

1                   A bill to be entitled  
2           An act relating to ethics reform; repealing s. 11.061,  
3           F.S., relating to state, state university, and  
4           community college employee lobbyists; creating s.  
5           106.114, F.S.; providing definitions; prohibiting  
6           certain public service announcements by specified  
7           entities or persons; providing applicability; amending  
8           s. 112.313, F.S.; revising applicability of certain  
9           provisions relating to contractual relationships;  
10          prohibiting public officers or employees of an agency  
11          from soliciting specified employment or contractual  
12          relationships; providing an exception; requiring  
13          certain offers and solicitations of employment or  
14          contractual relationships to be disclosed to certain  
15          persons; requiring such solicitations to be disclosed  
16          to the Commission on Ethics in certain circumstances;  
17          authorizing the commission to investigate such  
18          disclosures; prohibiting specified persons from  
19          certain compensated representation for a specified  
20          period following vacation of office; deleting a  
21          provision prohibiting former legislators from acting  
22          as lobbyists before certain entities and persons for a  
23          specified period following vacation of office;  
24          providing applicability; creating s. 112.3181, F.S.;  
25          prohibiting statewide elected officers and legislators

26 | from soliciting employment offers or investment advice  
27 | arising out of official or political activities;  
28 | providing exceptions; prohibiting such officers or  
29 | legislators from soliciting or accepting investment  
30 | advice from or soliciting or entering into certain  
31 | profitmaking relationships with lobbyists or  
32 | principals; providing definitions; requiring lobbyists  
33 | and principals to disclose certain prohibited  
34 | solicitations to the commission; authorizing the  
35 | commission to investigate such disclosures; providing  
36 | disclosure requirements; requiring the commission to  
37 | publish disclosures on its website; authorizing the  
38 | commission to adopt rules; amending s. 112.3185, F.S.;  
39 | revising and providing definitions; prohibiting  
40 | certain officers and employees from soliciting  
41 | employment or contractual relationships from or  
42 | negotiating employment or contractual relationships  
43 | with certain employers; providing exceptions;  
44 | requiring disclosure of certain offers of employment  
45 | or contractual relationships; amending s. 112.3215,  
46 | F.S.; revising definitions; defining the term  
47 | "principally employed for governmental affairs";  
48 | requiring lobbyists to electronically register with  
49 | the commission; revising lobbyist registration,  
50 | compensation report, principal designation

51 cancellation, and investigation requirements;  
 52 authorizing the commission to dismiss certain  
 53 complaints and investigations; amending s. 420.5061,  
 54 F.S.; conforming a cross-reference to changes made by  
 55 the act; providing an effective date.

56  
 57 Be It Enacted by the Legislature of the State of Florida:

58  
 59 Section 1. Section 11.061, Florida Statutes, is repealed.

60 Section 2. Section 106.114, Florida Statutes, is created  
 61 to read:

62 106.114 Elected official advertising.—

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

64 (a) "Governmental entity" means any executive, judicial,  
 65 or quasi-judicial department; state university; community  
 66 college; water management district; or political subdivision.

67 (b) "Public service announcement" means any message  
 68 communicated by radio, television, billboard, or electronic  
 69 means that promotes or announces an issue of public importance,  
 70 concern, or welfare. The term does not include an official  
 71 communication on an elected official's website or social media  
 72 account used exclusively for official business.

73 (2) A governmental entity, a person acting on behalf of a  
 74 governmental entity, or an elected official may not use or  
 75 authorize the use of an elected official's name, image,

76 | likeness, official uniform, badge, or other symbol of office in  
 77 | a public service announcement beginning on the date that the  
 78 | elected official qualifies as a candidate under s. 99.061, or  
 79 | other applicable law, for reelection or election to another  
 80 | public office and ending on the day after the election for which  
 81 | the elected official qualified as a candidate, if such  
 82 | announcement is paid for with public funds, as defined in s.  
 83 | 106.113, or if the time or space for such announcement is  
 84 | donated by the communications media. This subsection does not  
 85 | apply to charitable events held by a tax-exempt organization  
 86 | under s. 501(c)(3) of the Internal Revenue Code or bona fide  
 87 | news events such as press conferences or public debates  
 88 | broadcast by a broadcaster licensed by the Federal  
 89 | Communications Commission.

