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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/30/2025 06:31 PM	.	05/02/2025 07:58 PM
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Senator Grall moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 20.71, Florida Statutes, is created to
read:

20.71 Residency requirements.—Notwithstanding any other
law:

(1) (a) Effective October 1, 2025, each of the following
persons must be a United States citizen and a resident of this
state:



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- 12 1. The secretary of a department.
- 13 2. The executive director of a department.
- 14 3. The chief administrative officer of any unit of state
15 government which is housed under a department for administrative
16 purposes but is not subject to the control, supervision, or
17 direction of such department.
- 18 4. A member of a commission.
- 19 5. A member of a licensing board.
- 20 6. The chair of the governing board, or the chief
21 executive, of a statewide entity that is explicitly created or
22 established by statute, regardless of its legal form, for a
23 public purpose or to carry out a government program and that is
24 not under the direct control of a governmental entity.
- 25 7. Any other person appointed to hold state office in the
26 executive branch of state government.
- 27 (b) If a person listed in paragraph (a) does not meet the
28 requirements of that paragraph, such person's office is
29 automatically deemed vacant.
- 30 (2) Effective January 6, 2027, each member of a state
31 university board of trustees must be a United States citizen and
32 either a resident of this state or a graduate of the state
33 university, the administration of which is overseen by such
34 board of trustees. If any member of a state university board of
35 trustees does not meet the requirements of this subsection, such
36 member's office is automatically deemed vacant.
- 37 (3) Effective January 6, 2027, each member of the Board of
38 Governors must be a United States citizen and either a resident
39 of this state or a graduate of a state university as defined in
40 s. 1000.21. If any member of the Board of Governors does not



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meet the requirements of this subsection, such member's office is automatically deemed vacant.

Section 2. Subsections (1) and (2) of section 104.31, Florida Statutes, are amended to read:

104.31 Political activities of state, county, and municipal officers and employees.—

(1) No officer or employee of the state, or of any county or municipality thereof, except as hereinafter exempted from provisions hereof, shall:

(a) Use his or her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.

(b) Use his or her official authority or influence to directly or indirectly coerce or attempt to coerce, command, solicit, or advise any other person ~~officer or employee to make a contribution as defined in s. 106.011 or to pay, lend, or contribute any part of his or her salary, or any money, or anything else of value to any political party, candidate for public office, political committee, organization, agency, or person for political purposes.~~ Nothing in this paragraph or in any county or municipal charter or ordinance shall prohibit an officer or employee from suggesting to another person ~~employee~~ in a noncoercive manner that he or she may voluntarily make a contribution as defined in s. 106.011 or pay, lend, or contribute money or anything else of value to any political party, candidate for public office, political committee, organization, agency, or person ~~to a fund which is administered by a party, committee, organization, agency, person, labor union~~



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~~or other employee organization for political purposes.~~

(c) Directly or indirectly coerce or attempt to coerce, command, and advise any such officer or employee as to where he or she might purchase commodities or to interfere in any other way with the personal right of said officer or employee.

The provisions of this section may ~~shall~~ not be construed so as to prevent any person from becoming a candidate for and actively campaigning for any elective office in this state. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. The provisions of paragraph (a) may ~~shall~~ not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature, of elected officials or candidates for public office in the state or of any county or municipality thereof; ~~and the provisions of paragraph (a) shall not be construed so as to limit the political activity in general or special elections of the officials appointed as the heads or directors of state administrative agencies, boards, commissions, or committees or of the members of state boards, commissions, or committees, whether they be salaried, nonsalaried, or reimbursed for expense. In the event of a dual capacity of any member of a state board, commission, or committee, any restrictive provisions applicable to either capacity shall apply. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature of the Governor, the elected members of the Governor's Cabinet, or the~~



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~~members of the Legislature.~~ The provisions of paragraphs (b) and (c) shall apply to all officers and employees of the state or of any county or municipality thereof, whether elected, appointed, or otherwise employed, or whether the activity shall be in connection with a primary, general, special, bond, referendum, or other election of any kind or nature.

(2) An employee of the state or any political subdivision may not participate in any political campaign ~~for an elective office~~ while on duty.

Section 3. Subsection (4) of section 112.061, Florida Statutes, is amended, and paragraph (j) is added to subsection (3) of that section, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons; statewide travel management system.—

(3) AUTHORITY TO INCUR TRAVEL EXPENSES.—

(j) Reimbursement of transportation expenses as provided in subsection (7) may not be authorized or approved for travel of a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. between the person's residence and his or her official headquarters. Per diem and subsistence allowances as provided in subsection (6) may not be authorized or approved for a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. when that person remains overnight in the person's county of residence. For the purposes of this section, the term "residence" means the dwelling in which the person permanently resides.

