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1 A bill to be entitled
2 An act relating to governmental ethics; amending ss.
3 11.045 and 112.3215, F.S.; defining the term "local
4 officer"; prohibiting a local officer from registering
5 to lobby the Legislature or an agency on behalf of
6 another person or entity other than his or her
7 political subdivision; authorizing a local officer to
8 be employed by or contracted with a lobbying firm
9 under certain circumstances; providing for
10 applicability; amending s. 28.35, F.S.; specifying the
11 applicability of certain provisions of the Code of
12 Ethics for Public Officers and Employees to members of
13 the executive council of the Florida Clerks of Court
14 Operations Corporation; amending s. 112.3142, F.S.;
15 requiring elected municipal officers to participate in
16 annual ethics training; providing legislative intent;
17 amending s. 112.3144, F.S.; requiring an officer
18 required to participate in annual ethics training to
19 certify participation on his or her full and public
20 disclosure of financial interests; revising the
21 conditions under which a qualifying officer forwards a
22 full and public disclosure of financial interests to
23 the Commission on Ethics; authorizing the Commission
24 on Ethics to initiate an investigation and hold a
25 public hearing without receipt of a complaint in
26 certain circumstances; requiring the commission to
27 enter an order recommending removal of an officer or
28 public employee from public office or public
29 employment in certain circumstances; prohibiting the

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30 commission from taking action on a complaint alleging
31 certain errors or omissions on a disclosure; providing
32 that failure to certify completion of annual ethics
33 training on a disclosure does not constitute an
34 immaterial, inconsequential, or de minimis error or
35 omission; amending s. 112.3145, F.S.; requiring an
36 officer required to participate in annual ethics
37 training to certify participation on his or her
38 statement of financial interests; authorizing the
39 Commission on Ethics to initiate an investigation and
40 hold a public hearing without receipt of a complaint
41 in certain circumstances; requiring the commission to
42 enter an order to remove an officer or public employee
43 from public office or public employment in certain
44 circumstances; prohibiting the commission from taking
45 action on a complaint alleging certain errors or
46 omissions on a statement; providing that failure to
47 certify completion of annual ethics training on a
48 statement does not constitute an immaterial,
49 inconsequential, or de minimis error or omission;
50 amending s. 112.31455, F.S.; authorizing the Chief
51 Financial Officer or governing body to withhold the
52 entire amount of a fine owed and related
53 administrative costs from salary-related payments of
54 certain individuals; authorizing the Chief Financial
55 Officer or governing body to reduce the amount
56 withheld if an individual can demonstrate a hardship;
57 creating s. 112.31456, F.S.; authorizing the
58 commission to seek wage garnishment of certain

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59 individuals to satisfy unpaid fines; authorizing the
60 commission to refer unpaid fines to a collection
61 agency; establishing a statute of limitations with
62 respect to the collection of an unpaid fine; creating
63 s. 112.3251, F.S.; requiring citizen support and
64 direct-support organizations to adopt a code of
65 ethics; establishing minimum requirements for a code
66 of ethics; creating s. 112.3261, F.S.; defining terms;
67 prohibiting a person from lobbying a governmental
68 entity until registering; establishing registration
69 requirements; requiring public availability of
70 lobbyist registrations; establishing procedures for
71 termination of a lobbyist's registration; authorizing
72 a governmental entity to establish a registration fee;
73 requiring a governmental entity to monitor compliance
74 with registration requirements; requiring the
75 commission to investigate a lobbyist or principal upon
76 receipt of a sworn complaint containing certain
77 allegations; requiring the commission to provide the
78 Governor with a report on the findings and
79 recommendations resulting from the investigation;
80 authorizing the Governor to enforce the commission's
81 findings and recommendations; amending s. 286.012,
82 F.S.; revising disclosure requirements with respect to
83 a voting abstention at a meeting of a governmental
84 body; authorizing a member to abstain from voting on a
85 decision, ruling, or act in a quasi-judicial
86 proceeding under certain circumstances; amending s.
87 288.901, F.S.; specifying the applicability of certain

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provisions of the Code of Ethics for Public Officers and Employees to the president, senior managers, and members of the board of directors of Enterprise Florida, Inc.; prohibiting the president, senior managers, and board members from representing a person or entity before the corporation for a specified timeframe; amending s. 288.92, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to certain officers and board members associated with the divisions of Enterprise Florida, Inc.; prohibiting such officers and members from representing a person or entity for compensation before Enterprise Florida, Inc., for a specified timeframe; amending s. 288.9604, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to the board of directors of the Florida Development Finance Corporation; amending s. 627.351, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to the executive director of Citizens Property Insurance Corporation; prohibiting a former executive director, senior manager, or member of the board of governors of the corporation from representing another person or entity before the corporation for a specified timeframe; prohibiting a former executive director, senior manager, or member of the board of governors from entering employment or a contractual relationship for a specified timeframe

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117 with certain insurers; amending ss. 11.0455 and
118 112.32155, F.S.; conforming cross-references to
119 changes made by the act; providing an effective date.

120

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

122

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

129 11.045 Lobbying before the Legislature; registration and
130 reporting; exemptions; penalties.—

131 (1) As used in this section, unless the context otherwise
132 requires:

133 (a) "Committee" means the committee of each house charged
134 by the presiding officer with responsibility for ethical conduct
135 of lobbyists.

136 (b) "Compensation" means a payment, distribution, loan,
137 advance, reimbursement, deposit, salary, fee, retainer, or
138 anything of value provided or owed to a lobbying firm, directly
139 or indirectly, by a principal for any lobbying activity.