90 | Section 3. Subsection (7), paragraph (a) of subsection  
 91 | (9), and subsection (15) of section 112.313, Florida Statutes,  
 92 | are amended to read:

93 | 112.313 Standards of conduct for public officers,  
 94 | employees of agencies, and local government attorneys.—

95 | (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

96 | (a) A ~~No~~ public officer or employee of an agency may not  
 97 | ~~shall~~ have or hold any employment or contractual relationship  
 98 | with any business entity or any agency that ~~which~~ is subject to  
 99 | the regulation of, or is doing business with, the officer's or  
 100 | employee's ~~an~~ agency. Such officer or employee may not have or

101 hold any employment or contractual relationship that will create  
102 a continuing or frequently recurring conflict between his or her  
103 private interests and the performance of his or her public  
104 duties or that would impede the full and faithful discharge of  
105 his or her public duties. This paragraph does not apply to ~~of~~  
106 ~~which he or she is an officer or employee, excluding those~~  
107 organizations and their officers who, when acting in their  
108 official capacity, enter into or negotiate a collective  
109 bargaining contract with the state or any municipality, county,  
110 or other political subdivision of the state; ~~nor shall an~~  
111 ~~officer or employee of an agency have or hold any employment or~~  
112 ~~contractual relationship that will create a continuing or~~  
113 ~~frequently recurring conflict between his or her private~~  
114 ~~interests and the performance of his or her public duties or~~  
115 ~~that would impede the full and faithful discharge of his or her~~  
116 ~~public duties.~~

117 1. When the agency referred to is a ~~that certain kind of~~  
118 special tax district created by general or special law and is  
119 limited specifically to constructing, maintaining, managing, and  
120 financing improvements in the land area over which the agency  
121 has jurisdiction, or when the agency has been organized pursuant  
122 to chapter 298, ~~then~~ employment with, or entering into a  
123 contractual relationship with, such a business entity by a  
124 public officer or employee of such an agency is ~~shall~~ not be  
125 prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.

126 However, conduct by such officer or employee that is prohibited  
127 by, or otherwise frustrates the intent of, this section is ~~shall~~  
128 ~~be deemed~~ a conflict of interest in violation of the standards  
129 of conduct set forth by this section.

130 2. When the agency referred to is a legislative body and  
131 the regulatory power over the business entity resides in another  
132 agency, or when the regulatory power that ~~which~~ the legislative  
133 body exercises over the business entity or agency is strictly  
134 through the enactment of laws or ordinances, ~~then~~ employment  
135 with, or entering into a contractual relationship with, such a  
136 business entity by a public officer or employee of such a  
137 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection  
138 or ~~be~~ deemed a conflict based on the regulatory power of the  
139 legislative body, unless prohibited or deemed a conflict by  
140 another law.

141 (b) This subsection does ~~shall~~ not prohibit a public  
142 officer or employee from practicing in a particular profession  
143 or occupation when such practice by persons holding such public  
144 office or employment is required or permitted by law or  
145 ordinance.

146 (c) A public officer or employee of an agency may not  
147 solicit any employment or contractual relationship prohibited by  
148 this subsection, except as expressly permitted in s. 112.3185.

149 (d) A public officer or employee of an agency must  
150 disclose to the head of his or her agency, the general counsel

151 or inspector general of his or her agency, or any other officer  
152 or attorney designated by the head of his or her agency any  
153 offer of employment or contractual relationship that is  
154 prohibited by this subsection.

155 (e) If a public officer or employee of an agency, or a  
156 person acting on his or her behalf, violates paragraph (c), the  
157 solicited business entity or agency must disclose such  
158 solicitation to the head of the officer's or employee's agency.  
159 If such solicitation is by or on behalf of the head of the  
160 agency or a member of a body that is the head of the agency, the  
161 solicited business entity or agency must disclose such  
162 solicitation to the commission. The commission may investigate  
163 such disclosure as if it were a valid complaint under this part.