(4) OFFICIAL HEADQUARTERS.—The official headquarters of a person serving in a position described in s. 20.71(1)(a)1., 2.,



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or 3. must be the city or town in which the department's official headquarters is located, and the official headquarters of any other ~~an~~ officer or employee assigned to an office must ~~shall~~ be the city or town in which the office is located except that:

(a) The official headquarters of a person located in the field must ~~shall~~ be the city or town nearest to the area where the majority of the person's work is performed, or such other city, town, or area as may be designated by the agency head provided that in all cases such designation must be in the best interests of the agency and not for the convenience of the person.

(b) When any state employee is stationed in any city or town for a period of more than ~~over~~ 30 continuous workdays, such city or town must ~~shall~~ be deemed to be the employee's official headquarters, and he or she may ~~shall~~ not be allowed per diem or subsistence, as provided in this section, after such ~~the said~~ period of 30 continuous workdays has elapsed, unless this period of time is extended by the express approval of the agency head or his or her designee.

(c) A traveler may leave his or her assigned post to return to his or her residence ~~home~~ overnight, over a weekend, or during a holiday, but any time lost from regular duties must ~~shall~~ be taken as annual leave and authorized in the usual manner. The traveler may ~~shall~~ not be reimbursed for travel expenses in excess of the established rate for per diem allowable had he or she remained at his or her assigned post. A person serving in a position described in s. 20.71(1)(a)1., 2., or 3. may not be reimbursed for travel expenses for travel



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between the person's assigned post and residence. However, when a traveler has been temporarily assigned away from his or her official headquarters for an approved period extending beyond 30 days, he or she is ~~shall be~~ entitled to reimbursement for travel expenses at the established rate of one round trip for each 30-day period actually taken to his or her residence ~~home~~ in addition to pay and allowances otherwise provided.

(d) A Lieutenant Governor who permanently resides outside of Leon County, may, if he or she so requests, have an appropriate facility in his or her county designated as his or her official headquarters for purposes of this section. This official headquarters may only serve as the Lieutenant Governor's personal office. The Lieutenant Governor may not use state funds to lease space in any facility for his or her official headquarters.

1. A Lieutenant Governor for whom an official headquarters is established in his or her county of residence pursuant to this paragraph is eligible for subsistence at a rate to be established by the Governor for each day or partial day that the Lieutenant Governor is at the State Capitol to conduct official state business. In addition to the subsistence allowance, a Lieutenant Governor is eligible for reimbursement for transportation expenses as provided in subsection (7) for travel between the Lieutenant Governor's official headquarters and the State Capitol to conduct state business.

2. Payment of subsistence and reimbursement for transportation between a Lieutenant Governor's official headquarters and the State Capitol shall be made to the extent appropriated funds are available, as determined by the Governor.



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3. This paragraph expires July 1, 2025.

Section 4. Section 112.31251, Florida Statutes, is created to read:

112.31251 Definition of the term "office."—

(1) (a) For purposes of s. 5(a), Art. II of the State Constitution, the term "office," when referring to an office in this state, means any position in state, county, or municipal government to which all of the following apply:

1. Delegates to the individual holding such position a portion of the sovereign power of the government.

2. Requires the exercise of independent governmental authority, which is performed in an official capacity and is not based solely on a contractual or employment relationship.

3. Has a prescribed tenure.

4. Exists independently of the individual holding such position.

(b) The term "office" includes, but is not limited to, each of the following positions:

1. The Governor.

2. The Lieutenant Governor.

3. A member of the Cabinet.

4. A state senator.

5. A state representative.

6. A county commissioner.

7. A sheriff.

8. A tax collector.

9. A property appraiser.

10. A supervisor of elections.

11. A clerk of the circuit court.



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12. A member of the Board of Governors of the State University System.

13. A member of a board of trustees for a state university.

14. A member of a district school board.

15. A member of a state, county, or municipal board or commission that exercises governmental authority and is not purely advisory in nature.

16. A member of the Board of Governors for the Citizens Property Insurance Corporation established under s. 627.351(6).

17. A member of the board of directors for the Florida Housing Finance Corporation established under s. 420.504.

18. A member of the board of directors for the Florida Healthy Kids Corporation established under s. 624.91, other than the member appointed pursuant to s. 624.91(6)(a)9.

