

## **MEMORANDUM**

To: Commission Members

From: Kerrie Stillman

Re: Legislative Update

Date: April 10, 2025

---

We have been following several bills this session. This update highlights the bills directly affecting the Commission's jurisdiction or operations. Attached to this memo are copies of the bills and/or relevant text of the bills outlined in this update. There are also bills relating to Chapters 119 and 120 that we are monitoring. Those bills are not included in this update.

### **Bills incorporating COE Legislative Recs:**

- By a unanimous vote, **CS/SB 348** (Gaetz) passed the Senate floor and is now in House Messages. Under the language of the bill, making certain false claims regarding one's military service or awards would be an ethics violation. Section 2 of the bill contains the Commission's recommendation regarding the use of salary withholding by the Advocates to collect a civil penalty. Its identical companion, **CS/HB 399** (Maney), passed all committees and has been added to the Second Reading Calendar in the House.
- The House and Senate whistleblower bills, **SB 352** (Gaetz) and **HB 495** (Benarroch), have not been heard in committee.

### **Other bills affecting the Commission:**

- **CS/SB 822** (Rodriguez) amends Chapter 1002. Its House companion is **CS/HB 443** (Government Operations Subcommittee; Overdorf). Both the House and Senate bill contain language to prohibit a landlord of a charter school or his or her spouse, or an officer, director, or employee of an entity that is a landlord of a charter school, or his or her spouse, from being a member of a governing board of a charter school unless the charter school was established pursuant to established pursuant to 1002.33(15)(c), which is a school that is designated as a "charter school-in-a-municipality." The House version has passed both committees, while the Senate bill is in its second of three committee stops.
- **CS/HB 973** (Intergovernmental Affairs Subcommittee; Overdorf) The bill, as amended, would give the Commission authority to investigate complaints regarding whether a Supervisor of a Soil & Water Conservation District meets the minimum qualifications to serve as a Supervisor, as outlined in s. 582.19, F.S. It has one committee stop left. Its Senate companion **SB 986** (Truenow) is not identical and has not been heard in committee.
- **CS/SB 1838** (Criminal Justice; Martin) The bill provides criminal penalties for knowingly and willfully threatening or harassing specified court personnel or retaliating for their

participation in official investigations or proceedings. The language of the Senate bill includes some language related to investigations by the Commission. It is in its second committee of reference. The House companion, **HB 1049** (Truenow), which contains the same language regarding Commission investigations, has been added to the Special Order Calendar.

- **CS/SB 7002** (Environment and Natural Resources) and its House companion, **CS/HB 1169** (Conerly) makes an expenditure ban applicable to board members and executive directors of water management districts. The Senate bill passed the floor unanimously and is in House Messages, while the House has been reported out of its second committee, with one committee stop to go.
- **HB 5009** (Budget Committee; Sirois) Revises provisions relating to government administration including auditing, reviews, investigations of programs, and government accountability. Creates the Florida Accountability Office within the Legislature. The Public Integrity Division will accept complaints from the Senate President, Speaker of the House, Senate and House appropriations committee Chairs, any unit of the Florida Accountability Office, an inspector general, or a whistleblower under 112.3187, F.S., it gives the Office access to all records of agencies, including confidential records. If the complaint is supported by sufficient information, the office must contact other offices, including the Commission to determine if an investigation has been initiated. The Division may refer complaints to the Commission. The bill also removes language in s. 11.40, regarding lobbyist audits.
- **HB 727** (Raynor), **SB 860** (Smith), **SB 926** (Smith), prohibit certain conduct by public officers and employees related to political advertisements and ballot initiatives. There have been no committee hearings on these bills.

By the Committee on Ethics and Elections; and Senators Gaetz and Collins

582-01987-25

2025348c1

1                   A bill to be entitled  
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

582-01987-25

2025348c1

30 a collection agency; authorizing the collection agency  
31 to use any lawful collection method; authorizing the  
32 Attorney General to collect an unpaid fine within a  
33 specified period after issuance of the civil penalty  
34 or restitution penalty; providing an effective date.  
35

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

37  
38 Section 1. Section 112.3131, Florida Statutes, is created  
39 to read:

40 112.3131 Stolen valor.—

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

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

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

582-01987-25

2025348c1

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

582-01987-25

2025348c1

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

90 a. Aircraft pilot, navigator, or crew member.

91 b. Explosive Ordinance Disposal Technician.

92 c. Parachutist.

93 d. United States Army Ranger.

94 e. United States Navy Seal or Diver.

95 f. United States special operations forces member.

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

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

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

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

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

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

116 112.317 Penalties.—

582-01987-25

2025348c1

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

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

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

582-01987-25

2025348c1

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.



1                   A bill to be entitled  
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      providing that certain penalties are delinquent if not  
12      paid to the Commission on Ethics within a specified  
13      timeframe; requiring the Attorney General to attempt  
14      to determine whether an individual owing certain  
15      penalties is a current public officer or public  
16      employee; requiring the Attorney General to notify the  
17      Chief Financial Officer or the governing body of a  
18      county, municipality, school district, or special  
19      district of the total amount of any such penalty owed  
20      by a current public officer or public employee;  
21      requiring the Chief Financial Officer or the governing  
22      body to begin withholding portions of any salary-  
23      related payment that would otherwise be paid to the  
24      officer or employee; requiring that the withheld  
25      payments be remitted to the commission until the

penalty is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of each retained payment for administrative costs; authorizing the Attorney General to refer certain unpaid fines to 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;

51 placards; public benefits; public relief; financial relief;  
52 obtaining or retaining employment or a promotion in such  
53 individual's current employment or public employment, including  
54 gaining a position in state or local government with authority  
55 over another person, regardless of whether the individual  
56 receives compensation or remuneration for his or her service in  
57 the position; obtaining or retaining state or local public  
58 office through election or appointment; or any thing in which or  
59 for which a tangible benefit was gained, even if the value of  
60 such benefit is de minimis.

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

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

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

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

75 a. Air Force Combat Action Medal.

76        b. Air Force Cross.  
77        c. Combat Action Badge.  
78        d. Combat Action Ribbon.  
79        e. Combat Infantryman Badge.  
80        f. Combat Medical Badge.  
81        g. Distinguished Service Cross.  
82        h. Medal of Honor.  
83        i. Navy Cross.  
84        j. Purple Heart.  
85        k. Silver Star Medal.  
86        3. Misrepresent by making false, fictitious, or fraudulent  
87 statements or representations, directly or indirectly, that he  
88 or she is a holder of an awarded qualification or military  
89 occupational specialty, including, but not limited to, any of  
90 the following:  
91        a. Aircraft pilot, navigator, or crew member.  
92        b. Explosive Ordinance Disposal Technician.  
93        c. Parachutist.  
94        d. United States Army Ranger.  
95        e. United States Navy Seal or Diver.  
96        f. United States special operations forces member.  
97        4. Misrepresent by making false, fictitious, or fraudulent  
98 statements or representations, directly or indirectly, that he  
99 or she actively served in the Armed Forces of the United States  
100 during a wartime era, regardless of whether there was a declared

101 war, or served in combat operations in a warzone, or was a  
102 prisoner of war.

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

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

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

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

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

117 112.317 Penalties.—

118 (2) (a) In any case in which the commission finds a  
119 violation of this part or of s. 8, Art. II of the State  
120 Constitution and the proper disciplinary official or body under  
121 s. 112.324 imposes a civil penalty or restitution penalty, the  
122 Attorney General shall bring a civil action to recover such  
123 penalty. No defense may be raised in the civil action to enforce  
124 the civil penalty or order of restitution that could have been  
125 raised by judicial review of the administrative findings and

126 recommendations of the commission by certiorari to the district  
127 court of appeal. The Attorney General shall collect any costs,  
128 attorney fees, expert witness fees, or other costs of collection  
129 incurred in bringing the action.

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

142 1. After receipt and verification of the notice from the  
143 Attorney General, the Chief Financial Officer or the governing  
144 body of the county, municipality, school district, or special  
145 district shall begin withholding the lesser of 25 percent or the  
146 maximum amount allowed under federal law from any salary-related  
147 payment. The withheld payments must be remitted to the  
148 commission until the fine is satisfied.