164 (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR  
165 LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

166 (a)1. It is the intent of the Legislature to implement by  
167 statute the provisions of s. 8(e), Art. II of the State  
168 Constitution relating to legislators, statewide elected  
169 officers, appointed state officers, and designated public  
170 employees.

171 2. As used in this paragraph:

172 a. "Employee" means:

173 (I) Any person employed in the executive or legislative  
174 branch of government holding a position in the Senior Management  
175 Service as defined in s. 110.402 or any person holding a

176 | position in the Selected Exempt Service as defined in s. 110.602  
 177 | or any person having authority over policy or procurement  
 178 | employed by the Department of the Lottery.

179 |       (II) The Auditor General, the director of the Office of  
 180 | Program Policy Analysis and Government Accountability, the  
 181 | Sergeant at Arms and Secretary of the Senate, and the Sergeant  
 182 | at Arms and Clerk of the House of Representatives.

183 |       (III) The executive director and deputy executive director  
 184 | of the Commission on Ethics.

185 |       (IV) An executive director, staff director, or deputy  
 186 | staff director of each joint committee, standing committee, or  
 187 | select committee of the Legislature; an executive director,  
 188 | staff director, executive assistant, analyst, or attorney of the  
 189 | Office of the President of the Senate, the Office of the Speaker  
 190 | of the House of Representatives, the Senate Majority Party  
 191 | Office, Senate Minority Party Office, House Majority Party  
 192 | Office, or House Minority Party Office; or any person, hired on  
 193 | a contractual basis, having the power normally conferred upon  
 194 | such persons, by whatever title.

195 |       (V) The Chancellor and Vice Chancellors of the State  
 196 | University System; the general counsel to the Board of Governors  
 197 | of the State University System; and the president, provost, vice  
 198 | presidents, and deans of each state university.

199 |       (VI) Any person, including an other-personal-services  
 200 | employee, having the power normally conferred upon the positions

201 | referenced in this sub-subparagraph.

202 |       b. "Appointed state officer" means any member of an  
203 | appointive board, commission, committee, council, or authority  
204 | of the executive or legislative branch of state government whose  
205 | powers, jurisdiction, and authority are not solely advisory and  
206 | include the final determination or adjudication of any personal  
207 | or property rights, duties, or obligations, other than those  
208 | relative to its internal operations.

209 |       c. "State agency" means an entity of the legislative,  
210 | executive, or judicial branch of state government over which the  
211 | Legislature exercises plenary budgetary and statutory control.

212 |       3.a. A ~~No~~ member of the Legislature, appointed state  
213 | officer, or statewide elected officer may not ~~shall~~ personally  
214 | represent another person or entity for compensation before the  
215 | government body or agency of which the individual was an officer  
216 | or member for a period of 2 years following vacation of office.  
217 | A ~~No~~ member of the Legislature may not ~~shall~~ personally  
218 | represent another person or entity for compensation during his  
219 | or her term of office before any state agency other than  
220 | judicial tribunals or in settlement negotiations after the  
221 | filing of a lawsuit.

222 |       b. For a period of 2 years following vacation of office, a  
223 | former member of the Legislature may not act as a lobbyist for  
224 | compensation before an executive branch agency, agency official,  
225 | or employee. The terms used in this sub-subparagraph have the

226 same meanings as provided in s. 112.3215.

227 4. An agency employee, including an agency employee who  
 228 was employed on July 1, 2001, in a Career Service System  
 229 position that was transferred to the Selected Exempt Service  
 230 System under chapter 2001-43, Laws of Florida, may not  
 231 personally represent another person or entity for compensation  
 232 before the agency with which he or she was employed for a period  
 233 of 2 years following vacation of position, unless employed by  
 234 and representing another state agency ~~of state government~~.

235 5. Any person violating this paragraph shall be subject to  
 236 the penalties provided in s. 112.317 and a civil penalty of an  
 237 amount equal to the compensation which the person receives for  
 238 the prohibited conduct.