140 (c) "Expenditure" means a payment, distribution, loan,
141 advance, reimbursement, deposit, or anything of value made by a
142 lobbyist or principal for the purpose of lobbying. The term does
143 not include contributions or expenditures reported pursuant to
144 chapter 106 or federal election law, campaign-related personal
145 services provided without compensation by individuals

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146 volunteering their time, any other contribution or expenditure
147 made by or to a political party or affiliated party committee,
148 or any other contribution or expenditure made by an organization
149 that is exempt from taxation under 26 U.S.C. s. 527 or s.
150 501(c)(4).

151 (d) "Legislative action" means introduction, sponsorship,
152 testimony, debate, voting, or any other official action on any
153 measure, resolution, amendment, nomination, appointment, or
154 report of, or any matter that may be the subject of action by,
155 either house of the Legislature or any committee thereof.

156 (e) "Lobbying" means influencing or attempting to influence
157 legislative action or nonaction through oral or written
158 communication or an attempt to obtain the goodwill of a member
159 or employee of the Legislature.

160 (f) "Lobbying firm" means any business entity, including an
161 individual contract lobbyist, which receives or becomes entitled
162 to receive any compensation for the purpose of lobbying, where
163 any partner, owner, officer, or employee of the business entity
164 is a lobbyist.

165 (g) "Lobbyist" means a person who is employed and receives
166 payment, or who contracts for economic consideration, for the
167 purpose of lobbying, or a person who is principally employed for
168 governmental affairs by another person or governmental entity to
169 lobby on behalf of that other person or governmental entity.

170 (h) "Local officer" means a state attorney, public
171 defender, sheriff, tax collector, property appraiser, supervisor
172 of elections, clerk of the circuit court, county commissioner,
173 district school board member, or superintendent of schools.

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

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175 (j)-(i) "Principal" means the person, firm, corporation, or
176 other entity which has employed or retained a lobbyist.

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

183 (9)-(8) Any person required to be registered or to provide
184 information pursuant to this section or pursuant to rules
185 established in conformity with this section who knowingly fails
186 to disclose any material fact required by this section or by
187 rules established in conformity with this section, or who
188 knowingly provides false information on any report required by
189 this section or by rules established in conformity with this
190 section, commits a noncriminal infraction, punishable by a fine
191 not to exceed \$5,000. Such penalty shall be in addition to any
192 other penalty assessed by a house of the Legislature pursuant to
193 subsection (8) -(7).

194 (10)-(9) There is hereby created the Legislative Lobbyist
195 Registration Trust Fund, to be used for the purpose of funding
196 any office established for the administration of the
197 registration of lobbyists lobbying the Legislature, including
198 the payment of salaries and other expenses, and for the purpose
199 of paying the expenses incurred by the Legislature in providing
200 services to lobbyists. The trust fund is not subject to the
201 service charge to general revenue provisions of chapter 215.
202 Fees collected pursuant to rules established in accordance with
203 subsection (3) -(2) shall be deposited into the Legislative

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204 Lobbyist Registration Trust Fund.

205 Section 2. Subsection (1) of section 112.3215, Florida
206 Statutes, is amended, present subsections (3) through (15) of
207 that section are renumbered as subsections (4) through (16),
208 respectively, a new subsection (3) is added to that section, and
209 present subsection (11) of that section is amended, to read:

210 112.3215 Lobbying before the executive branch or the
211 Constitution Revision Commission; registration and reporting;
212 investigation by commission.—

213 (1) For the purposes of this section:

214 (a) "Agency" means the Governor, the Governor and Cabinet,
215 or any department, division, bureau, board, commission, or
216 authority of the executive branch. In addition, "agency" shall
217 mean the Constitution Revision Commission as provided by s. 2,
218 Art. XI of the State Constitution.

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

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

226 (d) "Expenditure" means a payment, distribution, loan,
227 advance, reimbursement, deposit, or anything of value made by a
228 lobbyist or principal for the purpose of lobbying. The term
229 "expenditure" does not include contributions or expenditures
230 reported pursuant to chapter 106 or contributions or
231 expenditures reported pursuant to federal election law,
232 campaign-related personal services provided without compensation

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233 by individuals volunteering their time, any other contribution
234 or expenditure made by or to a political party or an affiliated
235 party committee, or any other contribution or expenditure made
236 by an organization that is exempt from taxation under 26 U.S.C.
237 s. 527 or s. 501(c)(4).

238 (e) "Fund" means the Executive Branch Lobby Registration
239 Trust Fund.

240 (f) "Lobbies" means seeking, on behalf of another person,
241 to influence an agency with respect to a decision of the agency
242 in the area of policy or procurement or an attempt to obtain the
243 goodwill of an agency official or employee. "Lobbies" also means
244 influencing or attempting to influence, on behalf of another,
245 the Constitution Revision Commission's action or nonaction
246 through oral or written communication or an attempt to obtain
247 the goodwill of a member or employee of the Constitution
248 Revision Commission.

249 (g) "Lobbying firm" means a business entity, including an
250 individual contract lobbyist, that receives or becomes entitled
251 to receive any compensation for the purpose of lobbying, where
252 any partner, owner, officer, or employee of the business entity
253 is a lobbyist.

254 (h) "Lobbyist" means a person who is employed and receives
255 payment, or who contracts for economic consideration, for the
256 purpose of lobbying, or a person who is principally employed for
257 governmental affairs by another person or governmental entity to
258 lobby on behalf of that other person or governmental entity.
259 "Lobbyist" does not include a person who is:

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

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

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

266 3. A confidential informant who is providing, or wishes to
267 provide, confidential information to be used for law enforcement
268 purposes.

