

MEMORANDUM

To: Commission Members

From: Kerrie Stillman 

Re: Legislative Update

Date: May 22, 2025

The following bills passed during the 2025 legislative session and affect 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.

Bills incorporating COE Legislative Recs:

- **CS/SB 348** (Gaetz) was signed by Officers and presented to the Governor on Friday, May 16. 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.

Other bills affecting the Commission:

- **HB 1049** (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. Ethics Commission investigations are included in the definition of "official investigations." The bill has not yet been presented to the Governor.
- **CS/SB 7012** The bill amends s. 1004.615, F.S. to allow state employees who are participating in the Florida Institute for Child Welfare's research or evaluation required by the Institute's statutory mission to receive incentives for their participation. Under the language of the bill, the incentives would not be a violation of the ethics laws, nor would they have a reporting requirement if accepted by the Form 1 or Form 6 filer, regardless of the incentive amount. The bill has not yet been presented to the Governor.
- **HB 1445** The legislation requires certain public officers and employees to be US citizens and places certain residency requirements on them. It also creates 112.31251 defining "office" for purposes of the dual officeholding prohibition. However, dual officeholding is not administered by the Commission. The bill passed but has not yet been provided to the Governor.

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

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

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

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

112.3131 Stolen valor.—

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

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

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

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59 minimis.

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

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

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

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

74 a. Air Force Combat Action Medal.

75 b. Air Force Cross.

76 c. Combat Action Badge.

77 d. Combat Action Ribbon.

78 e. Combat Infantryman Badge.

79 f. Combat Medical Badge.

80 g. Distinguished Service Cross.

81 h. Medal of Honor.

82 i. Navy Cross.

83 j. Purple Heart.

84 k. Silver Star Medal.

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

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

- a. Aircraft pilot, navigator, or crew member.
- b. Explosive Ordinance Disposal Technician.
- c. Parachutist.
- d. United States Army Ranger.
- e. United States Navy Seal or Diver.
- f. United States special operations forces member.

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

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

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

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

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

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

112.317 Penalties.—

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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

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

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

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

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

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

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CS/HB 1049, Engrossed 1

2025 Legislature

1
2 An act relating to tampering with, harassing, or
3 retaliating against court officials; amending s.
4 836.12, F.S.; defining the term "administrative
5 assistant"; providing criminal penalties for persons
6 who knowingly and willfully threaten specified court
7 personnel; providing criminal penalties for persons
8 who knowingly and willfully harass specified court
9 personnel with certain intent; creating s. 918.115,
10 F.S.; defining terms; amending s. 918.12, F.S.;
11 providing criminal penalties for persons who knowingly
12 with certain intent tamper with court officials;
13 providing criminal penalties for persons who
14 intentionally harass court officials when such
15 harassment has a specified outcome; providing
16 applicability; creating s. 918.125, F.S.; providing
17 criminal penalties for persons who retaliate against
18 court officials for their participation in official
19 investigations or proceedings; providing enhanced
20 criminal penalties if the retaliation results in
21 bodily injury; amending ss. 772.102, 895.02, and
22 921.0022, F.S.; conforming provisions to changes made
23 by the act; providing an effective date.

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

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Section 1. Section 836.12, Florida Statutes, is amended to read:

836.12 Threats or harassment.—

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

(a) "Administrative assistant" means a court employee assigned to the office of a specific general or special magistrate or a child support enforcement hearing officer.

(b) "Family member" means:

1. An individual related to another individual by blood or marriage; or

2. An individual who stands in loco parentis to another individual.

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

(d) ~~(e)~~ "Law enforcement officer" means:

1. A law enforcement officer as defined in s. 943.10; or

2. A federal law enforcement officer as defined in s. 901.1505.

(2)(a) Except as provided in paragraph (b), any person who knowingly and willfully threatens a law enforcement officer, a state attorney, an assistant state attorney, a firefighter, a judge, a justice, a general magistrate, a special magistrate, a

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child support enforcement hearing officer, an administrative
assistant, a judicial assistant, a clerk of the court, clerk
 personnel, or an elected official, or a family member of any
 such person, with death or serious bodily harm commits a
 misdemeanor of the first degree, punishable as provided in s.
 775.082 or s. 775.083.

(b) A person who commits a second or subsequent violation
 of paragraph (a) commits a felony of the third degree,
 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Any person who knowingly and willfully harasses a law
 enforcement officer, a state attorney, an assistant state
 attorney, a firefighter, a judge, a justice, a general
magistrate, a special magistrate, a child support enforcement
hearing officer, an administrative assistant, a judicial
 assistant, a clerk of the court, clerk personnel, or an elected
 official, with the intent to intimidate or coerce such a person
 to perform or refrain from performing a lawful duty, commits a
 misdemeanor of the first degree, punishable as provided in s.
 775.082 or s. 775.083.

Section 2. Section 918.115, Florida Statutes, is created
 to read:

918.115 Definitions; ss. 918.12-918.125.—As used in ss.
918.12-918.125, the term:

(1) "Administrative assistant" means a court employee
assigned to the office of a specific general or special

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magistrate or a child support enforcement hearing officer.

