Commission is required to clearly stamp the filing date on the complaint. In lieu of filing the complaint with the Commission, the person alleging discrimination may file a complaint with the federal Equal Employment Opportunity Commission (EEOC)³ or a unit of state government that is a fair-employment practice agency under the federal code.⁴

The Commission, within five days of the complaint being filed, must then send by registered mail a copy of the complaint to the alleged violator. The alleged violator then has 25 days from the date the complaint was filed to file an answer with the Commission.⁵

180 Days to Investigate and Make a Determination

The Commission must investigate the allegations in a complaint and has 180 days after the filing date to determine if there is reasonable cause to believe that a discriminatory practice occurred in violation of the Act.⁶ If the Commission fails, within 180 days after the complaint is filed, to determine whether there is reasonable cause, the complainant may bring a civil action or request an administrative hearing. The Commission must notify the complainant in writing of the failure to make a determination as to whether there is reasonable cause and provide the complainant with their options. The complainant then has 1 year to file a civil action after the date the Commission certifies that the notice was mailed to the complainant.⁷

Some people choose to dual-file a complaint with the EEOC and the Commission when they believe that their rights have been violated under federal and state law. Under a work-share agreement with the EEOC, both entities act as agents for each other and only one agency investigates a claim. This avoids duplicating an investigation. If the EEOC issues a determination, that serves as a determination for both agencies.⁸

If the EEOC conducts an investigation, it generally has 180 days to resolve the charge. If the EEOC finds reasonable cause to believe a violation has occurred, it will issue a Notice of Right to Sue to the complainant and the notice serves as the determination for both the EEOC and the Commission.⁹

³ The EEOC is authorized to investigate discrimination charges against employers who are covered under federal law. See U.S. Equal Employment Opportunity Commission, *Overview, Authority & Role*, <https://www.eeoc.gov/overview> (last visited Jan. 29, 2026).

⁴ Section 760.11(1), F.S.

⁵ *Id.*

⁶ Section 760.11(3), F.S.

⁷ Section 760.11(8), F.S.

⁸ Florida Commission on Human Relations, *You Ask, We Answer ...*, Case Status With EEOC, <https://fchr.myflorida.com/faq-frequently-asked-questions> (last visited Jan. 28, 2026).

⁹ *Id.*, and U.S. Equal Employment Opportunity Commission, *After You Have Filed a Charge*, <https://www.eeoc.gov/after-you-have-filed-charge> (last visited Jan. 28, 2026).

Statute of Limitation - A Civil Action Must Be Brought Within 1 Year

A statute of limitations is a law that bars a legal claim after a specific period of time. Its purpose is to bring finality to a legal situation. The statute also serves to ensure that claims will be resolved while evidence is available, before memories fade, and before witnesses can no longer be found.¹⁰

If the Commission determines that there is reasonable cause to believe that employment discrimination occurred, the aggrieved person may either bring a civil action against the employer named in the complaint or request an administrative hearing.¹¹ A civil action must be brought within 1 year after the date the Commission determines that reasonable cause exists.¹² However, the statute is silent on when a civil action must be filed when the EEOC conducts the investigation. This omission has led to confusion for attorneys who represent claimants as well as defense attorneys who represent business interests.¹³ A plaintiff's attorney could be sued for malpractice if he or she files an action after the deadline has passed for filing a claim. A defense attorney who is not made aware of a potential lawsuit until years after the alleged violation occurred is then tasked with locating evidence and witnesses that might no longer be available.

III. Effect of Proposed Changes:

The bill clarifies and limits the amount of time a person has to file a civil action for employment discrimination after filing an employment discrimination complaint with the Florida Human Relations Commission or the Equal Employment Opportunity Commission. This will resolve confusion for litigants who are uncertain what the time constraints are for filing a civil action for discrimination.

When a Determination of Reasonable Cause or a Notice of Right to Sue is Issued

Existing law provides that a civil action must be brought “no later than 1 year” after the Commission issues a determination of reasonable cause. The bill similarly establishes that someone who chooses to file a civil action must do so no later than 1 year after the EEOC issues a Notice of Right to Sue. The 1-year time frame for filing a civil action begins when the *first* organization, whether the Commission or the EEOC, issues its decision.

When a Determination of Reasonable Cause or a Notice of Right to Sue is *Not* Issued

If, however, a determination of reasonable cause is not made by the Commission or a Notice of Right to Sue is not issued by the EEOC within 180 days after the filing of the complaint, a civil

¹⁰ BLACK'S LAW DICTIONARY (12th ed. 2024).

¹¹ Section 760.11(4), F.S., Pursuant to s. 760.07, F.S., if the statute prohibiting unlawful discrimination provides an administrative remedy, the plaintiff must first exhaust his or her administrative remedy.

¹² Section 760.11(5), F.S.

¹³ See *Davis v. Big Bend Hospice, Inc.*, 419 So. 3d 272 (Fla. 1st DCA 2025). In *Davis*, the First District Court of Appeal wrestled with the existing statutory language and prior case law to determine the limitations period for filing an employment discrimination lawsuit after the EEOC dismissed the complainant's claim and issued a right to sue letter, but the Commission did not follow through with the ministerial function of providing the complainant with its own notice dismissing the claim. The court certified conflict with other decisions issued by the Second District and Fourth District Court of Appeal.

action for employment discrimination may be brought by the complainant no later than 18 months after the filing of the complaint.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

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

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends sections 760.11 and 760.0 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.

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

By Senator Burgess

23-00889A-26

20261096

A bill to be entitled

An act relating to remedies for violations of the Florida Civil Rights Act; amending s. 760.11, F.S.; revising the timeframe when a civil action may be brought for violations of the act; providing that if the Florida Commission on Human Relations or the Equal Employment Opportunity Commission does not make a determination within a specified timeframe, the complainant may bring a civil action within a specified timeframe; reenacting s. 760.07, F.S., relating to remedies for unlawful discrimination, to incorporate the amendment made to s. 760.11, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (5) of section 760.11, Florida Statutes, is amended to read:

760.11 Administrative and civil remedies; construction.—

(5) In any civil action brought under this section, the court may issue an order prohibiting the discriminatory practice and providing affirmative relief from the effects of the practice, including back pay. The court may also award compensatory damages, including, but not limited to, damages for mental anguish, loss of dignity, and any other intangible injuries, and punitive damages. Sections 768.72 and 768.73 ~~The provisions of ss. 768.72 and 768.73~~ do not apply to this section. The judgment for the total amount of punitive damages awarded under this section to an aggrieved person may ~~shall~~ not

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

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exceed \$100,000. In any action or proceeding under this subsection, the court, ~~in its discretion~~, may allow the prevailing party a reasonable attorney fees ~~attorney's fee~~ as part of the costs. It is the intent of the Legislature that ~~attorney this provision for attorney's fees~~ be interpreted in a manner consistent with federal case law involving a Title VII action. The right to trial by jury is preserved in any such private right of action in which the aggrieved person is seeking compensatory or punitive damages, and any party may demand a trial by jury. The commission's determination of reasonable cause is not admissible into evidence in any civil proceeding, including any hearing or trial, except to establish for the court the right to maintain the private right of action. A civil action brought under this section must be filed ~~shall be commenced~~ no later than 1 year after the date of determination of reasonable cause by the commission or the issuance of a Notice of Right to Sue from the Equal Employment Opportunity Commission, whichever occurs first. If a determination is not made by the commission or a Notice of Right to Sue is not issued by the Equal Employment Opportunity Commission within 180 days after the filing of the complaint, a civil action may be brought by the complainant under this subsection no later than 18 months after the filing of the complaint. The filing commencement of such action divests ~~shall divest~~ the commission of jurisdiction of the complaint, except that the commission may intervene in the civil action as a matter of right. Notwithstanding this subsection the above, the state and its agencies and subdivisions may ~~shall~~ not be liable for punitive damages. The total amount of recovery against the state and its agencies and

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subdivisions may ~~shall~~ not exceed the limitation as set forth in s. 768.28(5).

Section 2. For the purpose of incorporating the amendment made by this act to section 760.11, Florida Statutes, in a reference thereto, section 760.07, Florida Statutes, is reenacted to read:

760.07 Remedies for unlawful discrimination.—Any violation of any Florida statute that makes unlawful discrimination because of race, color, religion, gender, pregnancy, national origin, age, handicap, or marital status in the areas of education, employment, or public accommodations gives rise to a cause of action for all relief and damages described in s. 760.11(5), unless greater damages are expressly provided for. If the statute prohibiting unlawful discrimination provides an administrative remedy, the action for equitable relief and damages provided for in this section may be initiated only after the plaintiff has exhausted his or her administrative remedy. The term “public accommodations” does not include lodge halls or other similar facilities of private organizations which are made available for public use occasionally or periodically. The right to trial by jury is preserved in any case in which the plaintiff is seeking actual or punitive damages.

Section 3. 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 Governmental Oversight and Accountability

BILL: PCS/SB 1296 (655050)

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: Public Employees Relations Commission

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harmsen	McVane	GO	Pre-meeting
2.			AEG	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 1296 amends several provisions relating to ch. 447, F.S., which governs public employee unions in the state. Specifically, the bill:

- Updates the Public Employee Relations Commission's registration, certification, and recertification processes for employee organizations (unions).
- Requires a showing of interest form, signed by a bargaining unit employee within the last 12 months, to be submitted with an application for certification or recertification.
- Clarifies the bargaining unit process which allows determination of the unit after a change in case or statutory law.
- Institutes a two-tier voting threshold for the certification, recertification, and decertification of an employee organization where public safety employee organizations may be certified or recertified by a majority of the employees who vote in the election, and non-public safety employee organizations may be certified or recertified by a majority vote of the employees in the bargaining unit.
- Narrows paid union leave for non-public safety union members to only those situations where the union fully reimburses the public employer for the employee's time performing duties that are directly-related to the union, such as engaging in collective bargaining, participating in grievances, or representing other employees in disciplinary proceedings. This does not apply to unions for public safety field workers, whose members may still engage in paid union leave for these activities without the union having to fully reimburse the public employer.

- Requires a public employer to allow equal access to any employee organization or not-for-profit organization to access its communal spaces or communications systems that it allows other employee organizations or its affiliate.
- Institutes a fast-track impasse process for local government salary increases as specifically appropriated by the Legislature which require modification of a bargaining agreement. This does not apply to public safety units.
- Conforms various hearing procedures and timeframes to those in ss. 120.569 and 120.57, F.S., of the Administrative Procedures Act

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

The bill takes effect on July 1, 2026.

II. Present Situation:

Right-to-Work

The State Constitution provides that the “right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization.”¹ Based on this constitutional right, Florida is regarded as a “right-to-work” state.

Collective Bargaining

The State Constitution also guarantees that “the right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged.”² To implement this constitutional provision, the Legislature enacted ch. 447, F.S., which provides that the purpose of collective bargaining is to promote cooperative relationships between the government and its employees and to protect the public by assuring the orderly and uninterrupted operations and functions of government.³

Public employees have the right to form, join, participate in, and be represented by an employee organization of their own choosing or to refrain from forming, joining, participating in, or being represented by an employee organization.⁴ Regardless of membership in an employee organization (union), each employee is subject to the negotiated collective bargaining agreement that is applicable to the employee’s position. Through collective bargaining, public employees⁵

¹ FLA. CONST. art. 1, s. 6.

² *Id.*

³ Section 447.201, F.S. *See also*, Gregg Morton, *Unfair Labor Practices in Florida’s Public Sector Workplaces*, FLA. B. J., Sept./Oct. 2019, at 41, <https://www.floridabar.org/the-florida-bar-journal/unfair-labor-practices-in-floridas-public-sector-workplaces/> (last visited Jan. 28, 2026).

⁴ Section 447.301(1) and (2), F.S.

⁵ Section 447.203(3), F.S., defines the term “public employee” to mean any person employed by a public employer except:

collectively negotiate with their public employer⁶ in the determination of the terms and conditions of their employment.⁷ The Public Employees Relations Commission (commission) is responsible for assisting in resolving disputes between public employees and public employers.⁸ Employee organizations can be certified as a bargaining agent through a process overseen by the commission.

Registration of Employee Organization

An employee organization⁹ that seeks to become a certified bargaining agent for public employees must register with the commission prior to (a) requesting recognition by a public employer for purposes of collective bargaining and (b) submitting a petition to the commission to request certification as an exclusive bargaining agent.¹⁰ The application for registration must include:

- The name and address of the organization and of any parent organization or organization with which it is affiliated;
- The names and addresses of the principal officers and all representatives of the organization;
- The amount of the initiation fee, and the amount and collection frequency of the dues and uniform assessments that members must pay;
- The current annual financial statement of the organization as prepared by an independent certified public accountant who is licensed under ch. 473, F.S.;
- The name of its business agent and local agent for service of process, if any, and the addresses where such person or persons can be reached;
- A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will accept members without regard to age, race, sex, religion, or national origin;

-
- (a) Persons appointed by the Governor or elected by the people, agency heads, and members of boards and commissions.
 - (b) Persons holding positions by appointment or employment in the organized militia.
 - (c) Individuals acting as negotiating representatives for employer authorities.
 - (d) Persons who are designated by the commission as managerial or confidential employees pursuant to criteria contained herein.
 - (e) Persons holding positions of employment with the Florida Legislature.
 - (f) Persons who have been convicted of a crime and are inmates confined to institutions within the state.
 - (g) Persons appointed to inspection positions in federal/state fruit and vegetable inspection service whose conditions of appointment are affected by the following:
 1. Federal license requirement.
 2. Federal autonomy regarding investigation and disciplining of appointees.
 3. Frequent transfers due to harvesting conditions.
 - (h) Persons employed by the Public Employees Relations Commission.
 - (i) Persons enrolled as undergraduate students in a state university who perform part-time work for the state university.

⁶ The term “public employer” means the state or any county, municipality, or special district or any subdivision or agency thereof that the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. Section 447.203(2), F.S.

⁷ Section 447.301(2), F.S.

⁸ Section 447.201(3), F.S.

⁹ Section 447.203(11), F.S., defines employee organization as any “labor organization, union, association, fraternal order, occupational or professional society, or group, however organized or constituted, which represents, or seeks to represent, any public employee or group of public employees concerning any matters relating to their employment relationship with a public employer.”

¹⁰ Section 447.305(1), F.S.

- A copy of the current constitution and bylaws of the employee organization; and
- A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any registering labor organization may annually submit a copy of its current constitution and bylaws.¹¹

A registration granted to an employee organization is valid for one year from the date of issuance. A registration must be renewed annually by filing an application for renewal under oath with the commission. An application for renewal must reflect any changes in the information provided to the commission in conjunction with the employee organization's preceding application for registration or previous renewal. Each application for renewal of registration must include a current annual financial statement with the following information:¹²

- Assets and liabilities at the beginning and end of the fiscal year;
- Receipts of any kind and the sources thereof;
- Disbursements by category;
- Salary, allowances, and other direct or indirect disbursements to each officer and to each employee who received during the fiscal year more than \$10,000 in the aggregate from the employee organization and any affiliated employee organization;
- Direct and indirect loans made to any officer, employee, member which aggregated more than \$250 during the fiscal year; and
- Direct and indirect loans to any business enterprise.

A registration fee of \$15 must be submitted for each registration and renewal.¹³

In addition to the information above, certain employee organizations¹⁴ must submit the following information for any renewal of registration:

- The number of employees in the bargaining unit who are eligible for representation by the employee organization.
- The number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.
- The number of employees in the bargaining unit who paid dues to the employee organization.
- The number of employees in the bargaining unit who did not pay dues to the employee organization.
- Documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided.¹⁵

The commission may initiate an investigation to conform the validity of the information submitted in the registration or renewal of registration. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization

¹¹ Section 447.305(1)(a-h), F.S.

¹² Section 447.305(2), F.S.

¹³ Section 447.305(10), F.S.

¹⁴ Employee organizations that have been certified as the bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, or firefighters are exempt from providing this information. Section 447.305(9), F.S.

¹⁵ Section 447.305(3), F.S.

failed to cooperate with the investigation or intentionally misrepresented the submitted information.¹⁶

Certification of Employee Organization as Bargaining Agent

After registering with the commission, an employee organization may begin the certification process. Any employee organization that is selected by a majority of public employees in a designated unit as their representative for collective bargaining purposes can request recognition by the public employer.

The employer, if satisfied as to the majority status of the employee organization and the appropriateness of the unit, must recognize the employee organization as the collective bargaining representative of employees in the designated unit. Following recognition by the employer, the employee organization must immediately petition the commission for certification.¹⁷ The commission will review only the appropriateness of the unit proposed by the employee organization. Appropriateness is defined as the history of employee relations within the organization of the public employer concerning organization and negotiation and the interest of the employees and the employer.¹⁸ If the unit is appropriate, the commission will immediately certify the employee organization as the exclusive representative of all employees in the unit. If the unit is inappropriate, the commission may dismiss the petition.

If the public employer refuses to recognize the employee organization, the employee organization may file a petition with the commission for certification as the bargaining agent. The petition has to be accompanied by dated statements signed by at least 30 percent of the employees in the proposed unit. Both the employee organization's petition and the interested employees' dated signed statements are confidential and exempt from disclosure pursuant to public records laws.¹⁹ The commission will investigate the petition to determine its sufficiency, provide for an appropriate hearing upon notice, and may order an election by secret ballot. Any registered employee organization that desires to be placed on the ballot in any election may be permitted by the commission to intervene. If an employee organization is selected by the majority of the employees *who vote* in the election, the commission must certify the employee organization as the exclusive collective representative for all employees in the unit.²⁰

Authority of the Certified Bargaining Agent

The certified bargaining agent and the chief executive of the public employer must bargain collectively and in good faith in the determination of wages, hours, and terms and conditions of employment of the employees.²¹ Any collective bargaining agreement reached between the parties must be put in writing and signed by the chief executive officer and the bargaining

¹⁶ Section 447.305 (8), F.S.

¹⁷ Section 447.307(1)(a), F.S.

¹⁸ Section 447.307(4)(f), F.S.

¹⁹ Section 447.307(2), F.S.

²⁰ Section 447.307(3)(a-d), F.S.

²¹ Section 447.309(1), F.S.

agent.²² Such agreement is not binding on the employer until the agreement has been ratified by the employer and the employees in the bargaining unit.²³

Current law prohibits a collective bargaining agreement from providing for a term of existence of more than three years and requires the agreement to contain all of the terms and conditions of employment of the employees during such term.²⁴ The bargaining agent also has the authority to process grievances to settle disputes between the employer and the employees in the bargaining unit.²⁵

Revocation of Certification

An employee or group of employees who no longer desires to be represented by the certified bargaining agent may file with the commission a petition to revoke certification. The petition must be accompanied by dated statements signed by at least 30 percent of the employees in the unit, indicating that such employees no longer desire to be represented by the certified bargaining agent. If the commission finds the petition to be sufficient, it must immediately order an election by secret ballot.²⁶

If a majority of voting employees vote against the continuation of representation by the certified bargaining agent, the organization's certification is revoked.²⁷ Otherwise, the employee organization is retained as the exclusive bargaining agent for the unit.²⁸

Recertification

An employee organization that has applied for a renewal of its registration must petition for recertification as a bargaining unit if it has less than 60 percent of its unit members paying dues during the prior registration period. If the employee organization fails to petition the commission for recertification as the exclusive representative of the bargaining unit within one month of its application of renewal of registration, the certification is revoked.²⁹

The commission may initiate an investigation to confirm the validity of the information submitted in the renewal of registration. The commission may revoke or deny an employee organizations registration or certification if the commission finds that the employee organization failed to cooperate with the investigation or intentionally misrepresented the information submitted on the registration or renewal.³⁰

²² *Id.*

²³ *Id.*

²⁴ Section 447.309(5), F.S.

²⁵ Section 447.401, F.S.

²⁶ Section 447.308(1), F.S.

²⁷ Section 447.308(2), F.S.

²⁸ Section 447.308(3), F.S.

²⁹ Section 447.305(6), F.S.

³⁰ Section 447.305(8), F.S.

Membership in an Employee Organization

Since July 1, 2023, employees eligible for representation must sign a membership authorization form in order to be a member of an employee organization. The form must be prescribed by the commission and contain certain information and statements. A member of an employee organization must be allowed to revoke membership at any time upon the employee organization's receipt of the written revocation. The commission is granted rulemaking authority to implement the requirements of the membership authorization form and the revocation of membership.³¹ The commission has prescribed a membership authorization form,³² which requires certain information regarding the employee organization and other information specific to the employee. The employee organization or another person may assist the employee in completing the form. The employee must sign and date the form.

The provisions requiring a signed membership form and the provisions relating to the revocation of membership do not apply to members of an employee organization certified as a bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, and firefighters.³³

Impasse Resolution

Under current law, when a public employer and a bargaining agent are unable to reach an agreement after a reasonable period of negotiation, either party may declare that the negotiations are at impasse. An impasse is deemed to occur when one of the parties provides written notice of the impasse to the other party and the commission. Upon declaration of an impasse, the parties may seek the assistance of a mediator to facilitate a resolution.³⁴ If mediation is not used, or upon request of either party, the commission must appoint a special magistrate acceptable to both parties, or if the parties cannot agree, the commission must select a qualified special magistrate. The parties may also agree in writing to waive the appointment of a special magistrate and proceed directly to legislative resolution of the impasse.³⁵

The special magistrate must conduct hearings to define the disputed issues, determine relevant facts, and render a recommended order. Recommended orders must be transmitted to the commission and the parties involved by certified mail, with return receipt requested. The recommended order is deemed approved unless a party files a written rejection within a specified timeframe. If either party rejects, the impasse proceeds to the legislative body of the public employer. The chief executive officer and the employee organization must submit their recommendations to the legislative body, which then conducts a public hearing and takes an action it deems to be in the public interest to resolve the disputed issues. The legislative body's action may become binding for the remainder of the fiscal year under certain circumstances.³⁶

³¹ Section 447.301(1), F.S.

³² PERC, *Employee Organization Membership Authorization Form*, <https://perc.myflorida.com/forms/PERC%20FORM%202023-1.101%20WITH%20INSTRUCTIONS.pdf> (last visited Jan. 28, 2026).

³³ Section 447.301(1)(b)6., F.S.

³⁴ Section 447.403(1), F.S.

³⁵ Section 447.403(2)(a), F.S.

³⁶ Section 447.403(3)-(4), F.S.

If the employer is the Governor, no mediator or special magistrate must be appointed.³⁷ Instead, the unresolved impasse issues must be presented to the Legislature during the regular session, where a joint committee appointed by the presiding officers conducts a public hearing and the Legislature takes action in accordance with law.³⁸

Financial Urgency

In the event of a financial urgency requiring modification of a collective bargaining agreement, current law requires the public employer and bargaining agent to meet as soon as practicable to negotiate the impact of the financial urgency. If the parties are unable to reach an agreement within 14 days, an impasse is deemed to have occurred and must be declared in writing to the other party and the commission. The parties are prohibited from filing an unfair labor practice charge during the 14-day negotiation period.³⁹

“Union Release Time” or “Paid Union Leave”

Release time is a negotiated benefit wherein a public employer releases an employee from duty work during work hours to tend to union activities or business while being compensated by the public employer. The provision of release time is a contractual benefit, not statutory, that may be found in the collective bargaining agreement, school board policy, personnel manual, or other procedures and practices.⁴⁰

Florida law provides that “a public employer or their agent or representative is prohibited from [...] contributing financial support to a union.”⁴¹ Therefore, release time cannot constitute a payment or benefit to the union in the form of salary paid to the employee for union work. Employer-funded release time does not violate the law if the paid release time is used for official union business,⁴² such as the direct representation of employees in grievances, discipline meetings, or contract negotiations.⁴³ The commission has found other activities, such as attendance at a union-sponsored picnic, lobbying for political issues, coordinating with other unions, or the continued payment of a salary for unspecified union activities, to be an improper use of release time that constitutes an unfair labor violation prohibited by Florida law.⁴⁴

Currently, collective bargaining agreements for public employee unions representing state employees provide for release time in the following manners:

³⁷ Section 447.403(1)-(2), F.S.

³⁸ Section 447.403(5), F.S.

³⁹ Section 447.4095, F.S.

⁴⁰ School Board of Volusia County, Michael Dyer, *Avoiding Paid Union Leave Pitfalls After PERC’s Decision in Allen v. United Faculty of Miami-Dade College*: A presentation to the Florida Education Negotiators, Volusia County Schools (Jan. 27, 2017), <https://www.flfen.org/wp-content/uploads/2017/02/Paid-union-leave-presentation-to-FEN-2017.pdf.pdf> (last visited Jan. 28 2026).

⁴¹ Section 457.501(1)(e), F.S.

⁴² *In re City of Jacksonville*, 13 FPER 1118250 (1987).

⁴³ *United Faculty of Florida v. Florida A&M University Board of Trustees*, 32 FPER 34 (2006).

⁴⁴ *Del Pino Allen v. Miami-Dade College*, CA-2015-070 (May 27, 2016), <https://perc.myflorida.com/download.aspx?Prefix=CA&CaseYr=15&CaseNo=070&File=CA15070-Ord17-052716103809.pdf> (Last visited Jan. 28, 2026).

- The Fraternal Order of Police provides administrative leave to union employees for the purposes of attending a consultation meeting with designated representatives of the state. Union representative employees may also use work hours to attend union negotiations with the State and use up to 8 hours of administrative leave to attend a negotiation preparatory meeting held during normal work hours.⁴⁵
- The Florida State Fire Service Association (FSFSA) allows union representatives to be excused from their regular duties, “without loss of pay,” for time used during a normal working hours spent to consult with the Secretary of the DMS on non-grievance matters. The agreement further provides administrative leave with pay for up to six employees in the bargaining unit to attend each single-day session as Negotiation Committee members. For negotiation preparation, the FSFSA President is permitted up to 16 hours of paid leave per fiscal year; the remaining five members of the negotiation committee are allowed to take up to 8 hours of leave with pay, not to exceed 40 hours per fiscal year.⁴⁶
- The Florida Police Benevolent Association (FPBA) provides union members in its Highway Patrol unit up to 8 hours of administrative leave for time spent in consultation with the Secretary of the DMS regarding non-grievance union matters, and, for up to four employees, administrative leave to attend negotiating sessions and negotiation preparatory meetings.⁴⁷
- The FPBA’s Law Enforcement unit deems time spent during normal work hours in consultation with the Secretary of the DMS regarding non-grievance union matters work hours. It additionally grants administrative leave for up to eight employees to attend negotiation sessions with the State and up to a day of administrative leave for those employees who participate in a negotiation preparatory meeting.⁴⁸
- The FPBA’s Security Services unit members may use work hours to consult with the Secretary of DMS regarding non-grievance matters (limited for up to three union representatives), and to meet with the Step-1 Management Representative. The agreement further provides administrative leave to an unspecified number employees who serve on its Negotiation Committee for the purposes of attending negotiating sessions with the State and negotiation preparatory meetings (if the preparatory meetings occurs during normal work hours). The total number of hours, including the hours spent in negotiation preparatory meetings, paid to all employees on the FPBA’s Negotiation Committee cannot exceed 1,000 hours. The agreement lastly permits any employee in the unit to request leave without pay,

⁴⁵ The Florida State Lodge Fraternal Order of Police, Inc., *Special Agent Bargaining 2023-2026 Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 9: Negotiations*, 6-7, <https://dms-media.ccplatform.net/content/download/439818/file/FOP-Special%20Agent%20Unit%20-%20FY%202025-2026%20Reopener%20Agreement.pdf> (last visited Jan. 30, 2026).

⁴⁶ Florida State Fire Service Association, *Fire Service Bargaining Unit 2025-2026 Imposed Agreement, Article 5: Representation Rights*, 5-7, <https://dms-media.ccplatform.net/content/download/440458/file/FSFSA%20-%20Fire%20Service%20Unit%20-%20FY%202025-2026%20Imposed%20Agreement.pdf> (last visited Jan. 30, 2026).

⁴⁷ Florida Police Benevolent Association, *Florida Highway Patrol Bargaining Unit 2023-2026 Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 5: Employee Representation and PBA Activities*, 5-7, <https://dms-media.ccplatform.net/content/download/439817/file/FHP%20-%20Florida%20Police%20Benevolent%20Association%20FY%202025-2026%20Reopener%20Agreement.pdf> (last visited Jan. 30, 2026).

⁴⁸ Florida Police Benevolent Association, *Law Enforcement Bargaining Unit 2023-2026 Successor Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 5: Employee Representation and PBA Activities*, 5-7, <https://dms-media.ccplatform.net/content/download/439816/file/PBA-Law%20Enforcement%20Unit%202025-2026%20Reopener%20Agreement%20%2810-13-2025%29.pdf> (last visited Jan. 30, 2026).

annual, or compensatory leave for the purpose of attending FPBA conventions, conferences, and meetings.⁴⁹

III. Effect of Proposed Changes:

Membership Authorization and Dues Collection

Section 5 creates a definition of “membership dues” to include any amount a member is required to pay in exchange for membership in an employee organization, including, but not limited to employee organization dues; uniform assessments; and fees, including initiation fees. This section also amends the definition of a “membership dues deduction” to conform to this definition.

Section 8 amends s. 447.301, F.S., establish a 30-day period by which an employee organization must revoke the employee’s membership and cease collection of his or her dues, if requested. This section also makes technical, non-substantive updates.

A public employee who wishes to become a member of a union must sign and date a membership authorization. Section 8 expands the information required on the membership authorization to include wages and fringe benefits paid or accruing to the employee organization’s five highest compensated officers and employees, and clarifies that a membership form is valid if it meets the requirements in law at the time the employee signed it (and has not subsequently revoked his or her membership). Section 10 expands the registration renewal application to include this information.

Section 9 amends s. 447.303, F.S., to conform to the definition of “membership dues” created in the bill. It also requires a public safety unit employee—a law enforcement officer, correctional officer, correctional probation officer, firefighter, public safety telecommunicator, emergency medical technician, or paramedic—to request membership dues deduction directly of his or her employer. Previously, the bargaining unit for the public safety unit employee could request to start the deductions.

Employee Organization Registrations

Current law requires an employee organization to register before being certified as a bargaining agent and to annually renew its registration through a registration renewal application. The registration renewal application must include an annual financial statement prepared by an independent certified public accountant and a specified list of other information about the employee organization.

Section 120.60, F.S., provides timeframes for agency responses to applications for licensure and dictates that an application must be approved or denied within 90 days after receipt of a completed application. **Section 3** amends s. 120.80, F.S., to exempt the commission’s

⁴⁹ Florida Police Benevolent Association, *Security Services Bargaining Unit Reopener Agreement for Fiscal Year 2025-2026*, Article 5: PBA Activities and Employee Representation, 5-7, <https://dms-media.ccplatform.net/content/download/424901/file/PBA-Security%20Services%20Unit%20-%20FY%202025-2026%20Reopener%20Agreement%20CLEAN%20FINAL1%20%28CORR%208-21-25%29.pdf> (last visited Jan. 30, 2026).

consideration of an application for *registration* from s. 120.60, F.S. Current law also exempts the *certification* of employee organizations from s. 120.60, F.S. The bill supplants the s. 120.60, F.S., response timeframes with a similar requirement that the commission notifies the bargaining agent when its registration submission is complete but does not allow for approval of an application under ch. 447, F.S., if it is not timely acted upon by the commission. (See section 10, which amends s. 447.305(6), F.S.)

Section 10 amends s. 447.305, F.S., to expand the registration renewal submission requirements to include:

- The wages and fringe benefits paid or accruing to its top five officers and employees.
- Reporting of any reimbursements paid by the employee organization to a public employer for moneys paid by the public employer to the employee organization's officers or employees.
- The amount of membership dues retained by or distributed to the employee organization, any parent organization of the employee organization, and any affiliate of either the employee or parent organization.

The bill separately requires a bargaining agent to include in its renewal registration application the following information on the 30th day immediately preceding the date of its current registration's expiration:

- The certification number for each bargaining unit for which the bargaining agent is certified. This number is assigned by the commission after the bargaining unit's certification.
- For each certification, the number of employees in the bargaining unit who paid full membership dues sufficient to maintain membership in good standing with the bargaining agent. This is distinct from current law, which requires the number of employees in the bargaining unit who did and did not pay dues to the employee organization. An agreed-upon procedures report performed by a CPA to assist with the commission's determination of the accuracy is provided as part of the renewal registration.

An agreed-upon procedures report is a standardized type of review established by the American Institute of Certified Public Accountants.

The bill clarifies that an employee organization must provide its financial report, included in its registration application, within 30 days of its filing with the commission. The bill also adds a requirement that the employee organization send a copy of the renewal registration application to the public employer (also within 30 days).

The bill extends the deadline for a bargaining agent to cure deficiencies in its registration renewal application from 10 to 30 days before the commission must dismiss the application. The commission must notify the bargaining agent once its renewal submission is deemed complete; the bill provides that a bargaining agent's failure to cure its registration renewal after this notification, must result in the application's dismissal by the commission within 30 days after its notice. The commission must notify the bargaining agent after it has met the required registration or registration renewal application requirements. Within 30 days thereafter, the bargaining agent must petition for recertification for any of its bargaining units for which less than 60 percent of the employees in the bargaining unit have submitted membership authorization forms and paid membership dues to the organization, as reported in its application.

If an employee organization fails to comply with any of the requirements in s. 447.305, F.S., as described above, the commission must revoke its certification and the employee organization is barred from seeking certification for that bargaining unit for 12 months. This provision does not apply to public safety units.

A public employer or employee may challenge a registration renewal application based on material inaccuracies only, whereas current law allows a challenge based on minor or technical errors. Such a challenge may only be brought while the application is pending, or if the registration renewal has been granted, before the bargaining agent's current registration is scheduled to end.

Certification, Recertification, and Decertification of Employee Organizations

Section 11 removes a public employer's option to recognize an employee organization as appropriate representative for the purposes of collective bargaining and instead routes all employee organization certifications and recertifications immediately through the commission, which conducts an election process. The commission still grants, by final order, the certification or recertification of the employee organization pursuant to the outcome of the election.

Petition for Certification or Recertification

Section 11 replaces the term "dated statements" with "showing of interest." This technical change is made throughout the bill.

A showing of interest is a written statement that is signed and dated by an appropriate employee who wishes to be, or to no longer be, represented by the bargaining agent for purposes of collective bargaining.⁵⁰ All employee organizations must include a collection of showing of interest cards from at least 30 percent of the public employees in the proposed bargaining unit in its certification or recertification petition.⁵¹ However, the bill institutes a new requirement that the showing of interest cards must have been signed and dated by the public employees not more than 12 months before the employee organization filed its petition for certification or recertification—there is no expiration to the showing of interest required in current law. This petition ultimately prompts an election; the commission now sets the election's date with "due notice."

Certification or Recertification Election and Vote Thresholds

If the employees in the proposed bargaining unit that seeks certification are already represented by another bargaining agent, then the original bargaining unit may appear on the ballot for election without filing a motion to intervene or producing any required number of showings of interest. The original bargaining unit is also automatically added as a party to the case.

The bill distinguishes the vote requirement for certification or recertification based on the type of employees that comprise the bargaining unit membership. Elections for certification or recertification of an employee organization in which a majority of the employees are public

⁵⁰ This is a newly defined term in section 5 of the bill.

⁵¹ This threshold mimics current law, which requires signed, dated statements from 30 percent of the bargaining unit.

safety employees require a majority vote of the *employees voting in the election*. Elections for all other employee organizations require a majority vote of the *total employees in the bargaining unit*. This voting distinction applies to runoff elections in the same manner.

If the commission has verified the results of a certification or recertification election via order, then no other certification petition may be filed regarding that same proposed or existing bargaining unit for at least 12 months thereafter.

Decertification

Section 13 clarifies the re-titled “decertification” process of employee organizations, which replaces the “revocation of certification” terminology in s. 447.308, F.S. Like the certification process for certification, employees that wish to decertify their employee organization must file a petition for decertification with a collection of showings of interest of at least 30 percent of the bargaining unit’s employees, which must have been signed and dated not more than 12 months before filing the petition.

The bill changes the threshold question for decertification—requiring a majority of the bargaining unit to vote to decertify, rather than a majority of the employees who vote in the election, as provided in current law. However, for employee organizations that represent a public safety unit, a majority of the employees voting in the election may determine the vote to decertify.

The bill also applies the blackout periods from the certification process to decertification, prohibiting a petition to decertify within 12 months after an employee organization is certified by the commission’s order verifying the results of the certification, recertification, or decertification election. As in certification petitions, the bill limits the time during which a person may file a decertification petition—only 150-90 days before the expiration of a collective bargaining agreement, or after the expiration date, but before a new collective bargaining agreement has taken effect.

The bill permits an additional party—the employer—to contest and verify the showings of interest to decertify an employer. Current law allows an employee or employee organization to verify such showings of interest.

Lastly, this section specifies that an employee organization’s revocation is effective upon the commission’s issuance of a final order, or if the order is appealed, at the time the appeal is exhausted or any stay is vacated by the commission or a court.

Clarification of Bargaining Units

Section 12 creates s. 447.3076, F.S., which creates the clarification of a bargaining unit process. The bargaining agent of an affected bargaining unit, or the public employer of the public employees in that unit may file such a petition with the commission when a significant change in statutory or case law requires a clarification of the bargaining unit, or when a unit’s classification was:

- Created or substantially changed after the unit was initially defined by the commission;

- Retitled with no substantial change in job duties; or
- Included or excluded through the commission's mistake or misunderstanding.

The bill establishes notice requirements for unit clarification petitions, including requiring service of the petition on (1) the public employer; and (2) any bargaining agent certified to represent employees or other employee classifications that may be substantially affected by the proposed clarification. If substantially affected employees are not represented by a bargaining agent, the public employer must provide notice of the petition to those employees within 10 days after the petition is filed.

The commission must dismiss a petition for clarification of a bargaining unit when such clarification would result in a 25 percent or more increase in the size of the bargaining unit because it raises a question concerning representation.

Collective Bargaining and Impasse

A "public employer" is the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer.

The Governor serves as the public employer for public employees who belong to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees. The Board of Governors of the State University System, or the board's designee, is the public employer for public employees at state university. The board of trustees of a community college is the public employer for community college employees. The district school board is the public employer for school district employees.

Section 18 amends s. 447.4095, F.S., to provide that appropriations to local governments by the Legislature which are specifically directed in law to be disbursed as salaries to employees of local governments are considered a financial urgency and provide for an expedited bargaining and impasse resolution process for those salary dollars. This does not apply to public safety units.

Section 16 amends s. 447.403, F.S., to provide that a mediator cannot be used in impasses declared regarding legislatively-appropriated salary increases.

Additionally, this section creates fast-tracked timeframes for a hearing and related procedures under a special magistrate for such specified impasses. The parties must agree on a special magistrate and submit his or her name to the commission within 5 calendar days of the declared impasse. The commission must appoint this magistrate within 2 calendar days thereafter. If the parties cannot agree on a special magistrate, the commission must appoint one within 10 calendar days of the declared impasse.

Each party must give a list of its issues at impasse to the special magistrate and the other party within 5 calendar days after the special magistrate's appointment. A hearing must be held within 20 calendar days from the parties' submission of their list of issues at impasse (35 days after the declaration of impasse). The special magistrate must submit a recommended decision to the

commission and the parties within 7 calendar days of the closing of the hearing. If a party wishes to reject the special magistrate's recommendation, it must do so in writing within 10 calendar days after receipt of the decision, and serve a copy of these rejections on the other party and the commission.

After a rejection of the special magistrate's recommendation, both parties must submit recommendations for settling the impasse to the Legislature. For these impasses, the Legislature must conduct a public hearing within 20 calendar days of its receipt of the recommendations and is required to take action within 10 days thereafter. An agreement that results from the legislative action must be reduced to writing by the parties within 10 calendar days of the legislative body's action. Thereafter, the chief executive officer and bargaining agent must sign the agreement within 7 calendar days and submit the agreement to the public employer and the bargaining unit for ratification within 10 calendar days from the agreement's signing. This issue cannot be signed, submitted, or ratified with other bargainable issues.

Paid Union Leave ("Release Time" or "Official Time")

Section 22 amends s. 447.509, F.S., to bar a public employer from providing any form of compensation or paid leave to a public employee for the purpose of engaging in employee organization activities.

Section 5 amends s. 447.203, F.S., to define "employee organization activities" as the following activities undertaken at the direction of, on behalf of, or to advance the purposes of an employee organization or any parent organization or affiliate of the employee organization:

- Supporting or opposing any candidate for federal, state, or local public office.
- Influencing the passage or defeat of state or federal legislation or regulation, local ordinance or resolution, or ballot measure.
- Promoting or soliciting membership or participation in, or financial support of, an employee organization of any parent organization or affiliate of the employee organization.
- Seeking certification as a bargaining agent.
- Participating in the administration, business, or internal governance of an employee organization or any parent organization or affiliate of the employee organization.
- Preparing, conducting, or attending employee organization events, conferences, conventions, meetings, or training, unless such training is directly related to the performance of public employees' job duties.
- Distributing communications of an employee organization or any parent organization or affiliate of the employee organization.
- Representing or speaking on behalf of an employee organization or any parent organization or affiliate of the employee organization in any setting, venue, or procedure in which the public employer is not a participant.

However, the bill provides exceptions to the general prohibition, the bill authorizes a public employee to:

- Use compensated personal leave, which may be his or her own or donated by employees in the bargaining unit, for employee organization activities.

- Take time off without pay or benefits to engage in employee organization activities, if agreed to by the employer and bargaining agent.
- If agreed to by the employer and bargaining agent, engage in *representational* employee organization activities on behalf of the bargaining agent while in a duty status without loss of pay or benefits, which includes:
 - Preparing, filing, or pursuing unfair labor practice charges or grievances.
 - Representing public employees in investigatory interviews, disciplinary proceedings or appeals, up to and including termination, or other administrative or legal proceedings.
 - Engaging in collective bargaining and any related mediation, factfinding, or arbitration.
 - Administering a collective bargaining agreement.
 - Participating in labor-management committees.

These limitations do not apply to public safety units.

Use of Public Employer Facilities

Section 19 amends s. 447.501, F.S., to require a public employer to allow any registered employee organization or any petitioning public employee who is seeking to support, oppose, or intervene in the certification, recertification, or decertification of a bargaining agent access to its facilities and internal means of communications. Failure to provide access is classified as an unfair labor practice.

Conforming Commission Hearing Timeframes and Procedures to the Administrative Procedures Act

The commission conducts hearings regarding the registration, certification, and election of employee organizations that represent public employees; collective bargaining impasses;⁵² and employment cases, such as career service appeals,⁵³ certain age discrimination matters,⁵⁴ specified whistleblower act cases,⁵⁵ veteran's preference complaints,⁵⁶ and drug free workplace act cases.⁵⁷ The commission conducts these hearings in accordance with ss. 120.569 and 120.57, F.S.,⁵⁸ hearing procedure guidelines provided in the Administrative Procedures Act (APA). The commission may also designate a member of the commission or a designated commission employee who is a member of the Florida Bar to serve as a hearing officer in such matters.

The bill generally aligns the commission's hearing timeframes and procedures with the APA's.

Career Service Appeals

Section 1 amends s. 110.227, F.S., to require that, in an appeal of a work-related grievance made by a career service employee, the commission issue its final order in timeframes dictated by

⁵² Section 447.403, F.S. *See also*, PERC, *Mediation—Impasse Resolution*, <https://myuff.org/wp-content/uploads/2021/09/PERC-Practical-Handbook-on-Collective-Bargaining-2020-edition.pdf> (last visited Jan. 27, 2026).

⁵³ 110.227, F.S.

⁵⁴ Section 112.044(4), F.S.

⁵⁵ Section 112.31895, F.S.

⁵⁶ Sections 295.11 and 295.14, F.S.

⁵⁷ Section 112.0455, F.S.

⁵⁸ Section 447.205(10)-(11), F.S.

ss. 120.569 and 120.57, F.S. This generally extends the deadline for issuance of a final order from 45 days to 90 days.

Current law requires the commission to issue a final order within 45 days after the completion of the hearing, filing of exceptions, or date on which oral arguments is granted. The bill requires the commission to issue its final order in informal hearings conducted pursuant to s. 120.569, F.S., within 90 days after an informal hearing conducted by the commission; a recommended order is submitted to the agency if the hearing is conducted by an administrative law judge; or the commission received written and oral material it authorized to be submitted, if there was no hearing. If the commission refers the matter to a formal hearing involving disputed issues of material fact that is conducted by the Division of Administrative Hearings (DOAH) pursuant to s. 120.57, F.S., then the commission must issue its final order within 15 days of its receipt of a recommended order from the DOAH.

Additionally, this section substitutes current language that allows a party to file exceptions within 15 days of the hearing officer's issuance of a final order with a reference to the process for filing exceptions under ss. 120.569 and 120.57, F.S. The APA applies the same 15-day timeframe.

Drug Free Workplace Hearings

Section 2 amends s. 112.0455, F.S., to require that, in an appeal of a drug-free workplace complaint made by an executive branch employee or job applicant, the commission conduct an appeal hearing within 60 days of the employee or applicant's filing of the appeal (instead of 30 days) and issue its final order in timeframes dictated by ss. 120.569 and 120.57, F.S.

Veteran Preferences

Section 4 amends s. 295.14, F.S., to require that, in a hearing it conducts regarding an alleged unfair labor practice based on an agency's failure to provide special consideration or preference requirements for disabled veterans, veterans, current members of any reserve component of the U.S. Armed Forces or Florida National Guard, and the spouses, widows, mothers, fathers, or legal guardians of certain veterans, the commission must conduct the appeal within 60 days, rather than 30 days, after an appeal has been filed.

The section also requires the commission to issue its final order in such hearings in timeframes dictated by ss. 120.569 and 120.57, F.S.—generally within 90 days of the hearing.

Additionally, the bill deletes commission's duty to mail the final order by certified mail with a return receipt requested, and substitute's ss. 120.569 and 120.57, F.S.'s instruction to "deliver or mail" a copy of a final order to each party or the party's attorney of record.

General

Section 447.207(1), F.S., grants the commission general rulemaking authority to adopt rules as it deems necessary to carry out the provisions of part II of ch. 447, F.S., regarding public employees. **Section 7** amends s. 447.207, F.S., to:

- Delete the requirement that the commission send a hearing, other process, or notice to a recipient via personal service or certified mail. This generally conforms to the adoption of ss. 120.569 and 120.57, F.S., procedures for notice, which require mail service.
- Update the service requirements for any subpoena issued under Public Employees Relation Act (PERA) to align with Florida Rule of Civil Procedure 1.410's requirements, which dictate that personal service be performed by anyone specified by law to service process or by a person who is not a party and is 18 years of age or older. As is provided in current law, the commission may also serve a subpoena by certified mail, return receipt requested.
- Delete the requirement that the commission adopt rules to prescribe the qualifications of persons who may serve as mediators in hearings held under PERA, and maintain a list of qualified mediators.

Section 20 amends s. 447.503, F.S., to require public employers, unions, and public employees to have a substantial interest in litigation brought before the commission, which conforms with the standing requirements in the APA in ch. 120, F.S. This

Miscellaneous

Section 5 alphabetizes the defined terms provided in s. 447.203, F.S., and defines the new terms "employee organization activities," "representational employee organization activities," "membership dues," "public safety unit," and a "showing of interest" as described above.

Section 6 amends s. 447.207(8), F.S., to update the name of the commission to be used on its commission seal to be "State of Florida-*Public* Employees Relations Commission."

Section 7 amends s. 447.207(12), F.S., to maintain and expand the mass transit employee bargaining union exemption from Part II of ch. 447, F.S., rather than specific subsections of Part II, subject to approval by the commission.

Sections 14, 17, and 28 makes conforming, non-substantive amendments to ss. 447.309, 447.405, and 447.609, F.S., respectively.

Section 21 amends s. 447.507, F.S., to increase fines applicable to a public employee or union that strikes in violation of a court order from no more than \$5,000 to no more than \$30,000. The applicable fine for each officer, agent, or representative of an employee organization is increased from at least \$300, but not more than \$600 (as compared to no less than \$50, and no more than \$100).

Separately, the commission may penalize an organization that violates the no-strike requirement of s. 447.505, F.S., by fining the organization up to \$40,000 per calendar day of the violation (up from \$20,000).

Sections 23-27 and 29 make technical updates to cross-references to incorporate the renumbered definitions in section 5 of the bill.

Section 30 provides an effective date of July 1, 2026.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:**Right to Collectively Bargain**

Article I, section 6 of the State Constitution states:

The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged. Public employees shall not have the right to strike.

The Florida Supreme Court has recognized that this constitutional provision endows public employees with the same constitutional rights to bargain collectively as private employees, excluding the right to strike.⁵⁹ Moreover, as part of the State Constitution's declaration of rights, the right to collectively bargain is considered to be a fundamental right. Therefore, in order to survive a constitutional challenge, a statute that abridges public employee's right to bargain collectively "must serve that compelling state interest in the least intrusive means possible."⁶⁰

The change to the voting threshold for the employees' decision to unionize and to bargain collectively from a majority vote of the *employees voting* to a majority of the *employees in the bargaining unit* may implicate the employee's right to collectively bargain. The state's compelling interest in such change may be to ensure that the majority of the

⁵⁹ *Dade County Classroom Teachers Ass'n. v. Ryan*, 225 So. 2d 903 (Fla. 1969).