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

272 (i) "Local officer" means a state attorney, public
273 defender, sheriff, tax collector, property appraiser, supervisor
274 of elections, clerk of the circuit court, county commissioner,
275 district school board member, or superintendent of schools.

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

278 (3) A local officer may not register as a lobbyist for the
279 purpose of lobbying an agency on behalf of a person or entity
280 other than his or her political subdivision. This subsection
281 does not prohibit a local officer from being employed by, or
282 contracting with, a lobbying firm if he or she does not
283 personally represent clients before an agency.

284 (12) ~~(11)~~ Any person who is required to be registered or to
285 provide information under this section or under rules adopted
286 pursuant to this section and who knowingly fails to disclose any
287 material fact that is required by this section or by rules
288 adopted pursuant to this section, or who knowingly provides
289 false information on any report required by this section or by
290 rules adopted pursuant to this section, commits a noncriminal

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291 infraction, punishable by a fine not to exceed \$5,000. Such
292 penalty is in addition to any other penalty assessed by the
293 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

294 Section 3. The amendments made by this act to ss. 11.045
295 and 112.3215, Florida Statutes, do not apply to a local officer
296 for the duration of his or her current term of office as of the
297 effective date of this act. The amendments made by this act to
298 ss. 11.045 and 112.3215, Florida Statutes, shall apply to a
299 local officer beginning a new term of office or appointed to
300 fill an unexpired term after the effective date of this act.

301 Section 4. Paragraph (b) of subsection (1) of section
302 28.35, Florida Statutes, is amended to read:

303 28.35 Florida Clerks of Court Operations Corporation.—

304 (1)

305 (b) 1. The executive council shall be composed of eight
306 clerks of the court elected by the clerks of the courts for a
307 term of 2 years, with two clerks from counties with a population
308 of fewer than 100,000, two clerks from counties with a
309 population of at least 100,000 but fewer than 500,000, two
310 clerks from counties with a population of at least 500,000 but
311 fewer than 1 million, and two clerks from counties with a
312 population of ~~more than~~ 1 million or more. The executive council
313 shall also include, as ex officio members, a designee of the
314 President of the Senate and a designee of the Speaker of the
315 House of Representatives. The Chief Justice of the Supreme Court
316 shall designate one additional member to represent the state
317 courts system.

318 2. The Legislature determines that it is in the public
319 interest that a member of the executive council of the

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320 corporation be subject to the requirements of ss. 112.313,
321 112.3135, and 112.3143(2). Notwithstanding that the council
322 members are not public officers or employees, for purposes of
323 the application of ss. 112.313, 112.3135, and 112.3143(2) to the
324 activities of the council members, the council members shall be
325 considered public officers or employees, and the corporation
326 shall be considered their agency.

327 3. A member of the executive council of the corporation may
328 not represent another person or entity for compensation before
329 the corporation for a period of 2 years following his or her
330 service on the executive council.

331 Section 5. Section 112.3142, Florida Statutes, is amended
332 to read:

333 112.3142 Ethics training for specified constitutional
334 officers and elected municipal officers.—

335 (1) As used in this section, the term "constitutional
336 officers" includes the Governor, the Lieutenant Governor, the
337 Attorney General, the Chief Financial Officer, the Commissioner
338 of Agriculture, state attorneys, public defenders, sheriffs, tax
339 collectors, property appraisers, supervisors of elections,
340 clerks of the circuit court, county commissioners, district
341 school board members, and superintendents of schools.

342 (2) (a) All constitutional officers must complete 4 hours of
343 ethics training each calendar year which annually that
344 addresses, at a minimum, s. 8, Art. II of the State
345 Constitution, the Code of Ethics for Public Officers and
346 Employees, and the public records and public meetings laws of
347 this state. This requirement may be satisfied by completion of a
348 continuing legal education class or other continuing

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349 professional education class, seminar, or presentation if the
350 required subjects are covered.

351 (b) Beginning January 1, 2015, all elected municipal
352 officers must complete 4 hours of ethics training each calendar
353 year which addresses, at a minimum, s. 8, Art. II of the State
354 Constitution, the Code of Ethics for Public Officers and
355 Employees, and the public records and public meetings laws of
356 this state. This requirement may be satisfied by completion of a
357 continuing legal education class or other continuing
358 professional education class, seminar, or presentation if the
359 required subjects are covered.

360 (c) (b) The commission shall adopt rules establishing
361 minimum course content for the portion of an ethics training
362 class which that addresses s. 8, Art. II of the State
363 Constitution and the Code of Ethics for Public Officers and
364 Employees.

365 (d) The Legislature intends that a constitutional officer
366 or elected municipal officer who is required to complete ethics
367 training pursuant to this section receive the required training
368 as close as possible to the date that he or she assumes office.
369 A constitutional officer or elected municipal officer assuming a
370 new office or new term of office on or before March 31 must
371 complete the annual training on or before December 31 of the
372 year in which the term of office began. A constitutional officer
373 or elected municipal officer assuming a new office or new term
374 of office after March 31 is not required to complete ethics
375 training for the calendar year in which the term of office
376 began.

377 (3) Each house of the Legislature shall provide for ethics

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378 training pursuant to its rules.

379 Section 6. Subsections (1) and (2), paragraph (g) of
380 subsection (5), and paragraphs (a) and (c) of present subsection
381 (7) of section 112.3144, Florida Statutes, are amended, present
382 subsections (6) through (9) of that section are redesignated as
383 subsections (7) through (10), respectively, and a new subsection
384 (6) is added to that section, to read:

385 112.3144 Full and public disclosure of financial
386 interests.—

387 (1) An officer who is required by s. 8, Art. II of the
388 State Constitution to file a full and public disclosure of his
389 or her financial interests for any calendar or fiscal year shall
390 file that disclosure with the Florida Commission on Ethics.