149 2. The Chief Financial Officer or the governing body of  
150 the county, municipality, school district, or special district

151 may retain an amount of each withheld payment, as provided in s.  
152 77.0305, to cover the administrative costs incurred under this  
153 section.

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

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

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

By Senator Gaetz

1-00560-25

2025352\_\_

1                           A bill to be entitled  
2       An act relating to employee protections; creating s.  
3       112.3242, F.S.; providing legislative intent; defining  
4       terms; prohibiting agencies and independent  
5       contractors from taking specified actions against  
6       employees for disclosing certain information to the  
7       Commission on Ethics; providing applicability;  
8       requiring that information disclosed include specified  
9       violations or alleged violations; requiring disclosure  
10      of specified information to the commission under  
11      specified circumstances; providing that specified  
12      provisions protect employees and persons who submit  
13      written complaints to the commission or provide  
14      information to an investigator during an investigation  
15      of a complaint; providing applicability; authorizing  
16      certain employees or applicants for employment to file  
17      complaints in accordance with specified provisions;  
18      authorizing such employees or applicants to pursue a  
19      specified administrative remedy or a civil action  
20      within a specified timeframe; authorizing local public  
21      employees to file a complaint with the appropriate  
22      local governmental authority, under specified  
23      circumstances; providing requirements for  
24      administrative procedures created by local  
25      governmental authorities; authorizing such employee to  
26      bring civil actions in a court of competent  
27      jurisdiction, under specified conditions; requiring  
28      specified relief; providing that it is an affirmative  
29      defense to certain actions that the adverse action was



1-00560-25

2025352\_\_

predicated on grounds other than the exercising of  
certain protected rights; providing construction;  
providing an effective date.

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

Section 1. Section 112.3242, Florida Statutes, is created  
to read:

112.3242 Adverse action against employee for disclosing  
information of specified nature to the Commission on Ethics  
prohibited; employee remedy and relief.-

(1) LEGISLATIVE INTENT.-It is the intent of the Legislature  
to prevent agencies or independent contractors from taking  
retaliatory action against an employee who reports to an  
appropriate agency any violation of this part or s. 8(f), Art.  
II of the State Constitution on the part of a public employer or  
an independent contractor. It is further the intent of the  
Legislature to prevent agencies or independent contractors from  
taking retaliatory action against any person who discloses  
information to an appropriate agency regarding alleged breaches  
of the public trust or violations of s. 8(f), Art. II of the  
State Constitution on the part of an agency, public officer, or  
employee.

(2) DEFINITIONS.-As used in this section, unless otherwise  
specified, the term:

(a) "Adverse personnel action" means the discharge,  
suspension, transfer, or demotion of any employee or the  
withholding of bonuses, the reduction in salary or benefits, or  
any other adverse action taken against an employee within the

1-00560-25

2025352\_\_

59 terms and conditions of employment by an agency or independent  
60 contractor.

61 (b) "Agency" means any state, regional, county, local, or  
62 municipal governmental entity, whether executive, judicial, or  
63 legislative; any official, officer, department, division,  
64 bureau, commission, authority, or political subdivision therein;  
65 or any public school, community college, or state university.

66 (c) "Employee" means a person who performs services for,  
67 and under the control and direction of, or contracts with, an  
68 agency or independent contractor for wages or other  
69 remuneration.

70 (d) "Independent contractor" means a person, other than an  
71 agency, who is engaged in any business and enters into a  
72 contract, including a provider agreement, with an agency.

73 (3) ACTIONS PROHIBITED.-

74 (a) An agency or independent contractor may not dismiss,  
75 discipline, or take any other adverse personnel action against  
76 an employee for disclosing information pursuant to this section.

77 (b) An agency or independent contractor may not take any  
78 adverse action that affects the rights or interests of a person  
79 in retaliation for the person's disclosure of information under  
80 this section.

81 (c) This subsection does not apply when an employee or  
82 person discloses information known by the employee or person to  
83 be false or when the employee or person discloses information  
84 that forms the basis of an award of costs or attorney fees or  
85 both pursuant to s. 112.317(7).

86 (4) NATURE OF INFORMATION DISCLOSED.-The information  
87 disclosed under this section must include any violation or

1-00560-25

2025352\_\_

88 suspected violation of:

89 (a) Any standard of conduct imposed by this part;

90 (b) Section 8, Art. II of the State Constitution; or

91 (c) Section 11.062, s. 350.031, s. 350.04, s. 350.041, s.  
92 350.042, or s. 350.0605.

93 (5) TO WHOM INFORMATION IS DISCLOSED.—The information  
94 disclosed under this section must be disclosed to the Commission  
95 on Ethics.

96 (6) EMPLOYEES AND PERSONS PROTECTED.—This section protects  
97 employees and persons who submit a written complaint to the  
98 Commission on Ethics executed on a form prescribed by the  
99 commission and signed under oath or affirmation or provide  
100 information to an investigator during an investigation of a  
101 complaint. A remedy or other protection under this section does  
102 not apply to any employee or person who has committed or  
103 intentionally participated in committing the violation or  
104 suspected violation for which protection under this section is  
105 being sought.

106 (7) REMEDIES.—

107 (a) Any employee of or applicant for employment with any  
108 state agency as defined in s. 216.011 who is discharged,  
109 disciplined, or subjected to other adverse personnel action or  
110 denied employment because he or she engaged in an activity  
111 protected by this section may file a complaint, which complaint  
112 must be made in accordance with s. 112.31895. Upon receipt of  
113 notice from the Florida Commission on Human Relations of  
114 termination of the investigation, the complainant may elect to  
115 pursue the administrative remedy available under s. 112.31895 or  
116 bring a civil action within 180 days after receipt of the

1-00560-25

2025352\_\_

117 notice.

118 (b) Within 60 days after the action prohibited by this  
119 section, any local public employee protected by this section may  
120 file a complaint with the appropriate local governmental  
121 authority if that authority has established by ordinance an  
122 administrative procedure for handling such complaints or has  
123 contracted with the Division of Administrative Hearings under s.  
124 120.65 to conduct hearings under this section. The  
125 administrative procedure created by ordinance must provide for  
126 the complaint to be heard by a panel of impartial persons  
127 appointed by the appropriate local governmental authority. Upon  
128 hearing the complaint, the panel shall make findings of fact and  
129 conclusions of law for a final decision by the local  
130 governmental authority. Within 180 days after entry of a final  
131 decision by the local governmental authority, the public  
132 employee who filed the complaint may bring a civil action in any  
133 court of competent jurisdiction. If the local governmental  
134 authority has not established an administrative procedure by  
135 ordinance or contract, a local public employee may, within 180  
136 days after the action prohibited by this section, bring a civil  
137 action in a court of competent jurisdiction. For the purpose of  
138 this paragraph, the term "local governmental authority" includes  
139 any regional, county, or municipal entity, special district,  
140 community college district, or school district or any political  
141 subdivision of any of the foregoing.

142 (c) Any other person protected by this section may, after  
143 exhausting all available contractual or administrative remedies,  
144 bring a civil action in any court of competent jurisdiction  
145 within 180 days after the action prohibited by this section.

1-00560-25

2025352\_\_

146       (8) RELIEF.—In any action brought under this section, the  
147 relief must include the following:

148       (a) Reinstatement of the employee to the same position held  
149 before the adverse action was commenced, or to an equivalent  
150 position, or reasonable front pay as an alternative relief.

151       (b) Reinstatement of the employee's full fringe benefits  
152 and seniority rights, as appropriate.

153       (c) Compensation to the employee, if appropriate, for lost  
154 wages, benefits, or other lost remuneration caused by the  
155 adverse action.

156       (d) Payment of reasonable costs, including attorney fees,  
157 to a substantially prevailing employee, or to the prevailing  
158 employer if the employee filed a frivolous action in bad faith.

159       (e) Issuance of an injunction, if appropriate, by a court  
160 of competent jurisdiction.