⁶⁰ *Chiles v. State Emps. Att'ys Guild*, 714 So.2d 502 (Fla. Dist Ct. App. 1998), *aff'd*, 734 So.2d 1030 (Fla. 1999)., *quoting SEAG, FPD, NUHHCE, AFSCME, AFL-CIO v. State*, 653 So.2d 487 at 488 (Fla. 1st DCA 1995)

employees actually want to be represented, but there may be a less intrusive means to achieve this, particularly when some bargaining agents remain subject to a majority vote of the employees voting and other bargaining agents are subject to the higher standard of a majority vote of the employees in the unit.

The commission recently decided that employees (not the employee organization or public employer reimbursing the commission) must pay for their stamp to cast their mail ballot (the general method of union election).⁶¹ This ultimately implements a cost to employees who want to vote to elect or retain a bargaining agent, but no cost for employees who do not want to elect or retain a bargaining agent (because failure to return a ballot has the same effect as voting ‘no’ in an election that is based on the total membership of the unit.) This may dilute the effect of an employee’s union membership by preventing him or her from counting as a union member among the employees that are recognized in an election unless the employee chooses to pay for the stamp to cast a ballot and be counted.⁶² This may implicate the employee’s right to collectively bargain.

In another instance, the bill requires the commission to revoke the certification of an employee organization that does not comply with the document submission requirements of the certification process (see section 12 of the bill at lines 810-898). The documentation required includes total membership, financial activity, and salary and benefits of highest paid employees, among other topics. If a certification revocation occurs for failure to timely submit the documents or otherwise comply with the requirements of this section, the employee organization is prohibited from petitioning to represent that same unit for at least 12 months. This provision does not apply to public safety units. This distinction may result in some employees being denied the right to be represented by his or her chosen registered employee organization for at least 1 year, and therefore this differential treatment may be subject to strict scrutiny.

No case directly on point has been identified to date. However, to the extent that a claim is raised, the strict scrutiny standard is likely to be applied, and the state must show a compelling state interest.

Freedom of Speech

The First Amendment to the U.S. Constitution guarantees that “Congress shall make no law ... abridging the freedom of speech.”⁶³ Generally, a government cannot restrict speech on the basis of the message expressed;⁶⁴ content-based restrictions are presumptively invalid.⁶⁵ The rights guaranteed by the First Amendment apply with equal force to state governments through the due process clause of the Fourteenth

⁶¹ See, *Petition from Florida Education Ass’n., Inc., Leon Classroom Teachers’ Ass’n., Osceola County Educ. Ass’n., St. Johns Educ. Support Prof’l Ass’n. And Walton County Support Prof’ls*, case no. MS-2025, 002, (May 15, 2025), https://perc.myflorida.com/download.aspx?Prefix=MS&CaseYr=25&CaseNo=002&File=MS25002_Ord17_05152025_154002.pdf.

⁶² See, *Alachua County Educ. Ass’n. V. Carpenter*, 741 F.Supp. 3d 1202, 1223-1224 (N.D. Fla. 2024).

⁶³ U.S. CONST. amend. I.

⁶⁴ *Texas v. Johnson*, 491 U.S. 397 (1989); *State v. T.B.D.*, 656 So.2d 479 (Fla. 1995).

⁶⁵ See, e.g., *Police Dept. of Chicago v. Mosely*, 408 U.S. 92 (1972).

Amendment.⁶⁶ While the text of the state and federal constitutions differs, the protection and freedom of speech under the state constitution “is the same as is required under the First Amendment.”⁶⁷

In general, there are two types of restrictions on speech – content-based and content-neutral. Content-based restrictions target speech based on its subject-matter and is viewed with disfavor by the courts. Such restrictions are presumptively invalid and evaluated under strict scrutiny.⁶⁸ Strict scrutiny requires the government to prove that the restriction is narrowly tailored to achieve a compelling government interest.⁶⁹ Content-neutral restrictions are subject to the more lenient requirement that the state identify a substantial interest that would not be furthered as effectively in the absence of the law.⁷⁰

The bill limits certain public employees’ employee organization activities, including their influence of the passage or defeat of legislation and similar measures, and supporting or opposing a candidate for public office. These employees may only engage in such activity in a compensated or paid leave status if their public employer and bargaining agent agree. However, public safety unit employees are not subject to this limitation. A public safety employee may be deemed to have greater leeway to engage in certain speech than other union employees, which may be viewed as a restriction on a union member’s right to freedom of speech.

Equal Protection Clause

The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution provides, “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”⁷¹ Florida’s Equal Protection Clause guarantees that “all natural persons, female and male alike, are equal before the law and have inalienable rights.”⁷² Equal protection claims against government actors allege unconstitutionally unequal treatment between groups, which can be based on any form of classification. However, “equal protection is not violated merely because some persons are treated differently than other persons. It only requires that persons similarly situated be treated similarly.”⁷³ Unless a statute provokes “strict judicial scrutiny” because it interferes with a “fundamental right” or discriminates against a “suspect class,” it will ordinarily survive an equal protection claim so long as the challenged classification is rationally related to a

⁶⁶ U.S. CONST. amend. XIV; *see also* FLA. CONST., art. I.

⁶⁷ *Dep’t of Educ. v. Lewis*, 416 So.2d 455, 461 (Fla. 1982); *Scott v. State*, 368 So.3d 8, 10 (Fla. 4th DCA 2023), *review denied*, No. SC2023-1188 (Fla. Nov. 22, 2023), and *cert. denied sub nom.*; *Scott v. Fla.*, No. 23-7786 (U.S. Oct. 7, 2024).

⁶⁸ *Vidal v. Elster*, 602 U.S. 286, 292 (2024). In particular, the Supreme Court held that view-point discrimination, which targets not just the subject matter, “but particular views taken by the speakers,” is considered “a particularly egregious form of content discrimination.”

⁶⁹ *Reed v. Town of Gilbert, Ariz.*, 576 U.S. 155, 171 (2015).

⁷⁰ *Rumsfeld v. Forum for Acad. & Institutional Rts., Inc.*, 547 U.S. 47, 67 (2006).

⁷¹ U.S. CONST. amend. XIV, s. 1.

⁷² FLA. CONST. art. I, s. 2.

⁷³ *Fraternal Order of Police, Miami Lodge 20, v. Miami*, 243 So.3d 894, 899 (Fla. 2018), *quoting Duncan v. Moore*, 754 So.2d 708, 712 (Fla. 2000).

legitimate governmental purpose.⁷⁴ To withstand strict scrutiny, a law must be necessary to promote a compelling governmental interest and must be narrowly tailored to advance that interest.⁷⁵

This bill appears to create two distinct classes of public employees. These groups experience differently their right to associate freely and collectively bargain (in virtue of the higher threshold to certify and decertify an employee organization and thus be a member of a union), and to freedom of speech to speak on behalf of the union to seek certification as a bargaining agent and similar union activities (in virtue of the limit on use of time off without pay or benefits for the use of employee organizational activities for one group but not the other).

These rights of free speech and freedom of association are fundamental rights guaranteed by the State Constitution. The right to collectively bargain is a right guaranteed in the state constitution's declaration of rights. As discussed above, these rights are treated differently between the two distinct classes of public employees created by the bill. In effect, the bill risks violating those fundamental constitutional rights (speech and collective bargaining) while imposing unequal treatment that may itself constitute a separate constitutional infringement.

Single Subject

Article III, section 6 of the State Constitution requires every law to “embrace but one subject and matter properly connected therewith.” The purpose of this requirement is to prevent logrolling, which combines multiple unrelated measures in one bill in order to secure passage of a measure that is unlikely to pass on its own merits.⁷⁶ The Florida Supreme Court has held that the single subject clause contains three requirements: first, each law must embrace only one subject; second, the law may include any matter that properly connected with the subject; and third, the subject must be briefly expressed in the title.⁷⁷ The subject matter to consider when determining whether a bill embraces a single subject is the bill title's subject, and the test is whether the bill is designed to accomplish separate objectives with no natural or logical connection to each other.⁷⁸

It is unclear whether the current state of the bill violates the single subject rule. The title of the present bill indicates that it is an act relating to “the Public Employees Relations Commission.” While all of the matters involved in the bill may touch on the commission, their nexus is tenuous. For example, several parts of the bill deal with hearing procedures relating to unfair labor practices alleged by a public employee under part II of ch. 447, F.S., others deal with the Governor's (or chief executive's) and Legislature's (or

⁷⁴ *Kardmas v. Dickinson Public Schools*, 487 U.S. 450, 457-458 (1988); *Fla. High Sch. Activities Ass'n v. Thomas By & Through Thomas*, 434 So.2d 306, 308 (Fla. 1983).

⁷⁵ *Westerheide v. State*, 831 So.2d 93, 110 (Fla. 2002). *See also*, *Fraternal Order of Police, Miami Lodge 20, v. Miami*, 243 So.3d 894, 899 (Fla. 2018).

⁷⁶ *Santos v. State*, 380 So.2d 1284 (Fla. 1980).

⁷⁷ *Franklin v. State*, 887 So. 1063, 1072 (Fla. 2004).

⁷⁸ *See Ex parte Knight*, 41 So. 786 (Fla. 1906); *Brd. of Public Instruction of Broward Cnty. v. Doran*, 224 So.2d 693 (Fla. 1969).

legislative body's) authority and duties in resolving issues at impasse. Additionally, section 21 increases fines that a circuit court may assess against a public employee for violations of anti-strike provisions—entirely outside of the scope of the commission; section 22 deals with relations between a public employer and public employee (limiting approval of leave to specific instances.).

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

The increase in threshold to recertify an employee organization may result in fewer unions maintaining their certification to represent public employee bargaining units.

Additionally, based on the commission practice of requiring employees to pay postage on a mail ballot for a certification (or decertification) election, individuals who wish to vote in such elections will see an added cost related to casting a vote.

C. Government Sector Impact:

The commission may see an increase in elections it must administer as a result of the new provisions for recertification and decertification. This may increase the commission's workload.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Section 12 creates a clarification of bargaining units petition, and provides standards for submission of a petition to clarify the composition of a bargaining unit, but does not provide standards for the commission's decision on that unit clarification. The commission may benefit from rulemaking authority and some legislative standards regarding the commission's determination on petitions to clarify a bargaining unit.

The Legislature “may not delegate the power to enact a law or the right to exercise unrestricted discretion in applying the law.”⁷⁹ The Florida Supreme Court has found that “statutes granting power to the executive branch ‘must clearly announce adequate standards to guide ... in the execution of the powers delegated. The statute must so clearly define the power delegated that the [executive] is precluded from acting through whim, showing favoritism, or exercising unbridled discretion.’”⁸⁰

⁷⁹ *Bush v. Schiavo*, 885 So. 2d 321 (Fla. 2004).

⁸⁰ *Id.*

Administrative commissions, unless specifically created in the Constitution, are creatures of statute and derive only the powers specified therein.⁸¹ Thus, the APA expressly states that statutory language delegating authority to executive agencies must be construed to extend no further than the powers and duties conferred by that statute.⁸² Even when an agency is pursuing the policy objectives that underlie the statutory scheme it is charged with enforcing, the agency may not disregard or expand upon the terms of the statutes themselves.⁸³ Agency action is derived from legislative delegation, it follows that the Legislature may oversee and alter that delegation.⁸⁴

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 110.227, 112.0455, 120.80, 295.14, 447.203, 447.205, 447.207, 447.301, 447.303, 447.305, 447.307, 447.308, 447.403, 447.405, 447.4095, 447.501, 447.503, 447.507, 447.509, 110.114, 110.205, 112.3187, 121.031, 447.02, 447.609, and 1011.60.

This bill creates the following sections of the Florida Statutes: 447.3076, 447.309, 447.401, 447.403, 447.405, 447.4095, 447.501, 447.503, 447.507, 447.509, and 110.114.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

PCS (655050) by Governmental Oversight and Accountability:

- Clarifies that membership dues must be paid in exchange for membership in an employee organization.
- Retains current law by deleting language which specified that “additional grants of rulemaking authority contained in [part II of ch. 447, F.S.,] do not limit the grant of rulemaking authority in [section 447.207, F.S.]”.
- Retains current law in s. 447.207(6), F.S., to specify that commission statements of general applicability that implement, interpret, or prescribe law or policy made in the course of its adjudication of a case under s. 447.307 or s. 447.503, F.S. only are not a rule as defined in s. 120.52, F.S.
- Clarifies that a membership authorization form remains valid if it met the requirements in law at the time the employee signed it, and that employee has not subsequently revoked his or her union membership.
- Retains a public employee’s express authority to pay membership dues directly to an employee organization, a parent organization, and an affiliate of the employee organization or the parent organization.

⁸¹ *Grove Isle, Ltd. v. State Dept of Environmental Regulation*, 454 So. 2d 571 (Fla. 1st DCA 1984). See also, *WHS Trucking LLC v. Reemployment Assistance Appeals Comm’n*, 183 So. 3d 460 (Fla. 1st DCA 2016).

⁸² Sections 120.52(8) and 120.536(1), F.S. See also, *Tampa Bay Downs, Inc. v. Dep’t of Bus. And Prof. Reg.*, 293 So. 3d 38 (Fla. 2d DCA 2020).

⁸³ *Tampa Bay Downs, Inc.*, 293 So. 3d 38.

⁸⁴ *City of Cape Coral v. GAC Utilities, Inc. of Fla.*, 281 So. 2d 493 (Fla. 1973).

- Requires that information provided as part of an application for renewal be accompanied by an agreed-upon procedures report by an independent CPA to assist in determining the information's accuracy.
- Clarifies that any decision issued by the commission under s. 447.305, F.S., relating to registrations and certifications of employee organizations and bargaining units is a final agency action that may be reviewed by a district court of appeal, pursuant to s. 447.504, F.S.
- Retains current law in s. 447.309(3), F.S., which requires the chief executive officer to propose an amendment to a law that conflicts with a provision of a collective bargaining agreement to which the chief executive officer agreed.
- Retains current law in s. 447.309(5), which requires all of the terms of employment to be included in the collective bargaining agreement—not just those negotiated or resolved by impasse.
- Specifies that the service used in special magistrate impasse hearings may be any method *agreed to by the parties*.
- Narrows the scope of the financial urgency provision to appropriations to local governments by the Legislature which are specifically directed in law to be disbursed as salaries to local government employees.
- Limits access to a public employer's facilities and internal means of communication to only a *registered* employee organization and public employee for the purpose of intervening in, supporting, or opposing a certification, recertification, or decertification of a bargaining agent. This ensures that the commission has regulatory authority over the entity.
- Increases the amount that the commission can fine an organization that engaged in an illegal strike to from \$20,000 per day to \$40,000 per day, or the cost incurred by the public as a result of the strike.
- Clarifies that a bargaining agent and employer are not required to agree for the employee to use his or her compensated personal leave for employee organization activities. An agreement is still required for the employee to use time off without pay or benefits to engage in employee organization activities, or for the employee to engage in representational employee organization activities while in a duty status.

B. Amendments:

None.



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Proposed Committee Substitute by the Committee on Governmental
Oversight and Accountability

A bill to be entitled

An act relating to the Public Employees Relations
Commission; amending s. 110.227, F.S.; conforming
final order requirements to ch. 120, F.S.; deleting a
provision requiring exceptions to a recommended order
to be filed within a specified timeframe; amending s.
112.0455, F.S.; revising the timeframe in which an
appeal hearing must be conducted; conforming final
order requirements to ch. 120, F.S.; amending s.
120.80, F.S.; providing applicability; amending s.
295.14, F.S.; conforming final order requirements to
ch. 120, F.S.; reordering and amending s. 447.203,
F.S.; revising and defining terms; amending s.
447.205, F.S.; revising the seal of the Public
Employees Relations Commission; amending s. 447.207,
F.S.; authorizing subpoenas to be served by certified
mail, return receipt requested, or by personal
service; revising requirements for proof of service;
deleting the requirement that the commission adopt
rules for the qualifications of persons who may serve
as mediators; authorizing the commission, under
certain circumstances, to waive the application of
part II of ch. 447, F.S., rather than only specified
provisions; amending s. 447.301, F.S.; revising
requirements for an employee organization membership
authorization form; requiring an employee
organization, within a specified timeframe, to revoke



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the membership of and cease the collection of
membership dues from a public employee; providing that
a membership authorization form is valid if it meets
certain requirements; revising applicability; amending
s. 447.303, F.S.; conforming provisions to changes
made by the act; amending s. 447.305, F.S.; revising
application requirements for employee organization
registration and renewal of registration; requiring an
employee organization to provide an application for
renewal of registration to certain persons within a
specified timeframe; requiring a bargaining agent to
provide a remedy for incomplete application
information to the commission within a specified
timeframe; requiring the commission to dismiss an
application for renewal of registration under certain
circumstances; requiring the commission to notify the
bargaining agent when such application information is
complete; requiring the bargaining agent to petition
for recertification within a specified timeframe
thereafter; requiring the commission or one of its
designated agents to conduct an investigation if a
challenge to an application for renewal of
registration is filed; authorizing a designated agent
of the commission to conduct an investigation to
confirm validity of submitted information; exempting
certain employee organizations from a specified
requirement; requiring a registration fee for
applications for registration and renewal of
registration; requiring certain employee organization



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57 accounts to be open for inspection by the commission
58 and certain public employees at a reasonable time and
59 place; providing for the revocation of an employee
60 organization's certification under certain
61 circumstances; providing that decisions issued by the
62 commission in accordance with certain provisions are
63 final agency actions; amending s. 447.307, F.S.;
64 revising requirements for the certification and
65 recertification of an employee organization; creating
66 s. 447.3076, F.S.; providing that a petition to
67 clarify the composition of a bargaining unit may be
68 filed with the commission under certain circumstances;
69 requiring that a copy of the petition be served on
70 certain persons; requiring the public employer to
71 provide a copy of the petition to certain affected
72 employees within a specified timeframe; requiring a
73 petition to be dismissed under certain circumstances;
74 amending s. 447.308, F.S.; revising requirements for
75 the decertification of an employee organization;
76 amending s. 447.309, F.S.; requiring certain
77 agreements to be returned to the bargaining agent,
78 rather than the employee organization; amending s.
79 447.401, F.S.; conforming provisions to changes made
80 by the act; amending s. 447.403, F.S.; specifying
81 requirements for when an impasse occurs; requiring a
82 hearing within a specified timeframe; authorizing the
83 recommended decision of a special magistrate from an
84 impasse hearing to be transmitted by any method of
85 service agreed to by the parties which establishes



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86 proof of delivery; amending s. 447.405, F.S.;
87 conforming provisions to changes made by the act;
88 amending s. 447.4095, F.S.; providing that
89 implementation of appropriations from the Legislature
90 which are specifically directed to be disbursed as
91 salaries for employees of local governments are
92 considered a financial urgency; requiring the chief
93 executive officer or his or her representative to meet
94 with the bargaining agent or its representative within
95 a specified timeframe if the use of such funds
96 requires modification of an agreement; providing
97 meeting and dispute requirements; prohibiting the
98 filing of unfair labor charges during specified time
99 periods; providing applicability; amending s. 447.501,
100 F.S.; requiring a public employer to provide to all
101 registered employee organizations or petitioning
102 employees equal access to the employer's facilities
103 and communication systems for a specified time period;
104 amending s. 447.503, F.S.; authorizing certain public
105 employers, public employees, and employee
106 organizations, or combinations thereof, to file
107 certain charges with the commission; amending s.
108 447.507, F.S.; increasing fines for certain
109 violations; amending s. 447.509, F.S.; prohibiting
110 public employers, their agents or representatives, and
111 any persons acting on their behalf from taking certain
112 actions; authorizing certain actions by public
113 employees under certain circumstances; providing
114 applicability; amending ss. 110.114, 110.205,



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112.3187, 121.031, 447.02, 447.609, and 1011.60, F.S.;
conforming cross-references and provisions to changes
made by the act; providing an effective date.

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

Section 1. Paragraph (d) of subsection (6) of section
110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay,
demotions, layoffs, transfers, and grievances.—

(6) The following procedures shall apply to appeals filed
pursuant to subsection (5) with the Public Employees Relations
Commission, hereinafter referred to as the commission:

(d) A recommended order must ~~shall~~ be issued by the hearing
officer within 30 days after ~~following~~ the hearing. ~~Exceptions~~
~~to the recommended order shall be filed within 15 days after the~~
~~recommended order is issued. The final order must be issued~~
~~shall be filed by the commission in accordance with ss. 120.569~~
~~and 120.57 no later than 45 calendar days after the hearing or~~
~~after the filing of exceptions or oral arguments if granted.~~

Section 2. Paragraph (a) of subsection (14) of section
112.0455, Florida Statutes, is amended to read:

112.0455 Drug-Free Workplace Act.—

(14) DISCIPLINE REMEDIES.—

(a) An executive branch employee who is disciplined or who
is a job applicant for another position and is not hired
pursuant to this section, may file an appeal with the Public
Employees Relations Commission. Any appeal must be filed within
30 calendar days after ~~of~~ receipt by the employee or job



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applicant of notice of discipline or refusal to hire. The notice
shall inform the employee or job applicant of the right to file
an appeal, or if available, the right to file a collective
bargaining grievance pursuant to s. 447.401. Such appeals shall
be resolved pursuant to the procedures established in ss.
447.207(1)–(4), 447.208(2), and 447.503(4) and (5). A hearing on
the appeal shall be conducted within 60 ~~30~~ days after ~~of~~ the
filing of the appeal, unless an extension is requested by the
employee or job applicant and granted by the commission or an
arbitrator. The final order must be issued by the commission in
accordance with ss. 120.569 and 120.57.

Section 3. Paragraph (c) is added to subsection (12) of
section 120.80, Florida Statutes, to read:

120.80 Exceptions and special requirements; agencies.—

(12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

(c) Section 120.60 does not apply to registration of
employee organizations under s. 447.305.

Section 4. Subsection (1) of section 295.14, Florida
Statutes, is amended to read:

295.14 Penalties.—

(1) When the Public Employees Relations Commission, after a
hearing on notice conducted according to rules adopted by the
commission, determines that a violation of s. 295.07, s. 295.08,
s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains
the veteran seeking redress, the commission shall order the
offending agency, employee, or officer of the state to comply
with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s.
295.09(1)(a) or (b); and, in the event of a violation of s.
295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the



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commission may issue an order to compensate the veteran for the loss of any wages and reasonable ~~attorney attorney's~~ fees for actual hours worked, and costs of all work, including litigation, incurred as a result of such violation, which order shall be conclusive on the agency, employee, or officer concerned. The ~~attorney attorney's~~ fees and costs may not exceed \$10,000. The ~~final order must be issued by action of the commission in accordance with ss. 120.569 and 120.57 shall be in writing and shall be served on the parties concerned by certified mail with return receipt requested.~~

Section 5. Section 447.203, Florida Statutes, is reordered and amended to read:

447.203 Definitions.—As used in this part:

~~(6)(1)~~ “Commission” means the Public Employees Relations Commission created by s. 447.205.

~~(17)(2)~~ “Public employer” or “employer” means the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is deemed to be the public employer; and the Board of Governors of the State University System, or the board’s designee, is deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is deemed to be the public employer with respect to all employees of the community



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college. The district school board is deemed to be the public employer with respect to all employees of the school district. The Board of Trustees of the Florida School for the Deaf and the Blind is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for the Deaf and the Blind. The Governor is deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

~~(16)(3)~~ “Public employee” means any person employed by a public employer except:

(a) Those persons appointed by the Governor or elected by the people, agency heads, and members of boards and commissions.

(b) Those persons holding positions by appointment or employment in the organized militia.

(c) Those individuals acting as negotiating representatives for employer authorities.

(d) Those persons who are designated by the commission as managerial or confidential employees pursuant to criteria contained herein.

(e) Those persons holding positions of employment with the Florida Legislature.

(f) Those persons who have been convicted of a crime and are inmates confined to institutions within the state.

(g) Those persons appointed to inspection positions in federal/state fruit and vegetable inspection service whose conditions of appointment are affected by the following:

1. Federal license requirement.
2. Federal autonomy regarding investigation and



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disciplining of appointees.

3. Frequent transfers due to harvesting conditions.

(h) Those persons employed by the Public Employees Relations Commission.

(i) Those persons enrolled as undergraduate students in a state university who perform part-time work for the state university.

(12)(4) "Managerial employees" means are those employees who:

(a) Perform jobs that are not of a routine, clerical, or ministerial nature and require the exercise of independent judgment in the performance of such jobs and to whom one or more of the following applies:

1. They formulate or assist in formulating policies which are applicable to bargaining unit employees.

2. They may reasonably be required on behalf of the employer to assist in the preparation for the conduct of collective bargaining negotiations.

3. They have a role in the administration of agreements resulting from collective bargaining negotiations.

4. They have a significant role in personnel administration.

5. They have a significant role in employee relations.

6. They are included in the definition of administrative personnel contained in s. 1012.01(3).

7. They have a significant role in the preparation or administration of budgets for any public agency or institution or subdivision thereof.

(b) Serve as police chiefs, fire chiefs, or directors of



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public safety of any police, fire, or public safety department. Other police officers, as defined in s. 943.10(1), and firefighters, as defined in s. 633.102, may be determined by the commission to be managerial employees of such departments. In making such determinations, the commission shall consider, in addition to the criteria established in paragraph (a), the paramilitary organizational structure of the department involved.

However, in determining whether an individual is a managerial employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the commission may consider historic relationships of the employee to the public employer and to coemployees.

(7)(5) "Confidential employees" means are persons who act in a confidential capacity to assist or aid managerial employees as defined in subsection (12) (4).

(21)(6) "Strike" means the concerted failure of employees to report for duty; the concerted absence of employees from their positions; the concerted stoppage of work by employees; the concerted submission of resignations by employees; the concerted abstinence in whole or in part by any group of employees from the full and faithful performance of the duties of employment with a public employer for the purpose of inducing, influencing, condoning, or coercing a change in the terms and conditions of employment or the rights, privileges, or obligations of public employment, or participating in a deliberate and concerted course of conduct which adversely affects the services of the public employer; the concerted failure of employees to report for work after the expiration of



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289 a collective bargaining agreement; and picketing in furtherance
290 of a work stoppage. The term includes ~~"strike" shall also mean~~
291 any overt preparation, including, but not limited to, the
292 establishment of strike funds with regard to the ~~above-listed~~
293 activities listed in this subsection.

294 ~~(22)(7)~~ "Strike funds" means ~~are~~ any appropriations by an
295 employee organization which are established to directly or
296 indirectly aid any employee or employee organization to
297 participate in a strike in the state.

298 ~~(2)(8)~~ "Bargaining unit" means either that unit determined
299 by the commission, that unit determined through local
300 regulations adopted ~~promulgated~~ pursuant to s. 447.603, or that
301 unit determined by the public employer and the public employee
302 organization and approved by the commission to be appropriate
303 for the purposes of collective bargaining. However, no
304 bargaining unit shall be defined as appropriate which includes
305 employees of two employers that are not departments or divisions
306 of the state, a county, a municipality, or other political
307 entity.

308 ~~(3)(9)~~ "Chief executive officer" for the state means ~~shall~~
309 ~~mean~~ the Governor and for other public employers means ~~shall~~
310 ~~mean~~ the person, whether elected or appointed, who is
311 responsible to the legislative body of the public employer for
312 the administration of the governmental affairs of the public
313 employer.

314 ~~(11)(10)~~ "Legislative body" means the State Legislature,
315 the board of county commissioners, the district school board,
316 the governing body of a municipality, or the governing body of
317 an instrumentality or unit of government having authority to



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318 appropriate funds and establish policy governing the terms and
319 conditions of employment and which, as the case may be, is the
320 appropriate legislative body for the bargaining unit. For
321 purposes of s. 447.403, the Board of Governors of the State
322 University System, or the board's designee, shall be deemed to
323 be the legislative body with respect to all employees of each
324 constituent state university. For purposes of s. 447.403, the
325 board of trustees of a community college shall be deemed to be
326 the legislative body with respect to all employees of the
327 community college.

328 ~~(8)(11)~~ "Employee organization" or "organization" means any
329 labor organization, union, association, fraternal order,
330 occupational or professional society, or group, however
331 organized or constituted, which represents, or seeks to
332 represent, any public employee or group of public employees
333 concerning any matters relating to their employment relationship
334 with a public employer.

335 ~~(9)~~ "Employee organization activities" means activities
336 undertaken at the direction of, on behalf of, or to advance the
337 purposes of an employee organization or any parent organization
338 or affiliate of the employee organization by doing any of the
339 following:

340 (a) Supporting or opposing a candidate for federal, state,
341 or local public office.

342 (b) Influencing the passage or defeat of any federal or
343 state legislation or regulation, local ordinance or resolution,
344 or ballot measure.

345 (c) Promoting or soliciting membership or participation in,
346 or financial support of, an employee organization or any parent



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347 organization or affiliate of the employee organization.
348 (d) Seeking certification as a bargaining agent.
349 (e) Participating in the administration, business, or
350 internal governance of an employee organization or any parent
351 organization or affiliate of the employee organization.
352 (f) Preparing, conducting, or attending employee
353 organization events, conferences, conventions, meetings, or
354 trainings, unless such training is directly related to the
355 performance of a public employee's job duties.
356 (g) Distributing communications of an employee organization
357 or any parent organization or affiliate of the employee
358 organization.
359 (h) Representing or speaking on behalf of an employee
360 organization or any parent organization or affiliate of the
361 employee organization in any setting, venue, or procedure in
362 which the public employer is not a participant.
363 (i) Preparing, filing, or pursuing unfair labor practice
364 charges or grievances.
365 (j) Representing public employees in investigatory
366 interviews; disciplinary proceedings or appeals, including
367 termination; or other administrative or legal proceedings.
368 (k) Engaging in collective bargaining and any related
369 mediation, factfinding, or arbitration.
370 (l) Administering a collective bargaining agreement.
371 (m) Participating in labor-management committees.
372 (1)(12) "Bargaining agent" means the employee organization
373 that which has been certified by the commission as representing
374 the employees in the bargaining unit, as provided in s. 447.307,
375 or its representative.



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376 (13) "Membership dues" means any amount a member is
377 required to pay in exchange for membership in an employee
378 organization, including, but not limited to, employee
379 organization dues; uniform assessments; or fees, including
380 initiation fees.
381 (15)(13) "Professional employee" means:
382 (a) Any employee engaged in work in any two or more of the
383 following categories:
384 1. Work predominantly intellectual and varied in character
385 as opposed to routine mental, manual, mechanical, or physical
386 work.
387 2. Work involving the consistent exercise of discretion and
388 judgment in its performance.
389 3. Work of such a character that the output produced or the
390 result accomplished cannot be standardized in relation to a
391 given period of time.
392 4. Work requiring advanced knowledge in a field of science
393 or learning customarily acquired by a prolonged course of
394 specialized intellectual instruction and study in an institution
395 of higher learning or a hospital, as distinguished from a
396 general academic education, an apprenticeship, or training in
397 the performance of routine mental or physical processes.
398 (b) Any employee who:
399 1. Has completed the course of specialized intellectual
400 instruction and study described in subparagraph (a)4. 4. of
401 paragraph (a); and
402 2. Is performing related work under supervision of a
403 professional person to qualify to become a professional employee
404 as defined in paragraph (a).



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405 ~~(5)(14)~~ "Collective bargaining" means the performance of
406 the mutual obligations of the public employer and the bargaining
407 agent of the employee organization to meet at reasonable times,
408 to negotiate in good faith, and to execute a written contract
409 with respect to agreements reached concerning the terms and
410 conditions of employment, except that neither party shall be
411 compelled to agree to a proposal or be required to make a
412 concession unless otherwise provided in this part.

413 ~~(14)(15)~~ "Membership dues deduction" means the practice by
414 of a public employer of deducting membership dues and uniform
415 assessments from the salary or wages of a public employee and
416 such term also means the practice of a public employer of
417 transmitting the sums so deducted to an ~~such~~ employee
418 organization on behalf of the public employee.

419 ~~(4)(16)~~ "Civil service" means any career, civil, or merit
420 system used by any public employer.

421 ~~(10)(17)~~ "Good faith bargaining" means ~~shall mean~~, but is
422 not ~~be~~ limited to, the willingness of both parties to meet at
423 reasonable times and places, as mutually agreed upon, in order
424 to discuss issues that which are proper subjects of bargaining,
425 with the intent of reaching a common accord. The term includes
426 ~~It shall include~~ an obligation for both parties to participate
427 actively in the negotiations with an open mind and a sincere
428 desire, as well as making a sincere effort, to resolve
429 differences and come to an agreement. In determining whether a
430 party failed to bargain in good faith, the commission shall
431 consider the total conduct of the parties during negotiations as
432 well as the specific incidents of alleged bad faith. Incidents
433 indicative of bad faith shall include, but not be limited to,



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434 the following occurrences:

435 (a) Failure to meet at reasonable times and places with
436 representatives of the other party for the purpose of
437 negotiations.

438 (b) Placing unreasonable restrictions on the other party as
439 a prerequisite to meeting.

440 (c) Failure to discuss proper subjects of bargaining
441 bargainable issues.

442 (d) Refusing, upon reasonable written request, to provide
443 public information, excluding work products as defined in s.
444 447.605.

445 (e) Refusing to negotiate because of an unwanted person on
446 the opposing negotiating team.

447 (f) Negotiating directly with employees rather than with
448 their ~~certified~~ bargaining agent.

449 (g) Refusing to reduce a total agreement to writing.

450 ~~(18)~~ "Public safety unit" means a bargaining unit in which
451 the majority of the public employees are employed as a law
452 enforcement officer, correctional officer, or correctional
453 probation officer, as those terms are defined in s. 943.10(1),
454 (2), or (3), respectively; a firefighter as defined in s.
455 633.102(9); a 911 public safety telecommunicator as defined in
456 s. 401.465(1); or an emergency medical technician or a
457 paramedic, as those terms are defined in s. 401.23.

458 ~~(19)~~ "Representational employee organization activities"
459 means those activities specified in paragraphs (9)(i)-(m).

460 ~~(20)~~ "Showing of interest" means written statements signed
461 and dated by public employees in a proposed or existing
462 bargaining unit indicating the desire of the public employees



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463 either to be represented by the employee organization for
464 purposes of collective bargaining or to no longer be represented
465 by the bargaining agent for purposes of collective bargaining.

466 ~~(23)(18)~~ "Student representative" means the representative
467 selected by each community college or university student
468 government association. Each representative may be present at
469 all negotiating sessions that take place between the appropriate
470 public employer and a an-exclusive bargaining agent. The
471 representative must be enrolled as a student with at least 8
472 credit hours in the respective community college or university
473 during his or her term as student representative.

474 Section 6. Subsection (8) of section 447.205, Florida
475 Statutes, is amended to read:

476 447.205 Public Employees Relations Commission.—

477 (8) The commission shall have a seal for authentication of
478 its orders and proceedings, upon which shall be inscribed the
479 words "State of Florida-Public Employees Relations Commission"
480 ~~"State of Florida Employees Relations Commission"~~ and which shall
481 be judicially noticed.

482 Section 7. Subsections (4), (5), (6), and (12) of section
483 447.207, Florida Statutes, are amended to read:

484 447.207 Commission; powers and duties.—

485 (4) Any subpoena, ~~notice of hearing, or other process or~~
486 ~~notice of the commission~~ issued under the provisions of this
487 part must either shall be served ~~personally or~~ by certified
488 mail, return receipt requested, or be served personally by any
489 person specified by law to serve process or by any person who is
490 not a party and who is 18 years of age or older. When certified
491 mail is used, a returned post office receipt constitutes proof



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492 of service. When personal service is used, if the subpoena is
493 not served by a person specified by law to serve process, an
494 affidavit of the person making service constitutes proof of
495 service. A return made and verified by the individual making
496 such service and setting forth the manner of such service is
497 proof of service, and a returned post office receipt, when
498 certified mail is used, is proof of service. All process of any
499 court to which application may be made under the provisions of
500 this part shall be served in the county wherein the persons
501 required to be served reside or may be found.

502 (5) The commission shall adopt rules as to the
503 qualifications of persons who may serve as ~~mediators and~~ special
504 magistrates and shall maintain a list ~~lists~~ of such qualified
505 persons who are not employees of the commission. The commission
506 may initiate dispute resolution procedures by special
507 magistrates, pursuant to ~~the provisions of~~ this part.

508 (6) Pursuant to its established procedures, the commission
509 shall resolve questions and controversies concerning claims for
510 recognition as the bargaining agent for a bargaining unit,
511 determine or approve units appropriate for purposes of
512 collective bargaining, expeditiously process charges of unfair
513 labor practices and violations of s. 447.505 by public
514 employees, and resolve such other questions and controversies as
515 it may be authorized herein to undertake. The petitioner,
516 charging party, respondent, and any intervenors shall be the
517 adversary parties before the commission in any adjudicatory
518 proceeding conducted pursuant to this part. Any commission
519 statement of general applicability that implements, interprets,
520 or prescribes law or policy, made in the course of adjudicating



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521 a case pursuant to s. 447.307 or s. 447.503 ~~does shall~~ not
522 constitute a rule within the meaning of s. 120.52.

523 (12) Upon a petition by a public employer after it has been
524 notified by the Department of Labor that the public employer's
525 protective arrangement covering mass transit employees does not
526 meet the requirements of 49 U.S.C. s. 5333(b) and would
527 jeopardize the public employer's continued eligibility to
528 receive Federal Transit Administration funding, the commission
529 may waive the application of this part, but only to the extent
530 necessary for the public employer to comply with the
531 requirements of 49 U.S.C. s. 5333(b), any of the following for
532 an employee organization that has been certified as a bargaining
533 agent to represent mass transit employees:

534 ~~(a) The prohibition on dues and assessment deductions~~
535 ~~provided in s. 447.303(1) as it applies to a mass transit~~
536 ~~employee who has provided a copy of his or her membership~~
537 ~~authorization form to the employer as part of the authorization~~
538 ~~of dues deduction under a waiver.~~

539 ~~(b) The requirement to petition the commission for~~
540 ~~recertification.~~

541 ~~(c) The revocation of certification provided in s.~~
542 ~~447.305(6) and (7).~~

543 Section 8. Paragraph (b) of subsection (1) and subsection
544 (2) of section 447.301, Florida Statutes, are amended to read:

545 447.301 Public employees' rights; organization and
546 representation.—

547 (1)

548 (b)1. A public employee who desires to be a member of an
549 employee organization must sign and date a membership



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550 authorization form, as prescribed by the commission, and submit
551 the executed form to the bargaining agent.

552 2. The membership authorization form must identify the name
553 of the bargaining agent; the name of the employee; the class
554 code and class title of the employee; the name of the public
555 employer and employing agency, if applicable; the amount of the
556 membership initiation fee and of the monthly dues which the
557 public employee member must pay; and the names name and amounts
558 total amount of salary, allowances, and other direct or indirect
559 disbursements, including reimbursements, paid to each of the
560 five highest compensated officers and employees of the employee
561 organization disclosed under s. 447.305(2) (d) for the officers
562 and employees receiving the five highest total dollar amounts.

563 3. The membership authorization form must contain the
564 following statement in 14-point type:

565
566 As a public employee in the State of Florida, is a right-to-work
567 state- membership or nonmembership non-membership in a labor
568 union is not required as a condition of employment, and Union
569 membership and payment of membership union dues and assessments
570 are voluntary. A public employee's Each person has the right to
571 join and pay membership dues to a labor union or to refrain from
572 joining and paying membership dues to a labor union is protected
573 by both Florida's right-to-work law and the First Amendment of
574 the United States Constitution. A public employer may not
575 discriminate against a public No employee may be discriminated
576 against in any manner for joining and financially supporting, a
577 labor union or for refusing to join and or financially support,
578 a labor union.



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4. A public employee may revoke membership in the employee organization at any time ~~of the year. Within 30 days after~~ Upon receipt of the public employee's written revocation of membership, the employee organization must revoke the a public employee's membership and cease collection of membership dues for such public employee. The employee organization may not limit a public an employee's right to revoke membership to certain dates. If a public employee must complete a form to revoke membership in the employee organization, the form may not require a reason for the public employee's decision to revoke his or her membership.

5. An employee organization must retain for inspection by the commission such membership authorization forms and any revocations. A membership authorization form is valid if it meets the requirements in law at the time it was signed by the employee and if the employee's membership has not been subsequently revoked.

6. This paragraph does not apply to public employees in public safety units ~~members of a bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; 911 public safety telecommunicators as defined in s. 401.465(1)(a); or emergency medical technicians or paramedics as defined in s. 401.23.~~

7. The commission may adopt rules to implement this paragraph.



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(2) Public employees ~~shall~~ have the right to be represented by any employee organization of their own choosing and to negotiate collectively, through a ~~certified~~ bargaining agent, with their public employer in the determination of the terms and conditions of their employment. Public employees ~~shall~~ have the right to be represented in the determination of grievances on all terms and conditions of their employment. Public employees ~~shall~~ have the right to refrain from exercising the right to be represented.

Section 9. Subsections (1) and (2) of section 447.303, Florida Statutes, are amended to read:

447.303 Membership dues; deduction and collection.—

(1) Except as authorized in subsection (2) or subject to a waiver of the prohibition on membership dues deduction granted pursuant to s. 447.207(12), a public employer may not engage in membership dues deduction on behalf of s. 447.207(12)(a), an employee organization ~~that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees in the unit.~~ A public employee may pay membership dues and uniform assessments directly to the employee organization, any parent organization of the employee organization, or any affiliate of either the employee organization or the parent organization that has been certified as the bargaining agent.

(2) (a) Upon the written authorization of a public employee in a public safety unit, the public employer must engage in membership dues deduction for such public employee. A public employee may revoke his or her authorization for membership dues deduction upon providing 30 days' written notice to the public



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637 ~~employer and bargaining agent. An employee organization that has~~
638 ~~been certified as a bargaining agent to represent a bargaining~~
639 ~~unit the majority of whose employees eligible for representation~~
640 ~~are employed as law enforcement officers, correctional officers,~~
641 ~~or correctional probation officers as those terms are defined in~~
642 ~~s. 943.10(1), (2), or (3), respectively; firefighters as defined~~
643 ~~in s. 633.102; 911 public safety telecommunicators as defined in~~
644 ~~s. 401.465(1)(a); or emergency medical technicians or paramedics~~
645 ~~as defined in s. 401.23 has the right to have its dues and~~
646 ~~uniform assessments for that bargaining unit deducted and~~
647 ~~collected by the employer from the salaries of those employees~~
648 ~~who authorize the deduction and collection of said dues and~~
649 ~~uniform assessments. However, such authorization is revocable at~~
650 ~~the employee's request upon 30 days' written notice to the~~
651 ~~employer and employee organization. Said deductions shall~~
652 ~~commence upon the bargaining agent's written request to the~~
653 ~~employer.~~

654 (b) Reasonable costs to the public employer of engaging in
655 membership dues said deductions is a proper subject of
656 collective bargaining.

657 (c) The requirement to engage in membership dues deductions
658 ~~Such right to deduction, unless revoked under s. 447.507, is in~~
659 ~~force as for so long as the employee organization remains the~~
660 ~~certified bargaining agent remains certified to represent for~~
661 ~~the public employees in the bargaining unit.~~

662 Section 10. Section 447.305, Florida Statutes, is amended
663 to read:

664 447.305 Registration of employee organizations
665 ~~organization.~~



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666 (1) Every employee organization seeking to become a
667 ~~certified~~ bargaining agent for public employees shall register
668 with the commission ~~before pursuant to the procedures set forth~~
669 ~~in s. 120.60 prior to requesting recognition by a public~~
670 ~~employer for purposes of collective bargaining and prior to~~
671 ~~submitting a certification, recertification, or unit~~
672 ~~clarification petition to the commission requesting~~
673 ~~certification as an exclusive bargaining agent. Further, If an~~
674 ~~such employee organization is not registered, it may not~~
675 ~~participate in a certification, recertification, or unit~~
676 ~~clarification representation hearing; r participate in a~~
677 ~~certification or recertification representation election; r or be~~
678 ~~certified as a an-exclusive bargaining agent. The application~~
679 ~~for registration required by this section must shall be under~~
680 ~~oath and in such form as the commission may prescribe, and must~~
681 ~~shall include all of the following:~~

682 (a) The name and address of the organization and ~~of~~ any
683 parent organization or affiliate of the employee organization
684 ~~with which it is affiliated.~~

685 (b) The names and addresses of the principal officers and
686 all representatives of the organization.

687 (c) The amount ~~of the initiation fee and the amount~~ and
688 collection frequency of the membership dues ~~and uniform~~
689 ~~assessments~~ that a member of the organization must pay.

690 (d) The current annual financial statement of the
691 organization, prepared by an independent certified public
692 accountant licensed under chapter 473.

693 (e) The name of its business agent, if any; if different
694 from the business agent, the name of its local agent for service



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695 of process; and the addresses where such person or persons can
696 be reached.

697 (f) A pledge, in a form prescribed by the commission, that
698 the employee organization will conform to the laws of this ~~the~~
699 state and that it will accept members without regard to age,
700 race, sex, religion, or national origin.

701 (g) A copy of the current constitution and bylaws of the
702 employee organization.

703 (h) A copy of the current constitution and bylaws of the
704 state and national groups with which the employee organization
705 is affiliated or associated. In lieu of this provision, and upon
706 adoption of a rule by the commission, a state or national
707 affiliate or parent organization of any registering employee
708 ~~labor~~ organization may annually submit a copy of its current
709 constitution and bylaws.

710 (2) A registration granted to an employee organization
711 pursuant to this section runs for 1 year after ~~from~~ the date of
712 issuance. A registration must be renewed annually by filing an
713 application for renewal under oath with the commission, which
714 application must reflect any changes in the information provided
715 to the commission in conjunction with the employee
716 organization's preceding application for registration or
717 previous renewal, whichever is applicable. Each application for
718 renewal of registration must include a current annual financial
719 statement, prepared by an independent certified public
720 accountant licensed under chapter 473 and signed by the employee
721 organization's president and treasurer or corresponding
722 principal officers, containing the following information in such
723 detail as may be necessary to accurately ~~to~~ disclose its



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724 financial condition and operations for its preceding fiscal year
725 and in all of the following ~~such~~ categories as prescribed by the
726 commission ~~may prescribe~~:

727 (a) Assets and liabilities at the beginning and end of the
728 fiscal year. ~~+~~

729 (b) Receipts of any kind and the sources thereof. ~~+~~

730 (c) Disbursements by category. ~~+~~

731 (d) Salary, wages, fringe benefits, allowances, and other
732 direct or indirect disbursements, including reimbursed expenses,
733 paid or accruing to each of its officers ~~officer~~ and also to
734 each of its employees ~~employee~~ who, during such fiscal year,
735 received more than \$10,000 in the aggregate from such employee
736 organization and any parent organization of the ~~other~~ employee
737 organization or any affiliate of either the employee
738 organization or the parent organization. This paragraph requires
739 reporting of any reimbursements paid by the employee
740 organization to a public employer for moneys paid by the public
741 employer to the employee organization's officers or employees.
742 ~~affiliated with it or with which it is affiliated or which is~~
743 ~~affiliated with the same national or international employee~~
744 ~~organization.~~ ~~+~~

745 (e) Direct and indirect loans made to any of its officers
746 ~~officer~~, employees ~~employee~~, or members ~~member~~ which aggregated
747 more than \$250 during the fiscal year, together with a statement
748 of the purpose, security, if any, and arrangements for
749 repayment. ~~+~~ ~~and~~

750 (f) Direct and indirect loans to any business enterprise,
751 together with a statement of the purpose, security, if any, and
752 arrangements for repayment.



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753 (g) The amount of membership dues retained by or
754 distributed to the employee organization, any parent
755 organization of the employee organization, and any affiliate of
756 either the employee organization or the parent organization.
757 (3) As part of its application for renewal of registration,
758 a In addition to subsection (2), an employee organization that
759 has been certified as the bargaining agent for public employees
760 must include all of for each such certified bargaining unit the
761 following information and documentation as of the 30th day
762 immediately preceding the date upon which its current
763 registration is scheduled to end for any renewal of registration
764 on or after October 1, 2023:
765 (a) For each bargaining unit for which the bargaining agent
766 is certified, the certification number assigned to the
767 bargaining unit by the commission.
768 (b)(a) For each certification, the number of public
769 employees in the bargaining unit who are eligible for
770 representation by the employee organization.
771 (c) For each certification, the number of public employees
772 in the bargaining unit who paid full membership dues sufficient
773 to maintain membership in good standing in the bargaining agent.
774 (d)(b) For each certification, the number of public
775 employees in the bargaining unit who have submitted signed
776 membership authorization forms without a subsequent revocation
777 of such membership.
778 (c) The number of employees in the bargaining unit who paid
779 dues to the employee organization.
780 (d) The number of employees in the bargaining unit who did
781 not pay dues to the employee organization.