391 Additionally, beginning January 1, 2015, an officer who is
392 required to complete annual ethics training pursuant to s.
393 112.3142 must certify on his or her full and public disclosure
394 of financial interests that he or she has completed the required
395 training.

396 (2) A person who is required, pursuant to s. 8, Art. II of
397 the State Constitution, to file a full and public disclosure of
398 financial interests and who has filed a full and public
399 disclosure of financial interests for any calendar or fiscal
400 year shall not be required to file a statement of financial
401 interests pursuant to s. 112.3145(2) and (3) for the same year
402 or for any part thereof notwithstanding any requirement of this
403 part. If an incumbent in an elective office has filed the full
404 and public disclosure of financial interests to qualify for
405 election to the same office or if When a candidate has qualified
406 for office holds another office subject to the annual filing

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407 requirement, the qualifying officer shall forward an electronic
408 copy of the full and public disclosure of financial interests to
409 the commission no later than July 1. The electronic copy of the
410 full and public disclosure of financial interests satisfies the
411 annual disclosure requirement of this section. A candidate who
412 does not qualify until after the annual full and public
413 disclosure of financial interests has been filed pursuant to
414 this section shall file a copy of his or her disclosure with the
415 officer before whom he or she qualifies.

416 (5) Forms for compliance with the full and public
417 disclosure requirements of s. 8, Art. II of the State
418 Constitution shall be created by the Commission on Ethics. The
419 commission shall give notice of disclosure deadlines and
420 delinquencies and distribute forms in the following manner:

421 (g) The notification requirements and fines of this
422 subsection do not apply to candidates or to the first filing
423 required of any person appointed to elective constitutional
424 office or other position required to file full and public
425 disclosure, unless the person's name is on the commission's
426 notification list and the person received notification from the
427 commission. The appointing official shall notify such newly
428 appointed person of the obligation to file full and public
429 disclosure by July 1. The notification requirements and fines of
430 this subsection do not apply to the final filing provided for in
431 subsection (7)+(6).

432 (6) If a person holding public office or public employment
433 fails or refuses to file a full and public disclosure of
434 financial interests for any year in which the person received
435 notice from the commission regarding the failure to file and has

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436 accrued the maximum automatic fine authorized under this
437 section, regardless of whether the fine imposed was paid or
438 collected, the commission may initiate an investigation and
439 conduct a public hearing without receipt of a complaint to
440 determine whether the person's failure to file is willful. Such
441 investigation and hearing must be conducted in accordance with
442 s. 112.324. Except as provided in s. 112.324(4), if the
443 commission determines that the person willfully failed to file a
444 full and public disclosure of financial interests, the
445 commission shall enter an order recommending that the officer or
446 employee be removed from his or her public office or public
447 employment.

448 (8)~~(7)~~(a) The commission shall treat an amended full and
449 public disclosure of financial interests which ~~that~~ is filed
450 ~~prior to~~ September 1 of the ~~current~~ year ~~in which the~~
451 ~~disclosure is due~~ as the original filing, regardless of whether
452 a complaint has been filed. ~~If a complaint pertaining to the~~
453 ~~current year alleges a failure to properly and accurately~~
454 ~~disclose any information required by this section or if a~~
455 ~~complaint filed pertaining to a previous reporting period within~~
456 ~~the preceding 5 years alleges a failure to properly and~~
457 ~~accurately disclose any information required to be disclosed by~~
458 ~~this section, the commission may immediately follow complaint~~
459 ~~procedures in s. 112.324. However,~~ If a complaint ~~filed after~~
460 ~~August 25~~ alleges only an immaterial, inconsequential, or de
461 minimis error or omission, the commission may not take any
462 action on the complaint, other than notifying the filer of the
463 complaint. The filer must be given 30 days to file an amended
464 full and public disclosure of financial interests correcting any

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465 errors. If the filer does not file an amended full and public
466 disclosure of financial interests within 30 days after the
467 commission sends notice of the complaint, the commission may
468 continue with proceedings pursuant to s. 112.324.

469 (c) For purposes of this section, an error or omission is
470 immaterial, inconsequential, or de minimis if the original
471 filing provided sufficient information for the public to
472 identify potential conflicts of interest. However, failure to
certify completion of annual ethics training required under s.
112.3142 does not constitute an immaterial, inconsequential, or
de minimis error or omission.

476 Section 7. Present subsections (4) through (11) of section
477 112.3145, Florida Statutes, are redesignated as subsections (5)
478 through (12), respectively, a new subsection (4) is added to
479 that section, paragraph (c) is added to present subsection (7)
480 of that section, and paragraphs (a) and (c) of present
481 subsection (9) of that section are amended, to read:

482 112.3145 Disclosure of financial interests and clients
483 represented before agencies.—

484 (4) Beginning January 1, 2015, an officer who is required
to complete annual ethics training pursuant to s. 112.3142 must
certify on his or her statement of financial interests that he
or she has completed the required training.

488 (8)-(7)

489 (c) If a person holding public office or public employment
fails or refuses to file an annual statement of financial
interests for any year in which the person received notice from
the commission regarding the failure to file and has accrued the
maximum automatic fine authorized under this section, regardless

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494 of whether the fine imposed was paid or collected, the
495 commission may initiate an investigation and conduct a public
496 hearing without receipt of a complaint to determine whether the
497 person's failure to file is willful. Such investigation and
498 hearing must be conducted in accordance with s. 112.324. Except
499 as provided in s. 112.324(4), if the commission determines that
500 the person willfully failed to file a statement of financial
501 interests, the commission shall enter an order recommending that
502 the officer or employee be removed from his or her public office
503 or public employment.