239 ~~6. This paragraph is not applicable to:~~

240 ~~a. A person employed by the Legislature or other agency~~  
 241 ~~prior to July 1, 1989;~~

242 ~~b. A person who was employed by the Legislature or other~~  
 243 ~~agency on July 1, 1989, whether or not the person was a defined~~  
 244 ~~employee on July 1, 1989;~~

245 ~~c. A person who was a defined employee of the State~~  
 246 ~~University System or the Public Service Commission who held such~~  
 247 ~~employment on December 31, 1994;~~

248 ~~d. A person who has reached normal retirement age as~~  
 249 ~~defined in s. 121.021(29), and who has retired under the~~  
 250 ~~provisions of chapter 121 by July 1, 1991; or~~

251 ~~e. Any appointed state officer whose term of office began~~  
252 ~~before January 1, 1995, unless reappointed to that office on or~~  
253 ~~after January 1, 1995.~~

254 (15) (a) ADDITIONAL EXEMPTION.—~~An~~ ~~no~~ elected public officer  
255 may not shall be held in violation of subsection (7) if the  
256 officer maintains an employment relationship with an entity  
257 which is currently a tax-exempt organization under s. 501(c) of  
258 the Internal Revenue Code and which contracts with or otherwise  
259 enters into a business relationship with the officer's agency  
260 and:

261 1.(a) The officer's employment is not directly or  
262 indirectly compensated as a result of such contract or business  
263 relationship;

264 2.(b) The officer has in no way participated in the  
265 agency's decision to contract or to enter into the business  
266 relationship with his or her employer, whether by participating  
267 in discussion at the meeting, by communicating with officers or  
268 employees of the agency, or otherwise; and

269 3.(c) The officer abstains from voting on any matter which  
270 may come before the agency involving the officer's employer,  
271 publicly states to the assembly the nature of the officer's  
272 interest in the matter from which he or she is abstaining, and  
273 files a written memorandum as provided in s. 112.3143.

274 (b) This subsection does not apply to an officer who  
275 begins his or her term of office on or after October 1, 2019.

276 Section 4. Section 112.3181, Florida Statutes, is created  
 277 to read:

278 112.3181 Additional standards for statewide elected  
 279 officers and legislators.-

280 (1) A statewide elected officer or member of the  
 281 Legislature may not solicit an employment offer or investment  
 282 advice arising out of official or political activities engaged  
 283 in while he or she is an officer or legislator, or a candidate  
 284 for such office, except in the following circumstances:

285 (a) The officer or legislator may solicit or accept future  
 286 employment, including professional partnerships, in the last 180  
 287 days of his or her term of office if he or she is ineligible to  
 288 run for reelection or has publicly announced, and filed a letter  
 289 or other written notice with the qualifying officer with whom  
 290 reelection qualification papers are filed, that he or she is not  
 291 and does not intend to become a candidate for reelection.

292 (b) The officer or legislator may solicit or accept  
 293 employment from any prospective employer in a profession or  
 294 occupation in which he or she has formerly engaged, has been  
 295 formally educated or trained, or is licensed unless such  
 296 employment is prohibited by other general law.

297 (2) A statewide elected officer or member of the  
 298 Legislature may not solicit or accept investment advice from or  
 299 solicit or enter into an investment, joint venture, or other  
 300 profitmaking relationship with a lobbyist or principal, as those

301 terms are defined in s. 11.045 or s. 112.3215. However, the  
302 officer or legislator may buy or sell listed, publicly traded  
303 securities of a principal without the advice of a lobbyist or  
304 principal unless such action violates s. 112.313. For purposes  
305 of this section, the phrase "investment, joint venture, or other  
306 profitmaking relationship" does not include an employment  
307 relationship or any enterprise organized to employ or engage the  
308 personal services of individuals, including the officer or  
309 legislator. For purposes of this section, the terms "investment  
310 advice" and "profitmaking relationship" do not include a client  
311 relationship with a licensed investment broker, licensed  
312 investment advisor, or similarly licensed professional to whom  
313 the officer or legislator pays ordinary and reasonable fees for  
314 services, regardless of such broker's, advisor's, or  
315 professional's status as a principal of a lobbyist or a  
316 nonlobbyist employee of such principal.