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782 (e) An agreed-upon procedures report performed
783 Documentation provided by an independent certified public
784 accountant retained by the employee organization which verifies
785 to assist in determining the accuracy of the information
786 provided in paragraphs (b), (c), and (d) (a)-(d). The agreed-
787 upon procedures must be conducted in accordance with attestation
788 standards established by the American Institute of Certified
789 Public Accountants.
790 (4) Within 30 days after filing an application for renewal
791 of registration with the commission, the employee organization
792 must provide a copy of its application for renewal of
793 registration relating to a public employer's employees to the
794 public employer and public employees of each bargaining unit for
795 which the employee organization is the bargaining agent on the
796 same day the application is submitted to the commission.
797 (5) An application for renewal of registration is
798 incomplete and is not eligible for consideration by The
799 commission must notify the bargaining agent if it does not
800 include all of the information and documentation required in
801 subsection (3) is incomplete. The bargaining agent must provide
802 the missing information to the commission within 30 days after
803 such notification. If the bargaining agent fails to provide the
804 missing information within 30 days after notification, the
805 commission must dismiss the application The commission shall
806 notify the employee organization if the application is
807 incomplete. An incomplete application must be dismissed if the
808 required information and documentation are not provided within
809 10 days after the employee organization receives such notice.
810 (6) The commission must notify the bargaining agent when



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811 ~~the information required in subsection (3) is complete. Within~~
812 ~~30 days after such notification, the bargaining agent must~~
813 ~~petition for recertification pursuant to s. 447.307 for each of~~
814 ~~its bargaining units. Notwithstanding the provisions of this~~
815 ~~chapter relating to collective bargaining, an employee~~
816 ~~organization certified as a bargaining agent to represent a~~
817 ~~bargaining unit for which less than 60 percent of the public~~
818 ~~unit employees in the bargaining unit have submitted membership~~
819 ~~authorization forms without subsequent revocation and paid~~
820 ~~membership dues to the organization, as reported under~~
821 ~~subsection (3) during its last registration period must petition~~
822 ~~the commission pursuant to s. 447.307(2) and (3) for~~
823 ~~recertification as the exclusive representative of all employees~~
824 ~~in the bargaining unit within 30 days after the date on which~~
825 ~~the employee organization applies for renewal of registration~~
826 ~~pursuant to subsection (2). The certification of an employee~~
827 ~~organization that does not comply with this section is revoked.~~

828 (7) If the public employer or a public employee of a
829 bargaining unit represented by a bargaining agent believes that
830 the bargaining agent's employee may challenge an employee
831 organization's application for renewal of registration is
832 materially inaccurate, if the public employer or public
833 bargaining unit employee may challenge believes that the
834 application as materially is inaccurate during the pendency of
835 the application or, if the registration renewal has been
836 granted, before the date upon which the bargaining agent's
837 current registration is scheduled to end. If a challenge is
838 filed, the commission or one of its designated agents must
839 conduct an investigation pursuant to subsection (8) shall review



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840 ~~the application to determine its accuracy and compliance with~~
841 ~~this section. If the commission finds that the application is~~
842 ~~inaccurate or does not comply with this section, the commission~~
843 ~~shall revoke the registration and certification of the employee~~
844 ~~organization.~~

845 (8) The commission or one of its designated agents may
846 conduct an investigation to confirm the validity of any
847 information submitted pursuant to this section. The commission
848 may revoke or deny an employee organization's registration or
849 certification if it finds that the employee organization:

850 (a) Failed to cooperate with the investigation conducted
851 pursuant to this subsection, including refusal to permit the
852 commission or one of its designated agents to inspect membership
853 authorization forms or revocations pursuant to s.
854 447.301(1)(b)5.; or

855 (b) Intentionally misrepresented the information it
856 submitted pursuant to this section.

857
858 ~~A decision issued by the commission pursuant to this subsection~~
859 ~~is a final agency action that is reviewable pursuant to s.~~
860 ~~447.504.~~

861 (9) An employee organization is exempt from the
862 requirements of subsections (3)-(8) and (12) for each public
863 safety unit it represents only with respect to the circumstances
864 of each bargaining unit the majority of whose employees eligible
865 for representation are employed as law enforcement officers,
866 correctional officers, or correctional probation officers as
867 those terms are defined in s. 943.10(1), (2), or (3),
868 respectively; firefighters as defined in s. 633.102; 911 public



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869 ~~safety telecommunicators as defined in s. 401.465(1)(a), or~~
870 ~~emergency medical technicians or paramedics as defined in s.~~
871 ~~401.23.~~

872 (10) A registration fee ~~must~~ shall accompany each
873 application for registration or renewal of registration filed
874 with the commission. The registration fee may amount charged for
875 an application for registration or renewal of registration shall
876 not exceed \$15. All such money collected by the commission shall
877 be deposited in the General Revenue Fund.

878 (11) Every employee organization shall keep accurate
879 accounts of its income and expenses, which accounts ~~must~~ shall
880 be open for inspection at a all reasonable time and place times
881 by any member of the organization or by the commission or a
882 public employee in a bargaining unit for which the employee
883 organization is the bargaining agent. In addition, each employee
884 organization that has been certified as a bargaining agent must
885 provide to its members an annual financial report prepared by an
886 independent certified public accountant licensed under chapter
887 473 that includes a detailed breakdown of revenues and
888 expenditures in such categories as the commission may prescribe,
889 and an accounting of membership dues and assessments. The
890 employee organization must notify its members annually of all
891 costs of membership.

892 (12) The certification of an employee organization that
893 does not comply with this section is revoked. An employee
894 organization that has its certification revoked under this
895 subsection may not file a petition for certification under s.
896 447.307 which covers any of the public employees in the
897 bargaining unit described in the revoked certification for at



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898 least 12 months after the date the certification was revoked.

899 (13) A decision issued by the commission under this section
900 is a final agency action that is reviewable pursuant to s.
901 447.504.

902 Section 11. Section 447.307, Florida Statutes, is amended
903 to read:

904 447.307 Certification and recertification of employee
905 organizations organization.-

906 (1)(a) An Any employee organization seeking certification
907 or recertification as a bargaining agent must file a petition
908 with the commission accompanied by a showing of interest from at
909 least 30 percent of the public employees in the proposed or
910 existing bargaining unit. The showing of interest statements
911 must be signed and dated by the public employees not more than
912 12 months before the filing of which is designated or selected
913 by a majority of public employees in an appropriate unit as
914 their representative for purposes of collective bargaining shall
915 request recognition by the public employer. The public employer
916 shall, if satisfied as to the majority status of the employee
917 organization and the appropriateness of the proposed unit,
918 recognize the employee organization as the collective bargaining
919 representative of employees in the designated unit. Upon
920 recognition by a public employer, the employee organization
921 shall immediately petition the commission for certification. The
922 commission shall review only the appropriateness of the unit
923 proposed by the employee organization. If the unit is
924 appropriate according to the criteria used in this part, the
925 commission shall immediately certify the employee organization
926 as the exclusive representative of all employees in the unit. If



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927 ~~the unit is inappropriate according to the criteria used in this~~
928 ~~part, the commission may dismiss the petition.~~

929 ~~(b) Whenever a public employer recognizes an employee~~
930 ~~organization on the basis of majority status and on the basis of~~
931 ~~appropriateness in accordance with subparagraph (4)(f)5., the~~
932 ~~commission shall, in the absence of inclusion of a prohibited~~
933 ~~category of employees or violation of s. 447.501, certify the~~
934 ~~proposed unit.~~

935 ~~(b)(2) A~~ If the public employer refuses to recognize the
936 employee organization, the employee organization may file a
937 petition with the commission for certification as the bargaining
938 agent for a proposed bargaining unit. The petition shall be
939 accompanied by dated statements signed by at least 30 percent of
940 the employees in the proposed unit, indicating that such
941 employees desire to be represented for purposes of collective
942 bargaining by the petitioning employee organization. Once a
943 petition for certification has been filed by an employee
944 organization, any registered employee organization desiring
945 placement on the ballot in any certification or recertification
946 election to be conducted pursuant to this section may be
947 permitted by the commission to intervene in the proceeding upon
948 a motion accompanied by a showing of interest from dated
949 statements signed by at least 10 percent of the public employees
950 in the proposed or existing bargaining unit, indicating that
951 such employees desire to be represented for the purposes of
952 collective bargaining by the moving employee organization. The
953 showing of interest petitions and dated statements must be
954 signed and dated by the public employees not more than 12 months
955 before the filing of the petition.



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956 (c) The showing of interest is ~~are~~ confidential and exempt
957 ~~from the provisions of s. 119.07(1), except that any public~~
958 ~~employee, public employer, or employee organization having~~
959 ~~sufficient reason to believe that the showing of interest was~~
960 ~~any of the employee signatures were obtained by collusion,~~
961 ~~coercion, intimidation, or misrepresentation or is~~ are otherwise
962 ~~invalid shall be given a reasonable opportunity to verify and~~
963 ~~challenge the showing of interest signatures appearing on the~~
964 ~~petition.~~

965 (d) Notwithstanding paragraph (b), if any employees in the
966 proposed bargaining unit are represented by a bargaining agent
967 other than the petitioning employee organization, such
968 bargaining agent will be automatically added as a party to the
969 case and may appear on the ballot without being required to file
970 a motion to intervene or a showing of interest.

971 (2) (a) A certification petition may not be filed regarding
972 any proposed or existing bargaining unit within 12 months after
973 the date the commission issues an order that verifies the
974 results of a certification, recertification, or decertification
975 election covering any of the public employees in the proposed or
976 existing bargaining unit.

977 (b) If a valid collective bargaining agreement covering any
978 of the public employees in a proposed or existing bargaining
979 unit is in effect, a certification petition may only be filed
980 with the commission at least 90 but not more than 150 days
981 immediately preceding the expiration date of the collective
982 bargaining agreement, or at any time subsequent to such
983 agreement's expiration date but before the effective date of a
984 new collective bargaining agreement. The effective date of a



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collective bargaining agreement is the date of ratification of such agreement by both parties if such agreement becomes effective immediately or retroactively, or the collective bargaining agreement's actual effective date if such agreement becomes effective after its ratification date.

(3)(a) The commission or one of its designated agents shall investigate a certification or recertification the petition to determine its sufficiency; if it has reasonable cause to believe that the petition is sufficient, the commission shall provide for an appropriate hearing upon due notice. Such a hearing may be conducted by an agent of the commission. If the commission finds that the petition is to be insufficient, the commission must it may dismiss the petition. If the commission finds upon the record of the hearing that the petition is sufficient, the commission must it shall immediately:

(a)1- Define the proposed or existing bargaining unit and determine which public employees are shall be qualified and entitled to vote at any election held by the commission. Upon providing due notice, the commission may provide for a hearing.

(b)2- Identify the public employer or employers for purposes of collective bargaining with the bargaining agent.

(c)3- Order an election by secret ballot, the cost of said election and any required runoff election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part.

(4)(a) Except as provided in paragraph (b), elections are determined as follows for all certification or recertification petitions filed on or after July 1, 2026:



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1.(b) If when an employee organization is selected by a majority vote of the public employees who are in the bargaining unit as of the date set by the commission voting in an election, the commission shall certify or recertify the employee organization as the exclusive collective bargaining agent for the public representative of all employees in the unit.

2. A runoff election shall be held according to rules adopted by the commission if, in the election conducted under subparagraph 1., there was more than one employee organization on the ballot, a majority of the public employees who are in the bargaining unit as of the date set by the commission voted in the election, and none of the choices on the ballot received a majority vote of the public employees who are in the bargaining unit as of the date set by the commission.

(b) Certification elections involving public safety units are determined as follows:

1. If an employee organization is selected by a majority vote of the public employees voting in the election, the commission shall certify the employee organization as the bargaining agent for the public employees in the bargaining unit.

2. A runoff election shall be held according to rules adopted by the commission if, in the election conducted under subparagraph 1., there was more than one employee organization on the ballot and none of the choices on the ballot received a majority vote of the public employees voting in the election.

(c) Certification, recertification, or revocation under this section is effective upon the issuance of a the final order by the commission or, if the final order is appealed, at the



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1043 time the appeal is exhausted or any stay is vacated by the
1044 commission or a the court.

1045 ~~(c) In any election in which none of the choices on the~~
1046 ~~ballot receives the vote of a majority of the employees voting,~~
1047 ~~a runoff election shall be held according to rules promulgated~~
1048 ~~by the commission.~~

1049 ~~(d) No petition may be filed seeking an election in any~~
1050 ~~proposed or existing appropriate bargaining unit to determine~~
1051 ~~the exclusive bargaining agent within 12 months after the date~~
1052 ~~of a commission order verifying a representation election or, if~~
1053 ~~an employee organization prevails, within 12 months after the~~
1054 ~~date of an effective certification covering any of the employees~~
1055 ~~in the proposed or existing bargaining unit. Furthermore, if a~~
1056 ~~valid collective bargaining agreement covering any of the~~
1057 ~~employees in a proposed unit is in effect, a petition for~~
1058 ~~certification may be filed with the commission only during the~~
1059 ~~period extending from 150 days to 90 days immediately preceding~~
1060 ~~the expiration date of that agreement, or at any time subsequent~~
1061 ~~to its expiration date but prior to the effective date of any~~
1062 ~~new agreement. The effective date of a collective bargaining~~
1063 ~~agreement means the date of ratification by both parties, if the~~
1064 ~~agreement becomes effective immediately or retroactively, or its~~
1065 ~~actual effective date, if the agreement becomes effective after~~
1066 ~~its ratification date.~~

1067 (5)(4) In defining a proposed bargaining unit, the
1068 commission shall take into consideration:

1069 (a) The principles of efficient administration of
1070 government.

1071 (b) The number of employee organizations with which the



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1072 employer might have to negotiate.

1073 (c) The compatibility of the unit with the joint
1074 responsibilities of the public employer and public employees to
1075 represent the public.

1076 (d) The power of the officials of government at the level
1077 of the unit to agree, or make effective recommendations to
1078 another administrative authority or to a legislative body, with
1079 respect to matters of employment upon which the employee desires
1080 to negotiate.

1081 (e) The organizational structure of the public employer.

1082 (f) Community of interest among the employees to be
1083 included in the unit, considering:

1084 1. The manner in which wages and other terms of employment
1085 are determined.

1086 2. The method by which jobs and salary classifications are
1087 determined.

1088 3. The interdependence of jobs and interchange of
1089 employees.

1090 4. The desires of the employees.

1091 5. The history of employee relations within the
1092 organization of the public employer concerning organization and
1093 negotiation and the interest of the employees and the employer
1094 in the continuation of a traditional, workable, and accepted
1095 negotiation relationship.

1096 (g) The statutory authority of the public employer to
1097 administer a classification and pay plan.

1098 (h) Such other factors and policies as the commission may
1099 deem appropriate.

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1101 However, ~~a bargaining unit may not shall~~ be established or
1102 approved for purposes of collective bargaining which includes
1103 both professional and nonprofessional employees unless a
1104 majority of each group votes for inclusion in such bargaining
1105 unit.

1106 Section 12. Section 447.3076, Florida Statutes, is created
1107 to read:

1108 447.3076 Clarification of bargaining units.-

1109 (1) A petition to clarify the composition of a bargaining
1110 unit may be filed with the commission when significant changes
1111 in statutory law or case law require clarification of the
1112 bargaining unit or when a classification was:

1113 (a) Created or substantially changed after the unit was
1114 initially defined by the commission;

1115 (b) Retitled with no substantial change in job duties; or

1116 (c) Included or excluded through inadvertence or
1117 misunderstanding by the commission.

1118 (2) A bargaining unit clarification petition may be filed
1119 by the bargaining agent for the bargaining unit or by the public
1120 employer of the public employees in the unit.

1121 (3) A copy of the petition must be served on the public
1122 employer and any bargaining agent that is certified to represent
1123 any employee or classification which may be substantially
1124 affected by the proposed bargaining unit clarification.

1125 (4) If any substantially affected employees are not
1126 represented by a bargaining agent, the public employer must
1127 provide a copy of the petition to those employees within 10 days
1128 after the filing of the petition.

1129 (5) When the clarification of a bargaining unit would



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1130 result in an increase in the size of the bargaining unit by more
1131 than 25 percent, the unit clarification petition raises a
1132 question concerning representation and must be dismissed.

1133 Section 13. Section 447.308, Florida Statutes, is amended
1134 to read:

1135 447.308 Decertification ~~Revocation of certification of~~
1136 ~~employee organizations organization.-~~

1137 (1) A public ~~Any~~ employee or group of public employees
1138 which no longer desires to be represented by a ~~the~~ certified
1139 bargaining agent may file with the commission a petition to
1140 decertify the bargaining agent ~~revoke certification~~. The
1141 petition must ~~shall~~ be accompanied by a showing of interest from
1142 dated statements signed by at least 30 percent of the public
1143 employees in the bargaining unit, ~~indicating that such employees~~
1144 ~~no longer desire to be represented for purposes of collective~~
1145 ~~bargaining by the certified bargaining agent. The time of filing~~
1146 ~~said petition shall be governed by the provisions of s.~~
1147 ~~447.307(3)(d) relating to petitions for certification. The~~
1148 showing of interest statements must be signed and dated by the
1149 public employees not more than 12 months before the filing of
1150 the petition. Any employee, employer, or employee organization
1151 having sufficient reason to believe that the showing of interest
1152 was any of the employee signatures were obtained by collusion,
1153 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise
1154 invalid shall be given a reasonable opportunity to verify and
1155 challenge the showing of interest ~~signatures appearing on the~~
1156 ~~petition.~~

1157 (2) (a) A decertification petition may not be filed
1158 regarding the bargaining unit within 12 months after the date



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1159 the commission issues an order that verifies the results of a
1160 certification, recertification, or decertification election
1161 covering any of the public employees in the unit.

1162 (b) If a valid collective bargaining agreement covering any
1163 of the public employees in the bargaining unit is in effect, a
1164 decertification petition may only be filed with the commission
1165 at least 90 but not more than 150 days immediately preceding the
1166 expiration date of the collective bargaining agreement, or at
1167 any time after such agreement's expiration date but before the
1168 effective date of a new collective bargaining agreement. The
1169 effective date of a collective bargaining agreement is the date
1170 of ratification of such agreement by both parties if such
1171 agreement becomes effective immediately or retroactively, or the
1172 collective bargaining agreement's actual effective date if such
1173 agreement becomes effective after its ratification date.

1174 (3) The commission or one of its designated agents shall
1175 investigate the decertification petition to determine its
1176 sufficiency. If the commission finds that the petition is to be
1177 insufficient, the commission must it may dismiss the petition.
1178 If the commission finds that the petition is sufficient, the
1179 commission must it shall immediately:

1180 (a) Identify the bargaining unit and determine which public
1181 employees shall be qualified and entitled to vote in the
1182 election held by the commission.

1183 (b) Identify the public employer or employers of the
1184 bargaining unit.

1185 (c) Order an election by secret ballot, the cost of said
1186 election to be borne equally by the parties, except as the
1187 commission may provide by rule. The commission's order assessing



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1188 costs of an election may be enforced pursuant to ~~the provisions~~
1189 ~~of this part.~~

1190 (4)(a) Except as provided in paragraph (b), elections are
1191 determined as follows for all decertification petitions filed on
1192 or after July 1, 2026:

1193 1. If decertification of the bargaining agent is selected
1194 by a majority vote of the public employees who are in the
1195 bargaining unit as of the date set by the commission, the
1196 commission shall revoke the bargaining agent's certification for
1197 that bargaining unit.

1198 2. If decertification is not selected by a majority vote of
1199 the public employees who are in the bargaining unit as of the
1200 date set by the commission, the bargaining agent shall retain
1201 its certification for that bargaining unit.

1202 (b) Decertification elections involving public safety units
1203 are determined as follows:

1204 1.(2) If decertification is selected by a majority vote of
1205 the public employees voting in the such election vote against
1206 the continuation of representation by the certified bargaining
1207 agent, the commission shall revoke the certification of the
1208 employee organization as the exclusive bargaining agent's
1209 certification for that agent for the employees in the bargaining
1210 unit shall be revoked.

1211 2.(3) If decertification is not selected by a majority vote
1212 of the public employees voting in the such election do not vote
1213 against the continuation of representation by the certified
1214 bargaining agent, the bargaining agent shall retain its
1215 certification for that bargaining of the employee organization
1216 as the exclusive bargaining agent for the employees in the unit



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1217 ~~shall be retained by the organization.~~

1218 (c) Revocation under this section is effective upon the
1219 issuance of a final order by the commission or, if the final
1220 order is appealed, at the time the appeal is exhausted or any
1221 stay is vacated by the commission or a court.

1222 Section 14. Section 447.309, Florida Statutes, is amended
1223 to read:

1224 447.309 Collective bargaining; approval or rejection.—

1225 (1) After an employee organization has been certified as
1226 the bargaining agent of a bargaining unit pursuant to ~~the~~
1227 ~~provisions of~~ this part, the bargaining agent ~~for the~~
1228 ~~organization~~ and the chief executive officer of the appropriate
1229 public employer or employers, jointly, shall bargain
1230 collectively in the determination of the wages, hours, and terms
1231 and conditions of employment of the public employees within the
1232 bargaining unit. The chief executive officer or his or her
1233 representative and the bargaining agent or its representative
1234 shall meet at reasonable times and bargain in good faith. In
1235 conducting negotiations with the bargaining agent, the chief
1236 executive officer or his or her representative shall consult
1237 with, and attempt to represent the views of, the legislative
1238 body of the public employer. Any collective bargaining agreement
1239 reached by the negotiators ~~must shall~~ be reduced to writing, and
1240 such agreement ~~must shall~~ be signed by the chief executive
1241 officer and the bargaining agent. Any agreement signed by the
1242 chief executive officer and the bargaining agent ~~is shall~~ not ~~be~~
1243 binding on the public employer until such agreement has been
1244 ratified by the public employer and ~~the by~~ public employees in
1245 ~~who are members of~~ the bargaining unit, subject to ~~the~~



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1246 ~~provisions of~~ subsections (2) and (3). However, with respect to
1247 statewide bargaining units, any agreement signed by the Governor
1248 and the bargaining agent for such a bargaining unit ~~is shall~~ not
1249 ~~be~~ binding until approved by the public employees in who are
1250 ~~members of~~ the bargaining unit, subject to ~~the provisions of~~
1251 subsections (2) and (3).

1252 (2) (a) Upon execution of the collective bargaining
1253 agreement, the chief executive shall, in his or her annual
1254 budget request or by other appropriate means, request the
1255 legislative body to appropriate such amounts as shall be
1256 sufficient to fund the provisions of the collective bargaining
1257 agreement.

1258 (b) If the state is a party to a collective bargaining
1259 agreement in which less than the requested amount is
1260 appropriated by the Legislature, the collective bargaining
1261 agreement shall be administered on the basis of the amounts
1262 appropriated by the Legislature. The failure of the Legislature
1263 to appropriate funds sufficient to fund the collective
1264 bargaining agreement ~~does shall~~ not constitute, or be evidence
1265 of, any unfair labor practice. All collective bargaining
1266 agreements entered into by the state are subject to the
1267 appropriations powers of the Legislature, and ~~the provisions of~~
1268 this section ~~may shall~~ not conflict with the exclusive authority
1269 of the Legislature to appropriate funds.

1270 (3) If any provision of a collective bargaining agreement
1271 is in conflict with any law, ordinance, rule, or regulation over
1272 which the chief executive officer has no amendatory power, the
1273 chief executive officer shall submit to the appropriate
1274 governmental body having amendatory power a proposed amendment



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1275 to such law, ordinance, rule, or regulation. Unless and until
1276 such amendment is enacted or adopted and becomes effective, the
1277 conflicting provision of the collective bargaining agreement may
1278 ~~shall~~ not become effective.

1279 (4) If the agreement is not ratified by the public employer
1280 or is not approved by a majority ~~vote~~ of the public employees
1281 voting ~~in the unit~~, in accordance with procedures adopted by the
1282 commission, the agreement shall be returned to the chief
1283 executive officer and the bargaining agent ~~employee organization~~
1284 for further negotiations.

1285 (5) ~~A~~ Any collective bargaining agreement may ~~shall~~ not
1286 provide for a term of existence of more than 3 years and must
1287 ~~shall~~ contain all of the terms and conditions of employment of
1288 the employees in the bargaining unit during such term except
1289 those terms and conditions provided for in applicable merit and
1290 civil service rules and regulations.

1291 Section 15. Section 447.401, Florida Statutes, is amended
1292 to read:

1293 447.401 Grievance procedures.—Each public employer and
1294 bargaining agent shall negotiate a grievance procedure to be
1295 used for the settlement of disputes between a public employer
1296 and a public employee, or a group of public employees, involving
1297 the interpretation or application of a collective bargaining
1298 agreement. ~~The Such~~ grievance procedure must ~~shall~~ have as its
1299 terminal step a final and binding disposition by an impartial
1300 neutral arbitrator, mutually selected by the parties; however,
1301 when the issue under appeal is an allegation of abuse,
1302 abandonment, or neglect of a child by a public ~~an~~ employee under
1303 s. 39.201 or an allegation of abuse, neglect, or exploitation of



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1304 a vulnerable adult by a public employee under s. 415.1034, the
1305 grievance may not be decided until such allegation ~~the abuse,~~
1306 ~~abandonment, or neglect of a child~~ has been judicially
1307 determined. However, an arbitrator ~~arbitrator~~ or other neutral
1308 party may ~~shall not have the power to~~ add to, subtract from,
1309 modify, or alter the terms of a collective bargaining agreement.
1310 If an employee organization is certified as the bargaining agent
1311 of a bargaining unit, the grievance procedure then in existence
1312 may be the subject of collective bargaining, and any agreement
1313 that ~~which~~ is reached shall supersede the previously existing
1314 procedure. All public employees ~~shall~~ have the right to a fair
1315 and equitable grievance procedure administered without regard to
1316 membership or nonmembership in any employee organization, except
1317 that bargaining agents may ~~certified employee organizations~~
1318 ~~shall~~ not be required to process grievances for public employees
1319 who are not members of the employee organization. A public
1320 ~~career service~~ employee may use ~~shall have the option of~~
1321 ~~utilizing~~ the civil service appeal procedure, an unfair labor
1322 practice procedure, or a grievance procedure established under
1323 this section, but may not avail ~~such employee is precluded from~~
1324 ~~availing~~ himself or herself of ~~to~~ more than one of these
1325 procedures.

1326 Section 16. Subsections (1) through (4) of section 447.403,
1327 Florida Statutes, are amended to read:

1328 447.403 Resolution of impasses.—

1329 (1) If, after a reasonable period of negotiation concerning
1330 the terms and conditions of employment to be incorporated in a
1331 collective bargaining agreement, a dispute exists between a
1332 public employer and a bargaining agent, either party may declare



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1333 an impasse ~~by providing written notification shall be deemed to~~
1334 ~~have occurred when one of the parties so declares in writing to~~
1335 the other party and to the commission. When an impasse occurs,
1336 the public employer or the bargaining agent, or both parties
1337 acting jointly, may use appoint, or secure the services
1338 ~~appointment~~ of, a mediator to assist in the resolution of the
1339 impasse. If the Governor is the public employer or for an
1340 impasse declared pursuant to s. 447.4095, a ~~no~~ mediator may not
1341 ~~shall~~ be appointed.

1342 (2) (a) If a ~~no~~ mediator is not used under subsection (1)
1343 ~~appointed~~, or upon the request of either party, the commission
1344 must shall appoint, and submit all unresolved issues to, a
1345 special magistrate acceptable to both parties. If the parties
1346 are unable to agree on the appointment of a special magistrate,
1347 the commission must shall appoint, in its discretion, a
1348 qualified special magistrate. However, if the parties agree in
1349 writing to waive the appointment of a special magistrate, the
1350 parties may proceed directly to resolution of the impasse by the
1351 legislative body pursuant to paragraph (4) (d). Nothing in this
1352 section precludes the parties from using the services of a
1353 mediator at any time during the conduct of collective
1354 bargaining.

1355 (b) If the Governor is the public employer, a ~~no~~ special
1356 magistrate may not shall be appointed. The parties must may
1357 proceed directly to the Legislature for resolution of the
1358 impasse pursuant to paragraph (4) (d).

1359 (c) For an impasse declared pursuant to s. 447.4095(2), the
1360 parties must agree on a special magistrate and submit the
1361 agreed-upon name to the commission within 5 calendar days after



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1362 the declaration of impasse. Within 2 business days after the
1363 submission of the special magistrate's name, the commission must
1364 appoint the agreed-upon special magistrate. If the parties do
1365 not submit the name of an agreed-upon special magistrate to the
1366 commission within 5 calendar days after the declaration of
1367 impasse, the commission must appoint a special magistrate of its
1368 choosing within 5 calendar days after the parties' deadline to
1369 submit the name of the agreed-upon special magistrate. Within 5
1370 calendar days after the special magistrate is appointed, each
1371 party must submit a list of issues at impasse to the special
1372 magistrate and serve a copy of the list on the other party at
1373 the same time.

1374 (3) The special magistrate must shall hold a hearing
1375 ~~hearings~~ in order to define the area or areas of dispute, to
1376 determine facts relating to the dispute, and to render a
1377 decision on any and all unresolved contract issues. The hearing
1378 must hearings shall be held at a time, date, and place ~~times,~~
1379 ~~dates, and places~~ to be established by the special magistrate in
1380 accordance with rules adopted promulgated by the commission. For
1381 an impasse declared pursuant to s. 447.4095(2), a hearing must
1382 be held within 20 calendar days after the parties submit the
1383 list of issues at impasse to the special magistrate. The special
1384 magistrate may shall be empowered to administer oaths and issue
1385 subpoenas on behalf of the parties to the dispute or on his or
1386 her own behalf. Within 15 calendar days after the close of the
1387 ~~final~~ hearing, or 7 calendar days after the close of the hearing
1388 for an impasse declared pursuant to s. 447.4095(2), the special
1389 magistrate must submit shall transmit his or her recommended
1390 decision to the commission and to the representatives of both



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1391 parties by any method of service agreed to by the parties which
1392 establishes proof of delivery registered mail, return receipt
1393 requested. Such recommended decision must shall be discussed by
1394 the parties, and each recommendation of the special magistrate
1395 is shall be deemed approved by both parties unless specifically
1396 rejected by either party by written notice filed with the
1397 commission within 20 calendar days, or 10 calendar days for an
1398 impasse declared pursuant to s. 447.4095(2), after the date the
1399 party received the special magistrate's recommended decision.
1400 The written notice must shall include a statement of the cause
1401 for each rejection and shall be served upon the other party at
1402 the same time as it is filed with the commission.

1403 (4) If either the public employer or the bargaining agent
1404 employee organization does not accept, in whole or in part, the
1405 recommended decision of the special magistrate, all of the
1406 following procedures apply:

1407 (a) The chief executive officer of the governmental entity
1408 involved shall, within 10 calendar days after rejection of a
1409 recommendation of the special magistrate, submit to the
1410 legislative body of the governmental entity involved a copy of
1411 the findings of fact and recommended decision of the special
1412 magistrate, together with the chief executive officer's
1413 recommendations for settling the disputed impasse issues. The
1414 chief executive officer shall also submit transmit his or her
1415 recommendations to the bargaining agent at the same time as the
1416 recommendations are submitted to the legislative body. employee
1417 organization.

1418 (b) Within 10 calendar days after rejection of a
1419 recommendation of the special magistrate, the bargaining agent



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1420 ~~employee organization~~ shall submit its recommendations for
1421 settling the disputed impasse issues to such legislative body
1422 and to the chief executive officer.†

1423 (c) The legislative body or its a duly authorized committee
1424 ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at which the
1425 parties shall ~~be required to~~ explain their positions with
1426 respect to the rejected recommendations of the special
1427 magistrate. For an impasse declared pursuant to s. 447.4095(2),
1428 the legislative body must conduct the public hearing within 20
1429 calendar days after the parties submit their recommendations to
1430 the legislative body.†

1431 (d) Thereafter, the legislative body shall take such action
1432 as it deems to be in the public interest, including the interest
1433 of the public employees involved, to resolve all disputed
1434 impasse issues. For an impasse declared pursuant to s.
1435 447.4095(2), the legislative body must take action within 10
1436 calendar days after the close of the public hearing.† ~~and~~

1437 (e) 1. Following the resolution of the disputed impasse
1438 issues by the legislative body, the parties shall reduce to
1439 writing an agreement which includes those issues agreed to by
1440 the parties and those disputed impasse issues resolved by the
1441 legislative body's action taken pursuant to paragraph (d). For
1442 an impasse declared pursuant to s. 447.4095(2), the parties must
1443 reduce the agreement to writing within 10 calendar days after
1444 the resolution of the disputed impasse issues by the legislative
1445 body.

1446 2. The agreement must shall be signed by the chief
1447 executive officer and the bargaining agent and ~~shall~~ be
1448 submitted to the public employer and ~~to~~ the public employees in



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1449 ~~who are members of~~ the bargaining unit for ratification. For an
1450 impasse declared pursuant to s. 447.4095(2), the chief executive
1451 officer and the bargaining agent must sign the agreement within
1452 7 calendar days after the agreement is reduced to writing and
1453 must submit the agreement to the public employer and the
1454 bargaining unit for ratification within 10 calendar days after
1455 the agreement is signed. For an impasse declared pursuant to s.
1456 447.4095(2), the agreement must be signed, submitted, and
1457 ratified separately from other bargainable issues.

1458 3. If ~~the such~~ agreement is not ratified by all parties,
1459 pursuant to ~~the provisions of~~ s. 447.309, the legislative body's
1460 action taken pursuant to ~~the provisions of~~ paragraph (d) shall
1461 take effect as of the date of such legislative body's action for
1462 the remainder of the first fiscal year which was the subject of
1463 negotiations; however, the legislative body's action may shall
1464 not take effect with respect to those disputed impasse issues
1465 that which establish the language of contractual provisions that
1466 which could have no effect in the absence of a ratified
1467 agreement, including, but not limited to, preambles, recognition
1468 clauses, and duration clauses.

1469 Section 17. Section 447.405, Florida Statutes, is amended
1470 to read:

1471 447.405 Factors to be considered by the special
1472 magistrate.—The special magistrate shall conduct the hearings
1473 and render recommended decisions with the objective of achieving
1474 a prompt, peaceful, and just settlement of disputes between the
1475 bargaining agents ~~public employee organizations~~ and the public
1476 employers. The factors, ~~among others,~~ to be given weight by the
1477 special magistrate in arriving at a recommended decision must



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1478 ~~shall~~ include:

1479 (1) Comparison of the annual income of employment of the
1480 public employees in question with the annual income of
1481 employment maintained for the same or similar work of employees
1482 exhibiting like or similar skills under the same or similar
1483 working conditions in the local operating area involved.

1484 (2) Comparison of the annual income of employment of the
1485 public employees in question with the annual income of
1486 employment of public employees in similar public employee
1487 governmental bodies of comparable size within this the state.

1488 (3) The interest and welfare of the public.

1489 (4) Comparison of peculiarities of employment in regard to
1490 other trades or professions, specifically with respect to:

- 1491 (a) Hazards of employment.
- 1492 (b) Physical qualifications.
- 1493 (c) Educational qualifications.
- 1494 (d) Intellectual qualifications.
- 1495 (e) Job training and skills.
- 1496 (f) Retirement plans.
- 1497 (g) Sick leave.
- 1498 (h) Job security.
- 1499 (5) Availability of funds.

1500 Section 18. Section 447.4095, Florida Statutes, is amended
1501 to read:

1502 447.4095 Financial urgency.—

1503 (1) In the event of a financial urgency requiring
1504 modification of an agreement, the chief executive officer or his
1505 or her representative and the bargaining agent or its
1506 representative must shall meet as soon as possible to negotiate



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1507 the impact of the financial urgency. If after a reasonable
1508 period of negotiation, which ~~may shall~~ not exceed 14 calendar
1509 days, a dispute exists between the public employer and the
1510 bargaining agent, an impasse ~~is shall~~ be deemed to have
1511 occurred, and one of the parties ~~must shall~~ so declare in
1512 writing to the other party and to the commission. The parties
1513 ~~must shall~~ then proceed to follow the requirements under
1514 ~~pursuant to the provisions of~~ s. 447.403. An unfair labor
1515 practice charge ~~may shall~~ not be filed during the 14 calendar
1516 days during which negotiations are occurring ~~pursuant to~~
1517 this section.

1518 (2) For the purposes of this section, the implementation of
1519 appropriations to local governments by the Legislature which are
1520 specifically directed in law to be disbursed as salaries to
1521 employees of local governments is considered a financial
1522 urgency. If the use of funding appropriated by the Legislature
1523 to local governments is restricted to salaries and associated
1524 costs of such salaries and the implementation of such
1525 appropriations will require modification of an agreement, the
1526 chief executive officer or his or her representative and the
1527 bargaining agent or its representative must meet within 15
1528 calendar days after the effective date of the appropriation to
1529 negotiate the impact of the financial urgency. If, 30 calendar
1530 days after the effective date of the appropriation, a dispute
1531 exists between the public employer and the bargaining agent as
1532 to the impact of the financial urgency, one of the parties must,
1533 within 2 business days, declare an impasse in writing to the
1534 other party and to the commission. The parties must then proceed
1535 to follow the requirements under s. 447.403. An unfair labor



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1536 practice charge may not be filed during the 30-day period of
1537 negotiations or while the parties are proceeding through the
1538 resulting impasse process. This subsection does not apply to
1539 public employees in public safety units.

1540 Section 19. Paragraphs (c) and (f) of subsection (1) and
1541 subsection (2) of section 447.501, Florida Statutes, are
1542 amended, and paragraph (g) is added to subsection (1) of that
1543 section, to read:

1544 447.501 Unfair labor practices.—

1545 (1) Public employers or their agents or representatives are
1546 prohibited from:

1547 (c) Refusing to bargain collectively, failing to bargain
1548 collectively in good faith, or refusing to sign a final
1549 agreement agreed upon with the ~~certified~~ bargaining agent for
1550 the public employees in the bargaining unit.

1551 (f) Refusing to discuss grievances in good faith pursuant
1552 to the terms of the collective bargaining agreement with either
1553 the ~~certified~~ bargaining agent for the public employee or the
1554 employee involved.

1555 (g) Failing to provide to any registered employee
1556 organization or any petitioning public employee who is seeking
1557 to support, oppose, or intervene in the certification,
1558 recertification, or decertification of a bargaining agent equal
1559 access to the public employer's facilities and its internal
1560 means of communication for those purposes. The public employer
1561 must provide such equal access from the date of the filing of a
1562 petition pursuant to s. 447.307 or s. 447.308 until the final
1563 resolution of the petition.

1564 (2) An A public employee organization or anyone acting on



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1565 ~~in~~ its behalf or its officers, representatives, agents, or
1566 members are prohibited from:

1567 (a) Interfering with, restraining, or coercing public
1568 employees in the exercise of any rights guaranteed them under
1569 this part or interfering with, restraining, or coercing
1570 managerial employees by reason of their performance of job
1571 duties or other activities undertaken in the interests of the
1572 public employer.

1573 (b) Causing or attempting to cause a public employer to
1574 discriminate against a public ~~an~~ employee because of such ~~the~~
1575 employee's membership or nonmembership in an employee
1576 organization or attempting to cause the public employer to
1577 violate ~~any of the provisions of~~ this part.

1578 (c) Refusing to bargain collectively or failing to bargain
1579 collectively in good faith with a public employer.

1580 (d) Discriminating against a public ~~an~~ employee because he
1581 or she has signed or filed an affidavit, a petition, or a
1582 complaint or given any information or testimony in any
1583 proceedings provided for in this part.

1584 (e) Participating in a strike against the public employer
1585 by instigating or supporting, in any positive manner, a strike.
1586 A person who violates ~~Any violation of~~ this paragraph is ~~shall~~
1587 ~~subject the violator~~ to the penalties provided in this part.

1588 (f) Instigating or advocating support, in any positive
1589 manner, for an employee organization's activities from high
1590 school or grade school students or students in institutions of
1591 higher learning.

1592 Section 20. Subsection (1) of section 447.503, Florida
1593 Statutes, is amended to read:



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1594 447.503 Charges of unfair labor practices.—It is the intent
1595 of the Legislature that the commission act as expeditiously as
1596 possible to settle disputes regarding alleged unfair labor
1597 practices. To this end, violations of the provisions of s.
1598 447.501 shall be remedied by the commission in accordance with
1599 the following procedures and in accordance with chapter 120;
1600 however, to the extent that chapter 120 is inconsistent with the
1601 provisions of this section, the procedures contained in this
1602 section shall govern:

1603 (1) A proceeding to remedy a violation of ~~the provisions of~~
1604 s. 447.501 must ~~shall~~ be initiated by the filing of a charge
1605 with the commission by a public ~~an~~ employer, a public employee,
1606 or an employee organization, or any combination thereof, whose
1607 substantial interests will be affected as referenced in chapter
1608 120. Such a charge must ~~shall~~ contain a clear and concise
1609 statement of facts constituting the alleged unfair labor
1610 practice, including the names of all individuals involved in the
1611 alleged unfair labor practice, and include specific reference to
1612 the provisions of s. 447.501 alleged to have been violated, and
1613 such other relevant information as the commission may by rule
1614 require or allow. Service of the charge must ~~shall~~ be made upon
1615 each named respondent at the time of filing with the commission.
1616 The charge must be accompanied by sworn statements and
1617 documentary evidence sufficient to establish a prima facie
1618 violation of the applicable unfair labor practice provision.
1619 Such supporting evidence is not to be attached to the charge and
1620 is to be furnished only to the commission.

1621 Section 21. Subsections (2) through (5) and paragraph (a)
1622 of subsection (6) of section 447.507, Florida Statutes, are



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amended to read:

447.507 Violation of strike prohibition; penalties.—

(2) If a public employee, a group of public employees, an employee organization, or any officer, agent, or representative of any employee organization engages in a strike in violation of s. 447.505, either the commission or any public employer whose public employees are involved or whose public employees may be affected by the strike may file suit to enjoin the strike in the circuit court having proper jurisdiction and proper venue of such actions under the Florida Rules of Civil Procedure and Florida Statutes. The circuit court shall conduct a hearing, with notice to the commission and to all interested parties, at the earliest practicable time. If the plaintiff makes a prima facie showing that a violation of s. 447.505 is in progress or that there is a clear, real, and present danger that such a strike is about to commence, the circuit court must ~~shall~~ issue a temporary injunction enjoining the strike. Upon final hearing, the circuit court shall either make the injunction permanent or dissolve it.

(3) If an injunction to enjoin a strike issued pursuant to this section is not promptly complied with, on the application of the plaintiff, the circuit court shall immediately initiate contempt proceedings against those who appear to be in violation. An employee organization found to be in contempt of court for violating an injunction against a strike shall be fined an amount deemed appropriate by the court. In determining the appropriate fine, the court shall objectively consider the extent of lost services and the particular nature and position of the public employee group in violation. ~~A In no event shall~~



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~~the fine may not exceed \$30,000 \$5,000.~~ Each officer, agent, or representative of an employee organization found to be in contempt of court for violating an injunction against a strike shall be fined at least \$300, but not more than \$600, not less than \$50 nor more than \$100 for each calendar day that the violation is in progress.

(4) An employee organization is ~~shall be~~ liable for any damages that ~~which~~ might be suffered by a public employer as a result of a violation of ~~the provisions of~~ s. 447.505 by the employee organization or its representatives, officers, or agents. The circuit court having jurisdiction over such actions may is empowered to enforce judgments against employee organizations in the amount deemed appropriate by the court in accordance with this section. ~~An action may not, as defined in this part, by attachment or garnishment of union initiation fees or dues which are to be deducted or checked off by public employers. No action shall~~ be maintained pursuant to this subsection until all proceedings that ~~which~~ were pending before the commission at the time of the strike or that ~~which~~ were initiated within 30 days after ~~of~~ the strike have been finally adjudicated or otherwise disposed of. In determining the amount of damages, if any, to be awarded to the public employer, the trier of fact shall take into consideration any action or inaction by the public employer or its agents that provoked or tended to provoke the strike by the public employees. The trier of fact shall also take into consideration any damages that might have been recovered by the public employer under subparagraph (6) (a) 4.

(5) If the commission, after a hearing on notice conducted



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1681 according to rules ~~adopted promulgated~~ by the commission,
1682 determines that a public an employee has violated s. 447.505, it
1683 may order the termination of such employee's his or her
1684 employment by the public employer. Notwithstanding any other
1685 provision of law, a person knowingly violating s. 447.505 the
1686 ~~provision of said section~~ may, subsequent to such violation, be
1687 appointed, reappointed, employed, or reemployed as a public
1688 employee, but only upon the following conditions:

1689 (a) Such person shall be on probation for ~~a period of~~ 18
1690 months after following his or her appointment, reappointment,
1691 employment, or reemployment, during which period he or she shall
1692 serve without permanent status and at the pleasure of the agency
1693 head.

1694 (b) His or her compensation may not in no event exceed the
1695 compensation that received immediately before prior to the time
1696 of the violation.

1697 (c) The compensation of the person may not be increased
1698 until at least after the expiration of 1 year after from such
1699 appointment, reappointment, employment, or reemployment.

1700 (6) (a) If the commission determines that an employee
1701 organization has violated s. 447.505, it may:

1702 1. Issue cease and desist orders as necessary to ensure
1703 compliance with its order.

1704 2. Suspend or revoke the certification of the ~~employee~~
1705 ~~organization as the~~ bargaining agent of such bargaining employee
1706 unit.

1707 3. Revoke any requirement of the public employer to engage
1708 in membership the right of dues deduction for the and collection
1709 ~~previously granted to said~~ employee organization pursuant to s.



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1710 447.303.

1711 4. Fine the organization up to \$40,000 \$20,000 for each
1712 calendar day of such violation or determine the approximate cost
1713 to the public due to each calendar day of the strike and fine
1714 the organization an amount equal to such cost, regardless of
1715 whether the fine exceeds \$40,000, notwithstanding the fact that
1716 ~~the fine may exceed \$20,000~~ for each such calendar day. The
1717 fines so collected ~~shall~~ immediately accrue to the public
1718 employer and must ~~shall~~ be used by the public employer him or
1719 ~~her~~ to replace those services denied the public as a result of
1720 the strike. In determining the amount of damages, if any, to be
1721 awarded to the public employer, the commission must consider
1722 ~~shall take into consideration~~ any action or inaction by the
1723 public employer or its agents that provoked, or tended to
1724 provoke, the strike by the public employees.

1725 Section 22. Present subsection (3) of section 447.509,
1726 Florida Statutes, is redesignated as subsection (6), and a new
1727 subsection (3) and subsections (4) and (5) are added to that
1728 section, to read:

1729 447.509 Other unlawful acts; ~~exceptions.~~

1730 (3) Public employers, their agents or representatives, or
1731 any persons acting on their behalf may not provide any form of
1732 compensation or paid leave to a public employee, directly or
1733 indirectly, for the purpose of engaging in employee organization
1734 activities.