504 (10) ~~(9)~~(a) The commission shall treat an amended annual
505 statement of financial interests which ~~that~~ is filed before
506 ~~prior to~~ September 1 of the ~~current~~ year in which the statement
507 is due as the original filing, regardless of whether a complaint
508 has been filed. ~~If a complaint pertaining to the current year~~
509 ~~alleges a failure to properly and accurately disclose any~~
510 ~~information required by this section or if a complaint filed~~
511 ~~pertaining to a previous reporting period within the preceding 5~~
512 ~~years alleges a failure to properly and accurately disclose any~~
513 ~~information required to be disclosed by this section, the~~
514 ~~commission may immediately follow complaint procedures in s.~~
515 ~~112.324. However,~~ If a complaint ~~filed after August 25~~ alleges
516 only an immaterial, inconsequential, or de minimis error or
517 omission, the commission may not take any action on the
518 complaint, other than notifying the filer of the complaint. The
519 filer must be given 30 days to file an amended statement of
520 financial interests correcting any errors. If the filer does not
521 file an amended statement of financial interests within 30 days
522 after the commission sends notice of the complaint, the

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523 commission may continue with proceedings pursuant to s. 112.324.

524 (c) For purposes of this section, an error or omission is
525 immaterial, inconsequential, or de minimis if the original
526 filing provided sufficient information for the public to
527 identify potential conflicts of interest. However, failure to
528 certify completion of annual ethics training required under s.
529 112.3142 does not constitute an immaterial, inconsequential, or
530 de minimis error or omission.

531 Section 8. Section 112.31455, Florida Statutes, is amended
532 to read:

533 112.31455 Withholding of public salary-related payments
534 ~~Collection methods~~ for unpaid automatic fines for failure to
535 timely file disclosure of financial interests.—

536 (1) Before referring any unpaid fine accrued pursuant to s.
537 112.3144(5) or s. 112.3145(7) ~~s. 112.3145(6)~~ to the Department
538 of Financial Services, the commission shall attempt to determine
539 whether the individual owing such a fine is a current public
540 officer or current public employee. If so, the commission may
541 notify the Chief Financial Officer or the governing body of the
542 appropriate county, municipality, or special district of the
543 total amount of any fine owed to the commission by such
544 individual.

545 (a) After receipt and verification of the notice from the
546 commission, the Chief Financial Officer or the governing body of
547 the county, municipality, or special district shall withhold the
548 entire amount of any fine owed, and any administrative costs
549 incurred, from the individual's next salary-related payment. If
550 the fine exceeds the amount of the next salary-related payment,
551 all salary-related payments must be withheld until the fine and

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552 administrative costs are paid in full begin withholding the
553 lesser of 10 percent or the maximum amount allowed under federal
554 law from any salary-related payment. The withheld payments shall
555 be remitted to the commission until the fine is satisfied.

556 (b) The Chief Financial Officer or the governing body of
557 the county, municipality, or special district may retain an
558 amount of each withheld payment, as provided in s. 77.0305, to
559 cover the administrative costs incurred under this section.

560 (c) If a current public officer or current public employee
561 demonstrates to the Chief Financial Officer or the governing
562 body responsible for paying him or her that the public salary is
563 his or her primary source of income and that withholding the
564 full amount of any fine owed from a salary-related payment would
565 present an undue hardship, the amount withheld from a public
566 salary may be reduced to not less than 10 percent of the salary-
567 related payment.

568 (2) If the commission determines that the individual who is
569 the subject of an unpaid fine accrued pursuant to s. 112.3144(5)
570 or s. 112.3145(6) is no longer a public officer or public
571 employee or if the commission is unable to determine whether the
572 individual is a current public officer or public employee, the
573 commission may, 6 months after the order becomes final, seek
574 garnishment of any wages to satisfy the amount of the fine, or
575 any unpaid portion thereof, pursuant to chapter 77. Upon
576 recording the order imposing the fine with the clerk of the
577 circuit court, the order shall be deemed a judgment for purposes
578 of garnishment pursuant to chapter 77.

579 (2)(3) The commission may refer unpaid fines to the
580 appropriate collection agency, as directed by the Chief

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581 Financial Officer, to utilize any collection methods provided by
582 law. Except as expressly limited by this section, any other
583 collection methods authorized by law are allowed.

584 (3)-(4) Action may be taken to collect any unpaid fine
585 imposed by ss. 112.3144 and 112.3145 within 20 years after the
586 date the final order is rendered.

587 Section 9. Section 112.31456, Florida Statutes, is created
588 to read:

589 112.31456 Garnishment of wages for unpaid automatic fines
590 for failure to timely file disclosure of financial interests.-

591 (1) Before referring any unpaid fine accrued pursuant to s.
592 112.3144(5) or s. 112.3145(7) to the Department of Financial
593 Services, the commission shall attempt to determine whether the
594 individual owing such fine is a current public officer or
595 current public employee. If the commission determines that an
596 individual who is the subject of an unpaid fine accrued pursuant
597 to s. 112.3144(5) or s. 112.3145(7) is no longer a public
598 officer or public employee or the commission is unable to
599 determine whether the individual is a current public officer or
600 public employee, the commission may, 6 months after the order
601 becomes final, seek garnishment of any wages to satisfy the
602 amount of the fine, or any unpaid portion thereof, pursuant to
603 chapter 77. Upon recording the order imposing the fine with the
604 clerk of the circuit court, the order shall be deemed a judgment
605 for purposes of garnishment pursuant to chapter 77.

