

1                   A bill to be entitled  
2     An act relating to public officers and employees;  
3     creating s. 20.71, F.S.; requiring that, beginning on  
4     a specified date, secretaries and executive directors  
5     of departments, chief administrative officers of  
6     certain units of state government, members of  
7     commissions and licensing boards, chairs of governing  
8     boards or certain chief executives of certain  
9     statewide entities, or any persons appointed to hold  
10    state office in the executive branch of state  
11    government be United States citizens and residents of  
12    this state; providing that a specified provision  
13    applies to each such offices; requiring that,  
14    beginning on a specified date, members of the board of  
15    trustees for state universities be United States  
16    citizens and residents of this state or graduates of  
17    the state university that the board oversees;  
18    requiring that, beginning on a specified date, members  
19    of the Board of Governors of the State University  
20    System be United States citizens and either residents  
21    of this state or graduates of a state university;  
22    providing that if any such requirements are not met,  
23    the office is deemed vacant; amending s. 104.31, F.S.;  
24    prohibiting state, county, and municipal officers and  
25    employees from using their official authority or

26 influence to solicit another person to make certain  
27 contributions; revising construction of provisions  
28 relating to political activities of state, county, and  
29 municipal officers and employees; amending s. 112.061,  
30 F.S.; prohibiting the authorization or approval of  
31 reimbursements for travel expenses between the  
32 personal residence and official headquarters of  
33 persons in specified positions; defining the term  
34 "residence"; requiring that the official headquarters  
35 for specified positions be the city or town in which  
36 the department's official headquarters is located;  
37 prohibiting persons serving in specified positions  
38 from being reimbursed for certain travel expenses;  
39 creating s. 112.31251, F.S.; defining the term  
40 "office" for purposes of s. 5(a), Art. II of the State  
41 Constitution; defining the term "employment"; amending  
42 s. 112.3261, F.S.; defining the term "expenditure";  
43 requiring the Commission on Ethics to investigate  
44 certain lobbyists or principals who make prohibited  
45 expenditures; prohibiting lobbyists or principals from  
46 making, and district governing board members,  
47 executive directors, or certain employees from  
48 accepting, any expenditure; amending s. 1001.71, F.S.;  
49 conforming a provision to changes made by the act;  
50 providing an effective date.

51  
52 Be It Enacted by the Legislature of the State of Florida:

53  
54 Section 1. Section 20.71, Florida Statutes, is created to  
55 read:

56 20.71 Residency requirements.—Notwithstanding any other  
57 law:

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

61 1. The secretary of a department.

62 2. The executive director of a department.

63 3. The chief administrative officer of any unit of state  
64 government which is housed under a department for administrative  
65 purposes but is not subject to the control, supervision, or  
66 direction of such department.

67 4. A member of a commission.

68 5. A member of a licensing board.

69 6. The chair of the governing board, or the chief  
70 executive, of a statewide entity that is explicitly created or  
71 established by statute, regardless of its legal form, for a  
72 public purpose or to carry out a government program and that is  
73 not under the direct control of a governmental entity.

74 7. Any other person appointed to hold state office in the  
75 executive branch of state government.

76        (b) If a person listed in paragraph (a) does not meet the  
77        requirements of that paragraph, such person's office is  
78        automatically deemed vacant.

79        (2) Effective January 6, 2027, each member of a state  
80        university board of trustees must be a United States citizen and  
81        either a resident of this state or a graduate of the state  
82        university, the administration of which is overseen by such  
83        board of trustees. If any member of a state university board of  
84        trustees does not meet the requirements of this subsection, such  
85        member's office is automatically deemed vacant.

86        (3) Effective January 6, 2027, each member of the Board of  
87        Governors must be a United States citizen and either a resident  
88        of this state or a graduate of a state university as defined in  
89        s. 1000.21. If any member of the Board of Governors does not  
90        meet the requirements of this subsection, such member's office  
91        is automatically deemed vacant.