317 (3) A lobbyist or principal who receives a solicitation  
318 prohibited by this section, by or on behalf of a statewide  
319 elected officer or member of the Legislature, must disclose such  
320 solicitation to the commission. Any other person who receives  
321 such solicitation may disclose such solicitation to the  
322 commission. The commission may investigate any disclosure under  
323 this subsection as if it were a valid complaint under this part.

324 (4) (a) A statewide elected officer or member of the  
325 Legislature must file a written disclosure with the commission

326 upon acceptance of the following:

327 1. New employment with or increased compensation from an  
328 entity that receives state funds directly by appropriation;

329 2. New employment with or increased compensation from an  
330 agency;

331 3. New employment the offer of which arose out of official  
332 or political activities engaged in while he or she was a  
333 statewide elected officer, member of the Legislature, or  
334 candidate for such office; or

335 4. New employment with or increased compensation from a  
336 lobbyist, principal of a lobbyist, or lobbying firm.

337 (b) The disclosure must identify the applicable  
338 subparagraph of paragraph (a), employer, position, salary or  
339 other compensation, and effective date of employment or  
340 increased compensation. Such disclosure must be filed within 30  
341 days after he or she accepts the employment or increased  
342 compensation or before the effective date of employment or  
343 increased compensation, whichever date is earliest. With respect  
344 to employment or increased compensation accepted or effective  
345 between December 31, 2018, and July 1, 2019, the officer or  
346 legislator must file such disclosure within 30 days after July  
347 1, 2019. The commission shall publish such disclosures with the  
348 officer's or legislator's full and public disclosure of  
349 financial interests on its website. The commission may adopt  
350 forms for disclosure and may adopt rules requiring electronic

351 submission of the disclosure required by this subsection.

352 Section 5. Subsection (7) of section 112.3185, Florida  
353 Statutes, is renumbered as subsection (8), subsection (1) and  
354 present subsection (8) are amended, and a new subsection (7) is  
355 added to that section, to read:

356 112.3185 Additional standards for state officers and  
357 agency employees.—

358 (1) For the purposes of this section:

359 (a) "Contractual services" shall be defined as set forth  
360 in chapter 287.

361 (b) "Agency" means any state officer, department, board,  
362 commission, or council of the executive, legislative, or  
363 judicial branch of state government and includes the Public  
364 Service Commission.

365 (c) "Covered officer" means a state officer who is serving  
366 in a position that is not an elective position. The term does  
367 not include a person who is appointed to fill an unexpired term  
368 of an elective office.

369 (d) "Negotiate" or "negotiation" means a response to an  
370 offer or solicitation of offers of an employment or contractual  
371 relationship, including the submission of a resume, an  
372 application, or any other information demonstrating interest on  
373 the part of a prospective employee and interviewing or engaging  
374 in other communication intended to lead to an offer or  
375 acceptance of an employment or contractual relationship.

376 (e) "Reporting employee" means any agency employee who is  
377 a reporting individual or procurement employee, as those terms  
378 are defined in s. 112.3148.

379 (f) "Restricted employer," with respect to any state  
380 officer or agency employee, means any entity that does business  
381 with or is subject to regulation by an agency employing the  
382 covered officer or reporting employee and any person or entity  
383 from whom the covered officer or reporting employee may not  
384 solicit a gift under s. 112.3148(3).

385 (g) "Subject to regulation by an agency" means subject to  
386 regulation by agency action, as defined in s. 120.52(2) or its  
387 substantial equivalent. The term does not include regulatory  
388 power exercised strictly through the enactment of general laws.

389 (7) A covered officer or reporting employee who is  
390 employed in such position on or after July 1, 2019, may not  
391 solicit an employment or contractual relationship from or  
392 negotiate an employment or contractual relationship with a  
393 restricted employer except as provided in this section.

394 (a) A covered officer or reporting employee may solicit a  
395 future employment or contractual relationship from or negotiate  
396 a future employment or contractual relationship with a  
397 restricted employer within 90 days before the expiration of the  
398 officer's term of office, if the officer does not seek  
399 reappointment, or within 90 days before the officer's or  
400 employee's termination or retirement date, if he or she provides

401 notice of termination or retirement to the head of his or her  
402 agency, the general counsel or inspector general of his or her  
403 agency, or any other officer or attorney designated by the head  
404 of his or her agency.