161       (f) Temporary reinstatement of the employee to his or her  
162 former position or to an equivalent position, pending the final  
163 outcome on the complaint, if an employee complains of being  
164 discharged in retaliation for a protected disclosure and if a  
165 court of competent jurisdiction or the Florida Commission on  
166 Human Relations, as applicable under s. 112.31895, determines  
167 that the disclosure was not made in bad faith or for a wrongful  
168 purpose or occurred after an agency's initiation of a personnel  
169 action against the employee that includes documentation of the  
170 employee's violation of a disciplinary standard or performance  
171 deficiency. This paragraph does not apply to an employee of a  
172 municipality.

173       (9) DEFENSE.—It is an affirmative defense to any action  
174 brought pursuant to this section that the adverse action was

1-00560-25

2025352\_\_

175 predicated upon grounds other than, and would have been taken  
176 absent, the employee's or person's exercise of rights protected  
177 by this section.

178 (10) EXISTING RIGHTS.—This section does not diminish the  
179 rights, privileges, or remedies of an employee under any other  
180 law or rule or under any collective bargaining agreement or  
181 employment contract; however, the election of remedies in s.  
182 447.401 also applies to actions under this section.

183 Section 2. This act shall take effect July 1, 2025.

1                   A bill to be entitled  
2       An act relating to adverse personnel actions against  
3       employees; creating s. 112.3242, F.S.; providing  
4       legislative intent; defining terms; prohibiting  
5       agencies and independent contractors from taking  
6       specified actions against employees for disclosing  
7       certain information to the Commission on Ethics;  
8       providing applicability; requiring that information  
9       disclosed include specified violations or alleged  
10      violations; requiring disclosure of specified  
11      information to the commission under specified  
12      circumstances; providing that specified provisions  
13      protect employees and persons who submit written  
14      complaints to the commission or provide information to  
15      an investigator during an investigation of a  
16      complaint; providing applicability; authorizing  
17      certain employees or applicants for employment to file  
18      complaints in accordance with specified provisions;  
19      authorizing such employees or applicants to pursue a  
20      specified administrative remedy or a civil action  
21      within a specified timeframe; authorizing local public  
22      employees to file a complaint with the appropriate  
23      local governmental authority, under specified  
24      circumstances; providing requirements for  
25      administrative procedures created by local

26 governmental authorities; authorizing such employee to  
27 bring civil actions in a court of competent  
28 jurisdiction, under specified conditions; requiring  
29 specified relief; providing that it is an affirmative  
30 defense to certain actions that the adverse personnel  
31 action was predicated on grounds other than the  
32 exercising of certain protected rights; providing  
33 construction; providing an effective date.

34  
35 Be It Enacted by the Legislature of the State of Florida:

36  
37 **Section 1. Section 112.3242, Florida Statutes, is created**  
38 **to read:**

39 112.3242 Adverse personnel action against employee for  
40 disclosing information of specified nature to the Commission on  
41 Ethics prohibited; employee remedy and relief.—

42 (1) LEGISLATIVE INTENT.—It is the intent of the  
43 Legislature to prevent agencies or independent contractors from  
44 taking retaliatory action against an employee who reports to an  
45 appropriate agency any violation of this part or s. 8(f), Art.  
46 II of the State Constitution on the part of a public employer or  
47 an independent contractor. It is further the intent of the  
48 Legislature to prevent agencies or independent contractors from  
49 taking retaliatory action against any person who discloses  
50 information to an appropriate agency regarding alleged breaches



51 of the public trust or violations of s. 8(f), Art. II of the  
52 State Constitution on the part of an agency, a public officer,  
53 or an employee.

54 (2) DEFINITIONS.—As used in this section, unless otherwise  
55 specified, the term:

56 (a) "Adverse personnel action" means the discharge,  
57 suspension, transfer, or demotion of any employee or the  
58 withholding of bonuses, the reduction in salary or benefits, or  
59 any other adverse action taken against an employee within the  
60 terms and conditions of employment by an agency or independent  
61 contractor.

62 (b) "Agency" means any state, regional, county, local, or  
63 municipal governmental entity, whether executive, judicial, or  
64 legislative; any official, officer, department, division,  
65 bureau, commission, authority, or political subdivision therein;  
66 or any public school, Florida College System institution, or  
67 state university.

68 (c) "Employee" means a person who performs services for,  
69 and under the control and direction of, or contracts with, an  
70 agency or independent contractor for wages or other  
71 remuneration.

72 (d) "Independent contractor" means a person, other than an  
73 agency, who is engaged in any business and enters into a  
74 contract, including a provider agreement, with an agency.

75 (3) ACTIONS PROHIBITED.—

76        (a) An agency or independent contractor may not dismiss,  
77        discipline, or take any other adverse personnel action against  
78        an employee for disclosing information pursuant to this section.

79        (b) An agency or independent contractor may not take any  
80        adverse personnel action that affects the rights or interests of  
81        a person in retaliation for the person's disclosure of  
82        information under this section.

83        (c) This subsection does not apply when an employee or a  
84        person discloses information known by the employee or person to  
85        be false or when the employee or person discloses information  
86        that forms the basis of an award of costs or attorney fees or  
87        both pursuant to s. 112.317(7).

88        (4) NATURE OF INFORMATION DISCLOSED.—The information  
89        disclosed under this section must include any violation or  
90        suspected violation of:

91            (a) Any standard of conduct imposed by this part;

92            (b) Section 8, Art. II of the State Constitution; or

93            (c) Section 11.062, s. 350.031, s. 350.04, s. 350.041, s.  
94        350.042, or s. 350.0605.

95        (5) TO WHOM INFORMATION IS DISCLOSED.—The information  
96        disclosed under this section must be disclosed to the Commission  
97        on Ethics.

98        (6) EMPLOYEES AND PERSONS PROTECTED.—This section protects  
99        employees and persons who submit a written complaint to the  
100        Commission on Ethics executed on a form prescribed by the

101 commission and signed under oath or affirmation or provide  
102 information to an investigator during an investigation of a  
103 complaint. A remedy or other protection under this section does  
104 not apply to any employee or person who has committed or  
105 intentionally participated in committing the violation or  
106 suspected violation for which protection under this section is  
107 being sought.

108 (7) REMEDIES.—

109 (a) Any employee of or applicant for employment with any  
110 state agency as defined in s. 216.011(1) who is discharged,  
111 disciplined, or subjected to other adverse personnel action or  
112 denied employment because he or she engaged in an activity  
113 protected by this section may file a complaint, which complaint  
114 must be made in accordance with s. 112.31895. Upon receipt of  
115 notice from the Florida Commission on Human Relations of  
116 termination of the investigation, the complainant may elect to  
117 pursue the administrative remedy available under s. 112.31895 or  
118 bring a civil action within 180 days after receipt of the  
119 notice.

120 (b) Within 60 days after the action prohibited by this  
121 section, any local public employee protected by this section may  
122 file a complaint with the appropriate local governmental  
123 authority if that authority has established by ordinance an  
124 administrative procedure for handling such complaints or has  
125 contracted with the Division of Administrative Hearings under s.

126 120.65 to conduct hearings under this section. The  
127 administrative procedure created by ordinance must provide for  
128 the complaint to be heard by a panel of impartial persons  
129 appointed by the appropriate local governmental authority. Upon  
130 hearing the complaint, the panel shall make findings of fact and  
131 conclusions of law for a final decision by the local  
132 governmental authority. Within 180 days after entry of a final  
133 decision by the local governmental authority, the local public  
134 employee who filed the complaint may bring a civil action in any  
135 court of competent jurisdiction. If the local governmental  
136 authority has not established an administrative procedure by  
137 ordinance or contract, a local public employee may, within 180  
138 days after the action prohibited by this section, bring a civil  
139 action in a court of competent jurisdiction. For the purpose of  
140 this paragraph, the term "local governmental authority" includes  
141 any regional, county, or municipal entity, special district,  
142 Florida College System institution, state university, or school  
143 district or any political subdivision of any of the foregoing.

144 (c) Any other person protected by this section may, after  
145 exhausting all available contractual or administrative remedies,  
146 bring a civil action in any court of competent jurisdiction  
147 within 180 days after the action prohibited by this section.