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

94        104.31 Political activities of state, county, and  
95        municipal officers and employees.—

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

99        (a) Use his or her official authority or influence for the  
100        purpose of interfering with an election or a nomination of

101 office or coercing or influencing another person's vote or  
102 affecting the result thereof.

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

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

124  
125 The provisions of this section may ~~shall~~ not be construed so as

126 to prevent any person from becoming a candidate for and actively  
127 campaigning for any elective office in this state. All such  
128 persons shall retain the right to vote as they may choose and to  
129 express their opinions on all political subjects and candidates.  
130 The provisions of paragraph (a) may ~~shall~~ not be construed so as  
131 to limit the political activity in a general, special, primary,  
132 bond, referendum, or other election of any kind or nature, of  
133 elected officials or candidates for public office in the state  
134 or of any county or municipality thereof; ~~and the provisions of~~  
135 ~~paragraph (a) shall not be construed so as to limit the~~  
136 ~~political activity in general or special elections of the~~  
137 ~~officials appointed as the heads or directors of state~~  
138 ~~administrative agencies, boards, commissions, or committees or~~  
139 ~~of the members of state boards, commissions, or committees,~~  
140 ~~whether they be salaried, nonsalaried, or reimbursed for~~  
141 ~~expense. In the event of a dual capacity of any member of a~~  
142 ~~state board, commission, or committee, any restrictive~~  
143 ~~provisions applicable to either capacity shall apply. The~~  
144 ~~provisions of paragraph (a) shall not be construed so as to~~  
145 ~~limit the political activity in a general, special, primary,~~  
146 ~~bond, referendum, or other election of any kind or nature of the~~  
147 ~~Governor, the elected members of the Governor's Cabinet, or the~~  
148 ~~members of the Legislature.~~ The provisions of paragraphs (b) and  
149 (c) shall apply to all officers and employees of the state or of  
150 any county or municipality thereof, whether elected, appointed,

151 or otherwise employed, or whether the activity shall be in  
152 connection with a primary, general, special, bond, referendum,  
153 or other election of any kind or nature.

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

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

160 112.061 Per diem and travel expenses of public officers,  
161 employees, and authorized persons; statewide travel management  
162 system.—

163 (3) AUTHORITY TO INCUR TRAVEL EXPENSES.—

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

175 (4) OFFICIAL HEADQUARTERS.—The official headquarters of a

176 person serving in a position described in s. 20.71(1)(a)1., 2.,  
177 or 3. must be the city or town in which the department's  
178 official headquarters is located, and the official headquarters  
179 of any other ~~an~~ officer or employee assigned to an office must  
180 ~~shall~~ be the city or town in which the office is located except  
181 that:

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

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

197 (c) A traveler may leave his or her assigned post to  
198 return to his or her residence ~~home~~ overnight, over a weekend,  
199 or during a holiday, but any time lost from regular duties must  
200 ~~shall~~ be taken as annual leave and authorized in the usual



201 manner. The traveler may ~~shall~~ not be reimbursed for travel  
202 expenses in excess of the established rate for per diem  
203 allowable had he or she remained at his or her assigned post. A  
204 person serving in a position described in s. 20.71(1)(a)1., 2.,  
205 or 3. may not be reimbursed for travel expenses for travel  
206 between the person's assigned post and residence. However, when  
207 a traveler has been temporarily assigned away from his or her  
208 official headquarters for an approved period extending beyond 30  
209 days, he or she is ~~shall be~~ entitled to reimbursement for travel  
210 expenses at the established rate of one round trip for each 30-  
211 day period actually taken to his or her residence ~~home~~ in  
212 addition to pay and allowances otherwise provided.

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

221 1. A Lieutenant Governor for whom an official headquarters  
222 is established in his or her county of residence pursuant to  
223 this paragraph is eligible for subsistence at a rate to be  
224 established by the Governor for each day or partial day that the  
225 Lieutenant Governor is at the State Capitol to conduct official

226 state business. In addition to the subsistence allowance, a  
227 Lieutenant Governor is eligible for reimbursement for  
228 transportation expenses as provided in subsection (7) for travel  
229 between the Lieutenant Governor's official headquarters and the  
230 State Capitol to conduct state business.