1735 (4) Notwithstanding subsection (3), a public employee may
1736 do any of the following:

1737 (a) Be granted time off without pay or benefits to engage
1738 in employee organization activities, provided that the public



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1739 employer and the bargaining agent agree. An employee
1740 organization may compensate a public employee for engaging in
1741 employee organization activities.
1742 (b) Use compensated personal leave, whether the leave is
1743 the public employee's or is voluntarily donated by other public
1744 employees in the bargaining unit, to engage in employee
1745 organization activities if:
1746 1. The leave is accrued at the same rate by similarly
1747 situated public employees in the bargaining unit without regard
1748 to membership in or participation with an employee organization.
1749 2. The public employee may freely choose how to use the
1750 leave.
1751 (c) Engage in representational employee organization
1752 activities on behalf of the bargaining agent while in a duty
1753 status without loss of pay or benefits, provided that the public
1754 employer and the bargaining agent agree.
1755 (5) Subsections (3) and (4) do not apply to public
1756 employees in public safety units.
1757 Section 23. Subsection (3) of section 110.114, Florida
1758 Statutes, is amended to read:
1759 110.114 Employee wage deductions.—
1760 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
1761 (2), ~~the deduction of an employee's~~ membership dues deductions
1762 as defined in s. 447.203 ~~s. 447.203(15) for an employee~~
1763 ~~organization as defined in s. 447.203(11)~~ shall be authorized or
1764 permitted only for an organization that has been certified
1765 pursuant to chapter 447 as the ~~exclusive~~ bargaining agent
1766 ~~pursuant to chapter 447~~ for a unit of public state employees in
1767 ~~which the employee is included~~. Such deductions shall be subject



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1768 ~~to the provisions of~~ s. 447.303.
1769 Section 24. Paragraph (w) of subsection (2) of section
1770 110.205, Florida Statutes, is amended to read:
1771 110.205 Career service; exemptions.—
1772 (2) EXEMPT POSITIONS.—The exempt positions that are not
1773 covered by this part include the following:
1774 (w) Managerial employees ~~and, as defined in s. 447.203(4),~~
1775 confidential employees, as those terms are defined in s. 447.203
1776 ~~s. 447.203(5)~~, and supervisory employees who spend the majority
1777 of their time communicating with, motivating, training, and
1778 evaluating employees, and planning and directing employees'
1779 work, and who have the authority to hire, transfer, suspend, lay
1780 off, recall, promote, discharge, assign, reward, or discipline
1781 subordinate employees or effectively recommend such action,
1782 including all employees serving as supervisors, administrators,
1783 and directors. Excluded are employees also designated as special
1784 risk or special risk administrative support and attorneys who
1785 serve as administrative law judges pursuant to s. 120.65 or for
1786 hearings conducted pursuant to s. 120.57(1)(a). Additionally,
1787 registered nurses licensed under chapter 464, dentists licensed
1788 under chapter 466, psychologists licensed under chapter 490 or
1789 chapter 491, nutritionists or dietitians licensed under part X
1790 of chapter 468, pharmacists licensed under chapter 465,
1791 psychological specialists licensed under chapter 491, physical
1792 therapists licensed under chapter 486, and speech therapists
1793 licensed under part I of chapter 468 are excluded, unless
1794 otherwise collectively bargained.
1795 Section 25. Subsection (6) of section 112.3187, Florida
1796 Statutes, is amended to read:



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1797 112.3187 Adverse action against employee for disclosing
1798 information of specified nature prohibited; employee remedy and
1799 relief.—

1800 (6) TO WHOM INFORMATION DISCLOSED.—The information
1801 disclosed under this section must be disclosed to any agency or
1802 federal government entity having the authority to investigate,
1803 police, manage, or otherwise remedy the violation or act,
1804 including, but not limited to, the Office of the Chief Inspector
1805 General, an agency inspector general or the employee designated
1806 as agency inspector general under s. 112.3189(1) or inspectors
1807 general under s. 20.055, the Florida Commission on Human
1808 Relations, and the whistle-blower's hotline created under s.
1809 112.3189. However, for disclosures concerning a local
1810 governmental entity, including any regional, county, or
1811 municipal entity, special district, community college district,
1812 or school district or any political subdivision of any of the
1813 foregoing, the information must be disclosed to a chief
1814 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
1815 other appropriate local official.

1816 Section 26. Subsection (5) of section 121.031, Florida
1817 Statutes, is amended to read:

1818 121.031 Administration of system; appropriation; oaths;
1819 actuarial studies; public records.—

1820 (5) The names and addresses of retirees are confidential
1821 and exempt from ~~the provisions of~~ s. 119.07(1) to the extent
1822 that no state or local governmental agency may provide the names
1823 or addresses of such persons in aggregate, compiled, or list
1824 form to any person except to a public agency engaged in official
1825 business. However, a state or local government agency may



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1826 provide the names and addresses of retirees from that agency to
1827 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
1828 a retiree organization for official business use. Lists of names
1829 or addresses of retirees may be exchanged by public agencies,
1830 but such lists may ~~shall~~ not be provided to, or open for
1831 inspection by, the public. Any person may view or copy any
1832 individual's retirement records at the Department of Management
1833 Services, one record at a time, or may obtain information by a
1834 separate written request for a named individual for which
1835 information is desired.

1836 Section 27. Subsection (1) of section 447.02, Florida
1837 Statutes, is amended to read:

1838 447.02 Definitions.—The following terms, when used in this
1839 chapter, shall have the meanings ascribed to them in this
1840 section:

1841 (1) The term "labor organization" means any organization of
1842 employees or local or subdivision thereof, having within its
1843 membership residents of the state, whether incorporated or not,
1844 organized for the purpose of dealing with employers concerning
1845 hours of employment, rate of pay, working conditions, or
1846 grievances of any kind relating to employment and recognized as
1847 a unit of bargaining by one or more employers doing business in
1848 this state, except that an "employee organization," as defined
1849 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this
1850 definition at such time as it seeks to register pursuant to s.
1851 447.305.

1852 Section 28. Section 447.609, Florida Statutes, is amended
1853 to read:

1854 447.609 Representation in proceedings.—Any full-time



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1855 employee or officer of any public employer or employee
1856 organization may represent his or her employer or any public
1857 employee in member of a bargaining unit in any proceeding
1858 authorized in this part, excluding the representation of any
1859 person or public employer in a court of law by a person who is
1860 not a licensed attorney.

1861 Section 29. Subsection (2) of section 1011.60, Florida
1862 Statutes, is amended to read:

1863 1011.60 Minimum requirements of the Florida Education
1864 Finance Program.—Each district which participates in the state
1865 appropriations for the Florida Education Finance Program shall
1866 provide evidence of its effort to maintain an adequate school
1867 program throughout the district and shall meet at least the
1868 following requirements:

1869 (2) MINIMUM TERM.—Operate all schools for a term of 180
1870 actual teaching days or the equivalent on an hourly basis as
1871 specified by rules of the State Board of Education each school
1872 year. The State Board of Education may prescribe procedures for
1873 altering, and, upon written application, may alter, this
1874 requirement during a national, state, or local emergency as it
1875 may apply to an individual school or schools in any district or
1876 districts if, in the opinion of the board, it is not feasible to
1877 make up lost days or hours, and the apportionment may, at the
1878 discretion of the Commissioner of Education and if the board
1879 determines that the reduction of school days or hours is caused
1880 by the existence of a bona fide emergency, be reduced for such
1881 district or districts in proportion to the decrease in the
1882 length of term in any such school or schools. A strike, as
1883 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school



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1884 district may not be considered an emergency.

1885 Section 30. 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 Governmental Oversight and Accountability

BILL: SB 1296

INTRODUCER: Senator Martin

SUBJECT: Public Employees Relations Commission

DATE: January 30, 2026

REVISED: 02/10/26

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Harmsen	McVane	GO	Pre-meeting
2.		AEG	
3.		FP	

I. Summary:

SB 1296 amends several provisions relating to ch. 447, F.S., which governs public employee unions in the state. Specifically, the bill:

- Updates the Public Employee Relations Commission's registration, certification, and recertification processes for employee organizations (unions).
- Requires a showing of interest form, signed by a bargaining unit employee within the last 12 months, to be submitted with an application for certification or recertification.
- Clarifies the bargaining unit process which allows determination of the unit after a change in case or statutory law.
- Institutes a two-tier voting threshold for the certification, recertification, and decertification of an employee organization where public safety employee organizations may be certified or recertified by a majority of the employees who vote in the election, and non-public safety employee organizations may be certified or recertified by a majority vote of the employees in the bargaining unit.
- Narrows paid union leave for non-public safety union members to only those situations where the union fully reimburses the public employer for the employee's time performing duties that are directly-related to the union, such as engaging in collective bargaining, participating in grievances, or representing other employees in disciplinary proceedings. This does not apply to unions for public safety field workers, whose members may still engage in paid union leave for these activities without the union having to fully reimburse the public employer.
- Requires a public employer to allow equal access to any employee organization or not-for-profit organization to access its communal spaces or communications systems that it allows other employee organizations or its affiliate.
- Institutes a fast-track impasse process for public employee salary increases appropriated by the Legislature which require modification of a bargaining agreement. This does not apply to public safety units.

- Conforms various hearing procedures and timeframes to those in ss. 120.569 and 120.57, F.S., of the Administrative Procedures Act

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

The bill takes effect on July 1, 2026.

II. Present Situation:

Right-to-Work

The State Constitution provides that the “right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization.”¹ Based on this constitutional right, Florida is regarded as a “right-to-work” state.

Collective Bargaining

The State Constitution also guarantees that “the right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged.”² To implement this constitutional provision, the Legislature enacted ch. 447, F.S., which provides that the purpose of collective bargaining is to promote cooperative relationships between the government and its employees and to protect the public by assuring the orderly and uninterrupted operations and functions of government.³

Public employees have the right to form, join, participate in, and be represented by an employee organization of their own choosing or to refrain from forming, joining, participating in, or being represented by an employee organization.⁴ Regardless of membership in an employee organization (union), each employee is subject to the negotiated collective bargaining agreement that is applicable to the employee’s position. Through collective bargaining, public employees⁵

¹ FLA. CONST. art. 1, s. 6.

² *Id.*

³ Section 447.201, F.S. *See also*, Gregg Morton, *Unfair Labor Practices in Florida’s Public Sector Workplaces*, FLA. B. J., Sept./Oct. 2019, at 41, <https://www.floridabar.org/the-florida-bar-journal/unfair-labor-practices-in-floridas-public-sector-workplaces/> (last visited Jan. 28, 2026).

⁴ Section 447.301(1) and (2), F.S.

⁵ Section 447.203(3), F.S., defines the term “public employee” to mean any person employed by a public employer except:

collectively negotiate with their public employer⁶ in the determination of the terms and conditions of their employment.⁷ The Public Employees Relations Commission (commission) is responsible for assisting in resolving disputes between public employees and public employers.⁸ Employee organizations can be certified as a bargaining agent through a process overseen by the commission.

Registration of Employee Organization

An employee organization⁹ that seeks to become a certified bargaining agent for public employees must register with the commission prior to (a) requesting recognition by a public employer for purposes of collective bargaining and (b) submitting a petition to the commission to request certification as an exclusive bargaining agent.¹⁰ The application for registration must include:

- The name and address of the organization and of any parent organization or organization with which it is affiliated;
- The names and addresses of the principal officers and all representatives of the organization;
- The amount of the initiation fee, and the amount and collection frequency of the dues and uniform assessments that members must pay;
- The current annual financial statement of the organization as prepared by an independent certified public accountant who is licensed under ch. 473, F.S.;
- The name of its business agent and local agent for service of process, if any, and the addresses where such person or persons can be reached;
- A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will accept members without regard to age, race, sex, religion, or national origin;

-
- (a) Persons appointed by the Governor or elected by the people, agency heads, and members of boards and commissions.
 - (b) Persons holding positions by appointment or employment in the organized militia.
 - (c) Individuals acting as negotiating representatives for employer authorities.
 - (d) Persons who are designated by the commission as managerial or confidential employees pursuant to criteria contained herein.
 - (e) Persons holding positions of employment with the Florida Legislature.
 - (f) Persons who have been convicted of a crime and are inmates confined to institutions within the state.
 - (g) Persons appointed to inspection positions in federal/state fruit and vegetable inspection service whose conditions of appointment are affected by the following:
 1. Federal license requirement.
 2. Federal autonomy regarding investigation and disciplining of appointees.
 3. Frequent transfers due to harvesting conditions.
 - (h) Persons employed by the Public Employees Relations Commission.
 - (i) Persons enrolled as undergraduate students in a state university who perform part-time work for the state university.

⁶ The term “public employer” means the state or any county, municipality, or special district or any subdivision or agency thereof that the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. Section 447.203(2), F.S.

⁷ Section 447.301(2), F.S.

⁸ Section 447.201(3), F.S.

⁹ Section 447.203(11), F.S., defines employee organization as any “labor organization, union, association, fraternal order, occupational or professional society, or group, however organized or constituted, which represents, or seeks to represent, any public employee or group of public employees concerning any matters relating to their employment relationship with a public employer.”

¹⁰ Section 447.305(1), F.S.

- A copy of the current constitution and bylaws of the employee organization; and
- A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any registering labor organization may annually submit a copy of its current constitution and bylaws.¹¹

A registration granted to an employee organization is valid for one year from the date of issuance. A registration must be renewed annually by filing an application for renewal under oath with the commission. An application for renewal must reflect any changes in the information provided to the commission in conjunction with the employee organization's preceding application for registration or previous renewal. Each application for renewal of registration must include a current annual financial statement with the following information:¹²

- Assets and liabilities at the beginning and end of the fiscal year;
- Receipts of any kind and the sources thereof;
- Disbursements by category;
- Salary, allowances, and other direct or indirect disbursements to each officer and to each employee who received during the fiscal year more than \$10,000 in the aggregate from the employee organization and any affiliated employee organization;
- Direct and indirect loans made to any officer, employee, member which aggregated more than \$250 during the fiscal year; and
- Direct and indirect loans to any business enterprise.

A registration fee of \$15 must be submitted for each registration and renewal.¹³

In addition to the information above, certain employee organizations¹⁴ must submit the following information for any renewal of registration:

- The number of employees in the bargaining unit who are eligible for representation by the employee organization.
- The number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.
- The number of employees in the bargaining unit who paid dues to the employee organization.
- The number of employees in the bargaining unit who did not pay dues to the employee organization.
- Documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided.¹⁵

The commission may initiate an investigation to conform the validity of the information submitted in the registration or renewal of registration. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization

¹¹ Section 447.305(1)(a-h), F.S.

¹² Section 447.305(2), F.S.

¹³ Section 447.305(10), F.S.

¹⁴ Employee organizations that have been certified as the bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, or firefighters are exempt from providing this information. Section 447.305(9), F.S.

¹⁵ Section 447.305(3), F.S.

failed to cooperate with the investigation or intentionally misrepresented the submitted information.¹⁶

Certification of Employee Organization as Bargaining Agent

After registering with the commission, an employee organization may begin the certification process. Any employee organization that is selected by a majority of public employees in a designated unit as their representative for collective bargaining purposes can request recognition by the public employer.

The employer, if satisfied as to the majority status of the employee organization and the appropriateness of the unit, must recognize the employee organization as the collective bargaining representative of employees in the designated unit. Following recognition by the employer, the employee organization must immediately petition the commission for certification.¹⁷ The commission will review only the appropriateness of the unit proposed by the employee organization. Appropriateness is defined as the history of employee relations within the organization of the public employer concerning organization and negotiation and the interest of the employees and the employer.¹⁸ If the unit is appropriate, the commission will immediately certify the employee organization as the exclusive representative of all employees in the unit. If the unit is inappropriate, the commission may dismiss the petition.

If the public employer refuses to recognize the employee organization, the employee organization may file a petition with the commission for certification as the bargaining agent. The petition has to be accompanied by dated statements signed by at least 30 percent of the employees in the proposed unit. Both the employee organization's petition and the interested employees' dated signed statements are confidential and exempt from disclosure pursuant to public records laws.¹⁹ The commission will investigate the petition to determine its sufficiency, provide for an appropriate hearing upon notice, and may order an election by secret ballot. Any registered employee organization that desires to be placed on the ballot in any election may be permitted by the commission to intervene. If an employee organization is selected by the majority of the employees *who vote* in the election, the commission must certify the employee organization as the exclusive collective representative for all employees in the unit.²⁰

Authority of the Certified Bargaining Agent

The certified bargaining agent and the chief executive of the public employer must bargain collectively and in good faith in the determination of wages, hours, and terms and conditions of employment of the employees.²¹ Any collective bargaining agreement reached between the parties must be put in writing and signed by the chief executive officer and the bargaining

¹⁶ Section 447.305 (8), F.S.

¹⁷ Section 447.307(1)(a), F.S.

¹⁸ Section 447.307(4)(f), F.S.

¹⁹ Section 447.307(2), F.S.

²⁰ Section 447.307(3)(a-d), F.S.

²¹ Section 447.309(1), F.S.

agent.²² Such agreement is not binding on the employer until the agreement has been ratified by the employer and the employees in the bargaining unit.²³

Current law prohibits a collective bargaining agreement from providing for a term of existence of more than three years and requires the agreement to contain all of the terms and conditions of employment of the employees during such term.²⁴ The bargaining agent also has the authority to process grievances to settle disputes between the employer and the employees in the bargaining unit.²⁵

Revocation of Certification

An employee or group of employees who no longer desires to be represented by the certified bargaining agent may file with the commission a petition to revoke certification. The petition must be accompanied by dated statements signed by at least 30 percent of the employees in the unit, indicating that such employees no longer desire to be represented by the certified bargaining agent. If the commission finds the petition to be sufficient, it must immediately order an election by secret ballot.²⁶

If a majority of voting employees vote against the continuation of representation by the certified bargaining agent, the organization's certification is revoked.²⁷ Otherwise, the employee organization is retained as the exclusive bargaining agent for the unit.²⁸

Recertification

An employee organization that has applied for a renewal of its registration must petition for recertification as a bargaining unit if it has less than 60 percent of its unit members paying dues during the prior registration period. If the employee organization fails to petition the commission for recertification as the exclusive representative of the bargaining unit within one month of its application of renewal of registration, the certification is revoked.²⁹

The commission may initiate an investigation to confirm the validity of the information submitted in the renewal of registration. The commission may revoke or deny an employee organizations registration or certification if the commission finds that the employee organization failed to cooperate with the investigation or intentionally misrepresented the information submitted on the registration or renewal.³⁰

²² *Id.*

²³ *Id.*

²⁴ Section 447.309(5), F.S.

²⁵ Section 447.401, F.S.

²⁶ Section 447.308(1), F.S.

²⁷ Section 447.308(2), F.S.

²⁸ Section 447.308(3), F.S.

²⁹ Section 447.305(6), F.S.

³⁰ Section 447.305(8), F.S.

Membership in an Employee Organization

Since July 1, 2023, employees eligible for representation must sign a membership authorization form in order to be a member of an employee organization. The form must be prescribed by the commission and contain certain information and statements. A member of an employee organization must be allowed to revoke membership at any time upon the employee organization's receipt of the written revocation. The commission is granted rulemaking authority to implement the requirements of the membership authorization form and the revocation of membership.³¹ The commission has prescribed a membership authorization form,³² which requires certain information regarding the employee organization and other information specific to the employee. The employee organization or another person may assist the employee in completing the form. The employee must sign and date the form.

The provisions requiring a signed membership form and the provisions relating to the revocation of membership do not apply to members of an employee organization certified as a bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, and firefighters.³³

Impasse Resolution

Under current law, when a public employer and a bargaining agent are unable to reach an agreement after a reasonable period of negotiation, either party may declare that the negotiations are at impasse. An impasse is deemed to occur when one of the parties provides written notice of the impasse to the other party and the commission. Upon declaration of an impasse, the parties may seek the assistance of a mediator to facilitate a resolution.³⁴ If mediation is not used, or upon request of either party, the commission must appoint a special magistrate acceptable to both parties, or if the parties cannot agree, the commission must select a qualified special magistrate. The parties may also agree in writing to waive the appointment of a special magistrate and proceed directly to legislative resolution of the impasse.³⁵

The special magistrate must conduct hearings to define the disputed issues, determine relevant facts, and render a recommended order. Recommended orders must be transmitted to the commission and the parties involved by certified mail, with return receipt requested. The recommended order is deemed approved unless a party files a written rejection within a specified timeframe. If either party rejects, the impasse proceeds to the legislative body of the public employer. The chief executive officer and the employee organization must submit their recommendations to the legislative body, which then conducts a public hearing and takes an action it deems to be in the public interest to resolve the disputed issues. The legislative body's action may become binding for the remainder of the fiscal year under certain circumstances.³⁶

³¹ Section 447.301(1), F.S.

³² PERC, *Employee Organization Membership Authorization Form*, <https://perc.myflorida.com/forms/PERC%20FORM%202023-1.101%20WITH%20INSTRUCTIONS.pdf> (last visited Jan. 28, 2026).

³³ Section 447.301(1)(b)6., F.S.

³⁴ Section 447.403(1), F.S.

³⁵ Section 447.403(2)(a), F.S.

³⁶ Section 447.403(3)-(4), F.S.

If the employer is the Governor, no mediator or special magistrate must be appointed.³⁷ Instead, the unresolved impasse issues must be presented to the Legislature during the regular session, where a joint committee appointed by the presiding officers conducts a public hearing and the Legislature takes action in accordance with law.³⁸

Financial Urgency

In the event of a financial urgency requiring modification of a collective bargaining agreement, current law requires the public employer and bargaining agent to meet as soon as practicable to negotiate the impact of the financial urgency. If the parties are unable to reach an agreement within 14 days, an impasse is deemed to have occurred and must be declared in writing to the other party and the commission. The parties are prohibited from filing an unfair labor practice charge during the 14-day negotiation period.³⁹

“Union Release Time” or “Paid Union Leave”

Release time is a negotiated benefit wherein a public employer releases an employee from duty work during work hours to tend to union activities or business while being compensated by the public employer. The provision of release time is a contractual benefit, not statutory, that may be found in the collective bargaining agreement, school board policy, personnel manual, or other procedures and practices.⁴⁰

Florida law provides that “a public employer or their agent or representative is prohibited from [...] contributing financial support to a union.”⁴¹ Therefore, release time cannot constitute a payment or benefit to the union in the form of salary paid to the employee for union work. Employer-funded release time does not violate the law if the paid release time is used for official union business,⁴² such as the direct representation of employees in grievances, discipline meetings, or contract negotiations.⁴³ The commission has found other activities, such as attendance at a union-sponsored picnic, lobbying for political issues, coordinating with other unions, or the continued payment of a salary for unspecified union activities, to be an improper use of release time that constitutes an unfair labor violation prohibited by Florida law.⁴⁴

Currently, collective bargaining agreements for public employee unions representing state employees provide for release time in the following manners:

³⁷ Section 447.403(1)-(2), F.S.

³⁸ Section 447.403(5), F.S.

³⁹ Section 447.4095, F.S.

⁴⁰ School Board of Volusia County, Michael Dyer, *Avoiding Paid Union Leave Pitfalls After PERC’s Decision in Allen v. United Faculty of Miami-Dade College*: A presentation to the Florida Education Negotiators, Volusia County Schools (Jan. 27, 2017), <https://www.flfen.org/wp-content/uploads/2017/02/Paid-union-leave-presentation-to-FEN-2017.pdf.pdf> (last visited Jan. 28 2026).

⁴¹ Section 457.501(1)(e), F.S.

⁴² *In re City of Jacksonville*, 13 FPER 1118250 (1987).

⁴³ *United Faculty of Florida v. Florida A&M University Board of Trustees*, 32 FPER 34 (2006).

⁴⁴ *Del Pino Allen v. Miami-Dade College*, CA-2015-070 (May 27, 2016), <https://perc.myflorida.com/download.aspx?Prefix=CA&CaseYr=15&CaseNo=070&File=CA15070-Ord17-052716103809.pdf> (Last visited Jan. 28, 2026).

- The Fraternal Order of Police provides administrative leave to union employees for the purposes of attending a consultation meeting with designated representatives of the state. Union representative employees may also use work hours to attend union negotiations with the State and use up to 8 hours of administrative leave to attend a negotiation preparatory meeting held during normal work hours.⁴⁵
- The Florida State Fire Service Association (FSFSA) allows union representatives to be excused from their regular duties, “without loss of pay,” for time used during a normal working hours spent to consult with the Secretary of the DMS on non-grievance matters. The agreement further provides administrative leave with pay for up to six employees in the bargaining unit to attend each single-day session as Negotiation Committee members. For negotiation preparation, the FSFSA President is permitted up to 16 hours of paid leave per fiscal year; the remaining five members of the negotiation committee are allowed to take up to 8 hours of leave with pay, not to exceed 40 hours per fiscal year.⁴⁶
- The Florida Police Benevolent Association (FPBA) provides union members in its Highway Patrol unit up to 8 hours of administrative leave for time spent in consultation with the Secretary of the DMS regarding non-grievance union matters, and, for up to four employees, administrative leave to attend negotiating sessions and negotiation preparatory meetings.⁴⁷
- The FPBA’s Law Enforcement unit deems time spent during normal work hours in consultation with the Secretary of the DMS regarding non-grievance union matters work hours. It additionally grants administrative leave for up to eight employees to attend negotiation sessions with the State and up to a day of administrative leave for those employees who participate in a negotiation preparatory meeting.⁴⁸
- The FPBA’s Security Services unit members may use work hours to consult with the Secretary of DMS regarding non-grievance matters (limited to up to three union representatives), and to meet with the Step-1 Management Representative. The agreement further provides administrative leave to an unspecified number employees who serve on its Negotiation Committee for the purposes of attending negotiating sessions with the State and negotiation preparatory meetings (if the preparatory meetings occurs during normal work hours). The total number of hours, including the hours spent in negotiation preparatory meetings, paid to all employees on the FPBA’s Negotiation Committee cannot exceed 1,000 hours. The agreement lastly permits any employee in the unit to request leave without pay,

⁴⁵ The Florida State Lodge Fraternal Order of Police, Inc., *Special Agent Bargaining 2023-2026 Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 9: Negotiations*, 6-7, <https://dms-media.ccplatform.net/content/download/439818/file/FOP-Special%20Agent%20Unit%20-%20FY%202025-2026%20Reopener%20Agreement.pdf> (last visited Jan. 30, 2026).

⁴⁶ Florida State Fire Service Association, *Fire Service Bargaining Unit 2025-2026 Imposed Agreement, Article 5: Representation Rights*, 5-7, <https://dms-media.ccplatform.net/content/download/440458/file/FSFSA%20-%20Fire%20Service%20Unit%20-%20FY%202025-2026%20Imposed%20Agreement.pdf> (last visited Jan. 30, 2026).

⁴⁷ Florida Police Benevolent Association, *Florida Highway Patrol Bargaining Unit 2023-2026 Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 5: Employee Representation and PBA Activities*, 5-7, <https://dms-media.ccplatform.net/content/download/439817/file/FHP%20-%20Florida%20Police%20Benevolent%20Association%20FY%202025-2026%20Reopener%20Agreement.pdf> (last visited Jan. 30, 2026).

⁴⁸ Florida Police Benevolent Association, *Law Enforcement Bargaining Unit 2023-2026 Successor Agreement, Reopener Agreement for Fiscal Year 2025-2026, Article 5: Employee Representation and PBA Activities*, 5-7, <https://dms-media.ccplatform.net/content/download/439816/file/PBA-Law%20Enforcement%20Unit%202025-2026%20Reopener%20Agreement%20%2810-13-2025%29.pdf> (last visited Jan. 30, 2026).

annual, or compensatory leave for the purpose of attending FPBA conventions, conferences, and meetings.⁴⁹

III. Effect of Proposed Changes:

Membership Authorization and Dues Collection

Section 5 creates a definition of “membership dues” to include employee organization dues; uniform assessments; fees, including initiation fees; and voluntary contributions paid in exchange for membership in the employee organization or as a member of the employee organization. This section also amends the definition of a “membership dues deduction” to conform to this definition.

Section 8 amends s. 447.301, F.S., establish a 30-day period by which an employee organization must revoke the employee’s membership and cease collection of his or her dues, if requested. This section also makes technical, non-substantive updates.

A public employee who wishes to become a member of a union must sign and date a membership authorization. Section 8 expands the information required on the membership authorization to include wages and fringe benefits paid or accruing to the employee organization’s five highest compensated officers and employees. Section 10 expands the registration renewal application to include this information.

Section 9 amends s. 447.303, F.S., to conform to the definition of “membership dues” created in the bill. It also requires a public safety unit employee—a law enforcement officer, correctional officer, correctional probation officer, firefighter, public safety telecommunicator, emergency medical technician, or paramedic—to request membership dues deduction directly of his or her employer. Previously, the bargaining unit for the public safety unit employee could request to start the deductions.

Employee Organization Registrations

Current law requires an employee organization to register before being certified as a bargaining agent and to annually renew its registration through a registration renewal application. The registration renewal application must include an annual financial statement prepared by an independent certified public accountant and a specified list of other information about the employee organization.

Section 120.60, F.S., provides timeframes for agency responses to applications for licensure and dictates that an application must be approved or denied within 90 days after receipt of a completed application. **Section 3** amends s. 120.80, F.S., to exempt the commission’s consideration of an application for *registration* from s. 120.60, F.S. Current law also exempts the *certification* of employee organizations from s. 120.60, F.S. The bill supplants the s. 120.60,

⁴⁹ Florida Police Benevolent Association, *Security Services Bargaining Unit Reopener Agreement for Fiscal Year 2025-2026*, Article 5: PBA Activities and Employee Representation, 5-7, <https://dms-media.ccplatform.net/content/download/424901/file/PBA-Security%20Services%20Unit%20-%20FY%202025-2026%20Reopener%20Agreement%20CLEAN%20FINAL1%20%28CORR%208-21-25%29.pdf> (last visited Jan. 30, 2026).

F.S., response timeframes with a similar requirement that the commission notifies the bargaining agent when its registration submission is complete but does not allow for approval of an application under ch. 447, F.S., if it is not timely acted upon by the commission. (See section 10, which amends s. 447.305(6), F.S.)

Section 10 amends s. 447.305, F.S., to expand the registration renewal submission requirements to include:

- The wages and fringe benefits paid or accruing to its top five officers and employees.
- Reporting of any reimbursements paid by the employee organization to a public employer for moneys paid by the public employer to the employee organization's officers or employees.
- The amount of membership dues retained by or distributed to the employee organization, any parent organization of the employee organization, and any affiliate of either the employee or parent organization.

The bill separately requires a bargaining agent to include in its renewal registration application the following information and verification on the 30th day immediately preceding the date of its current registration's expiration:

- The certification number for each bargaining unit for which the bargaining agent is certified. This number is assigned by the commission after the bargaining unit's certification.
- "For each certification," the number of employees in the bargaining unit who paid full membership dues sufficient to maintain membership in good standing with the bargaining agent. This is distinct from current law, which requires the number of employees in the bargaining unit who did and did not pay dues to the employee organization.

The bill clarifies that an employee organization must provide its financial report, included in its registration application, within 30 days of its filing with the commission. The bill also adds a requirement that the employee organization send a copy of the renewal registration application to the public employer (also within 30 days).

The bill extends the deadline for a bargaining agent to cure deficiencies in its registration renewal application from 10 to 30 days before the commission must dismiss the application. The commission must notify the bargaining agent once its renewal submission is deemed complete; the bill provides that a bargaining agent's failure to cure its registration renewal after this notification, must result in the application's dismissal by the commission within 30 days after its notice. The commission must notify the bargaining agent after it has met the required registration or registration renewal application requirements. Within 30 days thereafter, the bargaining agent must petition for recertification for any of its bargaining units for which less than 60 percent of the employees in the bargaining unit have submitted membership authorization forms and paid membership dues to the organization, as reported in its application.

If an employee organization fails to comply with any of the requirements in s. 447.305, F.S., as described above, the commission must revoke its certification and the employee organization is barred from seeking certification for that bargaining unit for 12 months. This provision does not apply to public safety units.

A public employer or employee may challenge a registration renewal application based on material inaccuracies only, whereas current law allows a challenge based on minor or technical

errors. Such a challenge may only be brought while the application is pending, or if the registration renewal has been granted, before the bargaining agent's current registration is scheduled to end.

Certification, Recertification, and Decertification of Employee Organizations

Section 11 removes a public employer's option to recognize an employee organization as appropriate representative for the purposes of collective bargaining and instead routes all employee organization certifications and recertifications immediately through the commission, which conducts an election process. The commission still grants, by final order, the certification or recertification of the employee organization pursuant to the outcome of the election.

Petition for Certification or Recertification

Section 11 replaces the term "dated statements" with "showing of interest." This technical change is made throughout the bill.

A showing of interest is a written statement that is signed and dated by an appropriate employee who wishes to be, or to no longer be, represented by the bargaining agent for purposes of collective bargaining.⁵⁰ All employee organizations must include a collection of showing of interest cards from at least 30 percent of the public employees in the proposed bargaining unit in its certification or recertification petition.⁵¹ However, the bill institutes a new requirement that the showing of interest cards must have been signed and dated by the public employees not more than 12 months before the employee organization filed its petition for certification or recertification—there is no expiration to the showing of interest required in current law. This petition ultimately prompts an election; the commission now sets the election's date with "due notice."

Certification or Recertification Election and Vote Thresholds

If the employees in the proposed bargaining unit that seeks certification are already represented by another bargaining agent, then the original bargaining unit may appear on the ballot for election without filing a motion to intervene or producing any required number of showings of interest. The original bargaining unit is also automatically added as a party to the case.

The bill distinguishes the vote requirement for certification or recertification based on the type of employees that comprise the bargaining unit membership. Elections for certification or recertification of an employee organization in which a majority of the employees are public safety employees require a majority vote of the *employees voting in the election*. Elections for all other employee organizations require a majority vote of the *total employees in the bargaining unit*. This voting distinction applies to runoff elections in the same manner.

If the commission has verified the results of a certification or recertification election via order, then no other certification petition may be filed regarding that same proposed or existing bargaining unit for at least 12 months thereafter.

⁵⁰ This is a newly defined term in section 3 of the bill.

⁵¹ This threshold mimics current law, which requires signed, dated statements from 30 percent of the bargaining unit.

Decertification

Section 13 clarifies the re-titled “decertification” process of employee organizations, which replaces the “revocation of certification” terminology in s. 447.308, F.S. Like the certification process for certification, employees that wish to decertify their employee organization must file a petition for decertification with a collection of showings of interest of at least 30 percent of the bargaining unit’s employees, which must have been signed and dated not more than 12 months before filing the petition.

The bill changes the threshold question for decertification—requiring a majority of the bargaining unit to vote to decertify, rather than a majority of the employees who vote in the election, as provided in current law. However, for employee organizations that represent a public safety unit, a majority of the employees voting in the election may determine the vote to decertify.

The bill also applies the blackout periods from the certification process to decertification, prohibiting a petition to decertify within 12 months after an employee organization is certified by the commission’s order verifying the results of the certification, recertification, or decertification election. As in certification petitions, the bill limits the time during which a person may file a decertification petition—only 150-90 days before the expiration of a collective bargaining agreement, or after the expiration date, but before a new collective bargaining agreement has taken effect.

The bill permits an additional party—the employer—to contest and verify the showings of interest to decertify an employer. Current law allows an employee or employee organization to verify such showings of interest.

Lastly, this section specifies that an employee organization’s revocation is effective upon the commission’s issuance of a final order, or if the order is appealed, at the time the appeal is exhausted, or any stay is vacated by the commission or a court.

Clarification of Bargaining Units

Section 12 creates s. 447.3076, F.S., which creates the clarification of a bargaining unit process. The bargaining agent of an affected bargaining unit, or the public employer of the public employees in that unit may file such a petition with the commission when a significant change in statutory or case law requires a clarification of the bargaining unit, or when a unit’s classification was:

- Created or substantially changed after the unit was initially defined by the commission;
- Retitled with no substantial change in job duties; or
- Included or excluded through the commission’s mistake or misunderstanding.

The bill establishes notice requirements for unit clarification petitions, including requiring service of the petition on (1) the public employer; and (2) any bargaining agent certified to represent employees or other employee classifications that may be substantially affected by the proposed clarification. If substantially affected employees are not represented by a bargaining

agent, the public employer must provide notice of the petition to those employees within 10 days after the petition is filed.

The commission must dismiss a petition for clarification of a bargaining unit when such clarification would result in a 25 percent or more increase in the size of the bargaining unit because it raises a question concerning representation.

Collective Bargaining and Impasse

A “public employer” is the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer.

The Governor serves as the public employer for public employees who belong to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees. The Board of Governors of the State University System, or the board’s designee, is the public employer for public employees at state university. The board of trustees of a community college is the public employer for community college employees. The district school board is the public employer for school district employees.

Section 14 amends s. 447.309, F.S., to remove a provision that requires the chief executive officer of the public employer,⁵² to submit a proposed amendment to the appropriate legislative body to change a law that conflicts with an agreement made pursuant to collective bargaining.

Additionally, the bill adds a requirement that the collective bargaining agreement include all disputed impasse issues resolved by the legislative body’s action taken to resolve a disputed impasse issue pursuant to s. 447.403, F.S.

Section 18 amends s. 447.4095, F.S., to provide that salary increases appropriated by the Legislature are considered a financial urgency and provide for an expedited bargaining and impasse resolution process for those salary dollars. This does not apply to public safety units.

Section 16 amends s. 447.403, F.S., to provide that a mediator cannot be used in impasses declared regarding legislatively-appropriated salary increases.

Additionally, this section creates fast-tracked timeframes for a hearing and related procedures under a special magistrate for such specified impasses. The parties must agree on a special magistrate and submit his or her name to the commission within 5 calendar days of the declared impasse. The commission must appoint this magistrate within 2 calendar days thereafter. If the parties cannot agree on a special magistrate, the commission must appoint one within 10 calendar days of the declared impasse.

Each party must give a list of its issues at impasse to the special magistrate and the other party within 5 calendar days after the special magistrate’s appointment. A hearing must be held within

⁵² Section 447.309(9), F.S., defines the “chief executive officer” as, for the state, the Governor, and for other public employers, the person, whether elected or appointed, who is responsible to the legislative body of the public employer for the administration of the governmental affairs of the public employer.

20 calendar days from the parties' submission of their list of issues at impasse (35 days after the declaration of impasse). The special magistrate must submit a recommended decision to the commission and the parties within 7 calendar days of the closing of the hearing. If a party wishes to reject the special magistrate's recommendation, it must do so in writing within 10 calendar days after receipt of the decision and serve a copy of these rejections on the other party and the commission.

After a rejection of the special magistrate's recommendation, both parties must submit recommendations for settling the impasse to the Legislature. For these impasses, the Legislature must conduct a public hearing within 20 calendar days of its receipt of the recommendations and is required to take action within 10 days thereafter. An agreement that results from the legislative action must be reduced to writing by the parties within 10 calendar days of the legislative body's action. Thereafter, the chief executive officer and bargaining agent must sign the agreement within 7 calendar days and submit the agreement to the public employer and the bargaining unit for ratification within 10 calendar days from the agreement's signing. This issue cannot be signed, submitted, or ratified with other bargainable issues.

Paid Union Leave ("Release Time" or "Official Time")

Section 22 amends s. 447.509, F.S., to bar a public employer from providing any form of compensation or paid leave to a public employee for the purpose of engaging in employee organization activities.

Section 5 amends s. 447.203, F.S., to define "employee organization activities" as the following activities undertaken at the direction of, on behalf of, or to advance the purposes of an employee organization or any parent organization or affiliate of the employee organization:

- Supporting or opposing any candidate for federal, state, or local public office.
- Influencing the passage or defeat of state or federal legislation or regulation, local ordinance or resolution, or ballot measure.
- Promoting or soliciting membership or participation in, or financial support of, an employee organization of any parent organization or affiliate of the employee organization.
- Seeking certification as a bargaining agent.
- Participating in the administration, business, or internal governance of an employee organization or any parent organization or affiliate of the employee organization.
- Preparing, conducting, or attending employee organization events, conferences, conventions, meetings, or training, unless such training is directly related to the performance of public employees' job duties.
- Distributing communications of an employee organization or any parent organization or affiliate of the employee organization.
- Representing or speaking on behalf of an employee organization or any parent organization or affiliate of the employee organization in any setting, venue, or procedure in which the public employer is not a participant.

However, the bill provides exceptions to the general prohibition., if agreed to by the employer and bargaining agent, the bill authorizes a public employee to:

- Use compensated personal leave, which may be his or her own or donated by employees in the bargaining unit, for employee organization activities.
- Take time off without pay or benefits to engage in employee organization activities.
- Engage in *representational* employee organization activities on behalf of the bargaining agent while in a duty status without loss of pay or benefits, which includes:
 - Preparing, filing, or pursuing unfair labor practice charges or grievances.
 - Representing public employees in investigatory interviews, disciplinary proceedings or appeals, up to and including termination, or other administrative or legal proceedings.
 - Engaging in collective bargaining and any related mediation, factfinding, or arbitration.
 - Administering a collective bargaining agreement.
 - Participating in labor-management committees.

This will override case law determinations from the commission which allowed direct organizational activities to occur during paid leave time.

These limitations do not apply to public safety units.

Use of Public Employer Facilities

Section 19 amends s. 447.501, F.S., to require a public employer to allow any employee organization or any petitioning public employee who is seeking to support, oppose, or intervene in the certification, recertification, or decertification of a bargaining agent access to its facilities and internal means of communications. Failure to provide access is classified as an unfair labor practice.

Conforming Commission Hearing Timeframes and Procedures to the Administrative Procedures Act

The commission conducts hearings regarding the registration, certification, and election of employee organizations that represent public employees; collective bargaining impasses;⁵³ and employment cases, such as career service appeals,⁵⁴ certain age discrimination matters,⁵⁵ specified whistleblower act cases,⁵⁶ veteran's preference complaints,⁵⁷ and drug free workplace act cases.⁵⁸ The commission conducts these hearings in accordance with ss. 120.569 and 120.57, F.S.,⁵⁹ hearing procedure guidelines provided in the Administrative Procedures Act (APA). The commission may also designate a member of the commission or a designated commission employee who is a member of the Florida Bar to serve as a hearing officer in such matters.

The bill generally aligns the commission's hearing timeframes and procedures with the APA's.

⁵³ Section 447.403, F.S. *See also*, PERC, *Mediation—Impasse Resolution*, <https://myuff.org/wp-content/uploads/2021/09/PERC-Practical-Handbook-on-Collective-Bargaining-2020-edition.pdf> (last visited Jan. 27, 2026).

⁵⁴ 110.227, F.S.

⁵⁵ Section 112.044(4), F.S.

⁵⁶ Section 112.31895, F.S.

⁵⁷ Sections 295.11 and 295.14, F.S.

⁵⁸ Section 112.0455, F.S.

⁵⁹ Section 447.205(10)-(11), F.S.

Career Service Appeals

Section 1 amends s. 110.227, F.S., to require that, in an appeal of a work-related grievance made by a career service employee, the commission issue its final order in timeframes dictated by ss. 120.569 and 120.57, F.S. This generally extends the deadline for issuance of a final order from 45 days to 90 days.

Current law requires the commission to issue a final order within 45 days after the completion of the hearing, filing of exceptions, or date on which oral arguments is granted. The bill requires the commission to issue its final order in informal hearings conducted pursuant to s. 120.569, F.S., within 90 days after an informal hearing conducted by the commission; a recommended order is submitted to the agency if the hearing is conducted by an administrative law judge; or the commission received written and oral material it authorized to be submitted, if there was no hearing. If the commission refers the matter to a formal hearing involving disputed issues of material fact that is conducted by the Division of Administrative Hearings (DOAH) pursuant to s. 120.57, F.S., then the commission must issue its final order within 15 days of its receipt of a recommended order from the DOAH.

Additionally, this section substitutes current language that allows a party to file exceptions within 15 days of the hearing officer's issuance of a final order with a reference to the process for filing exceptions under ss. 120.569 and 120.57, F.S. The APA applies the same 15-day timeframe.

Drug Free Workplace Hearings

Section 2 amends s. 112.0455, F.S., to require that, in an appeal of a drug-free workplace complaint made by an executive branch employee or job applicant, the commission conduct an appeal hearing within 60 days of the employee or applicant's filing of the appeal (instead of 30 days) and issue its final order in timeframes dictated by ss. 120.569 and 120.57, F.S.

Veteran Preferences

Section 4 amends s. 295.14, F.S., to require that, in a hearing it conducts regarding an alleged unfair labor practice based on an agency's failure to provide special consideration or preference requirements for disabled veterans, veterans, current members of any reserve component of the U.S. Armed Forces or Florida National Guard, and the spouses, widows, mothers, fathers, or legal guardians of certain veterans, the commission must conduct the appeal within 60 days, rather than 30 days, after an appeal has been filed.

The section also requires the commission to issue its final order in such hearings in timeframes dictated by ss. 120.569 and 120.57, F.S.—generally within 90 days of the hearing.

Additionally, the bill deletes commission's duty to mail the final order by certified mail with a return receipt requested, and substitute's ss. 120.569 and 120.57, F.S.'s instruction to "deliver or mail" a copy of a final order to each party or the party's attorney of record.

General

Section 447.207(1), F.S., grants the commission general rulemaking authority to adopt rules as it deems necessary to carry out the provisions of part II of ch. 447, F.S. **Section 7** amends s. 447.207, F.S., to add language that “any additional grants of rulemaking authority contained in [part II of ch. 447, F.S.] do not limit the grant of rulemaking authority in this section.”

This section also:

- Deletes the requirement that the commission send a hearing, other process, or notice to a recipient via personal service or certified mail. This generally conforms to the adoption of ss. 120.569 and 120.57, F.S., procedures for notice, which require mail service.
- Updates the service requirements for any subpoena issued under Public Employees Relation Act (PERA) to align with Florida Rule of Civil Procedure 1.410’s requirements, which dictate that personal service be performed by anyone specified by law to service process or by a person who is not a party and is 18 years of age or older. As is provided in current law, the commission may also serve a subpoena by certified mail, return receipt requested.
- Deletes the requirement that the commission adopt rules to prescribe the qualifications of persons who may serve as mediators in hearings held under PERA and maintain a list of qualified mediators.

Section 20 amends s. 447.503, F.S., to require public employers, unions, and public employees to have a substantial interest in litigation brought before the commission, which conforms with the standing requirements in the APA in ch. 120, F.S.

Miscellaneous

Section 5 alphabetizes the defined terms provided in s. 447.203, F.S., and defines the new terms “employee organization activities,” “representational employee organization activities,” “membership dues,” “public safety unit,” and a “showing of interest” as described above.

Section 6 amends s. 447.207(8), F.S., to update the name of the commission to be used on its commission seal to be “State of Florida-*Public* Employees Relations Commission.”

Section 7 also amends s. 447.207(12), F.S., to maintain and expand the mass transit employee bargaining union exemption from Part II of ch. 447, F.S., rather than specific subsections of Part II, subject to approval by the commission.

Sections 17 and 28 makes conforming, non-substantive amendments to ss. 447.405 and 447.609, F.S., respectively.

Section 21 amends s. 447.507, F.S., to increase fines applicable to a public employee or union that strikes in violation of a court order from no more than \$5,000 to no more than \$30,000. The applicable fine for each officer, agent, or representative of an employee organization is increased from at least \$300, but not more than \$600 (as compared to no less than \$50, and no more than \$100).

Separately, the commission may penalize an organization that violates the no-strike requirement of s. 447.505, F.S., by fining the organization up to \$120,000 per calendar day of the violation (up from \$20,000).

Sections 23-27 and 29 make technical updates to cross-references to incorporate the renumbered definitions in section 5 of the bill.

Section 30 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Equal Protection Clause

The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution provides, “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”⁶⁰ Florida’s Equal Protection Clause guarantees that “all natural persons, female and male alike, are equal before the law and have inalienable rights.”⁶¹ Equal protection claims against government actors allege unconstitutionally unequal treatment between groups, which can be based on any form of classification. Unless a statute provokes “strict judicial scrutiny” because it interferes with a “fundamental right” or discriminates against a “suspect class,” it will ordinarily survive an equal protection claim so long as the challenged classification is rationally related to a legitimate governmental purpose.⁶² To withstand strict scrutiny, a law must be necessary

⁶⁰ U.S. CONST. amend. XIV, s. 1.

⁶¹ FLA. CONST. art. I, s. 2.

⁶² *Kardmas v. Dickinson Public Schools*, 487 U.S. 450, 457-458 (1988); *Fla. High Sch. Activities Ass’n v. Thomas By & Through Thomas*, 434 So.2d 306, 308 (Fla. 1983).

to promote a compelling governmental interest and must be narrowly tailored to advance that interest.⁶³

This bill appears to create two distinct classes of public employees. These groups experience their right to associate freely and collectively bargain (in virtue of the higher threshold to certify and decertify an employee organization and thus be a member of a union), and to freedom of speech to speak on behalf of the union to seek certification as a bargaining agent and similar union activities (in virtue of the bar on use of release time for the use of representational employee organizational activities for one group but not the other).

These rights of free speech and freedom of association are fundamental rights guaranteed by the State Constitution. The right to collectively bargain, is a right guaranteed in the state constitution's declaration of rights. As discussed below, these rights are treated differently between the two distinct classes of public employees created by the bill. In effect, the bill risks violating those fundamental constitutional rights (speech, association, and collective bargaining) while imposing unequal treatment that may itself constitute a separate constitutional infringement.

Right to Collectively Bargain

Article I, section 6 of the State Constitution states:

The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged. Public employees shall not have the right to strike.

The Florida Supreme Court has recognized this constitutional provision endows public employees with the same constitutional rights to bargain collectively as private employees possess, excluding the right to strike.⁶⁴ Moreover, as part of the State Constitution's declaration of rights, the right to collectively bargain is considered to be a fundamental right. As such, the right may be abridged only upon the showing of a compelling state interest through the most minimal necessary means.⁶⁵

Release time is a right subject to collective bargaining, and in its current form (as interpreted by case law), allows for the direct representation of employees during work hours for which the union employee is paid by his or her employer for normal work duties. Release time may be used for 'ancillary' union activities only where the union fully reimburses the public employer for its employee's time.

⁶³ *Westerheide v. State*, 831 So.2d 93, 110 (Fla. 2002).

⁶⁴ *Dade County Classroom Teachers Ass'n. v. Ryan*, 225 So. 2d 903 (Fla. 1969).

⁶⁵ *Hillsborough County Governmental Employees Ass'n. v. Hillsborough County Aviation Authority*, 552 So. 2d 358 (1988). *Chiles v. State Emps. Att'ys Guild*, 714 So. 2d 502 (Fla. Dist. Ct. App. 1998), *aff'd*, 734 So. 2d 1030 (Fla. 1999).