148 (8) RELIEF.—In any action brought under this section, the  
149 relief must include the following:

150 (a) Reinstatement of the employee to the same position

151 held before the adverse personnel action was commenced, or to an  
152 equivalent position, or reasonable front pay as an alternative  
153 relief.

154 (b) Reinstatement of the employee's full fringe benefits  
155 and seniority rights, as appropriate.

156 (c) Compensation to the employee, if appropriate, for lost  
157 wages, benefits, or other lost remuneration caused by the  
158 adverse personnel action.

159 (d) Payment of reasonable costs, including attorney fees,  
160 to a substantially prevailing employee, or to the prevailing  
161 employer if the employee filed a frivolous action in bad faith.

162 (e) Issuance of an injunction, if appropriate, by a court  
163 of competent jurisdiction.

164 (f) Temporary reinstatement of the employee to his or her  
165 former position or to an equivalent position, pending the final  
166 outcome on the complaint, if an employee complains of being  
167 discharged in retaliation for a protected disclosure and if a  
168 court of competent jurisdiction or the Florida Commission on  
169 Human Relations, as applicable under s. 112.31895, determines  
170 that the disclosure was not made in bad faith or for a wrongful  
171 purpose or occurred after an agency's initiation of an adverse  
172 personnel action against the employee that includes  
173 documentation of the employee's violation of a disciplinary  
174 standard or performance deficiency. This paragraph does not  
175 apply to an employee of a municipality.

176        (9) DEFENSE.—It is an affirmative defense to any action  
177 brought pursuant to this section that the adverse personnel  
178 action was predicated upon grounds other than, and would have  
179 been taken absent, the employee's or person's exercise of rights  
180 protected by this section.

181        (10) EXISTING RIGHTS.—This section does not diminish the  
182 rights, privileges, or remedies of an employee under any other  
183 law or rule or under any collective bargaining agreement or  
184 employment contract; however, the election of remedies in s.  
185 447.401 also applies to actions under this section.

186        **Section 2.** This act shall take effect July 1, 2025.

581-03083-25

2025822c1

s. 1002.331.

c. Up to 2 percent for enrollment of up to and including 250 students in an exceptional student education center that meets the requirements of the rules adopted by the State Board of Education pursuant to s. 1008.3415(3).

4. A sponsor may not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum percentage of administrative fees withheld pursuant to this paragraph. A sponsor may not charge or withhold any administrative fee against a charter school for any funds specifically allocated by the Legislature for teacher compensation.

5. A sponsor shall provide to the department by September 15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-subparagraph (5)(b)1.k.(III).

6. A sponsor shall annually provide a report to its charter schools on what services are being rendered from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the department by September 15 of each year.

(26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(d) A landlord of a charter school or his or her spouse or an officer, director, or employee of an entity that is a landlord of a charter school or his or her spouse may not be a member of a governing board of a charter school unless the charter school was established pursuant to paragraph (15)(c).

Section 2. Subsection (2) of section 1002.331, Florida

426 sponsor's portion of the administrative fee. The report must  
427 include the listed services and be submitted to the department  
428 by September 15 of each year.

429 (d) Each charter school shall annually complete and submit  
430 a survey, provided in a format specified by the Department of  
431 Education, to rate the timeliness and quality of services  
432 provided by the sponsor in accordance with this section. The  
433 department shall compile the results, by sponsor, and include  
434 the results in the report required under sub-sub-subparagraph  
435 (5) (b) 1.1. (III) ~~(5) (b) 1.k. (III)~~.

436 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

437 (d) A landlord of a charter school or his or her spouse or  
438 an officer, director, or employee of an entity that is a  
439 landlord of a charter school or his or her spouse may not be a  
440 member of a governing board of a charter school unless the  
441 charter school was established pursuant to paragraph (15) (c).

442 **Section 2. Subsection (2) of section 1002.331, Florida**  
443 **Statutes, is amended to read:**

444 1002.331 High-performing charter schools.—

445 (2) A high-performing charter school is authorized to:

446 (a) Increase its student enrollment once per school year  
447 to more than the capacity identified in the charter, but student  
448 enrollment may not exceed the capacity of the facility at the  
449 time the enrollment increase will take effect. Students enrolled  
450 in virtual courses may not be counted as enrolled students for



person's eligibility for continued employment or appointment.  
This section is not intended to preempt or prevent any other  
background screening, including, but not limited to, criminal  
history background checks, which an independent special district  
may lawfully undertake.

**Section 8. Paragraph (a) of subsection (1) of section  
582.19, Florida Statutes, is amended, and paragraphs (c) and (d)  
are added to that subsection, to read:**

582.19 Qualifications and tenure of supervisors.—

(1) The governing body of the district shall consist of  
five supervisors, elected as provided in s. 582.18.

(a) To qualify to serve on the governing body of a  
district, a supervisor must be a registered ~~an eligible~~ voter in  
this state who resides in the district and who meets any of the  
following criteria:

1. Is a landowner of land zoned as agricultural or  
classified as agricultural lands by the applicable property  
appraiser;

2. Is actively engaged in commercial agriculture  
production, which for purposes of this section means an  
individual that produces an agricultural commodity through  
participation in the day-to-day labor, management, and field  
operations or that has the legal right to harvest an  
agricultural commodity;

3. Is an actively engaged operator of a farm;

351        4. Is an owner of or employed by an agriculture business  
352 or farm;

353        5. Is an actively engaged agriculture or natural resources  
354 professional in a field that is directly related to commercial  
355 agriculture or natural resources;

356        6. Is an actively engaged college or university staff  
357 member or professor who has expertise in agriculture as defined  
358 in s. 570.02;

359        7. Is an actively engaged direct agriculture-related  
360 vendor; or

361        8. Has retired from such work or previously owned land as  
362 described in subparagraphs 1.-7., provided the person performed  
363 such work or owned such land for a minimum of 5 years.

364        (c) Any candidate running to serve as a supervisor  
365 pursuant to this section must provide supporting documentation  
366 to the supervisor of elections at the time of qualification to  
367 verify his or her eligibility to serve pursuant to the criteria  
368 listed in paragraph (a). Such proof may include, but need not be  
369 limited to, a copy of a property tax bill; a copy of an Internal  
370 Revenue Service Schedule F, Profit or Loss From Farming form;  
371 proof of employment as a professional in the field of  
372 agriculture or natural resources; or a curriculum vitae  
373 demonstrating expertise in such topics.

374        (d) The Commission on Ethics shall investigate alleged  
375 violations of this section upon receipt of a written complaint

376 based upon personal knowledge or information other than hearsay  
377 and signed under oath or affirmation that a supervisor does not  
378 meet the eligibility criteria provided for in this section.

379 ~~1. Is actively engaged in, or retired after 10 years of~~  
380 ~~being engaged in, agriculture as defined in s. 570.02;~~

381 ~~2. Is employed by an agricultural producer; or~~

382 ~~3. Owns, leases, or is actively employed on land~~  
383 ~~classified as agricultural under s. 193.461.~~

384 **Section 9. Section 582.20, Florida Statutes, is amended to**  
385 **read:**

386 582.20 Powers of districts and supervisors.—A soil and  
387 water conservation district organized under the provisions of  
388 this chapter shall constitute a governmental subdivision of this  
389 state, and a public body corporate and politic, exercising  
390 public powers, and such district and the supervisors thereof  
391 shall have the following powers, in addition to others granted  
392 in other sections of this chapter:

393 (1) To conduct surveys, studies, and research relating to  
394 soil and water resources and to publish and disseminate the  
395 results of such surveys, studies, research, and related  
396 information;

397 (2) To conduct agricultural best management practices  
398 demonstration projects and projects for the conservation,  
399 protection, and restoration of soil and water resources:

400 (a) Within the district's boundaries;

13-00787A-25

2025986\_\_

statutory requirements. To ensure efficiencies in the services that are provided by the districts, the department shall coordinate with all supervisors of active independent special districts and the districts' councils.

