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1
2 An act relating to ethics; creating s. 112.3131, F.S.;
3 defining terms; prohibiting candidates, elected public
4 officers, appointed public officers, and public
5 employees from knowingly misrepresenting their Armed
6 Forces of the United States service records, awards,
7 or qualifications or wearing any uniform, medal, or
8 insignia that they are not authorized to wear;
9 providing applicability; providing civil penalties;
10 providing construction; amending s. 112.317, F.S.;
11 specifying when certain penalties imposed by the
12 Commission on Ethics are considered delinquent;
13 requiring the Attorney General to attempt to determine
14 whether an individual owing certain penalties is a
15 current public officer or public employee; requiring
16 the Attorney General to notify the Chief Financial
17 Officer or the governing body of a county,
18 municipality, school district, or special district of
19 the total amount of any such penalty owed by a current
20 public officer or public employee; requiring the Chief
21 Financial Officer or the governing body to begin
22 withholding portions of any salary-related payment
23 that would otherwise be paid to the officer or
24 employee; requiring that the withheld payments be
25 remitted to the commission until the penalty is
26 satisfied; authorizing the Chief Financial Officer or
27 the governing body to retain a portion of each
28 retained payment for administrative costs; authorizing
29 the Attorney General to refer certain unpaid fines to

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a collection agency; authorizing the collection agency to use any lawful collection method; authorizing the Attorney General to collect an unpaid fine within a specified period after issuance of the civil penalty or restitution penalty; providing an effective date.

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

Section 1. Section 112.3131, Florida Statutes, is created to read:

112.3131 Stolen valor.—

(1) For the purposes of this section, the term:

(a) "Armed Forces of the United States" has the same meaning as the term "armed forces" in s. 250.01 and includes the National Guard of any state.

(b) "Material gain" means any thing of value, regardless of whether such value is monetary, remunerative, or tangible, which is received by or given to, or is intended to be received by or given to, an individual. The term includes, but is not limited to, food; lodging; compensation; travel expenses; placards; public benefits; public relief; financial relief; obtaining or retaining employment or a promotion in such individual's current employment or public employment, including gaining a position in state or local government with authority over another person, regardless of whether the individual receives compensation or remuneration for his or her service in the position; obtaining or retaining state or local public office through election or appointment; or any thing in which or for which a tangible benefit was gained, even if the value of such benefit is de

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59 minimis.

60 (c) "Servicemember" has the same meaning as in s. 250.01.

61 (2)(a) A candidate, an elected public officer, an appointed
62 public officer, or a public employee may not, for the purpose of
63 material gain, knowingly do any of the following:

64 1. Misrepresent by making false, fictitious, or fraudulent
65 statements or representations, directly or indirectly, that he
66 or she is or was a servicemember or veteran of the Armed Forces
67 of the United States.

68 2. Misrepresent by making false, fictitious, or fraudulent
69 statements or representations, directly or indirectly, that he
70 or she is or was the recipient of a decoration, medal, title, or
71 honor from the Armed Forces of the United States or otherwise
72 related to military service, including, but not limited to, any
73 of the following:

74 a. Air Force Combat Action Medal.

75 b. Air Force Cross.

76 c. Combat Action Badge.

77 d. Combat Action Ribbon.

78 e. Combat Infantryman Badge.

79 f. Combat Medical Badge.

80 g. Distinguished Service Cross.

81 h. Medal of Honor.

82 i. Navy Cross.

83 j. Purple Heart.

84 k. Silver Star Medal.

85 3. Misrepresent by making false, fictitious, or fraudulent
86 statements or representations, directly or indirectly, that he
87 or she is a holder of an awarded qualification or military

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occupational specialty, including, but not limited to, any of
the following:

a. Aircraft pilot, navigator, or crew member.

b. Explosive Ordinance Disposal Technician.

c. Parachutist.

d. United States Army Ranger.

e. United States Navy Seal or Diver.

f. United States special operations forces member.

4. Misrepresent by making false, fictitious, or fraudulent
statements or representations, directly or indirectly, that he
or she actively served in the Armed Forces of the United States
during a wartime era, regardless of whether there was a declared
war, or served in combat operations in a warzone, or was a
prisoner of war.

5. Wear the uniform or any medal or insignia authorized for
use by members or veterans of the Armed Forces of the United
States which he or she is not authorized to wear.

(b) This subsection does not prohibit individuals in the
theatrical profession from wearing such uniforms, medals, or
insignia during a performance while engaged in such profession.

(3) A candidate, an elected public officer, an appointed
public officer, or a public employee who violates subsection (2)
is subject to the penalties in s. 112.317.

(4) This section does not preclude prosecution of an
individual for any action under subsection (2) which is
prohibited by another law.

Section 2. Subsection (2) of section 112.317, Florida
Statutes, is amended to read:

112.317 Penalties.—

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(2)(a) In any case in which the commission finds a violation of this part or of s. 8, Art. II of the State Constitution and the proper disciplinary official or body under s. 112.324 imposes a civil penalty or restitution penalty, the Attorney General shall bring a civil action to recover such penalty. No defense may be raised in the civil action to enforce the civil penalty or order of restitution that could have been raised by judicial review of the administrative findings and recommendations of the commission by certiorari to the district court of appeal. The Attorney General shall collect any costs, attorney fees, expert witness fees, or other costs of collection incurred in bringing the action.

(b) For the purposes of this subsection, a civil penalty or restitution penalty is considered delinquent if the individual has not paid such penalty within 90 days after the penalty is imposed by the commission. Before referring a delinquent civil penalty or restitution penalty to the Department of Financial Services, the Attorney General shall attempt to determine whether the individual owing such penalty is a current public officer or current public employee, and, if so, the Attorney General must notify the Chief Financial Officer or the governing body of the appropriate county, municipality, school district, or special district of the total amount of the penalty owed by such individual.

1. After receipt and verification of the notice from the Attorney General, the Chief Financial Officer or the governing body of the county, municipality, school district, or special district shall begin withholding the lesser of 25 percent or the maximum amount allowed under federal law from any salary-related

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146 payment. The withheld payments must be remitted to the
147 commission until the fine is satisfied.

148 2. The Chief Financial Officer or the governing body of the
149 county, municipality, school district, or special district may
150 retain an amount of each withheld payment, as provided in s.
151 77.0305, to cover the administrative costs incurred under this
152 section.

153 (c) The Attorney General may refer any unpaid civil penalty
154 or restitution penalty to the appropriate collection agency as
155 directed by the Chief Financial Officer, and, except as
156 expressly limited by this section, such collection agency may
157 use any collection method authorized by law.

158 (d) The Attorney General may take any action to collect any
159 unpaid civil penalty or restitution penalty imposed within 20
160 years after the date the civil penalty or restitution penalty is
161 imposed.

162 Section 3. This act shall take effect July 1, 2025.