An employer cannot impose through legislative action a waiver of the right to bargain over terms and conditions of employment.⁶⁶

The limitation created in the bill of the use of paid release time for direct representational activities on behalf of the union may constitute an unconstitutional legislative waiver of the right to bargain over terms and conditions of employment.

Delegation of Authority

Article II, section 3, of the Florida Constitution states “the powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.”

The Legislature is permitted to transfer subordinate functions “to permit administration of legislative policy by an agency with the expertise and flexibility to deal with complex and fluid conditions.” However, the Legislature “may not delegate the power to enact a law or the right to exercise unrestricted discretion in applying the law.”⁶⁷ The Florida Supreme Court has found that “statutes granting power to the executive branch ‘must clearly announce adequate standards to guide ... in the execution of the powers delegated. The statute must so clearly define the power delegated that the [executive] is precluded from acting through whim, showing favoritism, or exercising unbridled discretion.’”⁶⁸

Additionally, administrative bodies or commissions, unless specifically created in the Constitution, are creatures of statute and derive only the powers specified therein.⁶⁹ Thus, the APA expressly states that statutory language delegating authority to executive agencies must be construed to extend no further than the powers and duties conferred by that statute.⁷⁰ Even when an agency is pursuing the policy objectives that underlie the statutory scheme it is charged with enforcing, the agency may not disregard or expand upon the terms of the statutes themselves.⁷¹ Since administrative agency action is derived from legislative delegation, it follows that the Legislature may oversee and alter that delegation.⁷²

Lines 484-486 provide that any additional grants of rulemaking authority contained in PERA do not limit the commission’s grant of rulemaking authority in s. 447.207, F.S. This acts as a limitation on a future legislative act which may intend to limit or impact this rulemaking. Additionally, this provision grants the commission authority to interpret what may or may not limit the commission’s rulemaking in s. 447.207, F.S., and work

⁶⁶ Section 447.203(14) and (17), F.S.

⁶⁷ *Bush v. Schiavo*, 885 So. 2d 321 (Fla. 2004).

⁶⁸ *Id.*

⁶⁹ *Grove Isle, Ltd. v. State Dept of Environmental Regulation*, 454 So. 2d 571 (Fla. 1st DCA 1984). See also, *WHS Trucking LLC v. Reemployment Assistance Appeals Comm’n*, 183 So. 3d 460 (Fla. 1st DCA 2016).

⁷⁰ Sections 120.52(8) and 120.536(1), F.S. See also, *Tampa Bay Downs, Inc. v. Dep’t of Bus. And Prof. Reg.*, 293 So. 3d 38 (Fla. 2d DCA 2020).

⁷¹ *Tampa Bay Downs, Inc.*, 293 So. 3d 38.

⁷² *City of Cape Coral v. GAC Utilities, Inc. of Fla.*, 281 So. 2d 493 (Fla. 1973).

around it according to their discretion. For these reasons, this provision may be an unconstitutional delegation of authority that violates the separation of powers.

Single Subject

Article III, section 6 of the State Constitution requires every law to “embrace but one subject and matter properly connected therewith.” The purpose of this requirement is to prevent logrolling, which combines multiple unrelated measures in one bill in order to secure passage of a measure that is unlikely to pass on its own merits.⁷³ The Florida Supreme Court has held that the single subject clause contains three requirements: first, each law must embrace only one subject; second, the law may include any matter that properly connected with the subject; and third, the subject must be briefly expressed in the title.⁷⁴ The subject matter to consider when determining whether a bill embraces a single subject is the bill title’s subject, and the test is whether the bill is designed to accomplish separate objectives with no natural or logical connection to each other.⁷⁵

It is unclear whether the current state of the bill violates the single subject rule. The title of the present bill indicates that it is an act relating to “the Public Employees Relations Commission.” While all the matters involved in the bill may touch on the commission, their nexus is tenuous. For example, several parts of the bill deal with hearing procedures relating to unfair labor practices alleged by a public employee under part II of ch. 447, F.S., others deal with the Governor’s (or chief executive’s) and Legislature’s (or legislative body’s) authority and duties in resolving issues at impasse. Additionally, section 21 increases fines that a circuit court may assess against a public employee for violations of anti-strike provisions—entirely outside of the scope of the commission; section 22 deals with relations between a public employer and public employee (limiting approval of paid leave to specific instances.)

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

The increase in threshold to recertify an employee organization may result in fewer unions maintaining their certification to represent public employee bargaining units.

C. Government Sector Impact:

The commission may see an increase in elections it must administer as a result of the new provisions for recertification and decertification. This may increase the commission’s workload.

⁷³ *Santos v. State*, 380 So.2d 1284 (Fla. 1980).

⁷⁴ *Franklin v. State*, 887 So. 1063, 1072 (Fla. 2004).

⁷⁵ See *Ex parte Knight*, 41 So. 786 (Fla. 1906); *Brd. of Public Instruction of Broward Cnty. v. Doran*, 224 So.2d 693 (Fla. 1969).

VI. Technical Deficiencies:

The definition of “membership dues” provided on lines 372-376 includes dues; uniform assessments; fees; or voluntary contributions that are paid in exchange for membership in an employee organization. It appears that, based on the use of semicolons, that only voluntary contributions must be tied to the purpose of paying for membership, while the remaining examples could be classified as dues if paid to the union for any reason. This may need to be clarified.

Lines 626-628, which grants public employers of public safety unit employees the authority to pay dues directly to the certified employee organization may have been inadvertently stricken.

Lines 779-782, 754-761, and 790-803 refer to a “verification” by an independent certified public accountant (CPA). The American Institute of CPAs (AICPA) publishes standards and CPA responsibilities for various types of reviews that a CPA may conduct, including audits, attestations, and agreed-upon procedures review. “Verification” is not a process that is defined or otherwise standardized by the AICPA. To provide better guidance to CPAs who perform reviews of the information submitted to the commission as part of a renewal registration, it may be best to require that a process that is standardized by the AICPA is used. For example, an agreed-upon procedures report is a report of findings made by a CPA based on specific procedures performed on the subject matter.

Lines 893-897 provide a list of commission actions taken under s. 447.305, F.S., (regarding registrations and certifications) that constitute a final agency action—but does not specify that a denial of a certification is a final agency action. This appears to be an oversight.

Lines 1391-1392 requires service by “any method of service that establishes proof of delivery” in impasse hearings conducted by a special magistrate. This is vague and may allow service that does not actually constitute notice to the other party.

Lines 1518-1535 declare any salary increase appropriated by the Legislature a financial urgency. This applies to all public employee salary increases (including state agency employees), even if the Legislative appropriation provides specific detail and instruction about the allocation of funds. This may be broader than intended.

Line 1551 refers to “any employee organization” that seeks to support, oppose, or intervene in a certification, recertification, or decertification of a bargaining agent. To better limit this opening of a public employer’s facilities and internal means of communication, the bill should require an intervening employee organization to be registered with the commission.

Lines 1726-1730 appear to prohibit, subject to an agreement between the public employer and the bargaining agent, a public employee from using his or her vacation leave if he or she wishes to take such leave for the purpose of engaging in employee organization activities (such as attending a rally or union conference). This requires an employee to provide an explanation of the intended use of requested leave and a public employer to make a determination upon each request as to whether the activity is an employee organization activity. This may have been an

unintended restriction on public employee use of vacation and compensated leave time, which is not limited based on the intended activity.

VII. Related Issues:

It is unclear whether the bill's updates to the membership authorization form will require public employees in a bargaining unit to re-sign the updated form to comply with the updated law. This could be clarified by inserting, at line 772, in the petition for certification process that the membership authorization forms submitted with the petition be "submitted on or after October 1, 2023." This will ensure prospective application of the requirement, rather than a retroactive application that interferes with the form as it was amended in 2023.

Section 14 deletes language that requires the chief executive officer who has agreed to a provision of a collective bargaining agreement that conflicts with a law, ordinance, rule, or regulation to submit a proposed amendment to the conflicting law to the body that has authority to make such a change. This would allow the chief executive to bargain with an employee organization, agree to pursue a change—and then make no such effort. This does not appear to facilitate bargaining in good faith.

Additionally, lines 1282-1290 of section 14 limit the information required to be included in a collective bargaining agreement to the terms and conditions of employment that were negotiated by the parties and all the disputed impasse issues resolved by a legislative body's action. This removes the requirement to include terms of employment that were not subject to negotiation. This may result in confusion about the terms of the subjects agreed to by the parties, and result in future failure to bargain about the subjects.

The text added to s. 447.4095, F.S., entitled "Financial urgency," by section 18 of the bill does not connect with the overall purpose and meaning of a financial urgency as it is used in the statute. The Florida Supreme Court has addressed the meaning and intent of s. 447.4095, F.S., and holds that a financial urgency is "a dire financial condition requiring immediate attention and demanding prompt and decisive action, but not necessarily a financial emergency or bankruptcy."⁷⁶ However, action under this statute also must require modification of the agreement—in other words, that the only way to address the dire financial condition is through a modification of the collective bargaining agreement. A local government that resorts to the eventual unilateral alteration of the collective bargaining agreement through the process permitted in s. 447.4095, F.S., without a compelling government interest (which is evinced by a true financial emergency for which there is no alternative means to resolve) may be found to infringe on the constitutional right of collective bargaining and a prohibition of the impairment to contract.⁷⁷ Therefore, it may be better to place this provision in a new section of law that applies the fast-tracked processes without classifying the legislatively-appropriated salary increases as a financial urgency.

⁷⁶ *Headley v. City of Miami*, 315 So.3d 1, 5 (2017).

⁷⁷ *Id.* at 10.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 110.227, 112.0455, 120.80, 295.14, 447.203, 447.205, 447.207, 447.301, 447.303, 447.305, 447.307, 447.308, 447.403, 447.405, 447.4095, 447.501, 447.503, 447.507, 447.509, 110.114, 110.205, 112.3187, 121.031, 447.02, 447.609, and 1011.60.

This bill creates the following sections of the Florida Statutes: 447.3076, 447.309, 447.401, 447.403, 447.405, 447.4095, 447.501, 447.503, 447.507, 447.509, and 110.114.

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 Martin

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1 A bill to be entitled
 2 An act relating to the Public Employees Relations
 3 Commission; amending s. 110.227, F.S.; conforming
 4 final order requirements to ch. 120, F.S.; deleting a
 5 provision requiring exceptions to a recommended order
 6 to be filed within a specified timeframe; amending s.
 7 112.0455, F.S.; conforming final order requirements to
 8 ch. 120, F.S.; revising the timeframe in which an
 9 appeal hearing must be conducted; amending s. 120.80,
 10 F.S.; providing applicability; amending s. 295.14,
 11 F.S.; conforming final order requirements to ch. 120,
 12 F.S.; reordering and amending s. 447.203, F.S.;
 13 revising and defining terms; amending s. 447.205,
 14 F.S.; revising the seal of the Public Employees
 15 Relations Commission; amending s. 447.207, F.S.;
 16 providing construction relating to the rulemaking
 17 authority of the commission; authorizing subpoenas to
 18 be served by certified mail, return receipt requested,
 19 or by personal service; revising requirements for
 20 proof of service; deleting the requirement that the
 21 commission adopt rules for the qualifications of
 22 persons who may serve as mediators; authorizing the
 23 commission, under certain circumstances, to waive the
 24 application of any provision of part II of ch. 447,
 25 F.S., rather than only specified provisions; amending
 26 s. 447.301, F.S.; revising requirements for an
 27 employee organization membership authorization form;
 28 requiring an employee organization, within a specified
 29 timeframe, to revoke the membership of and cease the

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30 collection of membership dues from a public employee;
 31 amending s. 447.303, F.S.; conforming provisions to
 32 changes made by the act; amending s. 447.305, F.S.;
 33 revising application requirements for employee
 34 organization registration and renewal of registration;
 35 requiring an employee organization to provide an
 36 application for renewal of registration to certain
 37 persons within a specified timeframe; requiring a
 38 bargaining agent to provide missing application
 39 information to the commission within a specified
 40 timeframe; requiring the commission to dismiss an
 41 application for renewal of registration under certain
 42 circumstances; requiring the commission to notify the
 43 bargaining agent when such application information is
 44 complete; requiring the bargaining agent to petition
 45 for recertification within a specified timeframe
 46 thereafter; requiring the commission or one of its
 47 designated agents to conduct an investigation if a
 48 challenge to an application for renewal of
 49 registration is filed; authorizing a designated agent
 50 of the commission to conduct an investigation to
 51 confirm validity of submitted information; exempting
 52 certain employee organizations from a specified
 53 requirement; requiring a registration fee for
 54 applications for registration and renewal of
 55 registration; requiring certain employee organization
 56 accounts to be open for inspection by the commission
 57 and certain public employees at a reasonable time and
 58 place; providing for the revocation of an employee

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59 organization's certification under certain
 60 circumstances; providing that certain decisions issued
 61 by the commission are final agency actions; amending
 62 s. 447.307, F.S.; revising requirements for the
 63 certification and recertification of an employee
 64 organization; creating s. 447.3076, F.S.; providing
 65 that a petition to clarify the composition of a
 66 bargaining unit may be filed with the commission under
 67 certain circumstances; requiring that a copy of the
 68 petition be served on certain persons; requiring the
 69 public employer to provide a copy of the petition to
 70 certain affected employees within a specified
 71 timeframe; requiring a petition to be dismissed under
 72 certain circumstances; amending s. 447.308, F.S.;
 73 revising requirements for the decertification of an
 74 employee organization; amending s. 447.309, F.S.;
 75 deleting provisions relating to conflicts between any
 76 collective bargaining agreement provision and certain
 77 laws, ordinances, rules, or regulations; requiring
 78 certain agreements to be returned to the bargaining
 79 agent, rather than the employee organization;
 80 requiring collective bargaining agreements to contain
 81 specified terms and conditions; amending s. 447.401,
 82 F.S.; conforming provisions to changes made by the
 83 act; amending s. 447.403, F.S.; specifying
 84 requirements for when an impasse occurs; requiring a
 85 hearing within a specified timeframe; authorizing the
 86 recommended decision of a special magistrate from an
 87 impasse hearing to be transmitted by any method of

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88 service that establishes proof of delivery; amending
 89 s. 447.405, F.S.; conforming provisions to changes
 90 made by the act; amending s. 447.4095, F.S.; providing
 91 that salary increases appropriated by the Legislature
 92 are considered a financial urgency; providing meeting
 93 and dispute requirements; prohibiting unfair labor
 94 charges to be filed during specified time periods;
 95 providing applicability; amending s. 447.501, F.S.;
 96 requiring a public employer to provide to all employee
 97 organizations or petitioning employees equal access to
 98 the employer's facilities and communication systems
 99 for a specified time period; amending s. 447.503,
 100 F.S.; authorizing certain public employers, public
 101 employees, and employee organizations, or combinations
 102 thereof, to file certain charges with the commission;
 103 amending s. 447.507, F.S.; increasing fines for
 104 certain violations; amending s. 447.509, F.S.;
 105 prohibiting public employers, their agents or
 106 representatives, and any persons acting on their
 107 behalf from taking certain actions; authorizing
 108 certain actions by public employees under certain
 109 circumstances; providing applicability; amending ss.
 110 110.114, 110.205, 112.3187, 121.031, 447.02, 447.609,
 111 and 1011.60, F.S.; conforming cross-references and
 112 provisions to changes made by the act; providing an
 113 effective date.

114
 115 Be It Enacted by the Legislature of the State of Florida:
 116

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Section 1. Paragraph (d) of subsection (6) of section 110.227, Florida Statutes, is amended to read:

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.—

(6) The following procedures shall apply to appeals filed pursuant to subsection (5) with the Public Employees Relations Commission, hereinafter referred to as the commission:

(d) A recommended order must ~~shall~~ be issued by the hearing officer within 30 days after ~~following~~ the hearing. ~~Exceptions to the recommended order shall be filed within 15 days after the recommended order is issued. The final order must be issued shall be filed by the commission in accordance with ss. 120.569 and 120.57 no later than 45 calendar days after the hearing or after the filing of exceptions or oral arguments if granted.~~

Section 2. Paragraph (a) of subsection (14) of section 112.0455, Florida Statutes, is amended to read:

112.0455 Drug-Free Workplace Act.—

(14) DISCIPLINE REMEDIES.—

(a) An executive branch employee who is disciplined or who is a job applicant for another position and is not hired pursuant to this section, may file an appeal with the Public Employees Relations Commission. Any appeal must be filed within 30 calendar days after ~~of~~ receipt by the employee or job applicant of notice of discipline or refusal to hire. The notice shall inform the employee or job applicant of the right to file an appeal, or if available, the right to file a collective bargaining grievance pursuant to s. 447.401. Such appeals shall be resolved pursuant to the procedures established in ss. 447.207(1)-(4), 447.208(2), and 447.503(4) and (5). A hearing on

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the appeal shall be conducted within 60 ~~30~~ days after ~~of~~ the filing of the appeal, unless an extension is requested by the employee or job applicant and granted by the commission or an arbitrator. The final order must be issued by the commission in accordance with ss. 120.569 and 120.57.

Section 3. Paragraph (c) is added to subsection (12) of section 120.80, Florida Statutes, to read:

120.80 Exceptions and special requirements; agencies.—

(12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

(c) Section 120.60 does not apply to registration of employee organizations under s. 447.305.

Section 4. Subsection (1) of section 295.14, Florida Statutes, is amended to read:

295.14 Penalties.—

(1) When the Public Employees Relations Commission, after a hearing on notice conducted according to rules adopted by the commission, determines that a violation of s. 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains the veteran seeking redress, the commission shall order the offending agency, employee, or officer of the state to comply with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b); and, in the event of a violation of s. 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the commission may issue an order to compensate the veteran for the loss of any wages and reasonable attorney ~~attorney's~~ fees for actual hours worked, and costs of all work, including litigation, incurred as a result of such violation, which order shall be conclusive on the agency, employee, or officer concerned. The attorney ~~attorney's~~ fees and costs may not exceed

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175 \$10,000. The final order must be issued by action of the
 176 commission in accordance with ss. 120.569 and 120.57 shall be in
 177 writing and shall be served on the parties concerned by
 178 certified mail with return receipt requested.

179 Section 5. Section 447.203, Florida Statutes, is reordered
 180 and amended to read:

181 447.203 Definitions.—As used in this part:

182 (6)(1) "Commission" means the Public Employees Relations
 183 Commission created by s. 447.205.

184 (17)(2) "Public employer" or "employer" means the state or
 185 any county, municipality, or special district or any subdivision
 186 or agency thereof which the commission determines has sufficient
 187 legal distinctiveness properly to carry out the functions of a
 188 public employer. With respect to all public employees determined
 189 by the commission as properly belonging to a statewide
 190 bargaining unit composed of State Career Service System
 191 employees or Selected Professional Service employees, the
 192 Governor is deemed to be the public employer; and the Board of
 193 Governors of the State University System, or the board's
 194 designee, is deemed to be the public employer with respect to
 195 all public employees of each constituent state university. The
 196 board of trustees of a community college is deemed to be the
 197 public employer with respect to all employees of the community
 198 college. The district school board is deemed to be the public
 199 employer with respect to all employees of the school district.
 200 The Board of Trustees of the Florida School for the Deaf and the
 201 Blind is deemed to be the public employer with respect to the
 202 academic and academic administrative personnel of the Florida
 203 School for the Deaf and the Blind. The Governor is deemed to be

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204 the public employer with respect to all employees in the
 205 Correctional Education Program of the Department of Corrections
 206 established pursuant to s. 944.801.

207 (16)(3) "Public employee" means any person employed by a
 208 public employer except:

209 (a) Those persons appointed by the Governor or elected by
 210 the people, agency heads, and members of boards and commissions.

211 (b) Those persons holding positions by appointment or
 212 employment in the organized militia.

213 (c) Those individuals acting as negotiating representatives
 214 for employer authorities.

215 (d) Those persons who are designated by the commission as
 216 managerial or confidential employees pursuant to criteria
 217 contained herein.

218 (e) Those persons holding positions of employment with the
 219 Florida Legislature.

220 (f) Those persons who have been convicted of a crime and
 221 are inmates confined to institutions within the state.

222 (g) Those persons appointed to inspection positions in
 223 federal/state fruit and vegetable inspection service whose
 224 conditions of appointment are affected by the following:

225 1. Federal license requirement.

226 2. Federal autonomy regarding investigation and
 227 disciplining of appointees.

228 3. Frequent transfers due to harvesting conditions.

229 (h) Those persons employed by the Public Employees
 230 Relations Commission.

231 (i) Those persons enrolled as undergraduate students in a
 232 state university who perform part-time work for the state

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233 university.

234 ~~(12)(4)~~ "Managerial employees" means ~~are~~ those employees
235 who:

236 (a) Perform jobs that are not of a routine, clerical, or
237 ministerial nature and require the exercise of independent
238 judgment in the performance of such jobs and to whom one or more
239 of the following applies:

240 1. They formulate or assist in formulating policies which
241 are applicable to bargaining unit employees.

242 2. They may reasonably be required on behalf of the
243 employer to assist in the preparation for the conduct of
244 collective bargaining negotiations.

245 3. They have a role in the administration of agreements
246 resulting from collective bargaining negotiations.

247 4. They have a significant role in personnel
248 administration.

249 5. They have a significant role in employee relations.

250 6. They are included in the definition of administrative
251 personnel contained in s. 1012.01(3).

252 7. They have a significant role in the preparation or
253 administration of budgets for any public agency or institution
254 or subdivision thereof.

255 (b) Serve as police chiefs, fire chiefs, or directors of
256 public safety of any police, fire, or public safety department.
257 Other police officers, as defined in s. 943.10(1), and
258 firefighters, as defined in s. 633.102, may be determined by the
259 commission to be managerial employees of such departments. In
260 making such determinations, the commission shall consider, in
261 addition to the criteria established in paragraph (a), the

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262 paramilitary organizational structure of the department
263 involved.

264
265 However, in determining whether an individual is a managerial
266 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the
267 commission may consider historic relationships of the employee
268 to the public employer and to coemployees.

269 ~~(7)(5)~~ "Confidential employees" means ~~are~~ persons who act
270 in a confidential capacity to assist or aid managerial employees
271 as defined in subsection ~~(12)~~ ~~(4)~~.

272 ~~(21)(6)~~ "Strike" means the concerted failure of employees
273 to report for duty; the concerted absence of employees from
274 their positions; the concerted stoppage of work by employees; the
275 concerted submission of resignations by employees; the
276 concerted abstinence in whole or in part by any group of
277 employees from the full and faithful performance of the duties
278 of employment with a public employer for the purpose of
279 inducing, influencing, condoning, or coercing a change in the
280 terms and conditions of employment or the rights, privileges, or
281 obligations of public employment, or participating in a
282 deliberate and concerted course of conduct which adversely
283 affects the services of the public employer; the concerted
284 failure of employees to report for work after the expiration of
285 a collective bargaining agreement; and picketing in furtherance
286 of a work stoppage. The term includes ~~"strike" shall also mean~~
287 any overt preparation, including, but not limited to, the
288 establishment of strike funds with regard to the ~~above-listed~~
289 activities listed in this subsection.

290 ~~(22)(7)~~ "Strike funds" means ~~are~~ any appropriations by an

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employee organization which are established to directly or indirectly aid any employee or employee organization to participate in a strike in the state.

~~(2)(8)~~ "Bargaining unit" means either that unit determined by the commission, that unit determined through local regulations ~~adopted promulgated~~ pursuant to s. 447.603, or that unit determined by the public employer and the public employee organization and approved by the commission to be appropriate for the purposes of collective bargaining. However, no bargaining unit shall be defined as appropriate which includes employees of two employers that are not departments or divisions of the state, a county, a municipality, or other political entity.

~~(3)(9)~~ "Chief executive officer" for the state means shall ~~mean~~ the Governor and for other public employers means shall ~~mean~~ the person, whether elected or appointed, who is responsible to the legislative body of the public employer for the administration of the governmental affairs of the public employer.

~~(11)(10)~~ "Legislative body" means the State Legislature, the board of county commissioners, the district school board, the governing body of a municipality, or the governing body of an instrumentality or unit of government having authority to appropriate funds and establish policy governing the terms and conditions of employment and which, as the case may be, is the appropriate legislative body for the bargaining unit. For purposes of s. 447.403, the Board of Governors of the State University System, or the board's designee, shall be deemed to be the legislative body with respect to all employees of each

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constituent state university. For purposes of s. 447.403, the board of trustees of a community college shall be deemed to be the legislative body with respect to all employees of the community college.

~~(8)(11)~~ "Employee organization" or "organization" means any labor organization, union, association, fraternal order, occupational or professional society, or group, however organized or constituted, which represents, or seeks to represent, any public employee or group of public employees concerning any matters relating to their employment relationship with a public employer.

(9) "Employee organization activities" means activities undertaken at the direction of, on behalf of, or to advance the purposes of an employee organization or any parent organization or affiliate of the employee organization by doing any of the following:

(a) Supporting or opposing a candidate for federal, state, or local public office.

(b) Influencing the passage or defeat of any federal or state legislation or regulation, local ordinance or resolution, or ballot measure.

(c) Promoting or soliciting membership or participation in, or financial support of, an employee organization or any parent organization or affiliate of the employee organization.

(d) Seeking certification as a bargaining agent.

(e) Participating in the administration, business, or internal governance of an employee organization or any parent organization or affiliate of the employee organization.

(f) Preparing, conducting, or attending employee

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organization events, conferences, conventions, meetings, or trainings, unless such training is directly related to the performance of a public employee's job duties.

(g) Distributing communications of an employee organization or any parent organization or affiliate of the employee organization.

(h) Representing or speaking on behalf of an employee organization or any parent organization or affiliate of the employee organization in any setting, venue, or procedure in which the public employer is not a participant.

(i) Preparing, filing, or pursuing unfair labor practice charges or grievances.

(j) Representing public employees in investigatory interviews; disciplinary proceedings or appeals, including termination; or other administrative or legal proceedings.

(k) Engaging in collective bargaining and any related mediation, factfinding, or arbitration.

(l) Administering a collective bargaining agreement.

(m) Participating in labor-management committees.

(1)(12) "Bargaining agent" means the employee organization that ~~which~~ has been certified by the commission as representing the employees in the bargaining unit, as provided in s. 447.307, or its representative.

(13) "Membership dues" means employee organization dues; uniform assessments; fees, including initiation fees; or voluntary contributions paid in exchange for membership in an employee organization or as a member of the employee organization.

(15)(13) "Professional employee" means:

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(a) Any employee engaged in work in any two or more of the following categories:

1. Work predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work.

2. Work involving the consistent exercise of discretion and judgment in its performance.

3. Work of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.

4. Work requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education, an apprenticeship, or training in the performance of routine mental or physical processes.

(b) Any employee who:

1. Has completed the course of specialized intellectual instruction and study described in subparagraph (a)4. ~~4. of paragraph (a), and~~

2. Is performing related work under supervision of a professional person to qualify to become a professional employee as defined in paragraph (a).

(5)(14) "Collective bargaining" means the performance of the mutual obligations of the public employer and the bargaining agent of the employee organization to meet at reasonable times, to negotiate in good faith, and to execute a written contract with respect to agreements reached concerning the terms and conditions of employment, except that neither party shall be

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compelled to agree to a proposal or be required to make a concession unless otherwise provided in this part.

~~(14)(15)~~ "Membership dues deduction" means the practice by ~~of~~ a public employer of deducting membership dues ~~and uniform assessments~~ from the salary or wages of a public employee and. ~~Such term also means the practice of a public employer of transmitting the sums so deducted to an such employee organization on behalf of the public employee.~~

~~(4)(16)~~ "Civil service" means any career, civil, or merit system used by any public employer.

~~(10)(17)~~ "Good faith bargaining" ~~means shall mean~~, but is not ~~be~~ limited to, the willingness of both parties to meet at reasonable times and places, as mutually agreed upon, in order to discuss issues that which are proper subjects of bargaining, with the intent of reaching a common accord. The term includes ~~It shall include~~ an obligation for both parties to participate actively in the negotiations with an open mind and a sincere desire, as well as making a sincere effort, to resolve differences and come to an agreement. In determining whether a party failed to bargain in good faith, the commission shall consider the total conduct of the parties during negotiations as well as the specific incidents of alleged bad faith. Incidents indicative of bad faith shall include, but not be limited to, the following occurrences:

(a) Failure to meet at reasonable times and places with representatives of the other party for the purpose of negotiations.

(b) Placing unreasonable restrictions on the other party as a prerequisite to meeting.

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(c) Failure to discuss proper subjects of bargaining ~~bargainable issues~~.

(d) Refusing, upon reasonable written request, to provide public information, excluding work products as defined in s. 447.605.

(e) Refusing to negotiate because of an unwanted person on the opposing negotiating team.

(f) Negotiating directly with employees rather than with their ~~certified~~ bargaining agent.

(g) Refusing to reduce a total agreement to writing.

(18) "Public safety unit" means a bargaining unit in which the majority of the public employees are employed as a law enforcement officer, correctional officer, or correctional probation officer, as those terms are defined in s. 943.10(1), (2), or (3), respectively; a firefighter as defined in s. 633.102(9); a 911 public safety telecommunicator as defined in s. 401.465(1); or an emergency medical technician or a paramedic, as those terms are defined in s. 401.23.

(19) "Representational employee organization activities" means those activities specified in paragraphs (9)(i)-(m).

(20) "Showing of interest" means written statements signed and dated by public employees in a proposed or existing bargaining unit indicating the desire of the public employees either to be represented by the employee organization for purposes of collective bargaining or to no longer be represented by the bargaining agent for purposes of collective bargaining.

~~(23)(18)~~ "Student representative" means the representative selected by each community college or university student government association. Each representative may be present at

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all negotiating sessions that take place between the appropriate public employer and ~~a an~~ exclusive bargaining agent. The representative must be enrolled as a student with at least 8 credit hours in the respective community college or university during his or her term as student representative.

Section 6. Subsection (8) of section 447.205, Florida Statutes, is amended to read:

447.205 Public Employees Relations Commission.—

(8) The commission shall have a seal for authentication of its orders and proceedings, upon which shall be inscribed the words "State of Florida-Public Employees Relations Commission" ~~"State of Florida Employees Relations Commission"~~ and which shall be judicially noticed.

Section 7. Subsections (1), (4), (5), (6), and (12) of section 447.207, Florida Statutes, are amended to read:

447.207 Commission; powers and duties.—

(1) The commission shall, in accordance with chapter 120, adopt, promulgate, amend, or rescind such rules and regulations as it deems necessary and administratively feasible to carry out the provisions of this part. Any additional grants of rulemaking authority contained in this part do not limit the grant of rulemaking authority in this section.

(4) Any subpoena, ~~notice of hearing, or other process or notice of the commission~~ issued under the provisions of this part ~~must either~~ shall be served ~~personally or~~ by certified mail, return receipt requested, or be served personally by any person specified by law to serve process or by any person who is not a party and who is 18 years of age or older. When certified mail is used, a returned post office receipt constitutes proof

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of service. When personal service is used, if the subpoena is not served by a person specified by law to serve process, an affidavit of the person making service constitutes proof of service. A return made and verified by the individual making such service and setting forth the manner of such service is proof of service, and a returned post office receipt, when certified mail is used, is proof of service. All process of any court to which application may be made under the provisions of this part shall be served in the county wherein the persons required to be served reside or may be found.

(5) The commission shall adopt rules as to the qualifications of persons who may serve as ~~mediators and~~ special magistrates and shall maintain a list ~~lists~~ of such qualified persons who are not employees of the commission. The commission may initiate dispute resolution procedures by special magistrates, pursuant to ~~the provisions of~~ this part.

(6) Pursuant to its established procedures, the commission shall resolve questions and controversies concerning claims for recognition as the bargaining agent for a bargaining unit, determine or approve units appropriate for purposes of collective bargaining, expeditiously process charges of unfair labor practices and violations of s. 447.505 by public employees, and resolve such other questions and controversies as it may be authorized herein to undertake. The petitioner, charging party, respondent, and any intervenors shall be the adversary parties before the commission in any adjudicatory proceeding conducted pursuant to this part. Any commission statement of general applicability that implements, interprets, or prescribes law or policy, made in the course of adjudicating

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a case ~~pursuant to s. 447.307 or s. 447.503~~ shall not constitute a rule within the meaning of s. 120.52.

(12) Upon a petition by a public employer after it has been notified by the Department of Labor that the public employer's protective arrangement covering mass transit employees does not meet the requirements of 49 U.S.C. s. 5333(b) and would jeopardize the public employer's continued eligibility to receive Federal Transit Administration funding, the commission may waive the application of this part, but only to the extent necessary for the public employer to comply with the requirements of 49 U.S.C. s. 5333(b), ~~any of the following for an employee organization that has been certified as a bargaining agent to represent mass transit employees:~~

~~(a) The prohibition on dues and assessment deductions provided in s. 447.303(1) as it applies to a mass transit employee who has provided a copy of his or her membership authorization form to the employer as part of the authorization of dues deduction under a waiver.~~

~~(b) The requirement to petition the commission for recertification.~~

~~(c) The revocation of certification provided in s. 447.305(6) and (7).~~

Section 8. Paragraph (b) of subsection (1) and subsection (2) of section 447.301, Florida Statutes, are amended to read:

447.301 Public employees' rights; organization and representation.—

(1)

(b)1. A public employee who desires to be a member of an employee organization must sign and date a membership

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authorization form, as prescribed by the commission, and submit the executed form to the bargaining agent.

2. The membership authorization form must identify the name of the bargaining agent; the name of the employee; the class code and class title of the employee; the name of the public employer and employing agency, if applicable; the amount of the ~~membership initiation fee and of the monthly~~ dues which the ~~public employee member~~ must pay; and the ~~names~~ name and amounts ~~total amount of salary, allowances, and other direct or indirect disbursements, including reimbursements, paid to each of the five highest compensated officers and employees of the employee organization disclosed under s. 447.305(2)(d) for the officers and employees receiving the five highest total dollar amounts.~~

3. The membership authorization form must contain the following statement in 14-point type:

As a public employee in the State of Florida, is a right-to-work ~~state~~ membership or nonmembership ~~non-membership~~ in a labor union is not required as a condition of employment, ~~and~~ Union membership and payment of membership ~~union~~ dues and ~~assessments~~ are voluntary. ~~A public employee's Each person has the right to~~ join and pay membership dues to a labor union or to refrain from joining and paying membership dues to a labor union is protected by both Florida's right-to-work law and the First Amendment of the United States Constitution. A public employer may not ~~discriminate against a public~~ ~~No employee may be discriminated against in any manner~~ for joining and financially supporting, ~~a labor union or for refusing to join and or~~ financially support, a labor union.

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581
582 4. A public employee may revoke membership in the employee
583 organization at any time ~~of the year~~. Within 30 days after ~~Upon~~
584 receipt of the public employee's written revocation of
585 membership, the employee organization must revoke ~~the a~~ public
586 employee's membership and cease collection of membership dues
587 for such public employee. The employee organization may not
588 limit a public ~~an~~ employee's right to revoke membership to
589 certain dates. If a public employee must complete a form to
590 revoke membership in the employee organization, the form may not
591 require a reason for the public employee's decision to revoke
592 his or her membership.

593 5. An employee organization must retain for inspection by
594 the commission such membership authorization forms and any
595 revocations.

596 6. This paragraph does not apply to public employees in
597 public safety units ~~members of a bargaining unit the majority of~~
598 ~~whose employees eligible for representation are employed as law~~
599 ~~enforcement officers, correctional officers, or correctional~~
600 ~~probation officers as those terms are defined in s. 943.10(1),~~
601 ~~(2), or (3), respectively; firefighters as defined in s.~~
602 ~~633.102; 911 public safety telecommunicators as defined in s.~~
603 ~~401.465(1)(a); or emergency medical technicians or paramedics as~~
604 ~~defined in s. 401.23.~~

605 7. The commission may adopt rules to implement this
606 paragraph.

607 (2) Public employees ~~shall~~ have the right to be represented
608 by any employee organization of their own choosing and to
609 negotiate collectively, through a certified bargaining agent,

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610 with their public employer in the determination of the terms and
611 conditions of their employment. Public employees ~~shall~~ have the
612 right to be represented in the determination of grievances on
613 all terms and conditions of their employment. Public employees
614 ~~shall~~ have the right to refrain from exercising the right to be
615 represented.

616 Section 9. Subsections (1) and (2) of section 447.303,
617 Florida Statutes, are amended to read:

618 447.303 Membership dues; deduction and collection.—

619 (1) Except as authorized in subsection (2) or subject to a
620 waiver of the prohibition on membership dues deduction granted
621 pursuant to s. 447.207(12), a public employer may not engage in
622 membership dues deduction on behalf of s. 447.207(12)(a), an
623 employee organization ~~that has been certified as a bargaining~~
624 ~~agent may not have its dues and uniform assessments deducted and~~
625 ~~collected by the employer from the salaries of those employees~~
626 ~~in the unit. A public employee may pay dues and uniform~~
627 ~~assessments directly to the employee organization that has been~~
628 ~~certified as the bargaining agent.~~

629 (2) (a) Upon the written authorization of a public employee
630 in a public safety unit, the public employer must engage in
631 membership dues deduction for such public employee. A public
632 employee may revoke his or her authorization for membership dues
633 deduction upon providing 30 days' written notice to the public
634 employer and bargaining agent ~~An employee organization that has~~
635 ~~been certified as a bargaining agent to represent a bargaining~~
636 ~~unit the majority of whose employees eligible for representation~~
637 ~~are employed as law enforcement officers, correctional officers,~~
638 ~~or correctional probation officers as those terms are defined in~~

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s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; 911 public safety telecommunicators as defined in s. 401.465(1)(a); or emergency medical technicians or paramedics as defined in s. 401.23 has the right to have its dues and uniform assessments for that bargaining unit deducted and collected by the employer from the salaries of those employees who authorize the deduction and collection of said dues and uniform assessments. However, such authorization is revocable at the employee's request upon 30 days' written notice to the employer and employee organization. Said deductions shall commence upon the bargaining agent's written request to the employer.

(b) Reasonable costs to the public employer of engaging in membership dues said deductions is a proper subject of collective bargaining.

(c) The requirement to engage in membership dues deductions such right to deduction, unless revoked under s. 447.507, is in force as for so long as the employee organization remains the certified bargaining agent remains certified to represent for the public employees in the bargaining unit.

Section 10. Section 447.305, Florida Statutes, is amended to read:

447.305 Registration of employee organizations organization.-

(1) Every employee organization seeking to become a certified bargaining agent for public employees shall register with the commission before pursuant to the procedures set forth in s. 120.60 prior to requesting recognition by a public employer for purposes of collective bargaining and prior to

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submitting a certification, recertification, or unit clarification petition to the commission requesting certification as an exclusive bargaining agent. Further, If an ~~such~~ employee organization is not registered, it may not participate in a certification, recertification, or unit clarification ~~representation~~ hearing; or participate in a certification or recertification ~~representation~~ election; or be certified as a ~~an~~ exclusive bargaining agent. The application for registration required by this section must ~~shall~~ be under oath, and in such form as the commission may prescribe, and shall include all of the following:

(a) The name and address of the organization and ~~of~~ any parent organization or affiliate of the employee organization with which it is affiliated.

(b) The names and addresses of the principal officers and all representatives of the organization.

(c) The amount ~~of the initiation fee and the amount~~ and collection frequency of the membership dues and uniform assessments that a member of the organization must pay.

(d) The current annual financial statement of the organization, prepared by an independent certified public accountant licensed under chapter 473.

(e) The name of its business agent, if any; if different from the business agent, the name of its local agent for service of process; and the addresses where such person or persons can be reached.

(f) A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of this ~~the~~ state and that it will accept members without regard to age,

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697 race, sex, religion, or national origin.

698 (g) A copy of the current constitution and bylaws of the
699 employee organization.

700 (h) A copy of the current constitution and bylaws of the
701 state and national groups with which the employee organization
702 is affiliated or associated. In lieu of this provision, and upon
703 adoption of a rule by the commission, a state or national
704 affiliate or parent organization of any registering employee
705 ~~labor~~ organization may annually submit a copy of its current
706 constitution and bylaws.

707 (2) A registration granted to an employee organization
708 pursuant to this section runs for 1 year after ~~from~~ the date of
709 issuance. A registration must be renewed annually by filing an
710 application for renewal under oath with the commission, which
711 application must reflect any changes in the information provided
712 to the commission in conjunction with the employee
713 organization's preceding application for registration or
714 previous renewal, whichever is applicable. Each application for
715 renewal of registration must include a current annual financial
716 statement, prepared by an independent certified public
717 accountant licensed under chapter 473 and signed by the employee
718 organization's president and treasurer or corresponding
719 principal officers, containing the following information in such
720 detail as may be necessary to accurately ~~to~~ disclose its
721 financial condition and operations for its preceding fiscal year
722 and in all of the following ~~such~~ categories as prescribed by the
723 commission ~~may prescribe~~:

724 (a) Assets and liabilities at the beginning and end of the
725 fiscal year.~~+~~

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726 (b) Receipts of any kind and the sources thereof.~~+~~

727 (c) Disbursements by category.~~+~~

728 (d) Salary, wages, fringe benefits, allowances, and other
729 direct or indirect disbursements, including reimbursed expenses,
730 paid or accruing to each of its officers ~~officer~~ and also to
731 each of its employees ~~employee~~ who, during such fiscal year,
732 received more than \$10,000 in the aggregate from such employee
733 organization and any parent organization of the ~~other~~ employee
734 organization or any affiliate of either the employee
735 organization or the parent organization. This paragraph requires
736 reporting of any reimbursements paid by the employee
737 organization to a public employer for moneys paid by the public
738 employer to the employee organization's officers or employees.
739 affiliated with it or with which it is affiliated or which is
740 affiliated with the same national or international employee
741 organization.~~+~~

742 (e) Direct and indirect loans made to any of its officers
743 officer, employees ~~employee~~, or members ~~member~~ which aggregated
744 more than \$250 during the fiscal year, together with a statement
745 of the purpose, security, if any, and arrangements for
746 repayment.~~+~~ ~~and~~

747 (f) Direct and indirect loans to any business enterprise,
748 together with a statement of the purpose, security, if any, and
749 arrangements for repayment.

750 (g) The amount of membership dues retained by or
751 distributed to the employee organization, any parent
752 organization of the employee organization, and any affiliate of
753 either the employee organization or the parent organization.

754 (3) As part of its application for renewal of registration,

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~~a In addition to subsection (2), an employee organization that has been certified as the bargaining agent for public employees must include all of for each such certified bargaining unit the following additional information and verification documentation as of the 30th day immediately preceding the date upon which its current registration is scheduled to end for any renewal of registration on or after October 1, 2023:~~

(a) For each bargaining unit for which the bargaining agent is certified, the certification number assigned to the bargaining unit by the commission.

~~(b)(a) For each certification, the number of public employees in the bargaining unit who are eligible for representation by the employee organization.~~

(c) For each certification, the number of public employees in the bargaining unit who paid full membership dues sufficient to maintain membership in good standing in the bargaining agent.

~~(d)(b) For each certification, the number of public employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.~~

~~(e) The number of employees in the bargaining unit who paid dues to the employee organization.~~

~~(d) The number of employees in the bargaining unit who did not pay dues to the employee organization.~~

~~(e) Verification Documentation provided by an independent certified public accountant of retained by the employee organization which verifies the information provided in paragraphs (b), (c), and (d) (a) (d).~~

(4) Within 30 days after filing an application for renewal

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of registration with the commission, the employee organization must provide a copy of its application for renewal of registration relating to a public employer's employees to the public employer and public employees of each bargaining unit for which the employee organization is the bargaining agent on the same day the application is submitted to the commission.

~~(5) An application for renewal of registration is incomplete and is not eligible for consideration by The commission must notify the bargaining agent if it does not include all of the information or verification and documentation required in subsection (3) is incomplete. The bargaining agent must provide the missing information or verification to the commission within 30 days after such notification. If the bargaining agent fails to provide the missing information or verification within 30 days after notification, the commission must dismiss the application The commission shall notify the employee organization if the application is incomplete. An incomplete application must be dismissed if the required information and documentation are not provided within 10 days after the employee organization receives such notice.~~

(6) The commission must notify the bargaining agent when the information and verification required in subsection (3) is complete. Within 30 days after such notification, the bargaining agent must petition for recertification pursuant to s. 447.307 for each of its bargaining units Notwithstanding the provisions of this chapter relating to collective bargaining, an employee organization certified as a bargaining agent to represent a bargaining unit for which less than 60 percent of the public unit employees in the bargaining unit have submitted membership

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authorization forms without subsequent revocation and paid membership dues to the organization, as reported under subsection (3) during its last registration period must petition the commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the bargaining unit within 30 days after the date on which the employee organization applies for renewal of registration pursuant to subsection (2). The certification of an employee organization that does not comply with this section is revoked.

(7) If a The public employer or a public employee of a bargaining unit represented by a bargaining agent believes that the bargaining agent's employee may challenge an employee organization's application for renewal of registration is materially inaccurate, if the public employer or public bargaining unit employee may challenge believes that the application is inaccurate during the pendency of the application or, if the registration renewal has been granted, before the date upon which the bargaining agent's current registration is scheduled to end. If a challenge is filed, the commission or one of its designated agents must conduct an investigation pursuant to subsection (8) shall review the application to determine its accuracy and compliance with this section. If the commission finds that the application is inaccurate or does not comply with this section, the commission shall revoke the registration and certification of the employee organization.

(8) The commission or one of its designated agents may conduct an investigation to confirm the validity of any information submitted pursuant to this section. The commission

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may revoke or deny an employee organization's registration or certification if it finds that the employee organization:

(a) Failed to cooperate with the investigation conducted pursuant to this subsection, including refusal to permit the commission or one of its designated agents to inspect membership authorization forms or revocations pursuant to s.

447.301(1)(b)5.; or

(b) Intentionally misrepresented the information it submitted pursuant to this section.

A decision issued by the commission pursuant to this subsection is a final agency action that is reviewable pursuant to s. 447.504.

(9) An employee organization is exempt from the requirements of subsections (3)-(8) and (12) for each public safety unit it represents only with respect to the circumstances of each bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively; firefighters as defined in s. 633.102; 911 public safety telecommunicators as defined in s. 401.465(1)(a); or emergency medical technicians or paramedics as defined in s. 401.23.

(10) A registration fee must ~~shall~~ accompany each application for registration or renewal of registration filed with the commission. The registration fee may amount charged for an application for registration or renewal of registration shall not exceed \$15. All such money collected by the commission shall

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be deposited in the General Revenue Fund.

(11) Every employee organization shall keep accurate accounts of its income and expenses, which accounts ~~must shall~~ be open for inspection at a all reasonable ~~time and place times~~ by ~~any member of the organization or by~~ the commission or a public employee in a bargaining unit for which the employee organization is the bargaining agent. In addition, each employee organization that has been certified as a bargaining agent must provide to its members an annual financial report prepared by an independent certified public accountant licensed under chapter 473 that includes a detailed breakdown of revenues and expenditures in such categories as the commission may prescribe, and an accounting of membership dues and assessments. The employee organization must notify its members annually of all costs of membership.

(12) The certification of an employee organization that does not comply with this section is revoked. An employee organization that has its certification revoked under this subsection may not file a petition for certification under s. 447.307 which covers any of the public employees in the bargaining unit described in the revoked certification for at least 12 months after the date the certification was revoked.

(13) A decision issued by the commission under this section which revokes a certification, revokes a registration, or grants, denies, or dismisses an application for registration or renewal of registration is a final agency action that is reviewable pursuant to s. 447.504.

Section 11. Section 447.307, Florida Statutes, is amended to read:

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447.307 Certification and recertification of employee ~~organizations organization.~~

(1) (a) An Any employee organization seeking certification or recertification as a bargaining agent must file a petition with the commission accompanied by a showing of interest from at least 30 percent of the public employees in the proposed or existing bargaining unit. The showing of interest statements must be signed and dated by the public employees not more than 12 months before the filing of the petition which is designated or selected by a majority of public employees in an appropriate unit as their representative for purposes of collective bargaining shall request recognition by the public employer. The public employer shall, if satisfied as to the majority status of the employee organization and the appropriateness of the proposed unit, recognize the employee organization as the collective bargaining representative of employees in the designated unit. Upon recognition by a public employer, the employee organization shall immediately petition the commission for certification. The commission shall review only the appropriateness of the unit proposed by the employee organization. If the unit is appropriate according to the criteria used in this part, the commission shall immediately certify the employee organization as the exclusive representative of all employees in the unit. If the unit is inappropriate according to the criteria used in this part, the commission may dismiss the petition.