Section 10. Paragraph (a) of subsection (1) of section 582.19, Florida Statutes, is amended, and paragraphs (c) and (d) are added to that subsection, to read:

582.19 Qualifications and tenure of supervisors.—

(1) The governing body of the district shall consist of five supervisors, elected as provided in s. 582.18.

(a) To qualify to serve on the governing body of a district, a supervisor must be a registered ~~an eligible~~ voter in this state ~~who resides in the district and~~ who meets all of the following criteria:

1. A person who resides within the boundaries of the district.

2.a. Is a landowner of land zoned as agricultural or classified as agricultural lands by the applicable property appraiser;

b. Is actively engaged in commercial agriculture production, which for purposes of this section means an individual that produces an agricultural commodity through participation in the day-to-day labor, management, and field operations or that has the legal right to harvest an agricultural commodity;

c. Is an actively engaged operator of a farm;

d. Is an owner of or employed by an agriculture business or farm;

e. Is an actively engaged agriculture or natural resources

13-00787A-25

2025986\_\_

professional in a field that is directly related to commercial  
agriculture or natural resources;

f. Is an actively engaged college or university staff  
member or professor who has expertise in agriculture as defined  
in s. 570.02;

g. Is an actively engaged direct agriculture-related  
vendor; or

h. Has retired from such work or previously owned land as  
described in sub-subparagraphs a.-g., provided the person  
performed such work or owned such land for a minimum of 5 years.

(c) Any person serving as a supervisor pursuant to this  
section must provide supporting documentation to verify his or  
her eligibility to serve pursuant to the criteria listed in  
paragraph (a). Such proof may include, but need not be limited  
to, a copy of a property tax bill; a copy of an Internal Revenue  
Service Schedule F, Profit or Loss From Farming form; proof of  
employment as a professional in the field of agriculture or  
natural resources; or a curriculum vitae demonstrating expertise  
in such topics.

(d) The Commission on Ethics may remove a supervisor if the  
commission receives a written complaint and determines,  
subsequent to an investigation conducted in accordance with  
chapter 112, that such supervisor does not meet the eligibility  
criteria provided for in this section

~~1. Is actively engaged in, or retired after 10 years of  
being engaged in, agriculture as defined in s. 570.02;~~

~~2. Is employed by an agricultural producer; or~~

~~3. Owns, leases, or is actively employed on land classified  
as agricultural under s. 193.461.~~

591-02566-25

20251838c1

distress in that person and serves no legitimate purpose.

(5) "Judicial assistant" means a court employee assigned to the office of a specific judge or justice responsible for providing administrative, secretarial, or clerical support to the assigned judge or justice.

(6) "Misleading conduct" means any of the following:

(a) Knowingly making a false statement.

(b) Intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact and thereby creating a false impression by such statement.

(c) With the intent to mislead, knowingly submitting or inviting reliance on a writing or recording that is false, forged, altered, or otherwise lacking in authenticity.

(d) With the intent to mislead, knowingly submitting or inviting reliance on a sample, specimen, map, photograph, boundary mark, or other object that is misleading in a material respect.

(e) Knowingly using a trick, scheme, or device with the intent to mislead.

(7) "Official investigation" means any investigation instituted by a law enforcement agency or prosecuting officer of the state or a political subdivision of the state or by the Commission on Ethics.

(8) "Official proceeding" means any proceeding before a judge or court or a grand jury.

(9) "Physical force" means physical action against another person and includes confinement of a person.

Section 3. Section 918.12, Florida Statutes, is amended to

591-02566-25

20251838c1

read:

918.12 Tampering with or harassing a court official  
jurors.—

(1) TAMPERING WITH A COURT OFFICIAL.—

(a) A person who knowingly commits any of the following  
acts with the intent to cause or induce any court official to  
obstruct the administration of justice or affect the outcome of  
an official investigation or official proceeding, commits the  
crime of tampering with a court official:

1. Uses intimidation or physical force;

2. Threatens any person or attempts to do so;

3. Engages in misleading conduct toward any person; or

4. Offers pecuniary benefit or gain to any person.

(b) A person who violates paragraph (a) commits:

1. A felony of the third degree, punishable as provided in  
s. 775.082, s. 775.083, or s. 775.084, if the offense level of  
the affected official investigation or official proceeding is  
indeterminable.

2. A felony of the third degree, punishable as provided in  
s. 775.082, s. 775.083, or s. 775.084, if the official  
investigation or official proceeding affected involves the  
investigation or prosecution of a misdemeanor or noncriminal  
matter pending in county court.

3. A felony of the second degree, punishable as provided in  
s. 775.082, s. 775.083, or s. 775.084, if the official  
investigation or official proceeding affected involves the  
investigation or prosecution of a felony of the third degree or  
noncriminal matter pending in circuit court.

4. A felony of the first degree, punishable as provided in

591-02566-25

20251838c1

146 s. 775.082, s. 775.083, or s. 775.084, if the official  
147 investigation or official proceeding affected involves the  
148 investigation or prosecution of a felony of the second degree.

149 5. A felony of the first degree, punishable by a term of  
150 years not exceeding life or as provided in s. 775.082, s.  
151 775.083, or s. 775.084, if the official investigation or  
152 official proceeding affected involves the investigation or  
153 prosecution of a felony of the first degree or a felony of the  
154 first degree punishable by a term of years not exceeding life.

155 6. A life felony, punishable as provided in s. 775.082, s.  
156 775.083, or s. 775.084, if the official investigation or  
157 official proceeding affected involves the investigation or  
158 prosecution of a life or capital felony.

159 (2) HARASSING A COURT OFFICIAL.—

160 (a) A person who intentionally harasses a court official  
161 and thereby hinders, delays, prevents, or dissuades, or attempts  
162 to hinder, delay, prevent, or dissuade a court official from  
163 performing any of the following acts commits the crime of  
164 harassing a court official:

165 1. Attending an official proceeding;

166 2. Rendering a fair verdict based solely upon the evidence  
167 produced at an official proceeding and upon the law; or

168 3. Following the rules of juror behavior and deliberation  
169 as set forth by the judge.

170 (b) A person who violates paragraph (a) commits:

171 1. A misdemeanor of the first degree, punishable as  
172 provided in s. 775.082 or s. 775.083, if the official  
173 investigation or official proceeding affected involves the  
174 investigation or prosecution of a misdemeanor or noncriminal



CS/HB 1049

2025

inviting reliance on a sample, specimen, map, photograph,  
boundary mark, or other object that is misleading in a material  
respect.

(e) Knowingly using a trick, scheme, or device with the  
intent to mislead.

(7) "Official investigation" means any investigation  
instituted by a law enforcement agency or prosecuting officer of  
the state or a political subdivision of the state or by the  
Commission on Ethics.

(8) "Official proceeding" means any proceeding before a  
judge or court or a grand jury.

(9) "Physical force" means physical action against another  
person and includes confinement of a person.

**Section 3. Section 918.12, Florida Statutes, is amended to**  
**read:**

918.12 Tampering with or harassing a court official  
~~jurors.~~

(1) TAMPERING WITH A COURT OFFICIAL.—

(a) A person who knowingly commits any of the following  
acts with the intent to cause or induce any court official to  
obstruct the administration of justice or affect the outcome of  
an official investigation or official proceeding, commits the  
crime of tampering with a court official:

1. Uses intimidation or physical force;

2. Threatens any person or attempts to do so;

3. Engages in misleading conduct toward any person; or

4. Offers pecuniary benefit or gain to any person.

(b) A person who violates paragraph (a) commits:

1. A felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the offense level of the affected official investigation or official proceeding is indeterminable.

2. A felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the official investigation or official proceeding affected involves the investigation or prosecution of a misdemeanor or noncriminal matter pending in county court.

3. A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the official investigation or official proceeding affected involves the investigation or prosecution of a felony of the third degree or noncriminal matter pending in circuit court.

4. A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the official investigation or official proceeding affected involves the investigation or prosecution of a felony of the second degree.

5. A felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084, if the official investigation or official proceeding affected involves the investigation or

151 prosecution of a felony of the first degree or a felony of the  
152 first degree punishable by a term of years not exceeding life.