606 (2) The commission may refer unpaid fines to the
607 appropriate collection agency, as directed by the Chief
608 Financial Officer, to use any collection methods provided by
609 law. Except as expressly limited by this section, any other

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610 collection methods authorized by law are allowed.

611 (3) Action may be taken to collect any unpaid fine imposed
612 by ss. 112.3144 and 112.3145 within 20 years after the date the
613 final order is rendered.

614 Section 10. Section 112.3251, Florida Statutes, is created
615 to read:

616 112.3251 Citizen support and direct-support organizations;
617 standards of conduct.—A citizen support or direct-support
618 organization created or authorized pursuant to law must adopt
619 its own ethics code. The ethics code must contain the standards
620 of conduct and disclosures required under ss. 112.313 and
621 112.3143(2), respectively. However, an ethics code adopted
622 pursuant to this section is not required to contain the
623 standards of conduct specified in s. 112.313(3) or (7). The
624 citizen support or direct-support organization may adopt
625 additional or more stringent standards of conduct and disclosure
626 requirements, provided that those standards of conduct and
627 disclosure requirements do not otherwise conflict with this
628 part. The ethics code must be conspicuously posted on the
629 website of the citizen support or direct-support organization.

630 Section 11. Section 112.3261, Florida Statutes, is created
631 to read:

632 112.3261 Lobbying before governmental entities;
633 registration and reporting.—

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

635 (a) "Governmental entity" means a water management
636 district, a hospital district, a children's services district,
637 an expressway authority as the term "authority" is defined in s.
638 348.0002, a port authority as the term is defined in s. 315.02,

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639 or an independent special district with annual revenues of more
640 than \$5 million that exercises ad valorem taxing authority.

641 (b) "Lobbies" means seeking, on behalf of another person,
642 to influence a governmental entity with respect to a decision of
643 the entity in an area of policy or procurement or an attempt to
644 obtain the goodwill of an entity official or employee.

645 (c) "Lobbyist" has the same meaning as in s. 112.3215.

646 (d) "Principal" has the same meaning as in s. 112.3215.

647 (2) A person may not lobby a governmental entity until such
648 person has registered as a lobbyist with that entity. Such
649 registration shall be due upon initially being retained to lobby
650 and is renewable on a calendar-year basis thereafter. Upon
651 registration, the person shall provide a statement signed by the
652 principal or principal's representative stating that the
653 registrant is authorized to represent the principal. The
654 principal shall also identify and designate its main business on
655 the statement authorizing that lobbyist pursuant to a
656 classification system approved by the governmental entity. Any
657 changes to the information required by this section must be
658 disclosed within 15 days by filing a new registration form. The
659 registration form shall require each lobbyist to disclose, under
660 oath, the following:

661 (a) The lobbyist's name and business address.

662 (b) The name and business address of each principal
663 represented.

664 (c) The existence of any direct or indirect business
665 association, partnership, or financial relationship with any
666 officer or employee of a governmental entity with which he or
667 she lobbies or intends to lobby.

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668 (d) In lieu of creating its own lobbyist registration
669 forms, a governmental entity may accept a completed legislative
670 branch or executive branch lobbyist registration form.

671 (3) A governmental entity shall make lobbyist registrations
672 available to the public. If a governmental entity maintains a
673 website, a database of currently registered lobbyists and
674 principals must be available on the entity's website.

675 (4) A lobbyist shall promptly send a written statement to
676 the governmental entity cancelling the registration for a
677 principal upon termination of the lobbyist's representation of
678 that principal. A governmental entity may remove the name of a
679 lobbyist from the list of registered lobbyists if the principal
680 notifies the entity that a person is no longer authorized to
681 represent that principal.

682 (5) A governmental entity may establish an annual lobbyist
683 registration fee, not to exceed \$40, for each principal
684 represented. The governmental entity may use the moneys
685 collected only to administer the provisions of this section.

686 (6) A governmental entity shall be diligent to ascertain
687 whether persons required to register pursuant to this section
688 have complied. A governmental entity may not knowingly authorize
689 a person who is not registered pursuant to this section to lobby
690 the entity.

691 (7) Upon receipt of a sworn complaint alleging that a
692 lobbyist or principal has failed to register with a governmental
693 entity or has knowingly submitted false information in a report
694 or registration required under this section, the commission
695 shall investigate a lobbyist or principal pursuant to the
696 procedures established under s. 112.324. The commission shall

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697 provide the Governor with a report of its findings and
698 recommendations in any investigation conducted pursuant to this
699 subsection. The Governor is authorized to enforce the
700 commission's findings and recommendations.

701 Section 12. Section 286.012, Florida Statutes, is amended
702 to read:

703 286.012 Voting requirement at meetings of governmental
704 bodies.—A ~~No~~ member of a ~~any~~ state, county, or municipal
705 governmental board, commission, or agency who is present at a
706 ~~any~~ meeting of any such body at which an official decision,
707 ruling, or other official act is to be taken or adopted may not
708 abstain from voting in regard to any such decision, ruling, or
709 act; and a vote shall be recorded or counted for each such
710 member present, unless except when, with respect to any such
711 member, there is, or appears to be, a possible conflict of
712 interest under ~~the provisions of~~ s. 112.311, s. 112.313, ~~or~~ s.
713 112.3143, or additional or more stringent standards of conduct,
714 if any, adopted pursuant to s. 112.326. If there is, or appears
715 to be, a possible conflict under s. 112.311, s. 112.313, or s.
716 112.3143, the member shall comply with the disclosure
717 requirements of s. 112.3143. If the only conflict or possible
718 conflict is one arising from the additional or more stringent
719 standards adopted pursuant to s. 112.326, the member shall
720 comply with any disclosure requirements adopted pursuant to s.
721 112.326. If the official decision, ruling, or act occurs in the
722 context of a quasi-judicial proceeding, a member may abstain
723 from voting on such matter if the abstention is to assure a fair
724 proceeding free from potential bias or prejudice ~~In such cases,~~
725 ~~said member shall comply with the disclosure requirements of s.~~

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726 112.3143.