405 (b) If a covered officer or reporting employee has been  
406 notified by his or her appointing authority or employing agency  
407 that he or she will be discharged from office or dismissed or  
408 terminated from employment, he or she may solicit a future  
409 employment or contractual relationship from or negotiate a  
410 future employment or contractual relationship with a restricted  
411 employer at any time after such notice but not sooner than 180  
412 days before his or her employment is scheduled to end.

413 (c) A covered officer or reporting employee must disclose  
414 to the head of his or her agency, the general counsel or  
415 inspector general of his or her agency, or any other officer or  
416 attorney designated by the head of his or her agency any offer  
417 from a restricted employer of an employment or contractual  
418 relationship. After such disclosure, a covered officer or  
419 reporting employee may negotiate an employment or contractual  
420 relationship with the restricted employer if expressly  
421 authorized by the head of his or her agency or the agency head's  
422 authorized designee. Permission may be withheld only if the  
423 agency head or his or her authorized designee determines such  
424 negotiation poses an actual or potential conflict with the  
425 interests of the state or the agency.

426 (d) This subsection does not authorize any employment or  
 427 contractual relationship solicitation otherwise prohibited by  
 428 general law.

429 (9)-(8) Subsections (1)-(6) of this section do not apply ~~is~~  
 430 ~~not applicable~~ to any employee of the Public Service Commission  
 431 who was so employed on or before December 31, 1994, unless so  
 432 employed on or after July 1, 2019.

433 Section 6. Paragraphs (a), (f), and (h) of subsection (1),  
 434 subsection (3), paragraph (a) of subsection (5), and subsections  
 435 (7) and (8) of section 112.3215, Florida Statutes, are amended,  
 436 and subsection (15) of that section is reenacted, to read:

437 112.3215 Lobbying before the executive branch or the  
 438 Constitution Revision Commission; registration and reporting;  
 439 investigation by commission.—

440 (1) For the purposes of this section:

441 (a) "Agency" means the Governor; the ~~the~~ Governor and  
 442 Cabinet; ~~or~~ any department, division, bureau, board,  
 443 commission, or authority of the executive branch; the State  
 444 Board of Education; the Board of Governors of the State  
 445 University System; or. ~~In addition, "agency" shall mean the~~  
 446 Constitution Revision Commission as provided by s. 2, Art. XI of  
 447 the State Constitution.

448 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of  
 449 another person, to influence an agency with respect to a  
 450 decision of the agency in the area of policy or procurement or

451 an attempt to obtain the goodwill of an agency official or  
452 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or  
453 attempting to influence, on behalf of another, the Constitution  
454 Revision Commission's action or nonaction through oral or  
455 written communication or an attempt to obtain the goodwill of a  
456 member or employee of the Constitution Revision Commission.

457 (h) "Lobbyist" means a person who is employed and receives  
458 payment, or who contracts for economic consideration, for the  
459 purpose of lobbying, or a person who is principally employed for  
460 governmental affairs by another person or governmental entity to  
461 lobby on behalf of that other person or governmental entity. The  
462 term "principally employed for governmental affairs" means that  
463 one of the principal or most significant responsibilities of the  
464 employee to the employer is overseeing the employer's various  
465 relationships with government or representing the employer in  
466 its contacts with government. "Lobbyist" does not include a  
467 person who is:

468 1. An attorney, or any person, who represents a client in  
469 a judicial proceeding or in a formal administrative proceeding  
470 conducted pursuant to chapter 120 or any other formal hearing  
471 before an agency, board, commission, or authority of this state.

472 2. An officer or employee of an agency, ~~or of~~ a  
473 legislative or judicial branch entity, or a political  
474 subdivision of this state acting in the normal course of his or  
475 her office or duties.

476           3. A confidential informant who is providing, or wishes to  
 477 provide, confidential information to be used for law enforcement  
 478 purposes.