153 6. A life felony, punishable as provided in s. 775.082, s.  
154 775.083, or s. 775.084, if the official investigation or  
155 official proceeding affected involves the investigation or  
156 prosecution of a life or capital felony.

157 (2) HARASSING A COURT OFFICIAL.—

158 (a) A person who intentionally harasses a court official  
159 and thereby hinders, delays, prevents, or dissuades, or attempts  
160 to hinder, delay, prevent, or dissuade a court official from  
161 performing any of the following acts commits the crime of  
162 harassing a court official:

163 1. Attending an official proceeding;

164 2. Rendering a fair verdict based solely upon the evidence  
165 produced at an official proceeding and upon the law; or

166 3. Following the rules of juror behavior and deliberation  
167 as set forth by the judge.

168 (b) A person who violates paragraph (a) commits:

169 1. A misdemeanor of the first degree, punishable as  
170 provided in s. 775.082 or s. 775.083, if the official  
171 investigation or official proceeding affected involves the  
172 investigation or prosecution of a misdemeanor or noncriminal  
173 matter pending in county court.

174 2. A felony of the third degree, punishable as provided in  
175 s. 775.082, s. 775.083, or s. 775.084, if the offense level of

20257002e1

its loan until the default is remedied; requiring the department to adopt rules necessary to administer the loan program; amending s. 380.0935, F.S.; making a technical change; requiring the department to create and maintain a separate account in the Resilient Florida Trust Fund for certain funds received to administer the revolving loan program for certain projects submitted by water management districts within the Statewide Flooding and Sea Level Rise Resilience Plan; requiring that all repayments be returned to the revolving loan program and made available for the eligible projects in the plan; providing that funds appropriated for the loan program are not subject to reversion; amending s. 380.095, F.S.; requiring that a specified amount of funds deposited into the Indian Gaming Revenue Clearing Trust Fund be distributed to the Resilient Florida Trust Fund for the revolving loan program for specified uses; authorizing the department to submit budget amendments for a certain purpose, subject to the approval of the Legislative Budget Commission; reenacting s. 373.0697, F.S., relating to basin taxes, to incorporate the amendment made to s. 373.503, F.S., in a reference thereto; providing an effective date.

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

Section 1. Present paragraphs (b), (c), and (d) of subsection (1) of section 112.3261, Florida Statutes, are

20257002e1

redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, subsection (9) 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 authorized to enforce the commission's findings and recommendations.

(9) 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 that qualifies as a local officer as defined in s. 112.3145(1) may not knowingly accept, directly or indirectly, any expenditure.

Section 2. Paragraph (b) of subsection (8) of section 373.026, Florida Statutes, is amended, and paragraph (d) of that subsection is reenacted, to read:

373.026 General powers and duties of the department.—The

reenacting s. 373.026(8)(d), F.S., relating to general powers and duties of the Department of Environmental Protection, to incorporate the amendment made to s. 373.536, F.S., in a reference thereto; providing an effective date.

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

**Section 1. Present paragraphs (b), (c), and (d) of subsection (1) of section 112.3261, Florida Statutes, are redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, subsection (9) 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(1).

(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 authorized to enforce the commission's findings and recommendations.

(9) 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 2. Subsection (7) of section 373.079, Florida Statutes, is amended to read:**

373.079 Members of governing board; oath of office; staff.—

(7) The governing board shall meet at least once a month and upon call of the chair. A quorum is necessary for the governing board to conduct official business. A majority of the members of the governing board, which includes both appointed members and vacancies, constitutes a quorum. A board member's appearance at a board meeting, whether such appearance is in person or through the use of communications media technology, must be counted for the determination of a quorum. Except where otherwise provided by law, action may be taken by the governing board only upon an affirmative vote of a majority of the members

special district has failed to comply with the law. Upon receipt of notification, the Department of Commerce shall proceed pursuant to s. 189.062 or s. 189.067. If the special district remains in noncompliance after the process set forth in s. 189.0651, or if a public hearing is not held, the Legislative Auditing Committee may notify ~~request~~ the department, which shall ~~to~~ proceed pursuant to s. 189.067(3).

2. A local ordinance, notify the chair or equivalent of the local general-purpose government pursuant to s. 189.0652 and the Department of Commerce that the special district has failed to comply with the law. Upon receipt of notification, the department shall proceed pursuant to s. 189.062 or s. 189.067. If the special district remains in noncompliance after the process set forth in s. 189.0652, or if a public hearing is not held, the Legislative Auditing Committee may notify ~~request~~ the department, which shall ~~to~~ proceed pursuant to s. 189.067(3).

3. Any manner other than a special act or local ordinance, notify the Department of Commerce that the special district has failed to comply with the law. Upon receipt of notification, the department shall proceed pursuant to s. 189.062 or s. 189.067(3).

**Section 3. Effective November 18, 2026, subsection (3) of section 11.40, Florida Statutes, is amended to read:**

11.40 Legislative Auditing Committee.—

~~(3) (a) As used in this subsection, "independent contract~~



auditor" means a state-licensed certified public accountant or firm with which a state-licensed certified public accountant is currently employed or associated who is actively engaged in the accounting profession.

(b) Audits specified in this subsection cover the quarterly compensation reports for the previous calendar year for a random sample of 3 percent of all legislative branch lobbying firms and a random sample of 3 percent of all executive branch lobbying firms calculated using as the total number of such lobbying firms those filing a compensation report for the preceding calendar year. The committee shall provide for a system of random selection of the lobbying firms to be audited.

(c) The committee shall create and maintain a list of not less than 10 independent contract auditors approved to conduct the required audits. Each lobbying firm selected for audit in the random audit process may designate one of the independent contract auditors from the committee's approved list. Upon failure for any reason of a lobbying firm selected in the random selection process to designate an independent contract auditor from the committee's list within 30 calendar days after being notified by the committee of its selection, the committee shall assign one of the available independent contract auditors from the approved list to perform the required audit. No independent contract auditor, whether designated by the lobbying firm or by the committee, may perform the audit of a lobbying firm where

251 ~~the auditor and lobbying firm have ever had a direct personal~~  
252 ~~relationship or any professional accounting, auditing, tax~~  
253 ~~advisory, or tax preparing relationship with each other. The~~  
254 ~~committee shall obtain a written, sworn certification subject to~~  
255 ~~s. 837.06, both from the randomly selected lobbying firm and~~  
256 ~~from the proposed independent contract auditor, that no such~~  
257 ~~relationship has ever existed.~~

258 ~~(d) Each independent contract auditor shall be engaged by~~  
259 ~~and compensated solely by the state for the work performed in~~  
260 ~~accomplishing an audit under this subsection.~~

261 ~~(e) Any violations of law, deficiencies, or material~~  
262 ~~misstatements discovered and noted in an audit report shall be~~  
263 ~~clearly identified in the audit report and be determined under~~  
264 ~~the rules of either house of the Legislature or under the joint~~  
265 ~~rules, as applicable.~~

266 ~~(f) If any lobbying firm fails to give full, frank, and~~  
267 ~~prompt cooperation and access to books, records, and associated~~  
268 ~~backup documents as requested in writing by the auditor, that~~  
269 ~~failure shall be clearly noted by the independent contract~~  
270 ~~auditor in the report of audit.~~

271 ~~(g) The committee shall establish procedures for the~~  
272 ~~selection of independent contract auditors desiring to enter~~  
273 ~~into audit contracts pursuant to this subsection. Such~~  
274 ~~procedures shall include, but not be limited to, a rating system~~  
275 ~~that takes into account pertinent information, including the~~

276 ~~independent contract auditor's fee proposals for participating~~  
277 ~~in the process. All contracts under this subsection between an~~  
278 ~~independent contract auditor and the Speaker of the House of~~  
279 ~~Representatives and the President of the Senate shall be~~  
280 ~~terminable by either party at any time upon written notice to~~  
281 ~~the other, and such contracts may contain such other terms and~~  
282 ~~conditions as the Speaker of the House of Representatives and~~  
283 ~~the President of the Senate deem appropriate under the~~  
284 ~~circumstances.~~