~~(b) Whenever a public employer recognizes an employee organization on the basis of majority status and on the basis of appropriateness in accordance with subparagraph (4)(f)5., the~~

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929 ~~commission shall, in the absence of inclusion of a prohibited~~
 930 ~~category of employees or violation of s. 447.501, certify the~~
 931 ~~proposed unit.~~

932 ~~(b)(2) A If the public employer refuses to recognize the~~
 933 ~~employee organization, the employee organization may file a~~
 934 ~~petition with the commission for certification as the bargaining~~
 935 ~~agent for a proposed bargaining unit. The petition shall be~~
 936 ~~accompanied by dated statements signed by at least 30 percent of~~
 937 ~~the employees in the proposed unit, indicating that such~~
 938 ~~employees desire to be represented for purposes of collective~~
 939 ~~bargaining by the petitioning employee organization. Once a~~
 940 ~~petition for certification has been filed by an employee~~
 941 ~~organization, any registered employee organization desiring~~
 942 ~~placement on the ballot in any certification or recertification~~
 943 ~~election to be conducted pursuant to this section may be~~
 944 ~~permitted by the commission to intervene in the proceeding upon~~
 945 ~~a motion accompanied by a showing of interest from dated~~
 946 ~~statements signed by at least 10 percent of the public employees~~
 947 ~~in the proposed or existing bargaining unit, indicating that~~
 948 ~~such employees desire to be represented for the purposes of~~
 949 ~~collective bargaining by the moving employee organization. The~~
 950 ~~showing of interest petitions and dated statements must be~~
 951 ~~signed and dated by the public employees not more than 12 months~~
 952 ~~before the filing of the petition.~~

953 ~~(c) The showing of interest is~~ are confidential and exempt
 954 ~~from the provisions of s. 119.07(1), except that any public~~
 955 ~~employee, public employer, or employee organization having~~
 956 ~~sufficient reason to believe that the showing of interest was~~
 957 ~~any of the employee signatures were obtained by collusion,~~

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958 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise
 959 invalid shall be given a reasonable opportunity to verify and
 960 challenge the showing of interest ~~signatures appearing on the~~
 961 ~~petition.~~

962 (d) Notwithstanding paragraph (b), if any employees in the
 963 proposed unit are represented by a bargaining agent other than
 964 the petitioning employee organization, such bargaining agent
 965 will be automatically added as a party to the case and may
 966 appear on the ballot without being required to file a motion to
 967 intervene or a showing of interest.

968 (2) (a) A certification petition may not be filed regarding
 969 any proposed or existing bargaining unit within 12 months after
 970 the date the commission issues an order that verifies the
 971 results of a certification, recertification, or decertification
 972 election covering any of the public employees in the proposed or
 973 existing bargaining unit.

974 (b) If a valid collective bargaining agreement covering any
 975 of the public employees in a proposed or existing bargaining
 976 unit is in effect, a certification petition may only be filed
 977 with the commission at least 90 but not more than 150 days
 978 immediately preceding the expiration date of the collective
 979 bargaining agreement, or at any time subsequent to such
 980 agreement's expiration date but before the effective date of a
 981 new collective bargaining agreement. The effective date of a
 982 collective bargaining agreement is the date of ratification of
 983 such agreement by both parties if such agreement becomes
 984 effective immediately or retroactively, or the collective
 985 bargaining agreement's actual effective date if such agreement
 986 becomes effective after its ratification date.

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987 (3)(a) The commission or one of its designated agents shall
 988 investigate a certification or recertification the petition to
 989 determine its sufficiency; ~~if it has reasonable cause to believe~~
 990 ~~that the petition is sufficient, the commission shall provide~~
 991 ~~for an appropriate hearing upon due notice. Such a hearing may~~
 992 ~~be conducted by an agent of the commission.~~ If the commission
 993 finds that the petition is to be insufficient, the commission
 994 must it may dismiss the petition. If the commission finds ~~upon~~
 995 ~~the record of the hearing that the petition is sufficient, the~~
 996 commission must it shall immediately:

997 (a)1- Define the proposed or existing bargaining unit and
 998 determine which public employees are ~~shall be~~ qualified and
 999 entitled to vote at any election held by the commission. Upon
 1000 providing due notice, the commission may provide for a hearing.

1001 (b)2- Identify the public employer or employers for
 1002 purposes of collective bargaining ~~with the bargaining agent.~~

1003 (c)3- Order an election by secret ballot, the cost of said
 1004 election and any required runoff election to be borne equally by
 1005 the parties, except as the commission may provide by rule. The
 1006 commission's order assessing costs of an election may be
 1007 enforced pursuant to ~~the provisions of~~ this part.

1008 (4) (a) Except as provided in paragraph (b), elections are
 1009 determined as follows for all certification or recertification
 1010 petitions filed on or after July 1, 2026:

1011 1.(b) If when an employee organization is selected by a
 1012 majority vote of the public employees who are in the bargaining
 1013 unit as of the date set by the commission ~~voting in an election,~~
 1014 the commission shall certify or recertify the employee
 1015 organization as the ~~exclusive collective bargaining agent for~~

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1016 ~~the public representative of all~~ employees in the unit.

1017 2. A runoff election shall be held according to rules
 1018 adopted by the commission if, in the election conducted under
 1019 subparagraph 1., there was more than one employee organization
 1020 on the ballot, a majority of the public employees who are in the
 1021 bargaining unit as of the date set by the commission voted in
 1022 the election, and none of the choices on the ballot received a
 1023 majority vote of the public employees who are in the bargaining
 1024 unit as of the date set by the commission.

1025 (b) Certification elections involving public safety units
 1026 are determined as follows:

1027 1. If an employee organization is selected by a majority
 1028 vote of the public employees voting in the election, the
 1029 commission shall certify the employee organization as the
 1030 bargaining agent for the public employees in the bargaining
 1031 unit.

1032 2. A runoff election shall be held according to rules
 1033 adopted by the commission if, in the election conducted under
 1034 subparagraph 1., there was more than one employee organization
 1035 on the ballot and none of the choices on the ballot received a
 1036 majority vote of the public employees voting in the election.

1037 (c) Certification, recertification, or revocation under
 1038 this section is effective upon the issuance of a the final order
 1039 by the commission or, if the final order is appealed, at the
 1040 time the appeal is exhausted or any stay is vacated by the
 1041 commission or a the court.

1042 ~~(c) In any election in which none of the choices on the~~
 1043 ~~ballot receives the vote of a majority of the employees voting,~~
 1044 ~~a runoff election shall be held according to rules promulgated~~

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by the commission.

~~(d) No petition may be filed seeking an election in any proposed or existing appropriate bargaining unit to determine the exclusive bargaining agent within 12 months after the date of a commission order verifying a representation election or, if an employee organization prevails, within 12 months after the date of an effective certification covering any of the employees in the proposed or existing bargaining unit. Furthermore, if a valid collective bargaining agreement covering any of the employees in a proposed unit is in effect, a petition for certification may be filed with the commission only during the period extending from 150 days to 90 days immediately preceding the expiration date of that agreement, or at any time subsequent to its expiration date but prior to the effective date of any new agreement. The effective date of a collective bargaining agreement means the date of ratification by both parties, if the agreement becomes effective immediately or retroactively; or its actual effective date, if the agreement becomes effective after its ratification date.~~

(5)(4) In defining a proposed bargaining unit, the commission shall take into consideration:

(a) The principles of efficient administration of government.

(b) The number of employee organizations with which the employer might have to negotiate.

(c) The compatibility of the unit with the joint responsibilities of the public employer and public employees to represent the public.

(d) The power of the officials of government at the level

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of the unit to agree, or make effective recommendations to another administrative authority or to a legislative body, with respect to matters of employment upon which the employee desires to negotiate.

(e) The organizational structure of the public employer.

(f) Community of interest among the employees to be included in the unit, considering:

1. The manner in which wages and other terms of employment are determined.

2. The method by which jobs and salary classifications are determined.

3. The interdependence of jobs and interchange of employees.

4. The desires of the employees.

5. The history of employee relations within the organization of the public employer concerning organization and negotiation and the interest of the employees and the employer in the continuation of a traditional, workable, and accepted negotiation relationship.

(g) The statutory authority of the public employer to administer a classification and pay plan.

(h) Such other factors and policies as the commission may deem appropriate.

However, a bargaining ~~no~~ unit may not ~~shall~~ be established or approved for purposes of collective bargaining which includes both professional and nonprofessional employees unless a majority of each group votes for inclusion in such bargaining unit.

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Section 12. Section 447.3076, Florida Statutes, is created to read:

447.3076 Clarification of bargaining units.—

(1) A petition to clarify the composition of a bargaining unit may be filed with the commission when significant changes in statutory law or case law require clarification of the bargaining unit or when a classification was:

(a) Created or substantially changed after the unit was initially defined by the commission;

(b) Retitled with no substantial change in job duties; or

(c) Included or excluded through inadvertence or misunderstanding by the commission.

(2) A bargaining unit clarification petition may be filed by the bargaining agent for the bargaining unit or by the public employer of the public employees in the unit.

(3) A copy of the petition must be served on the public employer and any bargaining agent that is certified to represent any employee or classification which may be substantially affected by the proposed bargaining unit clarification.

(4) If any substantially affected employees are not represented by a bargaining agent, the public employer must provide a copy of the petition to those employees within 10 days after the filing of the petition.

(5) When the clarification of a bargaining unit would result in an increase in the size of the bargaining unit by more than 25 percent, the unit clarification petition raises a question concerning representation and must be dismissed.

Section 13. Section 447.308, Florida Statutes, is amended to read:

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447.308 ~~Decertification Revocation of certification of~~
employee organizations ~~organization.~~—

(1) A public ~~Any~~ employee or group of public employees that
~~which~~ no longer desires to be represented by a ~~the certified~~
bargaining agent may file with the commission a petition to
decertify the bargaining agent ~~revoke certification~~. The
petition ~~must~~ shall be accompanied by a showing of interest from
~~dated statements signed by~~ at least 30 percent of the public
employees in the bargaining unit, ~~indicating that such employees~~
~~no longer desire to be represented for purposes of collective~~
~~bargaining by the certified bargaining agent. The time of filing~~
~~said petition shall be governed by the provisions of s.~~
~~447.307(3)(d) relating to petitions for certification. The~~
showing of interest statements must be signed and dated by the
public employees not more than 12 months before the filing of
the petition. Any employee, employer, or employee organization
having sufficient reason to believe that the showing of interest
~~was any of the employee signatures were~~ obtained by collusion,
coercion, intimidation, or misrepresentation or is ~~are~~ otherwise
invalid shall be given a reasonable opportunity to verify and
challenge the showing of interest ~~signatures appearing on the~~
~~petition.~~

(2)(a) A decertification petition may not be filed
regarding the bargaining unit within 12 months after the date
the commission issues an order that verifies the results of a
certification, recertification, or decertification election
covering any of the public employees in the unit.

(b) If a valid collective bargaining agreement covering any
of the public employees in the bargaining unit is in effect, a

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decertification petition may only be filed with the commission at least 90 but not more than 150 days immediately preceding the expiration date of the collective bargaining agreement, or at any time after such agreement's expiration date but before the effective date of a new collective bargaining agreement. The effective date of a collective bargaining agreement is the date of ratification of such agreement by both parties if such agreement becomes effective immediately or retroactively, or the collective bargaining agreement's actual effective date if such agreement becomes effective after its ratification date.

(3) The commission or one of its designated agents shall investigate the decertification petition to determine its sufficiency. If the commission finds that the petition is to be insufficient, the commission must it may dismiss the petition. If the commission finds that the petition is sufficient, the commission must it shall immediately:

(a) Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.

(b) Identify the public employer or employers of the bargaining unit.

(c) Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part.

(4) (a) Except as provided in paragraph (b), elections are determined as follows for all decertification petitions filed on or after July 1, 2026:

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1. If decertification of the bargaining agent is selected by a majority vote of the public employees who are in the bargaining unit as of the date set by the commission, the commission shall revoke the bargaining agent's certification for that bargaining unit.

2. If decertification is not selected by a majority vote of the public employees who are in the bargaining unit as of the date set by the commission, the bargaining agent shall retain its certification for that bargaining unit.

(b) Decertification elections involving public safety units are determined as follows:

1.(2) If decertification is selected by a majority vote of the public employees voting in the such election vote against the continuation of representation by the certified bargaining agent, the commission shall revoke the certification of the employee organization as the exclusive bargaining agent's certification for that agent for the employees in the bargaining unit shall be revoked.

2.(3) If decertification is not selected by a majority vote of the public employees voting in the such election do not vote against the continuation of representation by the certified bargaining agent, the bargaining agent shall retain its certification for that bargaining of the employee organization as the exclusive bargaining agent for the employees in the unit shall be retained by the organization.

(c) Revocation under this section is effective upon the issuance of a final order by the commission or, if the final order is appealed, at the time the appeal is exhausted or any stay is vacated by the commission or a court.

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1219 Section 14. Section 447.309, Florida Statutes, is amended
 1220 to read:
 1221 447.309 Collective bargaining; approval or rejection.—
 1222 (1) After an employee organization has been certified as
 1223 the bargaining agent of a bargaining unit pursuant to ~~the~~
 1224 ~~provisions of this part, the bargaining agent for the~~
 1225 ~~organization~~ and the chief executive officer of the appropriate
 1226 public employer or employers, jointly, shall bargain
 1227 collectively in the determination of the wages, hours, and terms
 1228 and conditions of employment of the public employees within the
 1229 bargaining unit. The chief executive officer or his or her
 1230 representative and the bargaining agent or its representative
 1231 shall meet at reasonable times and bargain in good faith. In
 1232 conducting negotiations with the bargaining agent, the chief
 1233 executive officer or his or her representative shall consult
 1234 with, and attempt to represent the views of, the legislative
 1235 body of the public employer. Any collective bargaining agreement
 1236 reached by the negotiators shall be reduced to writing, and such
 1237 agreement shall be signed by the chief executive officer and the
 1238 bargaining agent. Any agreement signed by the chief executive
 1239 officer and the bargaining agent is ~~shall not be~~ binding on the
 1240 public employer until such agreement has been ratified by the
 1241 public employer and ~~the by~~ public employees in who are members
 1242 ~~of the bargaining unit, subject to subsection the provisions of~~
 1243 ~~subsections (2) and (3).~~ However, with respect to statewide
 1244 bargaining units, any agreement signed by the Governor and the
 1245 bargaining agent for such a bargaining unit ~~is~~ ~~shall not be~~
 1246 binding until approved by the public employees in who are
 1247 ~~members of the bargaining unit, subject to subsection the~~

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1248 ~~provisions of subsections (2) and (3).~~
 1249 (2) (a) Upon execution of the collective bargaining
 1250 agreement, the chief executive shall, in his or her annual
 1251 budget request or by other appropriate means, request the
 1252 legislative body to appropriate such amounts as shall be
 1253 sufficient to fund the provisions of the collective bargaining
 1254 agreement.
 1255 (b) If the state is a party to a collective bargaining
 1256 agreement in which less than the requested amount is
 1257 appropriated by the Legislature, the collective bargaining
 1258 agreement shall be administered on the basis of the amounts
 1259 appropriated by the Legislature. The failure of the Legislature
 1260 to appropriate funds sufficient to fund the collective
 1261 bargaining agreement shall not constitute, or be evidence of,
 1262 any unfair labor practice. All collective bargaining agreements
 1263 entered into by the state are subject to the appropriations
 1264 powers of the Legislature, and the provisions of this section
 1265 shall not conflict with the exclusive authority of the
 1266 Legislature to appropriate funds.
 1267 ~~(3) If any provision of a collective bargaining agreement~~
 1268 ~~is in conflict with any law, ordinance, rule, or regulation over~~
 1269 ~~which the chief executive officer has no amendatory power, the~~
 1270 ~~chief executive officer shall submit to the appropriate~~
 1271 ~~governmental body having amendatory power a proposed amendment~~
 1272 ~~to such law, ordinance, rule, or regulation. Unless and until~~
 1273 ~~such amendment is enacted or adopted and becomes effective, the~~
 1274 ~~conflicting provision of the collective bargaining agreement~~
 1275 ~~shall not become effective.~~
 1276 (3)(4) If the agreement is not ratified by the public

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1277 employer or is not approved by a majority ~~vote of the public~~
 1278 employees voting ~~in the unit~~, in accordance with procedures
 1279 adopted by the commission, the agreement shall be returned to
 1280 the chief executive officer and the bargaining agent ~~employee~~
 1281 ~~organization~~ for further negotiations.

1282 ~~(4)(5)~~ ~~A Any~~ collective bargaining agreement ~~may~~ shall not
 1283 provide for a term of existence of more than 3 years and must
 1284 ~~shall~~ contain all of the terms and conditions of employment
 1285 negotiated by the bargaining agent and the public employer and
 1286 all of the disputed impasse issues resolved by the legislative
 1287 body's action taken pursuant to s. 447.403 of the employees in
 1288 the bargaining unit during such term except those terms and
 1289 conditions provided for in applicable merit and civil service
 1290 rules and regulations.

1291 Section 15. Section 447.401, Florida Statutes, is amended
 1292 to read:

1293 447.401 Grievance procedures.—Each public employer and
 1294 bargaining agent shall negotiate a grievance procedure to be
 1295 used for the settlement of disputes between a public employer
 1296 and a public employee, or a group of public employees, involving
 1297 the interpretation or application of a collective bargaining
 1298 agreement. ~~The Such~~ grievance procedure must ~~shall~~ have as its
 1299 terminal step a final and binding disposition by an impartial
 1300 neutral arbitrator, mutually selected by the parties; however,
 1301 when the issue under appeal is an allegation of abuse,
 1302 abandonment, or neglect of a child by a public an employee under
 1303 s. 39.201 or an allegation of abuse, neglect, or exploitation of
 1304 a vulnerable adult by a public employee under s. 415.1034, the
 1305 grievance may not be decided until such allegation ~~the abuse,~~

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1306 ~~abandonment, or neglect of a child~~ has been judicially
 1307 determined. However, an arbitrator ~~arbitrator~~ or other neutral
 1308 party may ~~shall not have the power to~~ add to, subtract from,
 1309 modify, or alter the terms of a collective bargaining agreement.
 1310 If an employee organization is certified as the bargaining agent
 1311 of a bargaining unit, the grievance procedure then in existence
 1312 may be the subject of collective bargaining, and any agreement
 1313 ~~that which~~ is reached shall supersede the previously existing
 1314 procedure. All public employees ~~shall~~ have the right to a fair
 1315 and equitable grievance procedure administered without regard to
 1316 membership or nonmembership in any employee organization, except
 1317 that bargaining agents may certified employee organizations
 1318 ~~shall~~ not be required to process grievances for public employees
 1319 who are not members of the employee organization. A public
 1320 ~~career service employee may use~~ shall have the option of
 1321 ~~utilizing~~ the civil service appeal procedure, an unfair labor
 1322 practice procedure, or a grievance procedure established under
 1323 this section, but may not avail ~~such employee is precluded from~~
 1324 ~~availing~~ himself or herself of ~~to~~ more than one of these
 1325 procedures.

1326 Section 16. Subsections (1) through (4) of section 447.403,
 1327 Florida Statutes, are amended to read:

1328 447.403 Resolution of impasses.—

1329 (1) If, after a reasonable period of negotiation concerning
 1330 the terms and conditions of employment to be incorporated in a
 1331 collective bargaining agreement, a dispute exists between a
 1332 public employer and a bargaining agent, either party may declare
 1333 an impasse by providing written notification ~~shall be deemed to~~
 1334 ~~have occurred when one of the parties so declares in writing~~ to

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the other party and to the commission. When an impasse occurs, the public employer or the bargaining agent, or both parties acting jointly, may ~~use appoint~~, or secure the ~~services~~ ~~appointment~~ of, a mediator to assist in the resolution of the impasse. If the Governor is the public employer ~~or for an~~ impasse declared pursuant to s. 447.4095, a ~~no~~ mediator may not ~~shall~~ be appointed.

(2) (a) If ~~a no~~ mediator is not used under subsection (1) ~~appointed~~, or upon the request of either party, the commission must shall appoint, and submit all unresolved issues to, a special magistrate acceptable to both parties. If the parties are unable to agree on the appointment of a special magistrate, the commission must shall appoint, in its discretion, a qualified special magistrate. However, if the parties agree in writing to waive the appointment of a special magistrate, the parties may proceed directly to resolution of the impasse by the legislative body pursuant to paragraph (4) (d). Nothing in this section precludes the parties from using the services of a mediator at any time during the conduct of collective bargaining.

(b) If the Governor is the public employer, ~~a no~~ special magistrate may not shall be appointed. The parties must may proceed directly to the Legislature for resolution of the impasse pursuant to paragraph (4) (d).

(c) For an impasse declared pursuant to s. 447.4095(2), the parties must agree on a special magistrate and submit the agreed-upon name to the commission within 5 calendar days after the declaration of impasse. Within 2 business days after the submission of the special magistrate's name, the commission must

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appoint the agreed-upon special magistrate. If the parties do not submit the name of an agreed-upon special magistrate to the commission within 5 calendar days after the declaration of impasse, the commission must appoint a special magistrate of its choosing within 5 calendar days after the parties' deadline to submit the name of the agreed-upon special magistrate. Within 5 calendar days after the special magistrate is appointed, each party must submit a list of issues at impasse to the special magistrate and serve a copy of the list on the other party at the same time.

(3) The special magistrate must shall hold a hearing ~~hearings~~ in order to define the area or areas of dispute, to determine facts relating to the dispute, and to render a decision on any and all unresolved contract issues. The hearing must hearings shall be held at a time, date, and place times, dates, and places to be established by the special magistrate in accordance with rules adopted promulgated by the commission. For an impasse declared pursuant to s. 447.4095(2), a hearing must be held within 20 calendar days after the parties submit the list of issues at impasse to the special magistrate. The special magistrate may shall be empowered to administer oaths and issue subpoenas on behalf of the parties to the dispute or on his or her own behalf. Within 15 calendar days after the close of the ~~final~~ hearing, or 7 calendar days after the close of the hearing for an impasse declared pursuant to s. 447.4095(2), the special magistrate must submit shall transmit his or her recommended decision to the commission and to the representatives of both parties by any method of service that establishes proof of delivery registered mail, return receipt requested. Such

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recommended decision ~~must shall~~ be discussed by the parties, and each recommendation of the special magistrate ~~is shall be~~ deemed approved by both parties unless specifically rejected by either party by written notice filed with the commission within 20 calendar days, or 10 calendar days for an impasse declared pursuant to s. 447.4095(2), after the date the party received the special magistrate's recommended decision. The written notice ~~must shall~~ include a statement of the cause for each rejection and ~~shall~~ be served upon the other party at the same time as it is filed with the commission.

(4) If either the public employer or the bargaining agent ~~employee organization~~ does not accept, in whole or in part, the recommended decision of the special magistrate, all of the following procedures apply:

(a) The chief executive officer of the governmental entity involved shall, within 10 calendar days after rejection of a recommendation of the special magistrate, submit to the legislative body of the governmental entity involved a copy of the findings of fact and recommended decision of the special magistrate, together with the chief executive officer's recommendations for settling the disputed impasse issues. The chief executive officer shall also submit ~~transmit~~ his or her recommendations to the bargaining agent at the same time as the recommendations are submitted to the legislative body. ~~employee organization.~~

(b) Within 10 calendar days after rejection of a recommendation of the special magistrate, the bargaining agent ~~employee organization~~ shall submit its recommendations for settling the disputed impasse issues to such legislative body

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and to the chief executive officer.†

(c) The legislative body or its ~~a~~ duly authorized committee ~~thereof shall forthwith~~ conduct a public hearing at which the parties shall ~~be required to~~ explain their positions with respect to the rejected recommendations of the special magistrate. For an impasse declared pursuant to s. 447.4095(2), the legislative body must conduct the public hearing within 20 calendar days after the parties submit their recommendations to the legislative body.†

(d) Thereafter, the legislative body shall take such action as it deems to be in the public interest, including the interest of the public employees involved, to resolve all disputed impasse issues. For an impasse declared pursuant to s. 447.4095(2), the legislative body must take action within 10 calendar days after the close of the public hearing.† and

(e) 1. Following the resolution of the disputed impasse issues by the legislative body, the parties shall reduce to writing an agreement which includes those issues agreed to by the parties and those disputed impasse issues resolved by the legislative body's action taken pursuant to paragraph (d). For an impasse declared pursuant to s. 447.4095(2), the parties must reduce the agreement to writing within 10 calendar days after the resolution of the disputed impasse issues by the legislative body.

2. The agreement ~~must shall~~ be signed by the chief executive officer and the bargaining agent and ~~shall~~ be submitted to the public employer and ~~to~~ the public employees in who are members of the bargaining unit for ratification. For an impasse declared pursuant to s. 447.4095(2), the chief executive

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officer and the bargaining agent must sign the agreement within 7 calendar days after the agreement is reduced to writing and must submit the agreement to the public employer and the bargaining unit for ratification within 10 calendar days after the agreement is signed. For an impasse declared pursuant to s. 447.4095(2), the agreement must be signed, submitted, and ratified separately from other bargainable issues.

3. If ~~the~~ such agreement is not ratified by all parties, pursuant to ~~the provisions of~~ s. 447.309, the legislative body's action taken pursuant to the provisions of paragraph (d) shall take effect as of the date of such legislative body's action for the remainder of the first fiscal year which was the subject of negotiations; however, the legislative body's action ~~may~~ shall not take effect with respect to those disputed impasse issues ~~that which~~ establish the language of contractual provisions ~~that which~~ could have no effect in the absence of a ratified agreement, including, but not limited to, preambles, recognition clauses, and duration clauses.

Section 17. Section 447.405, Florida Statutes, is amended to read:

447.405 Factors to be considered by the special magistrate.—The special magistrate shall conduct the hearings and render recommended decisions with the objective of achieving a prompt, peaceful, and just settlement of disputes between the bargaining agents ~~public employee organizations~~ and the public employers. The factors, ~~among others,~~ to be given weight by the special magistrate in arriving at a recommended decision must ~~shall~~ include:

(1) Comparison of the annual income of employment of the

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public employees in question with the annual income of employment maintained for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area involved.

(2) Comparison of the annual income of employment of the public employees in question with the annual income of employment of public employees in similar public employee governmental bodies of comparable size within this ~~the~~ state.

(3) The interest and welfare of the public.

(4) Comparison of peculiarities of employment in regard to other trades or professions, specifically with respect to:

(a) Hazards of employment.

(b) Physical qualifications.

(c) Educational qualifications.

(d) Intellectual qualifications.

(e) Job training and skills.

(f) Retirement plans.

(g) Sick leave.

(h) Job security.

(5) Availability of funds.

Section 18. Section 447.4095, Florida Statutes, is amended to read:

447.4095 Financial urgency.—

(1) In the event of a financial urgency requiring modification of an agreement, the chief executive officer or his or her representative and the bargaining agent or its representative must ~~shall~~ meet as soon as possible to negotiate the impact of the financial urgency. If after a reasonable period of negotiation, which may ~~shall~~ not exceed 14 calendar

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days, a dispute exists between the public employer and the bargaining agent, an impasse ~~is shall~~ be deemed to have occurred, and one of the parties ~~must shall~~ so declare in writing to the other party and to the commission. The parties ~~must shall~~ then proceed to follow the requirements under ~~pursuant to the provisions of~~ s. 447.403. An unfair labor practice charge ~~may shall~~ not be filed during the 14 calendar days during which negotiations are occurring under ~~pursuant to~~ this section.

(2) Salary increases appropriated by the Legislature are, for purposes of this section, considered a financial urgency. In the event of salary increases appropriated by the Legislature which require modification of an agreement, the chief executive officer or his or her representative and the bargaining agent or its representative must meet within 15 calendar days after the effective date of the appropriation to negotiate the impact of the financial urgency. If, 30 calendar days after the effective date of the appropriation, a dispute exists between the public employer and the bargaining agent as to the impact of the financial urgency, one of the parties must, within 2 business days, declare an impasse in writing to the other party and to the commission. The parties must then proceed to follow the requirements under s. 447.403. An unfair labor practice charge may not be filed during the 30-day period of negotiations or while the parties are proceeding through the resulting impasse process. This subsection does not apply to public employees in public safety units.

Section 19. Paragraphs (c) and (f) of subsection (1) and subsection (2) of section 447.501, Florida Statutes, are

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amended, and paragraph (g) is added to subsection (1) of that section, to read:

447.501 Unfair labor practices.—

(1) Public employers or their agents or representatives are prohibited from:

(c) Refusing to bargain collectively, failing to bargain collectively in good faith, or refusing to sign a final agreement agreed upon with the ~~certified~~ bargaining agent for the public employees in the bargaining unit.

(f) Refusing to discuss grievances in good faith pursuant to the terms of the collective bargaining agreement with either the ~~certified~~ bargaining agent for the public employee or the employee involved.

(g) Failing to provide to any employee organization or any petitioning public employee who is seeking to support, oppose, or intervene in the certification, recertification, or decertification of a bargaining agent equal access to the public employer's facilities and its internal means of communication for those purposes. The public employer must provide such equal access from the date of the filing of a petition pursuant to s. 447.307 or s. 447.308 until the final resolution of the petition.

(2) ~~An A-public~~ employee organization or anyone acting on ~~in~~ its behalf or its officers, representatives, agents, or members are prohibited from:

(a) Interfering with, restraining, or coercing public employees in the exercise of any rights guaranteed them under this part or interfering with, restraining, or coercing managerial employees by reason of their performance of job

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duties or other activities undertaken in the interests of the public employer.

(b) Causing or attempting to cause a public employer to discriminate against a public ~~an~~ employee because of such ~~the~~ employee's membership or nonmembership in an employee organization or attempting to cause the public employer to violate ~~any of the provisions of~~ this part.

(c) Refusing to bargain collectively or failing to bargain collectively in good faith with a public employer.

(d) Discriminating against a public ~~an~~ employee because he or she has signed or filed an affidavit, a petition, or a complaint or given any information or testimony in any proceedings provided for in this part.

(e) Participating in a strike against the public employer by instigating or supporting, in any positive manner, a strike. A person who violates ~~Any violation of~~ this paragraph is ~~shall~~ subject ~~the violator~~ to the penalties provided in this part.

(f) Instigating or advocating support, in any positive manner, for an employee organization's activities from high school or grade school students or students in institutions of higher learning.

Section 20. Subsection (1) of section 447.503, Florida Statutes, is amended to read:

447.503 Charges of unfair labor practices.—It is the intent of the Legislature that the commission act as expeditiously as possible to settle disputes regarding alleged unfair labor practices. To this end, violations of the provisions of s. 447.501 shall be remedied by the commission in accordance with the following procedures and in accordance with chapter 120;

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however, to the extent that chapter 120 is inconsistent with the provisions of this section, the procedures contained in this section shall govern:

(1) A proceeding to remedy a violation of ~~the provisions of~~ s. 447.501 ~~must~~ shall be initiated by the filing of a charge with the commission by a public ~~an~~ employer, a public employee, or an employee organization, or any combination thereof, whose substantial interests will be affected as referenced in chapter 120. Such a charge ~~must~~ shall contain a clear and concise statement of facts constituting the alleged unfair labor practice, including the names of all individuals involved in the alleged unfair labor practice, and include specific reference to the provisions of s. 447.501 alleged to have been violated, and such other relevant information as the commission may by rule require or allow. Service of the charge ~~must~~ shall be made upon each named respondent at the time of filing with the commission. The charge must be accompanied by sworn statements and documentary evidence sufficient to establish a prima facie violation of the applicable unfair labor practice provision. Such supporting evidence is not to be attached to the charge and is to be furnished only to the commission.

Section 21. Subsections (2) through (5) and paragraph (a) of subsection (6) of section 447.507, Florida Statutes, are amended to read:

447.507 Violation of strike prohibition; penalties.—

(2) If a public employee, a group of public employees, an employee organization, or any officer, agent, or representative of any employee organization engages in a strike in violation of s. 447.505, either the commission or any public employer whose

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public employees are involved or whose public employees may be affected by the strike may file suit to enjoin the strike in the circuit court having proper jurisdiction and proper venue of such actions under the Florida Rules of Civil Procedure and Florida Statutes. The circuit court shall conduct a hearing, with notice to the commission and to all interested parties, at the earliest practicable time. If the plaintiff makes a prima facie showing that a violation of s. 447.505 is in progress or that there is a clear, real, and present danger that such a strike is about to commence, the circuit court must ~~shall~~ issue a temporary injunction enjoining the strike. Upon final hearing, the circuit court shall either make the injunction permanent or dissolve it.

(3) If an injunction to enjoin a strike issued pursuant to this section is not promptly complied with, on the application of the plaintiff, the circuit court shall immediately initiate contempt proceedings against those who appear to be in violation. An employee organization found to be in contempt of court for violating an injunction against a strike shall be fined an amount deemed appropriate by the court. In determining the appropriate fine, the court shall objectively consider the extent of lost services and the particular nature and position of the public employee group in violation. ~~A In no event shall the fine may not exceed \$30,000 \$5,000.~~ Each officer, agent, or representative of an employee organization found to be in contempt of court for violating an injunction against a strike shall be fined at least \$300, but not more than \$600, not less than \$50 nor more than \$100 for each calendar day that the violation is in progress.

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(4) An employee organization ~~is shall be~~ liable for any damages ~~that which~~ might be suffered by a public employer as a result of a violation of ~~the provisions of~~ s. 447.505 by the employee organization or its representatives, officers, or agents. The circuit court having jurisdiction over such actions ~~may is empowered to~~ enforce judgments against employee organizations in the amount deemed appropriate by the court in accordance with this section. An action ~~may not, as defined in this part, by attachment or garnishment of union initiation fees or dues which are to be deducted or checked off by public employers.~~ No action shall be maintained pursuant to this subsection until all proceedings ~~that which~~ were pending before the commission at the time of the strike or ~~that which~~ were initiated within 30 days after ~~of~~ the strike have been finally adjudicated or otherwise disposed of. In determining the amount of damages, if any, to be awarded to the public employer, the trier of fact shall take into consideration any action or inaction by the public employer or its agents that provoked or tended to provoke the strike by the public employees. The trier of fact shall also take into consideration any damages that might have been recovered by the public employer under subparagraph (6) (a) 4.

(5) If the commission, after a hearing on notice conducted according to rules adopted promulgated by the commission, determines that a public ~~an~~ employee has violated s. 447.505, it may order the termination of such employee's ~~his or her~~ employment by the public employer. Notwithstanding any other provision of law, a person knowingly violating s. 447.505 ~~the provision of said section~~ may, subsequent to such violation, be

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appointed, reappointed, employed, or reemployed as a public employee, but only upon the following conditions:

(a) Such person shall be on probation for ~~a period of~~ 18 months ~~after following~~ his or her appointment, reappointment, employment, or reemployment, during which period he or she shall serve without permanent status and at the pleasure of the agency head.

(b) His or her compensation may ~~not in no event~~ exceed the compensation that received immediately before ~~prior to~~ the time of the violation.

(c) The compensation of the person may not be increased until at least after the expiration of 1 year after from such appointment, reappointment, employment, or reemployment.

(6) (a) If the commission determines that an employee organization has violated s. 447.505, it may:

1. Issue cease and desist orders as necessary to ensure compliance with its order.

2. Suspend or revoke the certification of the ~~employee organization as the~~ bargaining agent of such bargaining employee unit.

3. Revoke any requirement of the public employer to engage in membership the right of dues deduction for the and collection previously granted to said employee organization pursuant to s. 447.303.

4. Fine the organization up to \$120,000 ~~\$20,000~~ for each calendar day of such violation or determine the approximate cost to the public due to each calendar day of the strike and fine the organization an amount equal to such cost, regardless of whether the fine exceeds \$120,000, notwithstanding the fact that

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~~the fine may exceed \$20,000~~ for each such calendar day. The fines so collected ~~shall~~ immediately accrue to the public employer and ~~must shall~~ be used by the public employer him or her to replace those services denied the public as a result of the strike. In determining the amount of damages, if any, to be awarded to the public employer, the commission must consider ~~shall take into consideration~~ any action or inaction by the public employer or its agents that provoked, or tended to provoke, the strike by the public employees.

Section 22. Present subsection (3) of section 447.509, Florida Statutes, is redesignated as subsection (6), and a new subsection (3) and subsections (4) and (5) are added to that section, to read:

447.509 Other unlawful acts; exceptions.—

(3) Public employers, their agents or representatives, or any persons acting on their behalf may not provide any form of compensation or paid leave to a public employee, directly or indirectly, for the purpose of engaging in employee organization activities.

(4) Notwithstanding subsection (3), if the public employer and the bargaining agent agree, a public employee may do any of the following:

(a) Be granted time off without pay or benefits to engage in employee organization activities. An employee organization may compensate a public employee for engaging in employee organization activities.

(b) Use compensated personal leave, whether the leave is the public employee's or is voluntarily donated by other public employees in the bargaining unit, to engage in employee

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organization activities if:

1. The leave is accrued at the same rate by similarly situated public employees in the bargaining unit without regard to membership in or participation with an employee organization.

2. The public employee may freely choose how to use the leave.

(c) Engage in representational employee organization activities on behalf of the bargaining agent while in a duty status without loss of pay or benefits.

(5) Subsections (3) and (4) do not apply to public employees in public safety units.

Section 23. Subsection (3) of section 110.114, Florida Statutes, is amended to read:

110.114 Employee wage deductions.—

(3) Notwithstanding the provisions of subsections (1) and (2), the deduction of an employee's membership dues deductions as defined in s. 447.203 ~~s. 447.203(15) for an employee organization as defined in s. 447.203(11)~~ shall be authorized or permitted only for an organization that has been certified pursuant to chapter 447 as the exclusive bargaining agent pursuant to chapter 447 for a unit of public state employees in which the employee is included. Such deductions shall be subject to the provisions of s. 447.303.

Section 24. Paragraph (w) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(w) Managerial employees and, as defined in s. 447.203(4),

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confidential employees, as those terms are defined in s. 447.203 ~~s. 447.203(5)~~, and supervisory employees who spend the majority of their time communicating with, motivating, training, and evaluating employees, and planning and directing employees' work, and who have the authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline subordinate employees or effectively recommend such action, including all employees serving as supervisors, administrators, and directors. Excluded are employees also designated as special risk or special risk administrative support and attorneys who serve as administrative law judges pursuant to s. 120.65 or for hearings conducted pursuant to s. 120.57(1)(a). Additionally, registered nurses licensed under chapter 464, dentists licensed under chapter 466, psychologists licensed under chapter 490 or chapter 491, nutritionists or dietitians licensed under part X of chapter 468, pharmacists licensed under chapter 465, psychological specialists licensed under chapter 491, physical therapists licensed under chapter 486, and speech therapists licensed under part I of chapter 468 are excluded, unless otherwise collectively bargained.

Section 25. Subsection (6) of section 112.3187, Florida Statutes, is amended to read:

112.3187 Adverse action against employee for disclosing information of specified nature prohibited; employee remedy and relief.—

(6) TO WHOM INFORMATION DISCLOSED.—The information disclosed under this section must be disclosed to any agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act,

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1799 including, but not limited to, the Office of the Chief Inspector
 1800 General, an agency inspector general or the employee designated
 1801 as agency inspector general under s. 112.3189(1) or inspectors
 1802 general under s. 20.055, the Florida Commission on Human
 1803 Relations, and the whistle-blower's hotline created under s.
 1804 112.3189. However, for disclosures concerning a local
 1805 governmental entity, including any regional, county, or
 1806 municipal entity, special district, community college district,
 1807 or school district or any political subdivision of any of the
 1808 foregoing, the information must be disclosed to a chief
 1809 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
 1810 other appropriate local official.

1811 Section 26. Subsection (5) of section 121.031, Florida
 1812 Statutes, is amended to read:

1813 121.031 Administration of system; appropriation; oaths;
 1814 actuarial studies; public records.—

1815 (5) The names and addresses of retirees are confidential
 1816 and exempt from the provisions of s. 119.07(1) to the extent
 1817 that no state or local governmental agency may provide the names
 1818 or addresses of such persons in aggregate, compiled, or list
 1819 form to any person except to a public agency engaged in official
 1820 business. However, a state or local government agency may
 1821 provide the names and addresses of retirees from that agency to
 1822 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
 1823 a retiree organization for official business use. Lists of names
 1824 or addresses of retirees may be exchanged by public agencies,
 1825 but such lists shall not be provided to, or open for inspection
 1826 by, the public. Any person may view or copy any individual's
 1827 retirement records at the Department of Management Services, one

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1828 record at a time, or may obtain information by a separate
 1829 written request for a named individual for which information is
 1830 desired.

1831 Section 27. Subsection (1) of section 447.02, Florida
 1832 Statutes, is amended to read:

1833 447.02 Definitions.—The following terms, when used in this
 1834 chapter, shall have the meanings ascribed to them in this
 1835 section:

1836 (1) The term "labor organization" means any organization of
 1837 employees or local or subdivision thereof, having within its
 1838 membership residents of the state, whether incorporated or not,
 1839 organized for the purpose of dealing with employers concerning
 1840 hours of employment, rate of pay, working conditions, or
 1841 grievances of any kind relating to employment and recognized as
 1842 a unit of bargaining by one or more employers doing business in
 1843 this state, except that an "employee organization," as defined
 1844 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this
 1845 definition at such time as it seeks to register pursuant to s.
 1846 447.305.

1847 Section 28. Section 447.609, Florida Statutes, is amended
 1848 to read:

1849 447.609 Representation in proceedings.—Any full-time
 1850 employee or officer of any public employer or employee
 1851 organization may represent his or her employer or any public
 1852 employee in member ~~of~~ a bargaining unit in any proceeding
 1853 authorized in this part, excluding the representation of any
 1854 person or public employer in a court of law by a person who is
 1855 not a licensed attorney.

1856 Section 29. Subsection (2) of section 1011.60, Florida

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Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education Finance Program.—Each district which participates in the state appropriations for the Florida Education Finance Program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

(2) MINIMUM TERM.—Operate all schools for a term of 180 actual teaching days or the equivalent on an hourly basis as specified by rules of the State Board of Education each school year. The State Board of Education may prescribe procedures for altering, and, upon written application, may alter, this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the board, it is not feasible to make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools. A strike, as defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school district may not be considered an emergency.

Section 30. 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 Governmental Oversight and Accountability

BILL: PCS/SB 1298 (396156)

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: Public Records/Public Employees Relations Commission

DATE: February 10, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harmsen</u>	<u>McVaney</u>	<u>GO</u>	<u>Pre-meeting</u>
2.	<u> </u>	<u> </u>	<u>AEG</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u>FP</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 1298 makes confidential and exempt from the public records inspection and copying requirements the showing of interest signed by employees and filed with the commission as part of a petition to revoke the certification of their bargaining unit. The commission may release the showing of interest to any employee, employer, or employee organization that has sufficient reason to believe that any of the signatures obtained on the showings of interest were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid.

This bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides a statement of public necessity as required by the State Constitution. Because the bill creates or expands a new public record exemption, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill may increase costs minimally for state and local government agencies.

The bill takes effect July 1, 2026.

II. Present Situation:

Access to Public Records - Generally

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ The 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.²

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.³ Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.⁴ Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

The Florida Statutes specify conditions under which public access to governmental records must be provided. The Public Records Act guarantees every person's right to inspect and copy any state or local government public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁵ A violation of the Public Records Act may result in civil or criminal liability.⁶

Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person. Each agency has a duty to provide access to public records.⁷

Section 119.011(12), F.S., defines “public records” to include:

[a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to “perpetuate,

¹ FLA. CONST. art. I, s. 24(a).

² *Id.*; see *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

³ See Rule 1.48, *Rules and Manual of the Florida Senate*, (2022-2024) and Rule 14.1, *Rules of the Florida House of Representatives*, Edition 2 (2022-2024).

⁴ *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).

⁵ Section 119.07(1)(a), F.S.

⁶ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

⁷ Section 119.01(1), F.S.

communicate, or formalize knowledge of some type.”⁸ It has further held that such material is a public record regardless of whether it is in final form or the ultimate product of an agency.⁹

Creation of Public Records Exemptions

Only the Legislature may create an exemption to public record disclosure and copying requirements.¹⁰ An exemption must be created by general law and must specifically state the public necessity justifying the exemption.¹¹ Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions¹² and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.¹³

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 makes exempt from the Public Records Act and those which the Legislature has makes confidential and exempt from the Public Records Act.¹⁴ 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.¹⁵ Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.¹⁶

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act¹⁷ (the Act), prescribe a legislative review process for newly created or substantially amended¹⁸ public records or open meetings exemptions, with specified exceptions.¹⁹ The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.²⁰

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.²¹ An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

⁸ *Shevin v. Byron, Harless, Schaffer, Reid & Assoc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁹ *Id.*

¹⁰ FLA. CONST. art. I, s. 24(c).

¹¹ *Id.*

¹² The bill may, however, contain multiple exemptions that relate to one subject.

¹³ FLA. CONST. art. I, s. 24(c).

¹⁴ *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

¹⁵ *Id.*

¹⁶ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

¹⁷ Section 119.15, F.S.

¹⁸ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

¹⁹ Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

²⁰ Section 119.15(3), F.S.

²¹ Section 119.15(6)(b), F.S.

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;²²
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;²³ or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.²⁴

The Act also requires specified questions to be considered during the review process.²⁵ In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are again required.²⁶ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.²⁷

III. Effect of Proposed Changes:

Section 1 amends s. 447.308, F.S., to make a showing of interest signed by employees confidential and exempt from public records inspection and copying requirements. These showings of interest are filed with the commission by public employees who are seeking a revocation of certification of their bargaining unit.

The bill allows the commission to release the showing of interest to any employee, employer, or employee organization that has sufficient reason to believe that any of the signatures obtained on the showings of interest were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid.

Showings of interest signed by employees who wish to begin representation by a bargaining agent are already made confidential and exempt in s. 447.307(2), F.S., but the commission may release the documents to any employee, employer, or employee organization that has sufficient

²² Section 119.15(6)(b)1., F.S.

²³ Section 119.15(6)(b)2., F.S.

²⁴ Section 119.15(6)(b)3., F.S.

²⁵ Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means?
If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

²⁶ See generally s. 119.15, F.S.

²⁷ Section 119.15(7), F.S.

reason to believe that any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid.

Section 3 provides that the showing of interest statement signed by public employees indicating their desire to no longer be represented by their bargaining agent should enjoy the same confidentiality and exempt status as those showing of interest statements signed by employees who wish to begin representation by a bargaining agent (which is made exempt in s. 447.307(2), F.S. Additionally, section 3 states that it is necessary to make these documents confidential and exempt to avoid a chilling of the employees' exercise of their right to no longer be represented by a union.

Section 2 subjects this exemption to the Open Government Sunset Review Act and repeals the exemption on October 2, 2031, unless it is reviewed and saved from repeal through reenactment by the Legislature. Additionally, this section provides that if this expansion is not saved from repeal, the text of subsection 447.308(1), F.S. will revert to its form as it existed on June 30, 2026.

Section 4 provides that the act takes effect upon becoming a law

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, section 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. This bill creates a new exemption and thus requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, section 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records disclosure requirements to state with specificity the public necessity justifying the exemption. This bill creates a new exemption and thus a statement of public necessity is required.

Section 3 of the bill contains a statement of public necessity which provides that information protected from public copying and disclosure requirements is necessary to avoid a chilling of the employees' exercise of their right to no longer be represented by a

union and provide similar protections to those employees wishing to no longer be represented by a union as those employees wishing to be represented already enjoy.

Breadth of Exemption

Article I, section 24(c) of the State Constitution requires an exemption to the public records disclosure requirements to be no broader than necessary to accomplish the stated purpose of the law. The breadth of the exemption appears to be no broader than necessary to accomplish the purpose of the laws.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The private sector may be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

C. Government Sector Impact:

The government sector may incur costs related to the review and redaction of exempt records associated with responding to public records requests.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 447.308 of the 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.)

PCS (396156) by Governmental Oversight and Accountability:

- Changes the effective date of the creation of the exemption for showing of interest cards for the decertification of a union to “upon becoming a law” rather than July 1, 2026.
- Removes the provision that would have expanded a public records exemption to include the personal identifying information of the commission’s chair, commissioners, hearing officers, and their spouses and children.
- Removes the provision that would have expanded the public records and meetings exemption to make confidential and exempt specified commission deliberations and any draft orders and related written communication that is developed in preparation for, or preliminary to, the issuance of a final written order.

- B. **Amendments:**

None.



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GO.GO.02561

Proposed Committee Substitute by the Committee on Governmental Oversight and Accountability

A bill to be entitled

An act relating to public records; amending s. 447.308, F.S.; providing an exemption from public records requirements for a showing of interest signed by the employees or group of employees who no longer desire to be represented by a certified bargaining agent; providing for future legislative review and repeal of the exemption; providing for the reversion of specified statutory text under certain conditions; providing statements of public necessity; providing an effective date.