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

235 3. This paragraph expires July 1, 2025.

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

238 112.31251 Definition of the term "office."—

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

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

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

248 3. Has a prescribed tenure.

249 4. Exists independently of the individual holding such  
250 position.

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

- 253        1. The Governor.  
254        2. The Lieutenant Governor.  
255        3. A member of the Cabinet.  
256        4. A state senator.  
257        5. A state representative.  
258        6. A county commissioner.  
259        7. A sheriff.  
260        8. A tax collector.  
261        9. A property appraiser.  
262        10. A supervisor of elections.  
263        11. A clerk of the circuit court.  
264        12. A member of the Board of Governors of the State  
265 University System.  
266        13. A member of a board of trustees for a state  
267 university.  
268        14. A member of a district school board.  
269        15. A member of a state, county, or municipal board or  
270 commission that exercises governmental authority and is not  
271 purely advisory in nature.  
272        16. A member of the Board of Governors for the Citizens  
273 Property Insurance Corporation established under s. 627.351(6).  
274        17. A member of the board of directors for the Florida  
275 Housing Finance Corporation established under s. 420.504.

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

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

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

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

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

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

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

296 (b) The position of an individual whose relationship with  
297 a state, county, or municipal government is considered  
298 employment. For purposes of this paragraph, the term  
299 "employment" means a relationship with a state, county, or  
300 municipal government where an individual does not exercise in

301 his or her own right any sovereign power or any prescribed  
302 independent authority of a governmental nature.

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

310 112.3261 Lobbying before water management districts;  
311 registration and reporting.—

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

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

314 (7) Upon receipt of a sworn complaint alleging that a  
315 lobbyist or principal has failed to register with a district,  
316 has made a prohibited expenditure, or has knowingly submitted  
317 false information in a report or registration required under  
318 this section, the commission shall investigate a lobbyist or  
319 principal pursuant to the procedures established under s.  
320 112.324. The commission shall provide the Governor with a report  
321 of its findings and recommendations in any investigation  
322 conducted pursuant to this subsection. The Governor is  
323 authorized to enforce the commission's findings and  
324 recommendations.

325 (8) Notwithstanding s. 112.3148, s. 112.3149, or any other

326 law, a lobbyist or principal may not make, directly or  
327 indirectly, and a district governing board member, executive  
328 director, or any district employee who qualifies as a local  
329 officer as defined in s. 112.3145(1) may not knowingly accept,  
330 directly or indirectly, any expenditure.

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

333 1001.71 University boards of trustees; membership.—

334 (1) Pursuant to s. 7(c), Art. IX of the State  
335 Constitution, each local constituent university shall be  
336 administered by a university board of trustees comprised of 13  
337 members as follows: 6 citizen members appointed by the Governor  
338 subject to confirmation by the Senate; 5 citizen members  
339 appointed by the Board of Governors subject to confirmation by  
340 the Senate; the chair of the faculty senate or the equivalent;  
341 and the president of the student body of the university. The  
342 appointed members shall serve staggered 5-year terms. In order  
343 to achieve staggered terms, beginning July 1, 2003, of the  
344 initial appointments by the Governor, 2 members shall serve 2-  
345 year terms, 3 members shall serve 3-year terms, and 1 member  
346 shall serve a 5-year term and of the initial appointments by the  
347 Board of Governors, 2 members shall serve 2-year terms, 2  
348 members shall serve 3-year terms, and 1 member shall serve a 5-  
349 year term. ~~There shall be no state residency requirement~~ For  
350 university board members, ~~but~~ the Governor and the Board of

351   Governors shall consider diversity and regional representation.  
352   Beginning July 2, 2020, for purposes of this subsection,  
353   regional representation shall include the chair of a campus  
354   board established pursuant to s. 1004.341.

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