285 ~~(h) The committee shall adopt guidelines that govern~~  
286 ~~random audits and field investigations conducted pursuant to~~  
287 ~~this subsection. The guidelines shall ensure that similarly~~  
288 ~~situated compensation reports are audited in a uniform manner.~~  
289 ~~The guidelines shall also be formulated to encourage compliance~~  
290 ~~and detect violations of the legislative and executive lobbying~~  
291 ~~compensation reporting requirements in ss. 11.045 and 112.3215~~  
292 ~~and to ensure that each audit is conducted with maximum~~  
293 ~~efficiency in a cost-effective manner. In adopting the~~  
294 ~~guidelines, the committee shall consider relevant guidelines and~~  
295 ~~standards of the American Institute of Certified Public~~  
296 ~~Accountants to the extent that such guidelines and standards are~~  
297 ~~applicable and consistent with the purposes set forth in this~~  
298 ~~subsection.~~

299 ~~(i) All audit reports of legislative lobbying firms shall,~~  
300 ~~upon completion by an independent contract auditor, be delivered~~

~~to the President of the Senate and the Speaker of the House of Representatives for their respective review and handling. All audit reports of executive branch lobbyists, upon completion by an independent contract auditor, shall be delivered by the auditor to the Commission on Ethics.~~

**Section 4. Section 11.405, Florida Statutes, is created to read:**

11.405 The Florida Accountability Office.—

(1) There is created within the Legislature the Florida Accountability Office to conduct audits, reviews, examinations, investigations, evaluations, and assessments; to make recommendations regarding the operations, performance, and fiscal management of governmental entities of this state; and to report findings to the Legislature and public agencies regarding fiscal transparency, quality, effectiveness, efficiency, and possible improvements to the programs, operations, and performance of such governmental entities. The office shall be administered as directed by the Legislature or by agreement of the presiding officers of the Legislature.

(2) The office shall consist of the following units:

(a) The Division of the Auditor General, headed by the Auditor General, the auditor required by s. 2, Art. III of the State Constitution, appointed by both houses of the Legislature acting concurrently, unless otherwise provided by joint rule of the Legislature. The Auditor General's term shall end on

401 **read:**

402 11.406 Public Integrity Division investigations.—

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

404 (a) "Appropriations project" means a specific  
405 appropriation or proviso defined as an appropriations project by  
406 legislative rule in the year in which it was enacted.

407 (b) "Investigation" means an audit, a review, or any other  
408 examination or inquiry into the factual basis of any complaint  
409 investigated pursuant to subsection (2).

410 (2) The Public Integrity Division of the Florida  
411 Accountability Office may receive and investigate a complaint  
412 alleging fraud, waste, abuse, mismanagement, or misconduct in  
413 connection with the expenditure of public funds.

414 (3) A complaint may be submitted to the Florida  
415 Accountability Office by:

416 (a) The President of the Senate.

417 (b) The Speaker of the House of Representatives.

418 (c) The chair of an appropriations committee of the Senate  
419 or the House of Representatives.

420 (d) Any unit of the Florida Accountability Office.

421 (e) Any inspector general.

422 (f) A whistle-blower reporting under s. 112.3187.

423 (4) (a) Upon receipt of a complaint, the Public Integrity  
424 Division shall determine whether the complaint is supported by  
425 sufficient information indicating a reasonable probability of

426 fraud, waste, abuse, mismanagement, or misconduct. If the Public  
427 Integrity Division determines that the complaint is not  
428 supported by sufficient information, the Public Integrity  
429 Division shall notify the complainant in writing and the  
430 complaint shall be closed.

431 (b) If the complaint is supported by sufficient  
432 information, the Public Integrity Division shall determine  
433 whether an investigation into the matter has already been  
434 initiated by a law enforcement agency, the Commission on Ethics,  
435 the Chief Financial Officer, the Office of Chief Inspector  
436 General, or the applicable agency inspector general. If such an  
437 investigation has been initiated, the Public Integrity Division  
438 shall notify the complainant in writing and the complaint may be  
439 closed.

440 (c) If the complaint is supported by sufficient  
441 information and an investigation into the matter has not already  
442 been initiated as described in paragraph (b), the Public  
443 Integrity Division shall, within available resources and after  
444 consultation with the other units of the Florida Accountability  
445 Office, conduct an investigation and issue a report of the  
446 investigative findings to the complainant and the President of  
447 the Senate and the Speaker of the House of Representatives. The  
448 Public Integrity Division may refer the matter to another unit  
449 of the Florida Accountability Office, any appropriate law  
450 enforcement agency, the Commission on Ethics, the Chief

451 Financial Officer, the Office of the Chief Inspector General, or  
452 the applicable agency inspector general.

453 (5)(a) The Public Integrity Division may, when pertinent  
454 to an investigation of a complaint, inspect and investigate the  
455 books, records, papers, documents, data, operation, and physical  
456 location of any public agency in this state, including any  
457 confidential information; the public records of any entity that  
458 has received direct appropriations or a direct payment of fees  
459 or taxes collected by this state; and the records of any entity  
460 that has contracted with this state whose records are subject to  
461 public access pursuant to s. 287.058(1)(c). The Public Integrity  
462 Division may agree to retain the confidentiality of confidential  
463 information pursuant to s. 11.0431(2)(a).

464 (b) Upon request of the Public Integrity Division, the  
465 Legislative Auditing Committee or any other committee of the  
466 Legislature may issue subpoenas and subpoenas duces tecum, as  
467 provided in s. 11.143, to compel testimony or the production of  
468 evidence when deemed necessary to an investigation authorized by  
469 this section. Consistent with s. 11.143, such subpoenas and  
470 subpoenas duces tecum may be issued as provided by applicable  
471 legislative rules or, in the absence of applicable legislative  
472 rules, by the chair of the Legislative Auditing Committee with  
473 the approval of the Legislative Auditing Committee and the  
474 President of the Senate and the Speaker of the House of  
475 Representatives, or with the approval of the President of the

1 A bill to be entitled  
2 An act relating to use of state resources to influence  
3 statewide ballot initiatives; creating s. 100.372,  
4 F.S.; providing a short title, legislative intent, and  
5 definitions; prohibiting certain entities from  
6 producing, disseminating, or funding specified public  
7 service announcements during a certain timeframe;  
8 providing construction; providing penalties; requiring  
9 certain entities to maintain specified records and  
10 make such records available to the public; providing  
11 an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 **Section 1. Section 100.372, Florida Statutes, is created**  
16 **to read:**

17 100.372 Prohibition on public service announcement  
18 publications or expenditures during a statewide ballot  
19 initiative election period.—

20 (1) SHORT TITLE.—This section may be cited as the "Public  
21 Resource Election Neutrality Act."

22 (2) LEGISLATIVE INTENT.—The Legislature finds that state  
23 resources should not be used to influence the outcome of  
24 elections, including those involving statewide ballot  
25 initiatives. This act ensures that taxpayer-funded public



26 service announcements are not used to sway voters or create the  
27 appearance of state agency endorsement or opposition to any  
28 ballot measure during critical election periods.

29 (3) DEFINITIONS.—As used in this section, the term:

30 (a) "Public service announcement" means any advertisement,  
31 communication, or promotional material produced or disseminated  
32 in any medium including television, radio, social media, print,  
33 or digital funded in whole or in part by state revenues that is  
34 intended to inform, educate, or influence the public.

35 (b) "State department or agency" means any department,  
36 agency, board, commission, or other entity under the  
37 jurisdiction of the State of Florida, including those funded  
38 wholly or partially by state revenues.

39 (c) "Statewide ballot initiative" means any proposed  
40 constitutional amendment, referendum, or other measure that has  
41 been certified for placement on the ballot in a general  
42 election.

43 (4) PROHIBITED ACTS.—

44 (a) Beginning on the last day of certification of a  
45 statewide ballot initiative and continuing through the  
46 conclusion of the general election:

47 1. A state department or agency may not produce,  
48 disseminate, or fund any public service announcement related to,  
49 or which could reasonably be interpreted to support or oppose, a  
50 statewide ballot initiative.