479           4. A person who seeks ~~lobbies~~ to procure a contract  
 480 pursuant to chapter 287 which contract is less than the  
 481 threshold for CATEGORY ONE as provided in s. 287.017.

482           (3) A person may not lobby an agency until such person has  
 483 electronically registered as a lobbyist with the commission.  
 484 Such registration shall be due upon initially being retained to  
 485 lobby and is renewable on a calendar year basis thereafter. The  
 486 commission shall request authorization from the principal with  
 487 the principal's name, business address, e-mail address, and  
 488 telephone number to confirm that the registrant is authorized to  
 489 represent the principal. ~~Upon registration the person shall~~  
 490 ~~provide a statement signed by the principal or principal's~~  
 491 ~~representative that the registrant is authorized to represent~~  
 492 ~~the principal.~~ The principal or principal's representative shall  
 493 also identify and designate its main business pursuant to the  
 494 North American Industry Classification System six-digit  
 495 numerical code that most accurately describes the principal's  
 496 main business. Registration is not complete until the commission  
 497 receives the principal's authorization and the registration fee  
 498 ~~on the statement authorizing that lobbyist pursuant to a~~  
 499 ~~classification system approved by the commission.~~ The  
 500 registration shall require each lobbyist to attest to disclose,

501 ~~under oath,~~ the following information:

502 (a) Full legal name, e-mail address, telephone number,  
503 ~~Name~~ and business address;

504 (b) The full name, e-mail address, telephone number, and  
505 business address of each principal represented;

506 ~~(c) His or her area of interest;~~

507 (c)~~(d)~~ The agencies before which he or she will appear;  
508 and

509 (d)~~(e)~~ The existence of any direct or indirect business  
510 association, partnership, or financial relationship with any  
511 employee of an agency with which he or she lobbies, or intends  
512 to lobby, as disclosed in the registration.

513 (5)(a)1. Each lobbying firm shall file a compensation  
514 report with the commission for each calendar quarter during any  
515 portion of which one or more of the firm's lobbyists were  
516 registered to represent a principal. The report shall include  
517 the:

518 a. Full name, e-mail address, business address, and  
519 telephone number of the lobbying firm;

520 b. Name of each of the firm's lobbyists; and

521 c. Total compensation provided or owed to the lobbying  
522 firm from all principals for the reporting period, reported in  
523 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to  
524 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
525 \$999,999; \$1 million or more.

526           2. For each principal represented by one or more of the  
 527 firm's lobbyists, the lobbying firm's compensation report shall  
 528 also include the:

529           a. Full name, e-mail address, business address, and  
 530 telephone number of the principal; and

531           b. Total compensation provided or owed to the lobbying  
 532 firm for the reporting period, reported in one of the following  
 533 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
 534 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
 535 more. If the category "\$50,000 or more" is selected, the  
 536 specific dollar amount of compensation must be reported, rounded  
 537 up or down to the nearest \$1,000.

538           3. If the lobbying firm subcontracts work from another  
 539 lobbying firm and not from the original principal:

540           a. The lobbying firm providing the work to be  
 541 subcontracted shall be treated as the reporting lobbying firm's  
 542 principal for reporting purposes under this paragraph; and

543           b. The reporting lobbying firm shall, for each lobbying  
 544 firm identified under subparagraph 2., identify the name and  
 545 address of the principal originating the lobbying work.

546           4. The senior partner, officer, or owner of the lobbying  
 547 firm shall certify to the veracity and completeness of the  
 548 information submitted pursuant to this paragraph.

549           (7) A lobbyist shall promptly send a written statement to  
 550 the commission canceling the designation of ~~registration for~~ a

551 principal in his or her registration upon termination of such  
552 ~~the lobbyist's representation of that principal. The commission~~  
553 may cancel a lobbyist's designation of a principal upon the  
554 principal's notification that the lobbyist is no longer  
555 authorized to represent the principal ~~Notwithstanding this~~  
556 ~~requirement, the commission may remove the name of a lobbyist~~  
557 ~~from the list of registered lobbyists if the principal notifies~~  
558 ~~the office that a person is no longer authorized to represent~~  
559 ~~that principal.~~

560 (8) (a) The commission shall investigate every sworn  
561 complaint that is filed with it alleging that a person covered  
562 by this section has failed to register, has failed to submit a  
563 compensation report, has made a prohibited expenditure, or has  
564 knowingly submitted false information in any report or  
565 registration required in this section.