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

Section 1. Subsection (1) of section 447.308, Florida Statutes, is amended to read:

447.308 Revocation of certification of employee organization.—

(1) Any employee or group of employees which no longer desires to be represented by the certified bargaining agent may file with the commission a petition to revoke certification. The petition must ~~shall~~ be accompanied by dated statements signed by at least 30 percent of the employees in the unit, indicating that such employees no longer desire to be represented for purposes of collective bargaining by the certified bargaining agent. The time of filing said petition is ~~shall be~~ governed by ~~the provisions of~~ s. 447.307(3)(d) relating to petitions for



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certification. The showing of interest signed by the employees is confidential and exempt from s. 119.07(1) and s. 24(a), Article I of the State Constitution, except that any employee, employer, or employee organization having sufficient reason to believe any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid shall be given a reasonable opportunity to verify and challenge the signatures appearing on the petition. The commission or one of its designated agents shall investigate the petition to determine its sufficiency. If the commission finds the petition to be insufficient, it may dismiss the petition. If the commission finds that the petition is sufficient, it shall immediately:

(a) Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.

(b) Identify the public employer or employers.

(c) Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part.

Section 2. The amendment made by this act to s. 447.308(1), Florida Statutes, is subject to the Open Government Sunset Review Act in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature. If the expansion of the exemption is not saved from repeal, the text of that subsection shall revert to that in existence on June 30,



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2026, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the amendment to the text which expires pursuant to this section.

Section 3. The Legislature finds that it is a public necessity that the showing of interest statements signed by public employees indicating their desire to no longer be represented by their bargaining agent be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The showing of interest statements signed by public employees indicating their desire to be represented by a bargaining agent is already confidential and exempt pursuant to s. 447.307, Florida Statutes, in order to avoid the practical effect of chilling the employees' exercise of the right to form and join a union. Similarly, the showing of interest statements seeking to decertify a union must be kept confidential in order to avoid the practical effect of chilling the employees' exercise of the right to no longer be represented by a union. The Legislature finds that the harm that may result from the release of this showing of interest information outweighs any public benefit that may be derived from the disclosure of the information.

Section 4. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 1298

INTRODUCER: Senator Martin

SUBJECT: Public Records/Public Employees Relations Commission

DATE: January 30, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harmsen	McVaney	GO	Pre-meeting
2.			AEG	
3.			FP	

I. Summary:

SB 1298 creates or expands several public records and copying and inspection or meetings requirements relating to the Public Employees Relations Commission (commission) as follows:

- Makes exempt the personal identifying information of the commission's chair, commissioners, and hearing officers and their spouses and children. This exemption will apply to the specified personal identifying information held by state agencies before, on, and after the effective date of the bill.
- Makes confidential and exempt specified commission deliberations and any draft orders and related written communication that is developed in preparation for, or preliminary to, the issuance of a final written order.
- Makes confidential and exempt the showing of interest signed by employees and filed with the commission as part of a petition to revoke the certification of their bargaining unit. The commission may release the showing of interest to any employee, employer, or employee organization that has sufficient reason to believe that any of the signatures obtained on the showings of interest were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid.

This bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2031, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill provides a statement of public necessity as required by the State Constitution. Because the bill creates or expands three new public exemptions, it requires a two-thirds vote of the members present and voting in each house of the Legislature for final passage.

The bill may increase costs minimally for state and local government agencies.

The bill takes effect July 1, 2026.

II. Present Situation:

Access to Public Records - Generally

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ The 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.²

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.³ Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.⁴ Lastly, ch. 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

The Florida Statutes specify conditions under which public access to governmental records must be provided. The Public Records Act guarantees every person's right to inspect and copy any state or local government public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁵ A violation of the Public Records Act may result in civil or criminal liability.⁶

Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county, and municipal records are open for personal inspection and copying by any person. Each agency has a duty to provide access to public records.⁷

Section 119.011(12), F.S., defines “public records” to include:

[a]ll documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to “perpetuate,

¹ FLA. CONST. art. I, s. 24(a).

² *Id.*; see *Sarasota Citizens for Responsible Gov't v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

³ See Rule 1.48, *Rules and Manual of the Florida Senate*, (2022-2024) and Rule 14.1, *Rules of the Florida House of Representatives*, Edition 2 (2022-2024).

⁴ *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).

⁵ Section 119.07(1)(a), F.S.

⁶ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

⁷ Section 119.01(1), F.S.

communicate, or formalize knowledge of some type.”⁸ It has further held that such material is a public record regardless of whether it is in final form or the ultimate product of an agency.⁹

Draft Materials

Memoranda, whether inter- or intra- office, that communicates “information from one public employee to another or merely prepared for filing, even though not a part of an agency’s later, formal public product, would nonetheless constitute public records in as much as they supply the final evidence of knowledge obtained in connection with the transaction of official business.”¹⁰ Additionally, any agency record, if circulated for review, comment, or information, is a public record regardless of whether it is an official expression of policy or marked “preliminary” or “working draft” or similar label.

When material falls within the statutory definition of “public record” in s. 119.011(12), F.S., and has been prepared to “perpetuate, communicate or formalize knowledge,” the record is subject to disclosure even if the agency believes that the release of the nonfinal product could be detrimental.¹¹ However, not every record made or received in the course of official business is prepared to “perpetuate, communicate or formalize knowledge.” Accordingly, preliminary drafts or notes prepared for the personal use of the writer may constitute mere “precursors” of public records if they are not intended to be the final evidence of the knowledge recorded.¹² Preliminary handwritten notes prepared by agency attorneys and intended only for the attorneys’ own personal use are not public records.¹³

Attorney Work Product

In the absence of legislation, an exemption from public records copying and inspection requirements that protects work product does not exist.¹⁴ The Legislature created a statutory exemption for certain agency attorney litigation work product in s. 119.071(1)(d), F.S., which states:

A public record that was prepared by an agency attorney (including an attorney employed or retained by the agency or employed or retained by another public officer or agency to protect or represent the interests of the agency having custody of the record) or prepared at the attorney’s express direction, that reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the agency, and that was prepared

⁸ *Shevin v. Byron, Harless, Schaffer, Reid & Assoc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁹ *Id.*

¹⁰ *Shevin v. Byron, Harless, Schaffer, Reid & Assoc.*, 379 So. 2d at 640. *See also National Collegiate Athletic Association v. Associated Press*, 18 So. 3d 1201, 1207 (Fla. 1st DCA 2009), review denied, 37 So. 3d 848 (Fla. 2010) (transcript and response prepared as part of NCAA disciplinary proceeding involving state university were public records because the “the purpose of the transcript was to perpetuate the information presented to the infractions committee” and the response “was designed to communicate information to the body that would hear the appeal within the NCAA”).

¹¹ *See, e.g., Gannett Corporation, Inc. v. Goldtrap*, 302 So. 2d 174 (Fla. 2d DCA 1974) (county’s concern that premature disclosure of a report could be harmful to the county does not make the document confidential).

¹² *See Shevin v. Byron, Harless, Schaffer, Reid & Associates, Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

¹³ *See* AGO 10-55 (handwritten personal notes taken by city manager to assist in remembering matters discussed during manager’s interviews of city employees are not public records “if the notes have not been transcribed or shown to others and were not intended to perpetuate, communicate, or formalize knowledge”).

¹⁴ *Edelstein v. Donner*, 450 So. 2d 562 (Fla. 3d DCA 1984). *Hillsborough County Aviation Authority v. Azzarelli Construction Company*, 436 So. 2d 153, 154 (Fla. 2d DCA 1983).

exclusively for civil or criminal litigation or for adversarial administrative proceedings, or that was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings, is exempt [from disclosure] until the conclusion of the litigation or adversarial administrative proceedings.

Under the terms of the statute, the work product exemption “is not waived by the release of such public record to another public employee or officer of the same agency or any person consulted by the agency attorney.”¹⁵

However, certain preliminary trial preparation materials, such as handwritten notes for the attorney’s personal use are not considered a public record and, therefore do not require the protection of an attorney work product exemption or privilege.¹⁶

This exemption would not likely apply to the documents prepared by a commissioner (or other employee) in advance of conducting a hearing as a hearing officer since the role of hearing officer is not an adversary within the concept of an ‘adversarial administrative hearing.’

Creation of Public Records Exemptions

Only the Legislature may create an exemption to public record disclosure and copying requirements.¹⁷ An exemption must be created by general law and must specifically state the public necessity justifying the exemption.¹⁸ Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions¹⁹ and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.²⁰

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 makes exempt from the Public Records Act and those which the Legislature has makes confidential and exempt from the Public Records Act.²¹ 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.²² Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.²³

¹⁵ Section 119.071(1)(d)2., F.S. *See also* AGO 94-77 (work product exemption continues to apply to records prepared by the county attorney when these records are transferred to the city attorney pursuant to a transfer agreement whereby the city is substituted for the county as a party to the litigation).

¹⁶ *Johnson v. Butterworth*, 713 So. 2d 985 (Fla. 1998).

¹⁷ FLA. CONST. art. I, s. 24(c).

¹⁸ *Id.*

¹⁹ The bill may, however, contain multiple exemptions that relate to one subject.

²⁰ FLA. CONST. art. I, s. 24(c).

²¹ *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

²² *Id.*

²³ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

Public Records Exemptions for Specified Personnel and Their Families (s. 119.071(4), F.S.)

Section 119.071(4), F.S., exempts from public record disclosure and coping requirements the personal information of specific government employees when held by government agencies. In paragraph (d), “home addresses” is defined as the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address. Additionally, “telephone numbers” is defined to include home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

Section 119.071(4)(d)2., F.S., generally exempts from public disclosure the home addresses, dates of birth, photographs, and telephone numbers of specified public employees and their spouses and children. Additionally exempted, typically, are the spouse’s place of work as well as the name and location of any schools or day care facilities of the public employee’s children, if any. These public employees include, but are not limited to, sworn law enforcement personnel and active or former civilian personnel employed by a law enforcement agency;²⁴ current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges;²⁵ current or former state attorneys;²⁶ current or former public defenders;²⁷ county tax collectors;²⁸ and clerks of a circuit court.²⁹

Records that include exempt information about the above-specified personnel and their spouses and children (minor or adult) may be held by, among others, their employing agency, clerks of court and comptrollers, county tax collectors and property appraisers, school districts, and law enforcement agencies. County property appraisers³⁰ and county tax collectors³¹ holding exempted information need only remove the name of an individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exemption status from all publicly available records. County property appraisers and county tax collectors may not remove the street address, legal description, or other information identifying real property so long as the name or personal information otherwise exempt is not associated with the property or otherwise displayed in the public records.³²

The personnel, their spouses or children, or their employing agency claiming an exemption under s. 119.071(4)(d)2., F.S., must affirmatively assert the right to the exemption by submitting a written and notarized request to each non-employer agency that holds the employee’s or their spouse or child’s information. The individual or entity asserting the exemption must provide,

²⁴ Section 119.071(4)(d)2.a., F.S. This would presumably include elected law enforcement officers such as sheriffs.

²⁵ Section 119.071(4)(d)2.e., F.S.

²⁶ Section 119.071(4)(d)2.f., F.S.

²⁷ Section 119.071(4)(d)2.l., F.S.

²⁸ Section 119.071(4)(d)2.n., F.S.

²⁹ Section 119.071(4)(d)2.y., F.S. Circuit court clerks’ exemption from public records under this statute is set to repeal on October 2, 2029, unless saved by the Legislature.

³⁰ See s. 192.001(3), F.S.

³¹ See s. 192.001(4), F.S.

³² Section 119.071(4)(d)4., F.S.

under oath, the statutory basis for the individual's exemption and confirm the individual's status as a party eligible for exempt status.³³

These exemptions under s. 119.071(4)(d)2., F.S., have retroactive application, applying to information held by an agency before, on, or after the effective date of the exemption.³⁴ Home addresses, however, are no longer exempt in the Official Records if the protected party no longer resides at the dwelling³⁵ or upon his or her death.³⁶

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act³⁷ (the Act), prescribe a legislative review process for newly created or substantially amended³⁸ public records or open meetings exemptions, with specified exceptions.³⁹ The Act requires the repeal of such exemption on October 2 of the fifth year after its creation or substantial amendment, unless the Legislature reenacts the exemption.⁴⁰

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.⁴¹ An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;⁴²
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;⁴³ or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.⁴⁴

³³ Section 119.071(4)(d)3., F.S.

³⁴ Section 119.071(4)(d)6., F.S.

³⁵ The protected individual must submit a notarized, written request to release the removed information. Section 119.071(4)(d)8., F.S.

³⁶ A certified copy of a death certificate or court order must be presented with a notarized request to release the information to remove the exemption. Section 119.071(4)(d)9., F.S. Note, the Clerk is also called the "county recorder." See s. 28.222(2), F.S.

³⁷ Section 119.15, F.S.

³⁸ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

³⁹ Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

⁴⁰ Section 119.15(3), F.S.

⁴¹ Section 119.15(6)(b), F.S.

⁴² Section 119.15(6)(b)1., F.S.

⁴³ Section 119.15(6)(b)2., F.S.

⁴⁴ Section 119.15(6)(b)3., F.S.

The Act also requires specified questions to be considered during the review process.⁴⁵ In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are again required.⁴⁶ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.⁴⁷

Open Meetings Laws

The State Constitution provides that the public has a right to access governmental meetings.⁴⁸ Each collegial body must provide notice of its meetings to the public and permit the public to attend any meeting at which official acts are taken or at which public business is transacted or discussed.⁴⁹ This applies to the meetings of any collegial body of the executive branch of state government, counties, municipalities, school districts, or special districts.⁵⁰

Public policy regarding access to government meetings also is addressed in the Florida Statutes. Section 286.011, F.S., which is also known as the “Government in the Sunshine Law”⁵¹ or the “Sunshine Law,”⁵² requires all meetings of any board or commission of any state or local agency or authority at which official acts are taken be open to the public.⁵³ The board or commission must provide the public reasonable notice of such meetings.⁵⁴ Public meetings may not be held at any location that discriminates on the basis of sex, age, race, creed, color, origin or economic status or which operates in a manner that unreasonably restricts the public’s access to the facility.⁵⁵ Minutes of a public meeting must be promptly recorded and open to public

⁴⁵ Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

⁴⁶ See generally s. 119.15, F.S.

⁴⁷ Section 119.15(7), F.S.

⁴⁸ FLA. CONST., art. I, s. 24(b).

⁴⁹ *Id.*

⁵⁰ FLA. CONST., art. I, s. 24(b). Meetings of the Legislature are governed by Article III, section 4(e) of the Florida Constitution, which states: “The rules of procedure of each house shall further provide that all prearranged gatherings, between more than two members of the legislature, or between the governor, the president of the senate, or the speaker of the house of representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments, shall be reasonably open to the public.”

⁵¹ *Times Pub. Co. v. Williams*, 222 So.2d 470, 472 (Fla. 2d DCA 1969).

⁵² *Board of Public Instruction of Broward County v. Doran*, 224 So.2d 693, 695 (Fla. 1969).

⁵³ Section 286.011(1)-(2), F.S.

⁵⁴ *Id.*

⁵⁵ Section 286.011(6), F.S.

inspection.⁵⁶ Failure to abide by open meetings requirements will invalidate any resolution, rule, or formal action adopted at a meeting.⁵⁷ A public officer or member of a governmental entity who violates the Sunshine Law is subject to civil and criminal penalties.⁵⁸

The Legislature may create an exemption to open meetings requirements by passing a general law by a two-thirds vote of the House and the Senate.⁵⁹ The exemption must explicitly lay out the public necessity justifying the exemption and be no broader than necessary to accomplish the stated purpose of the exemption.⁶⁰ A statutory exemption which does not meet these two criteria may be unconstitutional and may not be judicially saved.⁶¹

The Public Employees Relations Commission's Open Meetings and Public Records Exemptions

Section 447.205(10), F.S., provides that the commission's deliberations in any proceeding before it are closed and exempt from open meetings requirements. However, oral arguments heard before the commission pursuant to chs. 120 and 447, F.S., are specifically deemed to be open meetings.

Additionally, all of the commission's draft orders, which are developed in preparation for, or preliminary to, the issuance of a final written order are confidential and exempt from the statutory public copying and inspection requirements.

Examples of final orders issued by the commission include:

- Issuance of a final order approving the certification election for an employee organization.⁶² This order is granted after the commission's investigation of the organization's petition for sufficiency, and hearing conducted on the same matter by the commission or an agent of the commission.
- Unfair labor practices hearings conducted in accordance with chs. 120 and 447, F.S. The hearing officer in an unfair labor practices evidentiary hearing may be one designated by the commission—either a member of the commission, an employee agent designated by the commission, or the commission itself. This order is granted upon a finding by the commission of a violation.

The commission also issues orders and decisions, which may be considered a final order in some circumstances. For example, it “orders” an election by secret ballot during an employee organization's certification process; and “orders” the termination of a public employee's employment upon a finding of a violation of the strike ban in s. 447.505.⁶³ Likewise, the commission issues “decisions” deemed final agency action in state career service appeals, age

⁵⁶ Section 286.011(2), F.S.

⁵⁷ Section 286.011(1), F.S.

⁵⁸ Section 286.011(3), F.S.

⁵⁹ FLA. CONST., art. I, s. 24(c).

⁶⁰ *Id.*

⁶¹ *See supra* note 10.

⁶² 447.307(3)(b), F.S.

⁶³ Section 447.507(5), F.S.

discrimination hearings, and veterans preference hearings;⁶⁴ similarly, an approval or disapproval of an employee organization's registration is deemed a "decision [that]...is final agency action..."⁶⁵

III. Effect of Proposed Changes:

Section 1 amends s. 119.071(4), F.S., to exempt from public records disclosure requirements of s. 119.07(1), F.S., and article I, section 24(a) of the State Constitution the following information:

- The home addresses, telephone numbers, and dates of birth of the Public Employees Relations Commission's chair, commissioners, and hearing officers;
- The names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such commission personnel; and
- The names and locations of schools and day care facilities attended by the children of such personnel.

This exemption will apply to this personal identifying information held by state agencies before, on, and after July 1, 2026.

Section 7 provides in pertinent part that there is a public necessity for the exemption of the personal identifying information of these commission staff and their family members because such personnel and their families are at a heightened risk of physical and emotional harm, threats, and endangerment as a result of disgruntled individuals who have a contentious reaction to actions taken by the commission.

Section 2 subjects this exemption to the Open Government Sunset Review Act and repeals the exemption on October 2, 2031, unless it is reviewed and saved from repeal through reenactment by the Legislature. Additionally, this section provides that if this expansion is not saved from repeal, the text of sub-subparagraph 119.071(4)(d)2.g. will revert to its form as it existed on June 30, 2026.

Section 3 amends s. 447.205, F.S., to expand the public records and public meetings exemptions for *any* commission deliberation (whether or not it relates to a proceeding before it), and *any* draft orders and related written communication that is developed in preparation for, or preliminary to, the issuance of *any written order*.

Currently, the commission's deliberations in any proceeding before it, except for a hearing held or oral argument heard by the commission pursuant to ch. 120, F.S., is exempt from open meeting laws. All of the commission's draft orders developed in preparation for, or preliminary to, the issuance of a *final written order* are confidential and exempt from s. 119.08(1), F.S.

Section 7 provides, in pertinent part, that commission deliberations and draft orders and their related written communication must be made confidential and exempt because the commission relies on the confidentiality as a quasi-judicial body. The statement further expresses that updates

⁶⁴ Section 447.207(11), F.S.

⁶⁵ Section 447.305(8)(b), F.S.

in technology, current practices of the commission related to the use of hearing offices, and modern methods of communication require the confidential and exempt status.

Section 4 subjects this exemption to the Open Government Sunset Review Act and repeals the exemption on October 2, 2031, unless it is reviewed and saved from repeal through reenactment by the Legislature. Additionally, this section provides that if this expansion is not saved from repeal, the text of subsection 447.205, F.S. will revert to its form as it existed on June 30, 2026.

Section 5 amends s. 447.308, F.S., to make a showing of interest signed by employees confidential and exempt from s. 119.07(1) and article I, section 24(a) of the State Constitution. These showings of interest are filed with the commission by employees who are seeking a revocation of certification of their bargaining unit.

The bill allows the commission to release the showing of interest to any employee, employer, or employee organization that has sufficient reason to believe that any of the signatures obtained on the showings of interest were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid.

Showings of interest signed by employees who wish to begin representation by a bargaining agent are already made confidential and exempt in s. 447.307(2), F.S., but the commission may release the documents to any employee, employer, or employee organization that has sufficient reason to believe that any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation or are otherwise invalid.

Section 7 provides, in pertinent part, that the showing of interest statement signed by public employees indicating their desire to no longer be represented by their bargaining agent should enjoy the same confidentiality and exempt status as those showing of interest statements signed by employees who wish to begin representation by a bargaining agent (which is made exempt in s. 447.307(2), F.S. Additionally, section 7 states that it is necessary to make these documents confidential and exempt to avoid a chilling of the employees' exercise of their right to no longer be represented by a union.

Section 6 subjects this exemption to the Open Government Sunset Review Act and repeals the exemption on October 2, 2031, unless it is reviewed and saved from repeal through reenactment by the Legislature. Additionally, this section provides that if this expansion is not saved from repeal, the text of subsection 447.308(1), F.S. will revert to its form as it existed on June 30, 2026.

Section 8 provides that the act takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

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

have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, section 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records disclosure requirements. This bill both creates a new exemption and expands two current exemptions and thus requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, section 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records disclosure requirements to state with specificity the public necessity justifying the exemption. This bill both creates a new exemption and expands two current exemptions and thus a statement of public necessity is required.

Section 7 of the bill contains a statement of public necessity which provides that information protected from public copying and disclosure requirements is necessary to

- Protect commission staff and their family members from a heightened risk of physical and emotional harm, threats, and endangerment as a result of disgruntled individuals who have a contentious reaction to actions taken by the commission;
- Ensure the commission has the necessary confidentiality as a quasi-judicial body; and
- Avoid a chilling of the employees' exercise of their right to no longer be represented by a union and provide similar protections to those employees wishing to no longer be represented by a union as those employees wishing to be represented already enjoy.

Breadth of Exemption

Article I, section 24(c) of the State Constitution requires an exemption to the public records disclosure requirements to be no broader than necessary to accomplish the stated purpose of the law.

Draft Orders and Related Communications

The exemption provided for in section 3 of the bill may be broader than necessary to accomplish the purposes of the laws.

The exemption of the commission's draft orders and related written communications developed in preparation for issuance of any order may be overbroad in two ways. First, the exemption may apply for an unnecessary length of time. Under the bill, the confidential and exempt status of the draft orders and related communications continue even after the commission has issued its final order. The final order, presumably, will include a vast majority of the information included in the draft version; it does not follow

that the necessity to protect as confidential and exempt such information should continue after its release in another document. Second, the exemption may apply to too many orders. The commission has authority to issue many types of orders, including recommended orders, an order granting certification in a labor hearing, a scheduling order, and others.

The public necessity statement states that this expansion is intended to clarify and reflect technological updates, modern communication, and the use of hearing officers “to prepare draft orders and assist in preparing final orders...”. However, similar quasi-judicial agencies do not have any parallel exemption even for drafts of their final orders. for instance, the Division of Administrative Hearings, the Public Service Commission, and the Florida Gaming Commission do not have a blanket draft order exemption. Instead, each has provisions that allow the bodies to close their meeting to discuss information that is otherwise held confidential and exempt or exempt,⁶⁶ or to maintain material that is the subject of an ongoing investigation as exempt, only until the investigation is finalized.⁶⁷

Totality of the Bill

The breadth of the exemption of specified commission personnel (section 1) and of a showing of interest to revoke a bargaining agent’s certification as signed by an employee (section 5), when considered separately as individual exemptions, appear no broader than necessary to accomplish the purpose of the laws. However, together with section 3, the exemptions in the bill may be too unrelated, as further discussed in the Other Constitutional Issues section of this analysis *infra*.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Article I, section 24 of the State Constitution provides that the Legislature may pass a general law to grant an exemption from public copying and inspection requirements, but that such law “shall relate to one subject.” It is not clear that the three exemptions provided for in this bill share a close enough nexus to be considered one subject. While the commission’s chair, commissioners, and hearing officers at times are in the same physical location as the showing of interest to revoke a bargaining agent’s certification, little else that unifies them. In particular, the public necessity statement relies on vastly different rationales to justify the personal identifying information exemption, the exemption of commission draft orders and related written communications developed in preparation for the issuance of any order by the commission or its designees, and the

⁶⁶ See, e.g., ss. 16.716(1)-(2), and 350.01(9), F.S.

⁶⁷ See, e.g., ss. 350.121, 365.174, and 550.0251(9), F.S.

exemption of showing of interest cards used in an attempt to revoke a bargaining unit's certification. This may be indicative of the three exemptions not being sufficiently related to be considered "one subject."

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The private sector may be subject to the cost associated with an agency's review and redactions of exempt records in response to a public records request.

C. Government Sector Impact:

The government sector may incur costs related to the review and redaction of exempt records associated with responding to public records requests.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 119.071, 447.205, and 447.308.

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 Martin

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A bill to be entitled

An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the chair, commissioners, and hearing officers of the Public Employees Relations Commission; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing for the reversion of specified statutory text under certain conditions; amending s. 447.205, F.S.; revising the exemption from public records requirements for draft orders and related written communications or the issuance of any order by the commission or its designees; providing for future legislative review and repeal of the exemption; providing for the reversion of specified statutory text under certain conditions; amending s. 447.308, F.S.; providing an exemption from public records requirements for a showing of interest signed by the employees or group of employees who no longer desire to be represented by a certified bargaining agent; providing for future legislative review and repeal of the exemption; providing for the reversion of specified statutory text under certain conditions; providing statements of public necessity; providing an effective date.

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

Section 1. Paragraph (d) of subsection (4) of section

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119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(4) AGENCY PERSONNEL INFORMATION.—

(d)1. For purposes of this paragraph, the term:

a. "Home addresses" means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.

b. "Judicial assistant" means a court employee assigned to the following class codes: 8140, 8150, 8310, and 8320.

c. "Telephone numbers" includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2.a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn law enforcement personnel or of active or former civilian personnel employed by a law enforcement agency, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the names, home

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addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

b. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges and current judicial assistants; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges and current judicial assistants; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges and of current judicial assistants are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys,

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 117 assistant state attorneys, statewide prosecutors, or assistant
 118 statewide prosecutors; and the names and locations of schools
 119 and day care facilities attended by the children of current or
 120 former state attorneys, assistant state attorneys, statewide
 121 prosecutors, or assistant statewide prosecutors are exempt from
 122 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

123 g. The home addresses, dates of birth, and telephone
 124 numbers of general magistrates, special magistrates, judges of
 125 compensation claims, administrative law judges of the Division
 126 of Administrative Hearings, ~~and~~ child support enforcement
 127 hearing officers, and the chair, commissioners, and hearing
 128 officers of the Public Employees Relations Commission; the
 129 names, home addresses, telephone numbers, dates of birth, and
 130 places of employment of the spouses and children of general
 131 magistrates, special magistrates, judges of compensation claims,
 132 administrative law judges of the Division of Administrative
 133 Hearings, ~~and~~ child support enforcement hearing officers, and
 134 the chair, commissioners, and hearing officers of the Public
 135 Employees Relations Commission; and the names and locations of
 136 schools and day care facilities attended by the children of
 137 general magistrates, special magistrates, judges of compensation
 138 claims, administrative law judges of the Division of
 139 Administrative Hearings, ~~and~~ child support enforcement hearing
 140 officers, and the chair, commissioners, and hearing officers of
 141 the Public Employees Relations Commission are exempt from s.
 142 119.07(1) and s. 24(a), Art. I of the State Constitution.

143 h. The home addresses, telephone numbers, dates of birth,
 144 and photographs of current or former human resource, labor
 145 relations, or employee relations directors, assistant directors,

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 146 managers, or assistant managers of any local government agency
 147 or water management district whose duties include hiring and
 148 firing employees, labor contract negotiation, administration, or
 149 other personnel-related duties; the names, home addresses,
 150 telephone numbers, dates of birth, and places of employment of
 151 the spouses and children of such personnel; and the names and
 152 locations of schools and day care facilities attended by the
 153 children of such personnel are exempt from s. 119.07(1) and s.
 154 24(a), Art. I of the State Constitution.

155 i. The home addresses, telephone numbers, dates of birth,
 156 and photographs of current or former code enforcement officers;
 157 the names, home addresses, telephone numbers, dates of birth,
 158 and places of employment of the spouses and children of such
 159 personnel; and the names and locations of schools and day care
 160 facilities attended by the children of such personnel are exempt
 161 from s. 119.07(1) and s. 24(a), Art. I of the State
 162 Constitution.

163 j. The home addresses, telephone numbers, places of
 164 employment, dates of birth, and photographs of current or former
 165 guardians ad litem, as defined in s. 39.01; the names, home
 166 addresses, telephone numbers, dates of birth, and places of
 167 employment of the spouses and children of such persons; and the
 168 names and locations of schools and day care facilities attended
 169 by the children of such persons are exempt from s. 119.07(1) and
 170 s. 24(a), Art. I of the State Constitution.

171 k. The home addresses, telephone numbers, dates of birth,
 172 and photographs of current or former juvenile probation
 173 officers, juvenile probation supervisors, detention
 174 superintendents, assistant detention superintendents, juvenile

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justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; and the names and locations of schools and day care facilities attended by the children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors

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of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

p. The home addresses, telephone numbers, dates of birth,

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233 and photographs of current or former impaired practitioner
 234 consultants who are retained by an agency or current or former
 235 employees of an impaired practitioner consultant whose duties
 236 result in a determination of a person's skill and safety to
 237 practice a licensed profession; the names, home addresses,
 238 telephone numbers, dates of birth, and places of employment of
 239 the spouses and children of such consultants or their employees;
 240 and the names and locations of schools and day care facilities
 241 attended by the children of such consultants or employees are
 242 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 243 Constitution.

244 q. The home addresses, telephone numbers, dates of birth,
 245 and photographs of current or former emergency medical
 246 technicians or paramedics certified under chapter 401; the
 247 names, home addresses, telephone numbers, dates of birth, and
 248 places of employment of the spouses and children of such
 249 emergency medical technicians or paramedics; and the names and
 250 locations of schools and day care facilities attended by the
 251 children of such emergency medical technicians or paramedics are
 252 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 253 Constitution.

254 r. The home addresses, telephone numbers, dates of birth,
 255 and photographs of current or former personnel employed in an
 256 agency's office of inspector general or internal audit
 257 department whose duties include auditing or investigating waste,
 258 fraud, abuse, theft, exploitation, or other activities that
 259 could lead to criminal prosecution or administrative discipline;
 260 the names, home addresses, telephone numbers, dates of birth,
 261 and places of employment of spouses and children of such

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262 personnel; and the names and locations of schools and day care
 263 facilities attended by the children of such personnel are exempt
 264 from s. 119.07(1) and s. 24(a), Art. I of the State
 265 Constitution.

266 s. The home addresses, telephone numbers, dates of birth,
 267 and photographs of current or former directors, managers,
 268 supervisors, nurses, and clinical employees of an addiction
 269 treatment facility; the home addresses, telephone numbers,
 270 photographs, dates of birth, and places of employment of the
 271 spouses and children of such personnel; and the names and
 272 locations of schools and day care facilities attended by the
 273 children of such personnel are exempt from s. 119.07(1) and s.
 274 24(a), Art. I of the State Constitution. For purposes of this
 275 sub-subparagraph, the term "addiction treatment facility" means
 276 a county government, or agency thereof, that is licensed
 277 pursuant to s. 397.401 and provides substance abuse prevention,
 278 intervention, or clinical treatment, including any licensed
 279 service component described in s. 397.311(27).

280 t. The home addresses, telephone numbers, dates of birth,
 281 and photographs of current or former directors, managers,
 282 supervisors, and clinical employees of a child advocacy center
 283 that meets the standards of s. 39.3035(2) and fulfills the
 284 screening requirement of s. 39.3035(3), and the members of a
 285 Child Protection Team as described in s. 39.303 whose duties
 286 include supporting the investigation of child abuse or sexual
 287 abuse, child abandonment, child neglect, and child exploitation
 288 or to provide services as part of a multidisciplinary case
 289 review team; the names, home addresses, telephone numbers,
 290 photographs, dates of birth, and places of employment of the

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291 spouses and children of such personnel and members; and the
 292 names and locations of schools and day care facilities attended
 293 by the children of such personnel and members are exempt from s.
 294 119.07(1) and s. 24(a), Art. I of the State Constitution.

295 u. The home addresses, telephone numbers, places of
 296 employment, dates of birth, and photographs of current or former
 297 staff and domestic violence advocates, as defined in s.
 298 90.5036(1)(b), of domestic violence centers certified by the
 299 Department of Children and Families under chapter 39; the names,
 300 home addresses, telephone numbers, places of employment, dates
 301 of birth, and photographs of the spouses and children of such
 302 personnel; and the names and locations of schools and day care
 303 facilities attended by the children of such personnel are exempt
 304 from s. 119.07(1) and s. 24(a), Art. I of the State
 305 Constitution.

306 v. The home addresses, telephone numbers, dates of birth,
 307 and photographs of current or former inspectors or investigators
 308 of the Department of Agriculture and Consumer Services; the
 309 names, home addresses, telephone numbers, dates of birth, and
 310 places of employment of the spouses and children of current or
 311 former inspectors or investigators; and the names and locations
 312 of schools and day care facilities attended by the children of
 313 current or former inspectors or investigators are exempt from s.
 314 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 315 sub-subparagraph is subject to the Open Government Sunset Review
 316 Act in accordance with s. 119.15 and shall stand repealed on
 317 October 2, 2028, unless reviewed and saved from repeal through
 318 reenactment by the Legislature.

319 w. The home addresses, telephone numbers, dates of birth,

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320 and photographs of current county attorneys, assistant county
 321 attorneys, deputy county attorneys, city attorneys, assistant
 322 city attorneys, and deputy city attorneys; the names, home
 323 addresses, telephone numbers, photographs, dates of birth, and
 324 places of employment of the spouses and children of current
 325 county attorneys, assistant county attorneys, deputy county
 326 attorneys, city attorneys, assistant city attorneys, and deputy
 327 city attorneys; and the names and locations of schools and day
 328 care facilities attended by the children of current county
 329 attorneys, assistant county attorneys, deputy county attorneys,
 330 city attorneys, assistant city attorneys, and deputy city
 331 attorneys are exempt from s. 119.07(1) and s. 24(a), Art. I of
 332 the State Constitution. This exemption does not apply to a
 333 county attorney, assistant county attorney, deputy county
 334 attorney, city attorney, assistant city attorney, or deputy city
 335 attorney who qualifies as a candidate for election to public
 336 office. This sub-subparagraph is subject to the Open Government
 337 Sunset Review Act in accordance with s. 119.15 and shall stand
 338 repealed on October 2, 2029, unless reviewed and saved from
 339 repeal through reenactment by the Legislature.

340 x. The home addresses, telephone numbers, dates of birth,
 341 and photographs of current or former commissioners of the
 342 Florida Gaming Control Commission; the names, home addresses,
 343 telephone numbers, dates of birth, photographs, and places of
 344 employment of the spouses and children of such current or former
 345 commissioners; and the names and locations of schools and day
 346 care facilities attended by the children of such current or
 347 former commissioners are exempt from s. 119.07(1) and s. 24(a),
 348 Art. I of the State Constitution. This sub-subparagraph is

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349 subject to the Open Government Sunset Review Act in accordance
350 with s. 119.15 and shall stand repealed on October 2, 2029,
351 unless reviewed and saved from repeal through reenactment by the
352 Legislature.

353 y. The home addresses, telephone numbers, dates of birth,
354 and photographs of current clerks of the circuit court, deputy
355 clerks of the circuit court, and clerk of the circuit court
356 personnel; the names, home addresses, telephone numbers, dates
357 of birth, and places of employment of the spouses and children
358 of current clerks of the circuit court, deputy clerks of the
359 circuit court, and clerk of the circuit court personnel; and the
360 names and locations of schools and day care facilities attended
361 by the children of current clerks of the circuit court, deputy
362 clerks of the circuit court, and clerk of the circuit court
363 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
364 the State Constitution. This sub-subparagraph is subject to the
365 Open Government Sunset Review Act in accordance with s. 119.15
366 and shall stand repealed on October 2, 2029, unless reviewed and
367 saved from repeal through reenactment by the Legislature.

368 z.(I) As used in this sub-subparagraph, the term:

369 (A) "Congressional member" means a person who is elected to
370 serve as a member of the United States House of Representatives
371 or is elected or appointed to serve as a member of the United
372 States Senate.

373 (B) "Partial home address" means the dwelling location at
374 which an individual resides and includes the physical address,
375 mailing address, street address, parcel identification number,
376 plot identification number, legal property description,
377 neighborhood name and lot number, GPS coordinates, and any other

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378 descriptive property information that may reveal the partial
379 home address, except for the city and zip code.

380 (C) "Public officer" means a person who holds one of the
381 following offices: Governor, Lieutenant Governor, Chief
382 Financial Officer, Attorney General, Agriculture Commissioner,
383 state representative, state senator, property appraiser,
384 supervisor of elections, school superintendent, school board
385 member, mayor, city commissioner, or county commissioner.

386 (II) The following information is exempt from s. 119.07(1)
387 and s. 24(a), Art. I of the State Constitution:

388 (A) The partial home addresses of a current congressional
389 member or public officer and his or her spouse or adult child.

390 (B) The telephone numbers of a current congressional member
391 or public officer and his or her spouse or adult child.

392 (C) The name, home addresses, telephone numbers, and date
393 of birth of a minor child of a current congressional member or
394 public officer and the name and location of the school or day
395 care facility attended by the minor child.

396 (III) This sub-subparagraph is subject to the Open
397 Government Sunset Review Act in accordance with s. 119.15 and
398 shall stand repealed on October 2, 2030, unless reviewed and
399 saved from repeal through reenactment by the Legislature.

400 3.a. An agency that is the custodian of the information
401 specified in subparagraph 2. and that is not the employer of the
402 officer, employee, justice, judge, or other person specified in
403 subparagraph 2. must maintain the exempt status of that
404 information only if the officer, employee, justice, judge, other
405 person, or employing agency of the designated employee submits a
406 written and notarized request for maintenance of the exemption

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to the custodial agency. The request must state under oath the statutory basis for the individual's exemption request and confirm the individual's status as a party eligible for exempt status.

b. An agency that is the custodian of information specified in sub-subparagraph 2.z. and that is not the employer of the congressional member, public officer, or other person specified in sub-subparagraph 2.z. must maintain the exempt status of that information only if an individual requests the maintenance of an exemption pursuant to sub-subparagraph 2.z. on the basis of eligibility as a current congressional member or public officer and his or her spouse or child submits, as part of the written and notarized request required by sub-subparagraph a., the date of the congressional member's or public officer's election or appointment to public office, the date on which that office is next subject to election, and, if applicable, the date on which the current congressional member's or public officer's minor child reaches the age of majority. The custodian must maintain an exemption granted pursuant to sub-subparagraph 2.z. until the qualifying conditions for the exemption no longer apply to the person subject to the exemption.

4.a. A county property appraiser, as defined in s. 192.001(3), or a county tax collector, as defined in s. 192.001(4), who receives a written and notarized request for maintenance of the exemption pursuant to subparagraph 3. must comply by removing the name of the individual with exempt status and the instrument number or Official Records book and page number identifying the property with the exempt status from all publicly available records maintained by the property appraiser

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or tax collector. For written requests received on or before July 1, 2021, a county property appraiser or county tax collector must comply with this sub-subparagraph by October 1, 2021. A county property appraiser or county tax collector may not remove the street address, legal description, or other information identifying real property within the agency's records so long as a name or personal information otherwise exempt from inspection and copying pursuant to this section is not associated with the property or otherwise displayed in the public records of the agency.

b. Any information restricted from public display, inspection, or copying under sub-subparagraph a. must be provided to the individual whose information was removed.

5. An officer, an employee, a justice, a judge, or other person specified in subparagraph 2. may submit a written request for the release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information.

6. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

7. Information made exempt under this paragraph may be disclosed pursuant to s. 28.2221 to a title insurer authorized pursuant to s. 624.401 and its affiliates as defined in s. 624.10; a title insurance agent or title insurance agency as defined in s. 626.841(1) or (2), respectively; or an attorney

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465 duly admitted to practice law in this state and in good standing
466 with The Florida Bar.

467 8. The exempt status of a home address contained in the
468 Official Records is maintained only during the period when a
469 protected party resides at the dwelling location. Upon
470 conveyance of real property after October 1, 2021, and when such
471 real property no longer constitutes a protected party's home
472 address as defined in sub-subparagraph 1.a., the protected party
473 must submit a written request to release the removed information
474 to the county recorder. The written request to release the
475 removed information must be notarized, must confirm that a
476 protected party's request for release is pursuant to a
477 conveyance of his or her dwelling location, and must specify the
478 Official Records book and page, instrument number, or clerk's
479 file number for each document containing the information to be
480 released.

481 9. Upon the death of a protected party as verified by a
482 certified copy of a death certificate or court order, any party
483 can request the county recorder to release a protected
484 decedent's removed information unless there is a related request
485 on file with the county recorder for continued removal of the
486 decedent's information or unless such removal is otherwise
487 prohibited by statute or by court order. The written request to
488 release the removed information upon the death of a protected
489 party must attach the certified copy of a death certificate or
490 court order and must be notarized, must confirm the request for
491 release is due to the death of a protected party, and must
492 specify the Official Records book and page number, instrument
493 number, or clerk's file number for each document containing the

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494 information to be released. A fee may not be charged for the
495 release of any document pursuant to such request.

496 Section 2. The amendment made by this act to s.
497 119.071(4)(d)2.g., Florida Statutes, is subject to the Open
498 Government Sunset Review Act in accordance with s. 119.15,
499 Florida Statutes, and shall stand repealed on October 2, 2031,
500 unless reviewed and saved from repeal through reenactment by the
501 Legislature. If the expansion of the exemption is not saved from
502 repeal, the text of that sub-subparagraph shall revert to that
503 in existence on June 30, 2026, except that any amendments to
504 such text enacted other than by this act shall be preserved and
505 continue to operate to the extent that such amendments are not
506 dependent upon the amendment to the text which expires pursuant
507 to this section.

508 Section 3. Subsection (10) of section 447.205, Florida
509 Statutes, is amended to read:

510 447.205 Public Employees Relations Commission.—

511 (10) The deliberations of the commission ~~in any proceeding~~
512 ~~before it~~ are closed and exempt from ~~the provisions of s.~~
513 286.011. However, any hearing held or oral argument heard by the
514 commission pursuant to this chapter or chapter 120 is or this
515 ~~chapter shall be~~ open to the public. All draft orders and
516 related written communications that are developed in preparation
517 for, or preliminary to, the issuance of any order by the
518 commission or its designees a final written order are
519 confidential and exempt from ~~the provisions of s. 119.07(1) and~~
520 s. 24(a), Art. I of the State Constitution.

521 Section 4. The amendment made by this act to s.
522 447.205(10), Florida Statutes, is subject to the Open Government

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523 Sunset Review Act in accordance with s. 119.15, Florida
 524 Statutes, and shall stand repealed on October 2, 2031, unless
 525 reviewed and saved from repeal through reenactment by the
 526 Legislature. If the expansion of the exemption is not saved from
 527 repeal, the text of that subsection shall revert to that in
 528 existence on June 30, 2026, except that any amendments to such
 529 text enacted other than by this act shall be preserved and
 530 continue to operate to the extent that such amendments are not
 531 dependent upon the amendment to the text which expires pursuant
 532 to this section.

533 Section 5. Subsection (1) of section 447.308, Florida
 534 Statutes, is amended to read:

535 447.308 Revocation of certification of employee
 536 organization.—

537 (1) Any employee or group of employees which no longer
 538 desires to be represented by the certified bargaining agent may
 539 file with the commission a petition to revoke certification. The
 540 petition must ~~shall~~ be accompanied by dated statements signed by
 541 at least 30 percent of the employees in the unit, indicating
 542 that such employees no longer desire to be represented for
 543 purposes of collective bargaining by the certified bargaining
 544 agent. The time of filing said petition ~~is shall be~~ governed by
 545 ~~the provisions of~~ s. 447.307(3) (d) relating to petitions for
 546 certification. The showing of interest signed by the employees
 547 is confidential and exempt from s. 119.07(1) and s. 24(a),
 548 Article I of the State Constitution, except that any employee,
 549 employer, or employee organization having sufficient reason to
 550 believe any of the employee signatures were obtained by
 551 collusion, coercion, intimidation, or misrepresentation or are

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552 otherwise invalid shall be given a reasonable opportunity to
 553 verify and challenge the signatures appearing on the petition.
 554 The commission or one of its designated agents shall investigate
 555 the petition to determine its sufficiency. If the commission
 556 finds the petition to be insufficient, it may dismiss the
 557 petition. If the commission finds that the petition is
 558 sufficient, it shall immediately:

559 (a) Identify the bargaining unit and determine which public
 560 employees shall be qualified and entitled to vote in the
 561 election held by the commission.

562 (b) Identify the public employer or employers.

563 (c) Order an election by secret ballot, the cost of said
 564 election to be borne equally by the parties, except as the
 565 commission may provide by rule. The commission's order assessing
 566 costs of an election may be enforced pursuant to the provisions
 567 of this part.

568 Section 6. The amendment made by this act to s. 447.308(1),
 569 Florida Statutes, is subject to the Open Government Sunset
 570 Review Act in accordance with s. 119.15, Florida Statutes, and
 571 shall stand repealed on October 2, 2031, unless reviewed and
 572 saved from repeal through reenactment by the Legislature. If the
 573 expansion of the exemption is not saved from repeal, the text of
 574 that subsection shall revert to that in existence on June 30,
 575 2026, except that any amendments to such text enacted other than
 576 by this act shall be preserved and continue to operate to the
 577 extent that such amendments are not dependent upon the amendment
 578 to the text which expires pursuant to this section.

579 Section 7. (1) The Legislature finds that it is a public
 580 necessity that the home addresses, dates of birth, and telephone

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581 numbers of the chair, commissioners, and hearing officers of the
 582 Public Employees Relations Commission; the names, home
 583 addresses, telephone numbers, dates of birth, and places of
 584 employment of the spouses and children of such personnel; and
 585 the names and locations of schools and day care facilities
 586 attended by the children of such personnel be made exempt from
 587 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
 588 State Constitution. Such personnel and their families are at a
 589 heightened risk of physical and emotional harm from disgruntled
 590 individuals who have contentious reactions to actions taken by
 591 the commission. In addition, such personnel may be subject to
 592 threats or acts of revenge because of the duties they perform.
 593 The spouses and children of such personnel are also endangered
 594 by individuals who seek to intimidate or harm such personnel.
 595 The Legislature finds that the harm that may result from the
 596 release of such personal identifying and location information
 597 outweighs any public benefit that may be derived from the
 598 disclosure of the information.

599 (2) The Legislature finds that it is a public necessity
 600 that draft orders and related written communications that are
 601 developed in preparation for, or preliminary to, the issuance of
 602 any order by the Public Employees Relations Commission or its
 603 designees be made confidential and exempt from s. 119.07(1),
 604 Florida Statutes, and s. 24(a), Article I of the State
 605 Constitution. The Public Employees Relations Commission, as a
 606 quasi-judicial agency, speaks through its written orders based
 607 on the law and facts. The commission and its hearing officers
 608 rely on the confidentiality of draft orders and written
 609 communications related to these drafts before they become final

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610 and are released to the public. The existing provision in s.
 611 447.205(10), Florida Statutes, addresses this confidentiality
 612 and recognizes its importance to the proper functioning of the
 613 commission. However, it was adopted in 1977, with the only
 614 substantive amendment being made in 1991. To avoid the existing
 615 provision from being inadvertently read so as to allow public
 616 access to draft orders or commission deliberations, including
 617 preliminary work prepared by commission hearing officers, the
 618 Legislature finds that it is a public necessity that the
 619 language of the provision providing for confidentiality and
 620 exemption of commission deliberations and draft orders be
 621 clarified to reflect updates in technology, current practices of
 622 the commission related to the use of hearing officers, and
 623 modern methods of communication. The confidentiality and
 624 exemption of commission deliberations and draft orders are
 625 essential to the operation of the commission. Likewise, the
 626 confidentiality and exemption of written communications related
 627 to draft orders are essential to the operation of the commission
 628 given updates in technology, commission practice of using
 629 hearing officers as designees to prepare draft orders and assist
 630 in preparing final orders, and modern methods of communication.
 631 The Legislature further finds that the harm that may result from
 632 the release of written communications related to draft orders,
 633 in light of current technology, practices, and methods of
 634 communication, outweighs any public benefit that may be derived
 635 from the disclosure of such written communications.

636 (3) The Legislature further finds that it is a public
 637 necessity that the showing of interest statements signed by
 638 public employees indicating their desire to no longer be

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639 represented by their bargaining agent be made confidential and
640 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
641 Article I of the State Constitution. The showing of interest
642 statements signed by public employees indicating their desire to
643 be represented by a bargaining agent is already confidential and
644 exempt pursuant to s. 447.307, Florida Statutes, in order to
645 avoid the practical effect of chilling the employees' exercise
646 of the right to form and join a union. Similarly, the showing of
647 interest statements seeking to decertify a union must be kept
648 confidential in order to avoid the practical effect of chilling
649 the employees' exercise of the right to no longer be represented
650 by a union. The Legislature finds that the harm that may result
651 from the release of this showing of interest information
652 outweighs any public benefit that may be derived from the
653 disclosure of the information.