51        2. Funds, resources, or personnel of any state department  
52 or agency may not be used to directly or indirectly influence  
53 the outcome of a statewide ballot initiative.

54        (b) This subsection does not apply to public service  
55 announcements that are required to address:

56            1. Immediate threats to public health, safety, or welfare.

57            2. Routine governmental communications unrelated to any  
58 statewide ballot initiative.

59        (5) PENALTIES AND ENFORCEMENT.—

60            (a)1. Any individual acting in their official capacity who  
61 violates this section is subject to suspension, removal, or  
62 disciplinary action as provided by general law.

63            2. Any state department or agency found to have violated  
64 this section may have its future appropriations reduced by the  
65 Legislature.

66            (b)1. The Florida Commission on Ethics may investigate  
67 complaints of violations of this section.

68            2. Any individual or entity aggrieved by a violation of  
69 this section may file a complaint with the Florida Commission on  
70 Ethics or seek injunctive relief in a court of competent  
71 jurisdiction.

72        (6) REPORTING AND TRANSPARENCY.—All state departments and  
73 agencies shall maintain records of public service announcements  
74 produced or funded during the 12 months preceding a general  
75 election and make such records available to the public.

HB 727

2025

76 |       **Section 2.**   This act shall take effect upon becoming a law. |

By Senator Smith

17-01266-25

2025860

A bill to be entitled

An act relating to political advertisements by governmental officials; providing a short title; creating s. 112.3262, F.S.; providing legislative findings; defining terms; prohibiting elected and appointed officials from using or threatening to use their official authority, position, and influence to compel, coerce, induce, or intimidate broadcasters to air or refrain from airing certain political advertisements; prohibiting such officials from threatening to withhold or promise to grant state funding, permits, or other benefits to such broadcasters or initiating or threatening regulatory action, investigations, or audits against such broadcasters; providing criminal and administrative penalties; authorizing the Commission on Ethics to investigate complaints of specified violations; authorizing certain individuals and entities to file certain complaints with the commission or seek specified relief from a court of competent jurisdiction; providing an effective date.

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

Section 1. This act may be cited as the "Broadcast Freedom Protection Act."

Section 2. Section 112.3262, Florida Statutes, is created to read:

112.3262 Prohibited actions by governmental officials

17-01266-25

2025860

30 regarding television broadcasts of political advertisements.-

31 (1) The Legislature finds that the freedom of the press and  
32 the independence of broadcasters are fundamental to democracy.  
33 This act seeks to prevent the misuse of authority by elected or  
34 appointed governmental officials to interfere with broadcasters'  
35 decisions regarding the airing of political advertisements,  
36 particularly those related to statewide ballot initiatives.

37 (2) As used in this section, the term:

38 (a) "Broadcaster" means any individual, corporation, or  
39 entity licensed by the Federal Communications Commission to  
40 operate a television broadcast station within this state.

41 (b) "Elected or appointed official" means any individual  
42 elected or appointed to any state, county, municipal, school, or  
43 other district office or position.

44 (c) "Statewide ballot initiative" means any proposed  
45 constitutional amendment, referendum, or other measure submitted  
46 to voters in a statewide election.

47 (3) An elected or appointed official may not use or  
48 threaten to use his or her official authority, position, or  
49 influence to do any of the following:

50 (a) Compel, coerce, or induce a broadcaster to air or  
51 refrain from airing any political advertisement related to a  
52 statewide ballot initiative.

53 (b) Intimidate a broadcaster or its employees in any way to  
54 influence their decision regarding the airing of such  
55 advertisements.

56 (c) Threaten to withhold or promise to grant state funding,  
57 permits, or other benefits to a broadcaster based on its  
58 decision regarding such advertisements.

17-01266-25

2025860\_\_

59       (d) Initiate or threaten regulatory action, investigations,  
60 or audits as a form of coercion.

61       (4) (a) An elected or appointed official who violates  
62 subsection (3) commits a felony of the third degree, punishable  
63 as provided in s. 775.082, s. 775.083, or s. 775.084.

64       (b) In addition to the criminal penalties provided in  
65 paragraph (a), an elected or appointed official who violates  
66 subsection (3) may be removed from office pursuant to procedures  
67 set forth in the State Constitution or by general law and be  
68 permanently disqualified from holding any subsequent elected or  
69 appointed office in this state.

70       (5) (a) The Commission on Ethics may investigate complaints  
71 of violations of this section and recommend penalties as  
72 appropriate.

73       (b) An individual or entity aggrieved by a violation of  
74 this section may file a complaint with the commission or seek  
75 injunctive relief in a court of competent jurisdiction.

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

By Senator Smith

17-01282-25

2025926\_\_

1 A bill to be entitled  
2 An act relating to public service announcements by  
3 state agencies; providing a short title; creating s.  
4 112.3262, F.S.; providing legislative findings;  
5 defining terms; prohibiting state agencies from  
6 producing, disseminating, or funding certain public  
7 service announcements; prohibiting state agencies from  
8 using funds, resources, or personnel to influence,  
9 directly or indirectly, the outcome of statewide  
10 ballot initiatives; providing exceptions; providing  
11 that individuals who violate specified provisions may  
12 be subject to suspension, removal, or disciplinary  
13 action; authorizing the Legislature to reduce future  
14 appropriations to state agencies under specified  
15 conditions; providing that the Commission on Ethics  
16 has the authority to investigate specified complaints;  
17 authorizing certain individuals and entities to file a  
18 complaint with the commission or seek injunctive  
19 relief in a court of competent jurisdiction; requiring  
20 state agencies to maintain records for a specified  
21 timeframe and make such records available for public  
22 inspection; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. This act may be cited as the "Public Resource  
27 Election Neutrality Act."

28 Section 2. Section 112.3262, Florida Statutes, is created  
29 to read:

17-01282-25

2025926\_\_

112.3262 Prohibiting certain public service announcements.—

(1) LEGISLATIVE FINDINGS.—The Legislature finds that state resources may not be used to influence the outcome of elections, including those involving statewide ballot initiatives. This section ensures that taxpayer funded public service announcements are not used to sway voters or create the appearance of state agency endorsement or opposition to any ballot measure during critical election periods.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Public service announcement" means any advertisement, communication, or promotional material produced or disseminated in any medium, including television, radio, social media, print, or digital, which is funded in whole or in part by state revenues and which is intended to inform, educate, or influence the public.

(b) "State agency" means any agency, department, board, commission, or other entity under the jurisdiction of the state, including those funded wholly or in part by state revenues.

(c) "Statewide ballot initiative" means any proposed constitutional amendment, referendum, or other measure that has been certified for placement on the statewide ballot in an election.

(3) PROHIBITED ACTIONS.—

(a) Beginning on the day that a statewide ballot initiative is certified for ballot placement through the conclusion of the election at which the statewide ballot initiative is to be voted on, a state agency may not do any of the following:

1. Produce, disseminate, or fund any public service announcement related to, or which could reasonably be



17-01282-25

2025926

59 interpreted to support or oppose, a statewide ballot initiative.

60 2. Use funds, resources, or personnel of the state agency  
61 to influence, directly or indirectly, the outcome of a statewide  
62 ballot initiative.

63 (b) This section does not apply to public service  
64 announcements required to address any of the following:

65 1. Immediate threats to public health, safety, or welfare.  
66 2. Routine governmental communications unrelated to  
67 statewide ballot initiatives.

68 (4) PENALTIES AND ENFORCEMENT.—

69 (a) An individual acting in his or her official capacity  
70 who violates this section may be subject to suspension, removal,  
71 or disciplinary action as provided by law.

72 (b) The Legislature may reduce the future appropriations of  
73 a state agency found to have violated this section.

74 (c) The commission may investigate complaints of violations  
75 of this section.

76 (d) Any individual or entity aggrieved by a violation of  
77 this section may file a complaint with the commission or seek  
78 injunctive relief in a court of competent jurisdiction.

79 (5) PUBLIC INSPECTION.—A state agency shall maintain the  
80 records of public service announcements produced or funded  
81 during the 12 months preceding a general election and make such  
82 records available for public inspection.

83 Section 3. This act shall take effect upon becoming a law.