566 (b) All proceedings, the complaint, and other records  
567 relating to the investigation are confidential and exempt from  
568 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
569 Constitution, and any meetings held pursuant to an investigation  
570 are exempt from the provisions of s. 286.011(1) and s. 24(b),  
571 Art. I of the State Constitution either until the alleged  
572 violator requests in writing that such investigation and  
573 associated records and meetings be made public or until the  
574 commission determines, based on the investigation, whether  
575 probable cause exists to believe that a violation has occurred.

576 (c) The commission shall investigate any lobbying firm,  
577 lobbyist, principal, agency, officer, or employee upon receipt  
578 of information from a sworn complaint or from a random audit of  
579 lobbying reports indicating that the individual or entity has  
580 intentionally failed to disclose any material fact or has  
581 knowingly submitted false information in any report required by  
582 this section or by rules adopted pursuant to this section ~~a~~  
583 ~~possible violation other than a late-filed report.~~

584 (d) Notwithstanding paragraphs (a)-(c), the commission may  
585 dismiss any complaint or investigation resulting from a random  
586 audit of lobbying reports, at any state of disposition, if it  
587 determines that the public interest is not served by proceeding  
588 further, in which case the commission shall issue a public  
589 report stating with particularity its reasons for the dismissal.

590 (e)~~(d)~~1. Records relating to an audit conducted pursuant  
591 to this section or an investigation conducted pursuant to this  
592 section or s. 112.32155 are confidential and exempt from s.  
593 119.07(1) and s. 24(a), Art. I of the State Constitution.

594 2. Any portion of a meeting wherein such investigation or  
595 audit is discussed is exempt from s. 286.011 and s. 24(b), Art.  
596 I of the State Constitution.

597 3. The exemptions no longer apply if the lobbying firm  
598 requests in writing that such investigation and associated  
599 records and meetings be made public or the commission determines  
600 there is probable cause that the audit reflects a violation of

601 the reporting laws.

602 (15) The commission shall adopt rules to administer this  
603 section, which shall prescribe forms for registration and  
604 compensation reports, procedures for registration, and  
605 procedures that will prevent disclosure of information that is  
606 confidential as provided in this section.

607 Section 7. Section 420.5061, Florida Statutes, is amended  
608 to read:

609 420.5061 Transfer of agency assets and liabilities.—The  
610 corporation is the legal successor in all respects to the  
611 agency, is obligated to the same extent as the agency under any  
612 agreements existing on December 31, 1997, and is entitled to any  
613 rights and remedies previously afforded the agency by law or  
614 contract, including specifically the rights of the agency under  
615 chapter 201 and part VI of chapter 159. Effective January 1,  
616 1998, all references under Florida law to the agency are deemed  
617 to mean the corporation. The corporation shall transfer to the  
618 General Revenue Fund an amount which otherwise would have been  
619 deducted as a service charge pursuant to s. 215.20(1) if the  
620 Florida Housing Finance Corporation Fund established by s.  
621 420.508(5), the State Apartment Incentive Loan Fund established  
622 by s. 420.5087(7), the Florida Homeownership Assistance Fund  
623 established by s. 420.5088(4), the HOME Investment Partnership  
624 Fund established by s. 420.5089(1), and the Housing  
625 Predevelopment Loan Fund established by s. 420.525(1) were each

626 trust funds. For purposes of s. 112.313, the corporation is  
627 deemed to be a continuation of the agency, and the provisions  
628 thereof are deemed to apply as if the same entity remained in  
629 place. ~~Any employees of the agency and agency board members~~  
630 ~~covered by s. 112.313(9)(a)6. shall continue to be entitled to~~  
631 ~~the exemption in that subparagraph, notwithstanding being hired~~  
632 ~~by the corporation or appointed as board members of the~~  
633 ~~corporation.~~

634 Section 8. This act shall take effect July 1, 2019.