19. An administrator or a manager of a county, a municipality, or a corporation established under s. 420.504, s. 624.91, or s. 627.351(6) who exercises in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

20. The director of a county or municipal emergency management agency who exercises in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

21. A state, county, or municipal law enforcement officer with the authority to arrest without a warrant.

22. Any position that meets all the criteria enumerated in paragraph (a).

(2) The term "office" does not include either of the following:



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(a) A legislative designation of an officer to perform ex officio the functions of another office; or

(b) The position of an individual whose relationship with a state, county, or municipal government is considered employment. For purposes of this paragraph, the term "employment" means a relationship with a state, county, or municipal government where an individual does not exercise in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

Section 5. Present paragraphs (b), (c), and (d) of subsection (1) and present subsection (8) of section 112.3261, Florida Statutes, are redesignated as paragraphs (c), (d), and (e) of subsection (1) and subsection (9), respectively, a new paragraph (b) is added to subsection (1) and a new subsection (8) is added to that section, and subsection (7) of that section is amended, to read:

112.3261 Lobbying before water management districts; registration and reporting.—

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

(b) "Expenditure" has the same meaning as in s. 112.3215.

(7) Upon receipt of a sworn complaint alleging that a lobbyist or principal has failed to register with a district, has made a prohibited expenditure, or has knowingly submitted false information in a report or registration required under this section, the commission shall investigate a lobbyist or principal pursuant to the procedures established under s. 112.324. The commission shall provide the Governor with a report of its findings and recommendations in any investigation conducted pursuant to this subsection. The Governor is



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authorized to enforce the commission's findings and recommendations.

(8) Notwithstanding s. 112.3148, s. 112.3149, or any other law, a lobbyist or principal may not make, directly or indirectly, and a district governing board member, executive director, or any district employee who qualifies as a local officer as defined in s. 112.3145(1) may not knowingly accept, directly or indirectly, any expenditure.

Section 6. Subsection (1) of section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(1) Pursuant to s. 7(c), Art. IX of the State Constitution, each local constituent university shall be administered by a university board of trustees comprised of 13 members as follows: 6 citizen members appointed by the Governor subject to confirmation by the Senate; 5 citizen members appointed by the Board of Governors subject to confirmation by the Senate; the chair of the faculty senate or the equivalent; and the president of the student body of the university. The appointed members shall serve staggered 5-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments by the Governor, 2 members shall serve 2-year terms, 3 members shall serve 3-year terms, and 1 member shall serve a 5-year term and of the initial appointments by the Board of Governors, 2 members shall serve 2-year terms, 2 members shall serve 3-year terms, and 1 member shall serve a 5-year term. ~~There shall be no state residency requirement~~ For university board members, ~~but~~ the Governor and the Board of Governors shall consider diversity and regional representation.



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Beginning July 2, 2020, for purposes of this subsection,
regional representation shall include the chair of a campus
board established pursuant to s. 1004.341.

Section 7. This act shall take effect July 1, 2025.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to public officers and employees;
creating s. 20.71, F.S.; requiring that, beginning on
a specified date, secretaries and executive directors
of departments, chief administrative officers of
certain units of state government, members of
commissions and licensing boards, chairs of governing
boards or certain chief executives of certain
statewide entities, or any persons appointed to hold
state office in the executive branch of state
government be United States citizens and residents of
this state; providing that a specified provision
applies to each such offices; requiring that,
beginning on a specified date, members of the board of
trustees for state universities be United States
citizens and residents of this state or graduates of
the state university that the board oversees;
requiring that, beginning on a specified date, members
of the Board of Governors of the State University
System be United States citizens and either residents



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of this state or graduates of a state university;
providing that if any such requirements are not met,
the office is deemed vacant; amending s. 104.31, F.S.;
prohibiting state, county, and municipal officers and
employees from using their official authority or
influence to solicit another person to make certain
contributions; revising construction of provisions
relating to political activities of state, county, and
municipal officers and employees; amending s. 112.061,
F.S.; prohibiting the authorization or approval of
reimbursements for travel expenses between the
personal residence and official headquarters of
persons in specified positions; defining the term
"residence"; requiring that the official headquarters
for specified positions be the city or town in which
the department's official headquarters is located;
prohibiting persons serving in specified positions
from being reimbursed for certain travel expenses;
creating s. 112.31251, F.S.; defining the term
"office" for purposes of s. 5(a), Art. II of the State
Constitution; defining the term "employment"; amending
s. 112.3261, F.S.; defining the term "expenditure";
requiring the Commission on Ethics to investigate
certain lobbyists or principals who make prohibited
expenditures; prohibiting lobbyists or principals from
making, and district governing board members,
executive directors, or certain employees from
accepting, any expenditure; amending s. 1001.71, F.S.;
conforming a provision to changes made by the act;



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providing an effective date.