(2) "Bodily injury" means a cut, an abrasion, a bruise, a burn, or a disfigurement; physical pain; illness; impairment of the function of a bodily member, an organ, or a mental faculty; or any other injury to the body, regardless of how temporary.

(3) "Court official" means any judge, justice, general magistrate, special magistrate, grand juror, petit juror, clerk of the court, deputy clerk of the court, judicial assistant, administrative assistant, attorney, child support enforcement hearing officer, bailiff, or court deputy.

(4) "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional 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,

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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 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:

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- 126 1. Uses intimidation or physical force;
 127 2. Threatens any person or attempts to do so;
 128 3. Engages in misleading conduct toward any person; or
 129 4. Offers pecuniary benefit or gain to any person.
 130 (b) A person who violates paragraph (a) commits:
 131 1. A felony of the third degree, punishable as provided in
 132 s. 775.082, s. 775.083, or s. 775.084, if the offense level of
 133 the affected official investigation or official proceeding is
 134 indeterminable.
 135 2. A felony of the third degree, punishable as provided in
 136 s. 775.082, s. 775.083, or s. 775.084, if the official
 137 investigation or official proceeding affected involves the
 138 investigation or prosecution of a misdemeanor or noncriminal
 139 matter pending in county court.
 140 3. A felony of the second degree, punishable as provided
 141 in s. 775.082, s. 775.083, or s. 775.084, if the official
 142 investigation or official proceeding affected involves the
 143 investigation or prosecution of a felony of the third degree or
 144 noncriminal matter pending in circuit court.
 145 4. A felony of the first degree, punishable as provided in
 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.

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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
175 matter pending in county court.

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2. 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.

3. 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 felony of the third degree or any noncriminal matter pending in circuit court.

4. 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 second degree.

5. 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 first degree.

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

(3) APPLICABILITY.—This section does not apply to the

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201 actions of an attorney acting in the performance of his or her
202 duties ~~Any person who influences the judgment or decision of any~~
203 ~~grand or petit juror on any matter, question, cause, or~~
204 ~~proceeding which may be pending, or which may by law be brought,~~
205 ~~before him or her as such juror, with intent to obstruct the~~
206 ~~administration of justice, shall be guilty of a felony of the~~
207 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~
208 ~~or s. 775.084.~~

209 Section 4. Section 918.125, Florida Statutes, is created
210 to read:

211 918.125 Retaliating against a court official.—

212 (1) A person who, with the intent to retaliate against a
213 court official for his or her participation in an official
214 investigation or official proceeding, commits any of the
215 following acts commits a felony of the third degree, punishable
216 as provided in s. 775.082, s. 775.083, or s. 775.084:

217 (a) Knowingly engages in any conduct that threatens to
218 cause bodily injury to another person; or

219 (b) Damages the tangible property of another person or
220 threatens to do so.

221 (2) If the conduct described in subsection (1) results in
222 bodily injury, such person commits a felony of the second
223 degree, punishable as provided in s. 775.082, s. 775.083, or s.
224 775.084.

225 Section 5. Paragraph (a) of subsection (1) of section

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needs that cannot be or have not been met in traditional foster care placements.

3. No more than two eligible children are placed at any time in a treatment foster care home.

4. At least one foster parent with specialized training is available and dedicated to the care and treatment of placed children.

5. A 24 hour on-call crisis person is available to provide in-home crisis intervention and placement stabilization services.

(h) By January 1, 2030, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a final report that includes the independent evaluation, the department's findings and evaluation, recommendations as to whether the pilot program should be continued and expanded statewide and, if so, fiscal and policy recommendations to ensure effective expansion and continued operation of the program.

Section 9. Subsection (11) is added to section 1004.615, Florida Statutes, to read:

1004.615 Florida Institute for Child Welfare.—

(11) An incentive provided to state employees for participating in the institute's research or evaluation as required by the institute's statutory mission under this section may not be considered a violation of s. 112.313 or require reporting under s. 112.3148.

Section 10. Section 402.30501, Florida Statutes, is amended to read:

402.30501 Modification of introductory child care course

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

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

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

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

20.71 Residency requirements.—Notwithstanding any other law:

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

1. The secretary of a department.

2. The executive director of a department.

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

4. A member of a commission.

5. A member of a licensing board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) AUTHORITY TO INCUR TRAVEL EXPENSES.—

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

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

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

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

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

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

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

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

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

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

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

3. This paragraph expires July 1, 2025.

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

112.31251 Definition of the term "office."—

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

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

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

3. Has a prescribed tenure.

4. Exists independently of the individual holding such position.

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

1. The Governor.
2. The Lieutenant Governor.
3. A member of the Cabinet.
4. A state senator.
5. A state representative.
6. A county commissioner.
7. A sheriff.
8. A tax collector.
9. A property appraiser.
10. A supervisor of elections.
11. A clerk of the circuit court.
12. A member of the Board of Governors of the State
University System.
13. A member of a board of trustees for a state
university.
14. A member of a district school board.
15. A member of a state, county, or municipal board or
commission that exercises governmental authority and is not
purely advisory in nature.
16. A member of the Board of Governors for the Citizens
Property Insurance Corporation established under s. 627.351(6).
17. A member of the board of directors for the Florida
Housing Finance Corporation established under s. 420.504.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1001.71 University boards of trustees; membership.—

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

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

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