727 Section 13. Paragraph (c) of subsection (1) of section
728 288.901, Florida Statutes, is amended, and paragraph (d) is
729 added to that subsection, to read:

730 288.901 Enterprise Florida, Inc.—

731 (1) CREATION.—

732 (c) The Legislature determines that it is in the public
733 interest that the president, senior managers, and for the
734 members of the board of directors of Enterprise Florida, Inc.,
735 ~~board of directors to be subject to the requirements of ss.~~

736 ~~112.313, 112.3135, and 112.3143(2), and 112.313, excluding s.~~
737 ~~112.313(2), Notwithstanding the fact that the board members are~~
738 ~~not public officers or employees, for purposes of the~~
739 ~~application of ss. 112.313, 112.3135, and 112.3143(2) to the~~
740 ~~activities of those sections, the president, senior managers,~~
741 ~~and board members, those individuals shall be considered to be~~
742 ~~public officers or employees, and the corporation shall be~~
743 ~~considered their agency. The exemption set forth in s.~~

744 112.313(12) for advisory boards applies to the members of the
745 Enterprise Florida, Inc., board of directors. Further, each
746 member of the board of directors who is not otherwise required
747 to file financial disclosures pursuant to s. 8, Art. II of the
748 State Constitution or s. 112.3144, shall file disclosure of
749 financial interests pursuant to s. 112.3145.

750 (d) The president, senior managers, and members of the
751 board of directors of Enterprise Florida, Inc., may not
752 represent another person or entity for compensation before the
753 corporation for a period of 2 years after ending their
754 employment with the corporation or service on the board of

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755 directors.

756 Section 14. Present paragraph (b) of subsection (2) of
757 section 288.92, Florida Statutes, is redesignated as paragraph
758 (c), and a new paragraph (b) is added to that subsection, to
759 read:

760 288.92 Divisions of Enterprise Florida, Inc.—

761 (2)

762 (b)1. The Legislature determines that it is in the public
763 interest that the following officers and board members be
764 subject to ss. 112.313, 112.3135, and 112.3143(2),
765 notwithstanding the fact that such officers and board members
766 are not public officers or employees:

767 a. Officers and members of the board of directors of the
768 divisions of Enterprise Florida, Inc.;

769 b. Officers and members of the board of directors of
770 subsidiaries of Enterprise Florida, Inc.;

771 c. Officers and members of the board of directors of
772 corporations created to carry out the missions of Enterprise
773 Florida, Inc.; and

774 d. Officers and members of the board of directors of
775 corporations with which a division is required by law to
776 contract with to carry out its missions.

777 2. The officers and members of the board of directors
778 specified in subparagraph 1. may not represent another person or
779 entity for compensation before Enterprise Florida, Inc., for a
780 period of 2 years after retirement from or termination of
781 service to the division.

782 3. For purposes of the application of ss. 112.313,
783 112.3135, and 112.3143(2) to the activities of the officers and

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784 members of the board of directors specified in subparagraph 1.,
785 those individuals shall be considered public officers or
786 employees, and the corporation shall be considered their agency.

787 Section 15. Paragraph (a) of subsection (3) of section
788 288.9604, Florida Statutes, is amended to read:

789 288.9604 Creation of the authority.—

790 (3) (a)1. A director may not shall receive no compensation
791 for his or her services, but is entitled to the necessary
792 expenses, including travel expenses, incurred in the discharge
793 of his or her duties. Each director shall hold office until his
794 or her successor has been appointed.

795 2. The Legislature determines that it is in the public
796 interest that a director of the board of directors of the
797 Florida Development Finance Corporation be subject to ss.
798 112.313, 112.3135, and 112.3143(2). Notwithstanding that the
799 directors are not public officers or employees, for purposes of
800 the application of ss. 112.313, 112.3135, and 112.3143(2) to the
801 activities of the directors, the directors shall be considered
802 public officers or employees, and the corporation shall be
803 considered their agency.

804 3. A director of the board of directors of the corporation
805 may not represent another person or entity for compensation
806 before the corporation for a period of 2 years following his or
807 her service on the board of directors.

808 Section 16. Paragraph (d) of subsection (6) of section
809 627.351, Florida Statutes, is amended to read:

810 627.351 Insurance risk apportionment plans.—

811 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

812 (d)1. All prospective employees for senior management

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813 positions, as defined by the plan of operation, are subject to
814 background checks as a prerequisite for employment. The office
815 shall conduct the background checks pursuant to ss. 624.34,
816 624.404(3), and 628.261.

817 2. On or before July 1 of each year, employees of the
818 corporation must sign and submit a statement attesting that they
819 do not have a conflict of interest, as defined in part III of
820 chapter 112. As a condition of employment, all prospective
821 employees must sign and submit to the corporation a conflict-of-
822 interest statement.

823 3. The executive director, senior managers, and members of
824 the board of governors are subject to part III of chapter 112,
825 including, but not limited to, the code of ethics and public
826 disclosure and reporting of financial interests, pursuant to s.
827 112.3145. Notwithstanding that the executive director, senior
828 managers, and members of the board of governors are not public
829 officers or employees, for purposes of the application of part
830 III of chapter 112 to the activities of those individuals, the
831 executive director, senior managers, and members of the board of
832 governors shall be considered public officers and employees, and
833 the corporation shall be considered their agency.