654 Section 8. 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 Governmental Oversight and Accountability

BILL: SB 1612

INTRODUCER: Senator DiCeglie

SUBJECT: Electronic Payments to Local Governments

DATE: February 10, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Tolmich	Fleming	CA	Favorable
2. White	McVane	GO	Pre-meeting
3. _____	_____	RC	_____

I. Summary:

SB 1612 amends s. 215.322, F.S., to require each unit of local government¹ and each department, subagency, and division of such units of local government to accept electronic payment online by use of credit cards, charge cards, bank debit cards, and electronic fund transfers for payments received by and financial obligations owed to the local government. Currently, local governments and certain subdivisions thereof are authorized, but not required, to accept payments by use of credit cards, charge cards, bank debit cards, and electronic fund transfers for financial obligations that are owing to such unit of local government.

The bill additionally requires the local governments and subdivisions thereof to surcharge the payor using a credit card, charge card, bank debt card, or electronic funds transfer for certain payments. Currently, local governments are authorized, but not required, to surcharge payors in these instances.

The bill may require local governments to expend funds to make necessary technological updates and to maintain required websites.

The bill takes effect July 1, 2026.

II. Present Situation:

Electronic Payments to Governments

Current law encourages state agencies, the judicial branch, and units of local government to make their goods, services, and information more convenient to the public through the

¹ A unit of local government includes a municipality, special district, or board of county commissioners or other governing body of a county, a consolidated or metropolitan government, and any clerk of the circuit court, sheriff, property appraiser, tax collector, or supervisor of elections.

acceptance of electronic payments to the maximum extent practicable when the benefits outweigh the costs of accepting such payments.²

Local governments may accept payment by credit card, charge card, bank debit card, or electronic fund transfer for financial obligations that are owed to the local government.³ Local governments in this instance include, but are not limited to:

- Municipalities;
- Special districts;
- Boards of county commissioners or other governing bodies of a county;
- Consolidated or metropolitan governments;
- Clerks of the circuit court;
- Sheriffs;
- Property appraisers;
- Tax collectors; and
- Supervisors of elections.

If electronic payment is used for taxes, license fees, tuition, fines, civil penalties, court-ordered payments, or court costs, or other statutorily prescribed revenues, a local government may add a surcharge to the payment sufficient to cover the service fee charged by the financial institution, vending service company, or credit card company. The local government is responsible for verifying the validity of the method of payment used and whether the person using the card or transfer has sufficient credit to complete the transaction.⁴

The modernization of government financial transactions has taken place around the world in an attempt to address the inefficiencies and security risks associated with paper-based payments.⁵ On March 25, 2025, President Trump signed Executive Order 14247, *Modernizing Payments To and From America's Bank Account*, to direct the U.S. Department of the Treasury to advance the transition to fully electronic federal payments.⁶ The policy included the phase-out of paper tax refunds to the extent permitted by law.⁷ The Treasury Department estimates that each paper check costs \$1.05 to process, whereas electronic payments costs just \$0.02 per transaction, resulting in millions in annual savings.⁸

III. Effect of Proposed Changes:

The bill amends s. 215.322, F.S., to require each unit of local government⁹ and each department, subagency, and division of such units of local government, to accept electronic payments online

² Section 215.322(1), F.S.

³ Section 215.322(5), F.S.

⁴ *Id.*

⁵ Steve Ostroff, *Accelerating Digital Payments in Government* (Apr. 2, 2025), CATALIS, available at <https://catalisgov.com/accelerating-digital-payments-in-government/> (last visited Jan. 26, 2026).

⁶ IRS, *Modernizing payments to and from America's bank account*, available at <https://www.irs.gov/newsroom/modernizing-payments-to-and-from-americas-bank-account> (last visited Jan. 26, 2026).

⁷ *Id.*

⁸ Ostroff, *supra* note 5.

⁹ A unit of local government includes a municipality, special district, or board of county commissioners or other governing body of a county, a consolidated or metropolitan government, and any clerk of the circuit court, sheriff, property appraiser, tax collector, or supervisor of elections.

by use of credit cards, charge cards, bank debit cards, and electronic fund transfers for payments received by and financial obligations owed to the local government.

Local governments and units thereof will have to maintain a website to accept these payments online.

Additionally, these local government units *must* charge the person providing the electronic payment a surcharge sufficient to pay any service fee charges if the person is paying taxes, licensing fees, tuition, fines, civil penalties, court-order payments, or court costs, or other statutorily prescribed revenue.¹⁰

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18(a) of the State Constitution provides, in relevant part, that a county or municipality may not be bound by a general law requiring a county or municipality to spend funds or take an action that requires the expenditure of funds unless certain specified exemptions or exceptions are met. If the bill does not meet an exemption or exception, in order to be binding upon cities and counties, the bill must contain a finding of important state interest and be approved by a two-thirds vote of the membership of each chamber.

To accept electronic payments, counties and municipalities may have to expend funds to update their technology to be able to accept electronic payments. Counties and municipalities may further be required to expend funds to maintain a website capable of accepting electronic payments. Moreover, counties and municipalities may have to absorb service fee costs for electronic payments made for any reason other than payment of taxes, license fees, tuition, fines, civil penalties, court-ordered payments, or court costs, or other statutorily prescribed revenues. The bill, therefore, may require counties and municipalities to expend funds.

The bill may qualify for an exemption, meaning it needs neither a two-thirds vote nor a finding of important state interest to be binding. The bill may be exempted if it has an insignificant fiscal impact, which for Fiscal Year 2026-2027 is forecast at approximately \$2.4 million.¹¹ The estimated costs for the bill are unknown at this time. If the costs

¹⁰ Current language “authorize[s]” local governments and subdivisions thereof to charge the payor such surcharge but does not *require* the governmental unit to do so.

¹¹ FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year times \$0.10. See Florida Senate Committee on Community Affairs, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Nov. 3, 2025). Based on the Florida Demographic Estimating Conference’s June 30, 2025, population forecast for 2026 of 23,681,366. Office of Economic and Demographic Research, Demographic Estimating Conference Executive Summary June 30, 2025, available at <https://www.edr.state.fl.us/Content/conferences/population/demographicsummary.pdf> (last visited Nov. 3, 2025).

imposed by the bill exceed \$2.4 million in the aggregate, the mandates provisions may apply.

The bill currently does not contain a finding of important state interest.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

None identified.

C. Government Sector Impact:

Local governments that do not already accept electronic payments may incur initial administrative and technology costs to establish such systems. Local governments that do not currently have an online platform that can accept electronic payments may additionally incur ongoing costs to establish and upkeep a website able to process electronic fees.

Current law protects local governments from incurring additional processing charges for certain payments; this cost is placed on the payor. The local government can recoup any funds for service charges on payment of taxes, licensing fees, tuition, fines, civil penalties, court-order payments, or court costs, or other statutorily prescribed revenue. Outside these instances, however, local governments and subdivisions thereof cannot surcharge a payor to cover service fees. Under the bill, the local governments are required to accept electronic payments in *all* instances, not just those where the local government is permitted to surcharge. Local governments and subdivisions thereof will incur costs of service fees for electronic payments of obligations other than taxes, licensing fees,

tuition, fines, civil penalties, court-order payments, or court costs, or other statutorily prescribed revenue.

VI. Technical Deficiencies:

At line 32, the bill specifies that local governments must accept “electronic payment *online*” (emphasis added). This appears to limit the instances in which local governments must accept electronic forms of payment solely to online transactions, not transactions over the phone or in person. Additionally, the changes to existing statutory language in s. 215.322, F.S., take away units of local governments’ authority to accept electronic payment outside of online instances. The Legislature may wish to provide that units of local government must accept electronic payments “both online and in person” at line 32.

The Legislature should make two non-substantive, grammatical changes: at line 34, “owing” to “owed;” and at line 35, “to surcharge” to “surcharge.”

VII. Related Issues:

In response to a similar bill this session, which would require public bodies to accept electronic payment methods for public records fees, the Florida Department of Law Enforcement stated it could take up to 14 months to update its technology to allow for electronic payments and recommended the Legislature push back the effective date of that bill. To provide local governments time to update their systems, the Legislature may wish to change the effective date of this bill to January 1, 2027.

The bill currently does not contain a finding of important state interest. If the bill imposes an unfunded mandate on local governments, the lack of a finding may render it vulnerable under article VII, section 18(a) of the State Constitution.¹² The Legislature may wish to add a section providing an important state interest to ensure compliance with constitutional requirements.

Local governments and subdivisions thereof must surcharge a sufficient amount to pay any service fee charges incurred for electronic payments of taxes, licensing fees, tuition, fines, civil penalties, court-order payments, or court costs, or other statutorily prescribed revenue. Local governments and subdivisions thereof are not, however, permitted to charge a surcharge in any other instances. The Legislature may wish to permit local governments and subdivisions thereof to make such a surcharge in all instances in which the local government and subdivision thereof accept electronic payments.

VIII. Statutes Affected:

This bill substantially amends section 215.322 of the Florida Statutes.

¹² See *supra* “Constitutional Issues: A. Municipality/County Mandates Restrictions.”

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.



948168

LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (1) and (5) of section 215.322,
Florida Statutes, are amended to read:

215.322 Acceptance of credit cards, charge cards, debit
cards, or electronic funds transfers by state agencies, units of
local government, and the judicial branch; acceptance of online
payments by units of local government.—



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(1)(a) It is the intent of the Legislature to encourage state agencies, ~~and the judicial branch, and require~~ units of local government to make their goods, services, and information more convenient to the public through the acceptance of payments by credit cards, charge cards, debit cards, or other means of electronic funds transfers ~~to the maximum extent practicable when the benefits to the participating agency and the public substantiate the cost of accepting these types of payments.~~

(b) It is the intent of the Legislature to require units of local government to accept payments online.

(5)(a) Each A unit of local government, including a municipality, special district, or board of county commissioners or other governing body of a county, a consolidated or metropolitan government, and any clerk of the circuit court, sheriff, property appraiser, tax collector, or supervisor of elections, shall ~~is authorized to~~ accept payment by use of credit cards, charge cards, bank debit cards, and electronic funds transfers for financial obligations that are owing to such unit of local government, except when another form of payment is required by law, and is authorized to surcharge the person who uses a credit card, charge card, bank debit card, or electronic funds transfer in payment of taxes, license fees, tuition, fines, civil penalties, court-ordered payments, or court costs, or other statutorily prescribed revenues an amount sufficient to pay the service fee charges by the financial institution, vending service company, or credit card company for such services. Such A unit of local government shall verify both the validity of any credit card, charge card, bank debit card, or electronic funds transfer used pursuant to this subsection and



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the existence of appropriate credit with respect to the person using the card or transfer. The unit of local government does not incur any liability as a result of such verification or any subsequent action taken.

(b) A unit of local government accepting payment under paragraph (a) is required to have a method for accepting such payment online.

Section 2. The Legislature finds and declares that this act fulfills an important state interest.

Section 3. This act shall take effect on January 1, 2027.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to electronic payments made to units of local governments; amending s. 215.322, F.S.; revising legislative intent; requiring units of local government to accept certain forms of payments; providing an exception; requiring such local governments to accept payments online; providing an effective date.

By Senator DiCeglie

18-01232-26

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A bill to be entitled

An act relating to electronic payments to local governments; amending s. 215.322, F.S.; revising legislative intent; requiring each unit of local government to accept electronic payment online for payments received by and financial obligations owed to the unit of local government; providing an effective date.

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

Section 1. Subsections (1) and (5) of section 215.322, Florida Statutes, are amended to read:

215.322 Acceptance of credit cards, charge cards, debit cards, or electronic funds transfers by state agencies, units of local government, and the judicial branch.—

(1) It is the intent of the Legislature to encourage state agencies and, the judicial branch, and require units of local government, to make their goods, services, and information more convenient to the public through the acceptance of payments by credit cards, charge cards, debit cards, or other means of electronic funds transfers to the maximum extent practicable when the benefits to the participating agency and the public substantiate the cost of accepting these types of payments.

(5) Each A unit of local government, including a municipality, special district, or board of county commissioners or other governing body of a county, a consolidated or metropolitan government, and any clerk of the circuit court, sheriff, property appraiser, tax collector, or supervisor of

Page 1 of 2

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

18-01232-26

20261612__

elections and each department, subagency, and division of such units of local government, shall, ~~is authorized to accept electronic payment online~~ by use of credit cards, charge cards, bank debit cards, and electronic funds transfers for payments received by and financial obligations ~~that are~~ owing to such unit of local government and to surcharge the person who uses a credit card, a charge card, a bank debit card, or an electronic funds transfer in payment of taxes, license fees, tuition, fines, civil penalties, court-ordered payments, or court costs, or other statutorily prescribed revenues an amount sufficient to pay the service fee charges by the financial institution, vending service company, or credit card company for such services. Such A unit of local government shall verify both the validity of any credit card, charge card, bank debit card, or electronic funds transfer used pursuant to this subsection and the existence of appropriate credit with respect to the person using the card or transfer. The unit of local government does not incur any liability as a result of such verification or any subsequent action taken.

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

Page 2 of 2

CODING: Words ~~stricken~~ 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 Governmental Oversight and Accountability

BILL: SB 1656

INTRODUCER: Senator Burgess

SUBJECT: Designation of the Official State Flagship

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bellamy	Proctor	MS	Favorable
2.	White	McVaney	GO	Pre-meeting
3.			RC	

I. Summary:

SB 1656 amends 15.0465, F.S., to redesignate the state flagship. Instead of the current state flagship, the schooner Western Union, the bill designates the S.S. American Victory, as the official state flagship.

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

The bill provides an effective date of July 1, 2026.

II. Present Situation:

Florida State Symbols

Chapter 15, F.S., designates official state symbols. State symbols represent the state's heritage and natural treasures. To date there are over 30 designations, including numerous animals and plants; an anthem, song, and motto; several cultural events; and a flagship—the schooner Western Union.¹

The Western Union Schooner

In 2012, the Florida Legislature designated the schooner Western Union as the state's official flagship.² When designated as the official state flagship, the Western Union was one of the oldest working wooden schooners in the United States.

The Western Union is a 130-foot historic sailing vessel of the tall ship class. Construction of the ship began in Grand Cayman, but it was completed in Key West and first launched on April 7,

¹ Section 15.0465, F.S.

² Chapter 2012-158, Laws of Fla.

1939. The schooner is made of yellow pine and mahogany. For 35 years the schooner served as a cable vessel for the Western Union Telegraph Company, repairing underwater cables throughout the Keys, Cuba, and the Caribbean. Since retiring, the schooner was used as a charter boat in various events.³

After 1973, the schooner was bought, sold, and finally donated to a not-for-profit called the Schooner Western Union Preservation Society, Inc. (SWUPS). Their mission was “to restore and maintain the historic vessel to benefit the local community and for education and outreach programs.” SWUPS has faced numerous challenges, however. In 2011, the 130-foot schooner underwent a million-dollar restoration project; the vessel’s ability to sail, however, was short-lived and the ship soon fell into disrepair.⁴ SWUPS is facing an estimated \$5 million restoration costs as the historic vessel currently is dry-docked in a boatyard, “being eaten away by the elements.” The riggings and masts have been removed and many of the planks on the side of the vessel are gone as well.⁵

The ship remains the official flagship of Key West and it is on the National Register of Historic Places.⁶

S.S. American Victory

The S.S. American Victory is a merchant marine vessel used to deliver cargo and troops around the world in World War II, the Korean War, and the Vietnam War.⁷ After serving three wars, the ship went through a \$2.5 million restoration in June 1985. In October of 1996, Captain John C. Timmel learned the S.S. American Victory was earmarked for scrap if not acquired for memorial purposes and saved the ship. The ship now sits by the Florida Aquarium in Tampa, Florida; where it has been for over 20 years.⁸ Out of the 534 Victory ships made between 1944 and 1946, the S.S. American Victory is one of only three left, with the other two on the West Coast of the United States.⁹ The S.S. American Victory is on the National Register of Historic Places and now cared for by the American Victory Ship and Museum, a non-profit 501(c)3 organization.¹⁰

³ Analysis of HB 395 (2012), Comm. on State Affairs, The Florida House of Representatives, available at <https://www.flsenate.gov/Session/Bill/2012/395/Analyses/h0395c.SAC.PDF>.

⁴ Brad Bertelli, KeysWeekly, *Keys History: Historic Schooner Dry Docked on Stock Island Has Seen Better Days* (May 3, 2024), <https://keysweekly.com/42/keys-history-historic-schooner-dry-docked-on-stock-island-has-seen-better-days/> (last visited Jan 20, 2026).

⁵ Timothy O’Hara, Keysnews.com, *Faded Glory: Schooner Western Union is far from its glory days* (Feb. 3, 2021), https://www.keysnews.com/news/local/schooner-western-union-is-far-from-its-glory-days/article_b447e974-64b8-11eb-b286-8ff5a3dd85c6.html (last visited Jan. 20, 2026).

⁶ *Id.*; National Register of Historic Places, National Parks Service, *National Register Database and Research*, <https://www.nps.gov/subjects/nationalregister/database-research.htm> (last visited Jan. 20, 2026).

⁷ Charles M. Fuss Jr., United States Naval Institute, *SS American Victory, Tampa, Florida*, 15 NAVAL HISTORY NO. 3 (June 2001), available at <https://www.usni.org/magazines/naval-history-magazine/2001/june/ss-american-victory-tampa-florida> (last visited Jan. 20, 2026).

⁸ *Mission and History*, American Victory Ship and Museum, <https://www.americanvictory.org/about/mission-and-history/> (last visited Jan. 20, 2026).

⁹ FOX 13 News Tampa Bay, *At 76 years of age, the SS American Victory lives on in Tampa* (Aug. 31, 2001), <https://www.fox13news.com/news/at-76-years-of-age-the-ss-american-ship-lives-on-in-tampa> (last visited Jan. 20, 2026); Charles M. Fuss Jr., *supra* note 8.

¹⁰ National Register of Historic Places, National Parks Service, *National Register Database and Research*, <https://www.nps.gov/subjects/nationalregister/database-research.htm> (last visited Jan 20, 2026); *Home*, <https://www.americanvictory.org/> (last visited Jan 20, 2026).

III. Effect of Proposed Changes:

The bill's preamble recognizes the historical significance of the S.S. American Victory, highlighting the ship's service in American war efforts during World War II, the Korean War, and Vietnam War, as well as the ship's contributions to the Tampa and state-wide community and its support of community, charitable, and educational groups and causes.

Section 1 amends s. 15.0465, F.S., to designate the S.S. American Victory, instead of the schooner Western Union, as the official state flagship.

Section 2 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

Obtaining the status of state flagship could increase the marketability of S.S. American Victory Museum, thereby generating additional revenue that may be used for the purpose of maintaining the vessel.

C. Government Sector Impact:

The schooner Western Union is not currently open to the public and would require significant investment to be restored to the condition required for public tours or seafaring.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 15.0465 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 Burgess

23-01102-26

20261656__

A bill to be entitled

An act relating to the designation of the official state flagship; amending s. 15.0465, F.S.; redesignating the official state flagship as the S.S. American Victory; providing an effective date.

WHEREAS, built in 1944, the S.S. American Victory is one of only four operational World War II merchant vessels left in the United States and served in World War II, the Korean War, and the Vietnam War, and

WHEREAS, the S.S. American Victory is an interactive maritime museum located in Tampa, and

WHEREAS, the United States' entry into World War II transformed American history and directly affected more than 250,000 Floridians who served on active duty, and

WHEREAS, of these brave Floridians, more than 3,500 gave their lives in defense of the United States during World War II, and

WHEREAS, Florida is the ideal location for the S.S. American Victory, as the tourism industry caters to nationwide visitors who can experience firsthand what it was like to serve on board the ship, and

WHEREAS, the S.S. American Victory is a 455-foot steamship that was launched on May 24, 1945, during the largest ship-building effort in United States history, and

WHEREAS, the S.S. American Victory set sail from the United States into the treacherous waters of the Pacific Ocean awaiting orders for the invasion of Japan, and

WHEREAS, the S.S. American Victory assisted the war effort

Page 1 of 5

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

23-01102-26

20261656__

during the final days of World War II by transporting military equipment, troops, ammunition, and supplies for the Allied Forces, and

WHEREAS, the S.S. American Victory sailed around the world delivering provisions, industrial materials, machinery, and raw materials after the war under the auspices of the Marshall Plan to countries devastated by the destruction of World War II, and

WHEREAS, the S.S. American Victory transported cargo, fuel, and ammunition during the Korean War, and

WHEREAS, the S.S. American Victory repatriated 260 casualties, including three fallen Floridians, Army Private P.C. White, Marine Second Lieutenant Robert C. Craig, and Marine Private First Class Joseph T. Jacobs, to the United States during the Korean War, and

WHEREAS, the S.S. American Victory was reactivated to service in 1966 to support the Vietnam War and conducted 12 voyages supporting the war effort by transporting military equipment, troops, ammunition, and supplies, and

WHEREAS, the S.S. American Victory sailed from the James River Reserve Fleet on March 13, 1985, to participate in the United States' Victory Ship Validation Program, a program designed to gauge the time and expense necessary to reactivate victory-class ships, which enabled the S.S. American Victory to be brought back to full operational status and to perform sea trials after restoration, and

WHEREAS, the S.S. American Victory was then transferred by an act of Congress from the Maritime Administration to The Victory Ship, Inc., in her home port of Tampa, and

WHEREAS, the S.S. American Victory has been a landmark

Page 2 of 5

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

23-01102-26 20261656__

destination for the past 25 years within Tampa and was recognized as a National Historic Place in 2002, and

WHEREAS, the S.S. American Victory acts as a preeminent location for military retirement or promotion ceremonies, marriage ceremonies, and many other types of celebrations, and

WHEREAS, the S.S. American Victory actively supports military charities and foundations such as America's Gold Star Families, Warrior Ethos, Florida 4 Warriors, The Mission Continues, the Navy SEAL Foundation, and the Green Beret Foundation, and

WHEREAS, the S.S. American Victory continually supports community organizations and foundations such as Visit Tampa Bay, Leadership Florida, Leadership Tampa Bay, Leadership Tampa, the Maritime Alliance, Propeller Club - Port of Tampa, and Friends of the Tampa Riverwalk, and

WHEREAS, the S.S. American Victory has acted as a primary platform for thousands of training hours for a wide range of organizations over her 25 years in Tampa, and

WHEREAS, the S.S. American Victory has hosted all branches of the Department of Defense as well as Special Operations Command and Central Command; Department of Justice agencies such as the Federal Bureau of Investigations, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Drug Enforcement Administration; Department of Homeland Security agencies such as the United States Customs and Border Protection, the United States Immigration and Customs Enforcement, and the United States Coast Guard; and city, county, and state law enforcement agencies, and

WHEREAS, the S.S. American Victory is visited by tens of

23-01102-26 20261656__

thousands of guests annually and acts as an educational platform for Tampa Bay's seven-county area as well as for educational programs throughout this state, including AMIkids, the Jefferson High School Maritime, Marine & Environmental Science Academy, the Howard W. Blake High School Maritime Program, the University of South Florida College of Arts and Sciences and Muma College of Business, and various other public schools and home education programs, and

WHEREAS, the S.S. American Victory serves as the homebase for the American Victory Division and other regional Sea Cadet, Boy and Girl Scout, and ROTC programs, and

WHEREAS, the S.S. American Victory also hosts international programs such as the training ship Gunilla, a Swedish vessel that circumnavigates the globe as an international educational platform, and

WHEREAS, the S.S. American Victory is a maritime museum and memorial that is open year-round for visitors of all ages, from across the United States and abroad, supporting Florida's vibrant tourism industry, and

WHEREAS, due to its service to the United States and past 25-year history of service to this state, the official state flagship is redesignated as the S.S. American Victory, NOW, THEREFORE,

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

Section 1. Section 15.0465, Florida Statutes, is amended to read:

15.0465 Official state flagship.—The S.S. American Victory,

23-01102-26

20261656

117 a 455-foot historic steamship built in 1944 ~~schooner Western~~
118 ~~Union, a 130-foot historic sailing vessel of the tall ship~~
119 ~~class, built in Key West and first launched in 1939, is~~
120 designated the official state flagship.

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

30

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Darren A. Schwartz

is duly appointed

**Director and Chief Judge,
Division of Administrative Hearings**

for a term beginning on the Seventeenth day of December, A.D.,
2025, to serve at the pleasure of the Governor and is subject to
be confirmed by the Senate during the next regular session of
the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of February, A.D., 2026.*

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

RON DeSANTIS
GOVERNOR

DEC 17 2025 12:43

DEC 17 2025 12:43

December 17, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised that in accordance with Section 120.65, Florida Statutes, on December 17, 2025, the Florida Administration Commission voted to approve the appointment of Darren Schwartz as Florida's Chief Administrative Law Judge, subject to confirmation by the Florida Senate. This appointment is effective December 17, 2025, for a term ending at the pleasure of the Governor.

Sincerely,



Ron DeSantis
Governor

RD/ch

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Director and Chief Judge of the Division of Administrative Hearings

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 27th day of January, 2026.

[Signature]

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐

Office ☒

[Redacted]
Street or Post Office Box

[Redacted]
City, State, Zip Code

Darren A. Schwartz

Print Name

[Signature]
Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Christina Daly Brodeur

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of February, A.D., 2026.*



Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DeSANTIS
GOVERNOR

2025 JAN 10 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 14.29, Florida Statutes:

Mrs. Christy Brodeur



as a member of the Florida Commission on Community Service, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2028.

Sincerely,

Ron DeSantis
Governor

RD/dw

HAND DELIVERED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

RECEIVED
DEPARTMENT OF STATE
JAN 28 PM 2:34
DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

(NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.)

Signature

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 28th day of January, 2026.

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath– see § 92.50, Florida Statutes.)

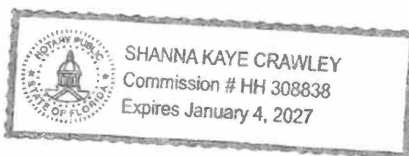
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐

Office ☒

Street or Post Office Box

City, State, Zip Code

Print Name

Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Katrina Tuggerson

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2026 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of February, A.D., 2026.*



[Signature]
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document



RON DeSANTIS
GOVERNOR

708.1.13.511:00

708.1.13.511:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Ms. Katrina Tuggerson
1020 Lafayette Street
Suite 110
Tallahassee, Florida 32310

as a member of the Florida Commission on Community Service, succeeding Henri Crockett, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

HAND DELIVERED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

RECEIVED
DEPARTMENT OF STATE
2026 JAN 28 PM 3:29
DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Katrina Tuggerson FL Commission on Community Service
(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature Katrina Tuggerson

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 28 day of JANUARY, 2026.

Elizabeth M Swain
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

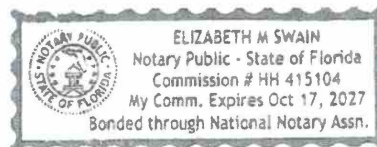
Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

1020 Lafayette ST suite 110
Street or Post Office Box

Tallahassee, FL 32301
City, State, Zip Code

KATRINA TUGGERSON
Print Name

Katrina Tuggerson
Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Jason Puwalski

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixteenth day of January, A.D., 2026.*



Secretary of State

RON DeSANTIS
GOVERNOR

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Mr. Jason Puwalski



as a member of the Florida Commission on Community Service, succeeding Wilson Roberts, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2028.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. DeSantis'.

Ron DeSantis
Governor

RD/dw

Hand Delivered

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commissioner, Florida Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 13th day of January, 2026

S. Howell / Sharon Irene Harrell

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



SHARON IRENE HARRELL
Commission # HH 301453
Expires August 16, 2026

Personally Known ☐ OR ☐

Type of Identification Produced [Redacted]

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

[Redacted]
Street or Post Office Box

[Redacted]
City, State, Zip Code

Jason Puwalski

Print Name

[Signature]
Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Lori Killinger

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Seventh day of January, A.D., 2026.*



Secretary of State

RON DESANTIS
GOVERNOR

2026 13 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 14.29, Florida Statutes:

Ms. Lori Killinger
301 West Platt Street
Suite A364
Tampa, Florida 33606

as a member of the Florida Commission on Community Service, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2028.

Sincerely,



Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2026 JAN 21 AM 11:00

STATE OF FLORIDA

County of LEON

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service - Board Member
(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature Lori Killinger

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 20th day of January, 2026.

Alison M. Ramos

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

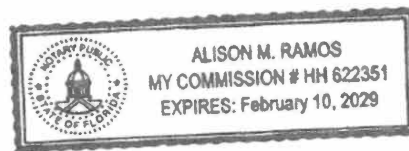
Print Name

Title

Court

(To be completed by officer administering oath, other than judges— see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

301 W. Platt St., Ste. A364

Street or Post Office Box

Tampa, FL 33606

City, State, Zip Code

Lori Killinger

Print Name

Lori Killinger

Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

David Michael Kerner

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of February, A.D., 2026.*



[Signature]
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DeSANTIS
GOVERNOR

2026 10 5:11:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Mr. David Kerner



as a member of the Florida Commission on Community Service, succeeding Ebo Entsuaah, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2028.

Sincerely,

Ron DeSantis
Governor

RD/dw

Hand Delivered

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commissioner of Florida Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 27 day of January, 2026.

Jordan Layfield

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

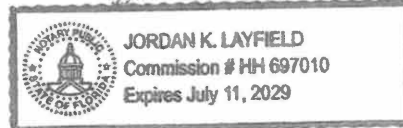
Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒

Office ☐

Street or Post Office Box
[Redacted]

City, State, Zip Code

David Michael Kemer

Print Name

Signature [Signature]

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Samuel Kerce

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Thirtieth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2026 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourth day of February, A.D., 2026.*



Secretary of State



RON DeSANTIS
GOVERNOR

RECEIVED

2026 JAN 30 PM 4:21

CLERK OF ELECTIONS
TALLAHASSEE, FL

70

January 30, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Mr. Sam Kerce
2928 Tipperary Court
Tallahassee, Florida 32309

as a member of the Florida Commission on Community Service, filling a vacant seat previously occupied by John Davis, subject to confirmation by the Senate. This appointment is effective January 30, 2026, for a term ending September 14, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/ch

Hand Delivered

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Susan Kerce

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 30 day of January, 2026.

Susan Kathleen Coggins Sylvest

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

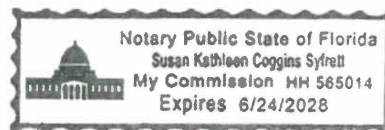
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

2928 Tipperary Ct.

Street or Post Office Box

Tallahassee, FL 32309

City, State, Zip Code

Samuel Kerce

Print Name

Signature

Samuel Kerce

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Autumn Karlinsky

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2027 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Third day of February, A.D., 2026.*



A handwritten signature in black ink, appearing to read "C. Byrd", is written over a horizontal line.

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

RON DeSANTIS
GOVERNOR

JAN 13 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

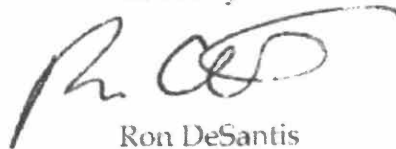
Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 14.29, Florida Statutes:

Mrs. Autumn Karlinsky
3430 Stallion Lane
Weston, Florida 33331

as a member of the Florida Commission on Community Service, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2027.

Sincerely,



Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Broward

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service at Volunteer Florida

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 2 day of February, 2026.

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

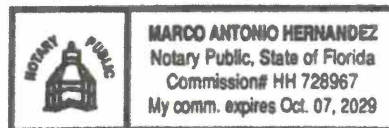
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL, DL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

3430 Stallion Lane

Street or Post Office Box

Weston, FL 33331

City, State, Zip Code

Autumn Karlinsky

Print Name

Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Savannah Kelly Jefferson

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Thirteenth day of January, A.D.,
2026, until the Fourteenth day of September, A.D., 2027 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Seventh day of January, A.D., 2026.*



Secretary of State



RON DeSANTIS
GOVERNOR

2026 JAN 13 PM 4:46

2026 JAN 13 PM 4:46

January 13, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Ms. Savannah Kelly Jefferson
1432 Oldfield Drive
Tallahassee, Florida 32308

as a member of the Florida Commission on Community Service, filling a vacant seat previously occupied by Kelli Walker, subject to confirmation by the Senate. This appointment is effective January 13, 2026, for a term ending September 14, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/ch

RON DeSANTIS
GOVERNOR

709.27 46 11 2:26

December 22, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 272.18, Florida Statutes:

Ms. Savannah Kelly Jefferson
1432 Oldfield Drive
Tallahassee, Florida 32308

as a member of the Governor's Mansion Commission, filling a vacant seat previously occupied by Kiley Weida, subject to confirmation by the Senate. This appointment is effective December 22, 2025, for a term ending September 30, 2028.

Sincerely,



Ron DeSantis
Governor

RD/dw

Hand Delivered

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2026 JAN 14 PM 1:54

TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governor's Commission on Community Service (Volunteer Florida)

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Savannah Kelly Jefferson

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 14 day of January, 2026.

Michaela Brady

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

1432 Oldfield Drive

Street or Post Office Box

Tallahassee, FL 32308

City, State, Zip Code

Savannah Kelly Jefferson

Print Name

Signature

Savannah Kelly Jefferson

270

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Jessica Hays

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Seventh day of January, A.D., 2026*



Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Sarasota

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commissioner - Florida Commission on Community Service
(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 20 day of January, 2026.

[Signature]

Signature of Officer Administering Oath or of Notary Public

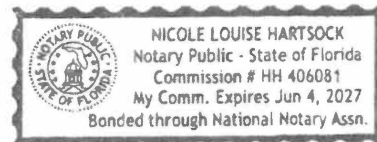
(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

[Redacted]
Street or Post Office Box

[Redacted]
City, State, Zip Code

Jessica Hays
Print Name

[Signature]
Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Kristen Rhea Goff

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Second day of January, A.D., 2026.*



Secretary of State

RON DeSANTIS
GOVERNOR

Jan 13 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

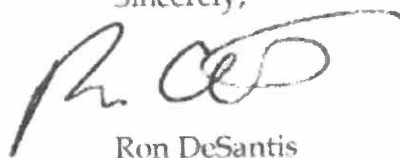
Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 14.29, Florida Statutes:

Mrs. Kristen "Rhea" Goff
437 Pisces Drive
Santa Rosa Beach, Florida 32459

as a member of the Florida Commission on Community Service, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2028.

Sincerely,



Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Bay

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Kristen Rhea Goff

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 16th day of January, 2026.

[Signature]

Sherri Jankowski

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

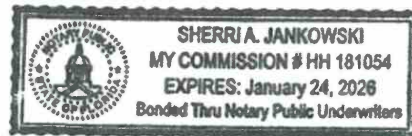
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

130 Richard Jackson Blvd. Suite 200

KristenRheaGoff

Street or Post Office Box

Print Name

Panama City Beach, FL 32413

Kristen Rhea Goff

City, State, Zip Code

Signature

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Michael Flury

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2027 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixteenth day of January, A.D., 2026.*



Secretary of State

RON DESANTIS
GOVERNOR

2026 JAN 13 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Mr. Michael Flury



as a member of the Florida Commission on Community Service, filling a vacant seat previously occupied by Chucha Barber, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

Hand Delivered

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2826 JUN 14 PM 1:06

STATE OF FLORIDA

County of Leon

JUNE 14, 2026
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service (Volunteer Florida) Commissioner

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Michael Flury

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 13th day of January, 2026.

Marceen M. Beane

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

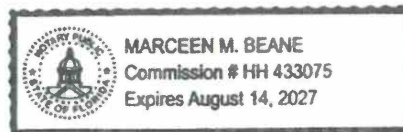
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒

Office ☐

Street or Post Office Box

City, State, Zip Code

Michael Flury

Print Name

Signature

Michael Flury

270

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Stefanie Ink Edwards

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Seventh day of January, A.D., 2026.*



Secretary of State



RON DeSANTIS
GOVERNOR

2026 JAN 13 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 14.29, Florida Statutes:

Ms. Stefanie Ink Edwards
7129 South Brentwood Road
Fort Myers, Florida 33919

as a member of the Florida Commission on Community Service, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2028.

Sincerely,

Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Lee

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature _____

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 20 day of January, 2020.

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

7129 S Brentwood Rd

Street or Post Office Box

Fort Myers, FL 33919

City, State, Zip Code

Stefanie Ink Edwards

Print Name

Signature _____

270

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Lynette Cardoch

is duly appointed a member of the

Florida Commission on Community Service

for a term beginning on the Ninth day of January, A.D., 2026,
until the Fourteenth day of September, A.D., 2027 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of February, A.D., 2026.



Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

RON DeSANTIS
GOVERNOR

2026 JAN 13 PM 1:00

January 9, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

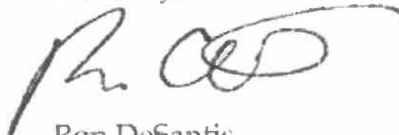
Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Dr. Lynette Cardoch
3150 Southwest 38 Avenue
Suite 600
Miami, Florida 33146

as a member of the Florida Commission on Community Service, succeeding Kerry Schultz, subject to confirmation by the Senate. This appointment is effective January 9, 2026, for a term ending September 14, 2027.

Sincerely,



Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Miami-Dade

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission on Community Service

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature _____

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 26 day of January, 2026

Signature of Officer Administering Oath or of Notary Public

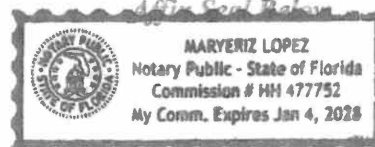
(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)



Personally Known ☐ OR Produced Identification ☒
Type of Identification Produced FL Driver License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

3150 SW 38 Ave, Suite 600

Street or Post Office Box

Miami, FL 33146

City, State, Zip Code

Lynette Cardoch

Print Name

Signature _____

1160

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Jose Tapia

is duly appointed a member of the

Florida Commission on Human Relations

for a term beginning on the Tenth day of October, A.D., 2025,
until the Thirtieth day of September, A.D., 2027 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourth day of February, A.D., 2026.*



Secretary of State



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 OCT 16 AM 11:36
DIVISION OF ELECTIONS
TALLAHASSEE, FL

October 10, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 760.03, Florida Statutes:

Mr. Jose Tapia
399 Riverview Road
Havana, Florida 32333

as a member of the Florida Commission on Human Relations, succeeding Kenyetta Moye, subject to confirmation by the Senate. This appointment is effective October 10, 2025, for a term ending September 30, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/kf

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2026 FEB -2 PM 4:30

STATE OF FLORIDA

County of Gadsden

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commissioner, Florida Commission on Human Relations
(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 2nd day of February, 2026

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath—see § 92.50, Florida Statutes.)

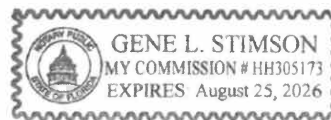
Print Name

Title

Court

(To be completed by officer administering oath, other than judges—see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL Driver License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

399 Riverview Road

Street or Post Office Box

Havana, Florida

City, State, Zip Code

Jose Tapia

Print Name

Signature

1280

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Morteza Hosseini

is duly appointed a member of the
Investment Advisory Council

for a term beginning on the Tenth day of June, A.D., 2025, until
the Tenth day of June, A.D., 2029 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Third day of February, A.D., 2026.*



Secretary of State



STATE BOARD OF ADMINISTRATION
OF FLORIDA

1801 HERMITAGE BOULEVARD, SUITE 100
TALLAHASSEE, FLORIDA 32308
(850) 488-4406

POST OFFICE BOX 13300
32317-3300

RON DESANTIS
GOVERNOR
CHAIR

BLAISE INGOGLIA
CHIEF FINANCIAL OFFICER

JAMES UHLMER
ATTORNEY GENERAL

CHRIS SPENCER
EXECUTIVE DIRECTOR

January 5, 2026

Florida Division of Elections
Commissions Issuance Section
R.A. Gray Building
500 South Bronough Street, Room 316
Tallahassee, FL 32399-0250

Re: Investment Advisory Council Appointments:
Mori Hosseini

Dear Sir/Madam:

The above-named individual has been appointed by the Trustees of the State Board of Administration to serve on the Investment Advisory Council. His term is as follows:

Appointee	Term Expiration Date
Mori Hosseini	June 10, 2029

Please let us know if you need anything else.

Best regards,

A handwritten signature in cursive script that reads "Amy P. Walker".

Amy P. Walker
Senior Executive Assistant

2026 JAN 13 AM 8:22

RECEIVED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2026 FEB -3 AM 9:13

CLERK OF SUPERIOR COURT
TALLAHASSEE, FL

STATE OF FLORIDA

County of Volusia

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Investment Advisory Council

(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

[Handwritten Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 30th day of January, 2026

[Handwritten Signature: Carrie Janssen]

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

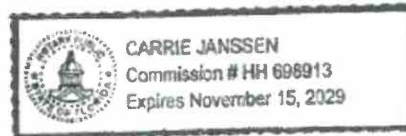
Print Name

Title

Court

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐
Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

2379 Beville Road

Street or Post Office Box

Daytona Beach, FL 32119

City, State, Zip Code

Morteza Hosseini

Print Name

Signature

[Handwritten Signature]

1280

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Peter D. Jones

is duly appointed a member of the
Investment Advisory Council

for a term beginning on the Fifth day of March, A.D., 2025,
until the Fifth day of March, A.D., 2029 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixteenth day of January, A.D., 2026.*



Secretary of State



**STATE BOARD OF ADMINISTRATION
OF FLORIDA**

1801 HERMITAGE BOULEVARD, SUITE 100
TALLAHASSEE, FLORIDA 32308
(850) 488-4406

POST OFFICE BOX 13300
32317-3300

RON DESANTIS
GOVERNOR
CHAIR

BLAISE INGOGLIA
CHIEF FINANCIAL OFFICER

JAMES UTHMEIER
ATTORNEY GENERAL

CHRIS SPENCER
EXECUTIVE DIRECTOR

January 5, 2026

Florida Division of Elections
Commissions Issuance Section
R.A. Gray Building
500 South Bronough Street, Room 316
Tallahassee, FL 32399-0250

Re: Investment Advisory Council Appointment:
Peter Jones

2026 JAN 13 PM 3:22

Dear Sir/Madam:

The above-named individual has been appointed by the Trustees of the State Board of Administration to serve on the Investment Advisory Council. His term is as follows:

Appointee	Term Expiration Date
Peter Jones	March 5, 2029

Please let us know if you need anything else.

Best regards,

A handwritten signature in cursive script that reads "Amy P. Walker".

Amy P. Walker
Senior Executive Assistant

Hand Delivered

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes) 14 PH 2:35

STATE OF FLORIDA

County of PINELLAS

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

INVESTMENT ADVISORY COUNCIL OF THE STATE BOARD OF ADMINISTRATION
(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature] Peter D. Jones

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 9 day of January, 2026

[Signature]
Signature of Officer Administering Oath or of Notary Public

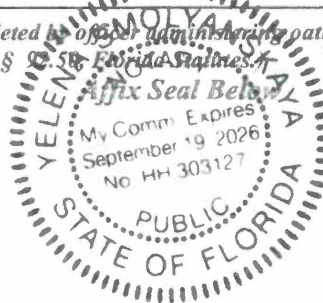
(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

Print Name

Title

Court

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL DL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

308 MAGNOLIA DR
Street or Post Office Box

CLERWATER, FL 33756
City, State, Zip Code

PETER D. JONES
Print Name

Peter D. Jones
Signature

1435

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Ashley Chaney

is duly appointed a member of the

Governor's Mansion Commission

for a term beginning on the Twelfth day of December, A.D.,
2025, until the Thirtieth day of December, A.D., 2026 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixteenth day of January, A D., 2026*



Secretary of State



RON DeSANTIS
GOVERNOR

RECEIVED

2025 DEC 19 AM 10:10

DIVISION OF ELECTIONS
TALLAHASSEE, FL

December 12, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 272.18, Florida Statutes:

Ms. Ashley Chaney
1100 Terrace Street
Tallahassee, Florida 32303

as a member of the Governor's Mansion Commission, filling a vacant seat previously occupied by Danielle Payne, subject to confirmation by the Senate. This appointment is effective December 12, 2025, for a term ending September 30, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

RON DESANTIS
GOVERNOR

2025 DEC 19 AM 10:10

TALLAHASSEE, FL

December 12, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

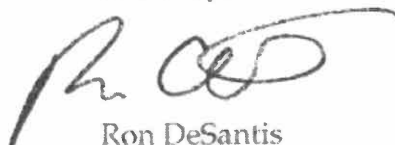
Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 272.18, Florida Statutes:

Ms. Ashley Chaney
1100 Terrace Street
Tallahassee, Florida 32303

as a member of the Governor's Mansion Commission, filling a vacant seat previously occupied by Danielle Payne, subject to confirmation by the Senate. This appointment is effective December 12, 2025, for a term ending September 30, 2026.

Sincerely,



Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

RECEIVED
DEPARTMENT OF STATE

2026 JAN -7 PM 2:13

STATE OF FLORIDA

County of

Leon

DIVISION OF ELECTIONS
151122, 151123, 151124

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Governor's Mansion Commission

(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Ashley Chaney

Sworn to and subscribed before me by means of physical presence



OR online notarization



this 6 day of January, 2026.

Alexis Poitras

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

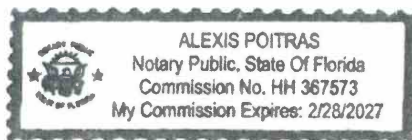
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known



OR Produced Identification



Type of Identification Produced

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home



Office



1100 Terrace St

Street or Post Office Box

Tallahassee, FL 32303

City, State, Zip Code

Ashley Chaney

Print Name

Signature

Ashley Chaney

1435

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Savannah Kelly Jefferson

is duly appointed a member of the
Governor's Mansion Commission

for a term beginning on the Twenty-Second day of December,
A.D., 2025, until the Thirtieth day of September, A.D., 2028
and is subject to be confirmed by the Senate during the next
regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixteenth day of January, A.D., 2026.*



Secretary of State



RON DESANTIS
GOVERNOR

1/13/26 10:11:46

January 13, 2026

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 14.29, Florida Statutes:

Ms. Savannah Kelly Jefferson
1432 Oldfield Drive
Tallahassee, Florida 32308

as a member of the Florida Commission on Community Service, filling a vacant seat previously occupied by Kelli Walker, subject to confirmation by the Senate. This appointment is effective January 13, 2026, for a term ending September 14, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/ch

RON DeSANTIS
GOVERNOR

759 77 -6 47 9:26

December 22, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

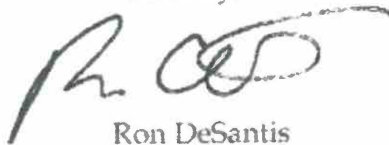
Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 272.18, Florida Statutes:

Ms. Savannah Kelly Jefferson
1432 Oldfield Drive
Tallahassee, Florida 32308

as a member of the Governor's Mansion Commission, filling a vacant seat previously occupied by Kyley Weida, subject to confirmation by the Senate. This appointment is effective December 22, 2025, for a term ending September 30, 2028.

Sincerely,



Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2026 JAN -9 PM 2:35

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governor's Mansion Commission

(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Savannah Kelly Jefferson

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 9th day of January, 2026.

DeAndre V. Byrd

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

Print Name

Title

Court

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)



Personally Known ☒ OR Produced Identification ☒

Type of Identification Produced FL, DL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒

Office ☐

1432 Oldfield Drive

Savannah Kelly Jefferson

Street or Post Office Box

Print Name

Tallahassee, FL 32308

Savannah Kelly Jefferson

Signature

City, State, Zip Code

1980

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Jeffrey Aaron

is duly appointed a member of the

Public Employees Relations Commission

for a term beginning on the Twenty-Second day of July, A.D.,
2025, until the First day of January, A.D., 2029 and is subject to
be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the First day of December, A.D., 2025.*



Secretary of State



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 JUL 25 AM 9:51
DIVISION OF ELECTIONS
TALLAHASSEE, FL

July 22, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 447.205, Florida Statutes:

Mr. Jeff Aaron
766 Terra Place
Maitland, Florida 32751

as a member of the Public Employees Relations Commission, subject to confirmation by the Senate. This appointment is effective July 22, 2025, for a term ending January 1, 2029.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis", written over a horizontal line.

Ron DeSantis
Governor

RD/kf

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Orange

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Commissioner, for Public Employees Relation Commission
(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

(NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.)

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 14th day of October, 2025.

[Signature]
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath—see § 92.50, Florida Statutes.)

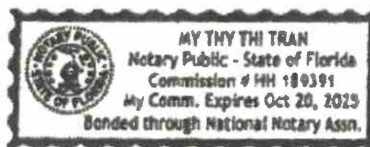
Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges—see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐
Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☐

761 Tava Plaza

Street or Post Office Box

Maitland, FL 32751

City, State, Zip Code

Jeffrey [Signature]
Print Name

[Signature]
Signature