834 Notwithstanding s. 112.3143(2), a board member may not vote on
835 any measure that would inure to his or her special private gain
836 or loss; that he or she knows would inure to the special private
837 gain or loss of any principal by whom he or she is retained or
838 to the parent organization or subsidiary of a corporate
839 principal by which he or she is retained, other than an agency
840 as defined in s. 112.312; or that he or she knows would inure to
841 the special private gain or loss of a relative or business

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842 associate of the public officer. Before the vote is taken, such
843 member shall publicly state to the assembly the nature of his or
844 her interest in the matter from which he or she is abstaining
845 from voting and, within 15 days after the vote occurs, disclose
846 the nature of his or her interest as a public record in a
847 memorandum filed with the person responsible for recording the
848 minutes of the meeting, who shall incorporate the memorandum in
849 the minutes. Senior managers and board members are also required
850 to file such disclosures with the Commission on Ethics and the
851 Office of Insurance Regulation. The executive director of the
852 corporation or his or her designee shall notify each existing
853 and newly appointed member of the board of governors and senior
854 managers of their duty to comply with the reporting requirements
855 of part III of chapter 112. At least quarterly, the executive
856 director or his or her designee shall submit to the Commission
857 on Ethics a list of names of the senior managers and members of
858 the board of governors who are subject to the public disclosure
859 requirements under s. 112.3145.

860 4. Notwithstanding s. 112.3148, or s. 112.3149, or any
861 other provision of law, an employee or board member may not
862 knowingly accept, directly or indirectly, any gift or
863 expenditure from a person or entity, or an employee or
864 representative of such person or entity, which has a contractual
865 relationship with the corporation or who is under consideration
866 for a contract. An employee or board member who fails to comply
867 with subparagraph 3. or this subparagraph is subject to
868 penalties provided under ss. 112.317 and 112.3173.

869 5. The executive director, a member of the board of
870 governors, and a any senior manager of the corporation are

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871 ~~is employed on or after January 1, 2007, regardless of the date~~
872 ~~of hire, who subsequently retires or terminates employment is~~
873 prohibited from representing another person or entity before the
874 corporation for 2 years after retirement from or termination of
875 ~~service to employment from~~ the corporation.

876 6. The executive director, a member of the board of
877 ~~governors, and a Any senior manager of the corporation are who~~
878 ~~is employed on or after January 1, 2007, regardless of the date~~
879 ~~of hire, who subsequently retires or terminates employment is~~
880 prohibited from having any employment or contractual
881 relationship for 2 years after retirement from or termination of
882 service to the corporation with an insurer that has entered into
883 a take-out bonus agreement with the corporation.

884 Section 17. Subsections (3), (4), and (7) of section
885 11.0455, Florida Statutes, are amended to read:

886 11.0455 Electronic filing of compensation reports and other
887 information.—

888 (3) A report filed pursuant to this section must be
889 completed and filed through the electronic filing system not
890 later than 11:59 p.m. of the day designated in s. 11.045. A
891 report not filed by 11:59 p.m. of the day designated is a late-
892 filed report and is subject to the penalties under s. 11.045(4)
893 ~~s. 11.045(3).~~.

894 (4) Each report filed pursuant to this section is deemed to
895 meet the certification requirements of s. 11.045(4)(a)4. s.
896 ~~11.045(3)(a)4.~~, and as such subjects the person responsible for
897 filing and the lobbying firm to the provisions of s. 11.045(8)
898 and (9) s. 11.045(7) and (8). Persons given a secure sign-on to
899 the electronic filing system are responsible for protecting it

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900 from disclosure and are responsible for all filings using such
901 credentials, unless they have notified the office that their
902 credentials have been compromised.

903 (7) Each house of the Legislature shall provide by rule
904 that the office make all the data filed available on the
905 Internet in an easily understood and accessible format. The
906 Internet website must also include, but not be limited to, the
907 names and business addresses of lobbyists, lobbying firms, and
908 principals, the affiliations between lobbyists and principals,
909 and the classification system designated and identified by each
910 principal pursuant to s. 11.045(3) ~~s. 11.045(2)~~.

911 Section 18. Subsections (3), (4), and (7) of section
912 112.32155, Florida Statutes, are amended to read:

913 112.32155 Electronic filing of compensation reports and
914 other information.—

915 (3) A report filed pursuant to this section must be
916 completed and filed through the electronic filing system not
917 later than 11:59 p.m. of the day designated in s. 112.3215. A
918 report not filed by 11:59 p.m. of the day designated is a late-
919 filed report and is subject to the penalties under s.
920 112.3215(6) ~~s. 112.3215(5)~~.

921 (4) Each report filed pursuant to this section is
922 considered to meet the certification requirements of s.
923 112.3215(6)(a)4. ~~s. 112.3215(5)(a)4.~~ Persons given a secure
924 sign-on to the electronic filing system are responsible for
925 protecting it from disclosure and are responsible for all
926 filings using such credentials, unless they have notified the
927 commission that their credentials have been compromised.

928 (7) The commission shall make all the data filed available

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929 on the Internet in an easily understood and accessible format.
930 The Internet website shall also include, but not be limited to,
931 the names and business addresses of lobbyists, lobbying firms,
932 and principals, the affiliations between lobbyists and
933 principals, and the classification system designated and
934 identified by each principal pursuant to s. 112.3215(4) s.
935 112.3215(3).

936 Section 19. This act shall take effect July 1, 2014.