

LEGISLATIVE UPDATE

To: Commission Members

From: Kerrie Stillman 

Date: February 21, 2024

SB 7014: This Senate bill sets forth specific timeframes for Commission complaint processes, votes to divert from Advocate's Recommendations, and addresses Commission member term limits. The bill also contains language to implement two Commission legislative recommendations: the ability for candidates to petition for costs and attorney's fees; and, increases the maximum fine for violating the constitutional lobbying restrictions so the penalty amounts are consistent with penalties for other ethics violations.

- Four amendments were offered and passed during the consideration of this bill on the floor of the Senate on January 31:
- Added language from the proposed rule that was considered at our meeting regarding the disclosure of Primary and Secondary Sources of Income for both the Form 6 and Form 1.
- Added language to require that complaints filed with the Commission must contain allegations based on personal knowledge or information other than hearsay.
- Changed the requirement of six members to reject or divert from an Advocate's Recommendation to a two-thirds vote requirement of the members in attendance.
- Added language making new requirements for local government ethics entities. This amendment does not affect the Commission or its procedures.

SB 7014, as amended is currently in House Messages. The effective date is October 1, 2024. The Commission has asked for additional resources to implement the bill requirements.

HB 1597: HB 1597 is the House companion to SB 7014. It passed out of its final House committee on February 21, without any amendments. Whether it will be amended on the House floor, remains to be seen. When a member asked the bill sponsor, during consideration of the bill by the House State Affairs Committee, whether amendments similar to those adopted by the Senate would be filed to this bill, the sponsor indicated that he could not state with certainty that similar amendments would not be filed in the House.

We are waiting to see HB 1597 added for consideration on the floor of the House. The Commission has asked for additional resources to implement the bill requirements.

SB 734: This is the local lobbyist registration bill that would require the Commission to begin registering local lobbyists for approximately 2,500 local governments. The bill contains language that would prohibit public officers and employees, as well as candidates and local government attorneys from soliciting or accepting anything of value from a foreign country of concern.

- The Senate's version of the bill currently pre-empts local governments from registering lobbyists.
- The effective date is July 1, 2024.

The Commission has asked the effective date be pushed to allow the Commission time to implement local lobbyist registration. The current version of the bill would have the Commission quickly implement the bill during our first fully electronic disclosure season. We also have asked for resources to hire additional staff to implement local lobbyist registration.

The bill is pending hearing in its final committee stop, which is Appropriations.

HB 735: This is the House version of local lobbyist registration. It passed out of its final committee stop, State Affairs, on February 21, as amended. The amendment:

- Rolled back the Form 6 requirement for elected city commissioners and mayors, effective January 1, 2025, to exclude those city commissioners and mayors serving in towns with a population of 500 or less. Those officials would go back to filing a Form 1 after this year.
- The amendment eliminated the pre-emption for local governments to register lobbyists as long as the local governments have registration system in place by January 1, 2025. All other local government lobbyists will register with the Commission.
- The effective date for the implementation of local lobbyist registration changed to January 1, 2025.

The Commission has asked for resources to hire additional staff to implement local lobbyist disclosure. We await the scheduling of this bill for consideration on the floor of the House.

Copies of SB 7014 (as amended), as well as the current version of HB 1597, SB 734 and HB 735 (with strike-all amendment) are attached.

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1 A bill to be entitled
2 An act relating to ethics; amending s. 112.3122, F.S.;
3 increasing the maximum fine for violations of
4 specified lobbying provisions; amending s. 112.3144,
5 F.S.; authorizing attorneys who file full and public
6 disclosures of their financial interests to indicate
7 that a client meets disclosure criteria without
8 providing further information relating to such client;
9 authorizing such attorneys to designate such clients
10 as "Legal Client" on such disclosures; amending s.
11 112.3145, F.S.; deleting obsolete language;
12 authorizing attorneys who file statements of financial
13 interests to indicate that a client meets disclosure
14 criteria without providing further information
15 relating to such client; authorizing such attorneys to
16 designate such clients as "Legal Client" on such
17 statements; amending s. 112.321, F.S.; prohibiting a
18 member of the Commission on Ethics from serving more
19 than two full terms, instead of two full terms in
20 succession; making technical changes; deleting
21 obsolete language; amending s. 112.317, F.S.;
22 providing that a complainant is liable for costs plus
23 reasonable attorney fees for filing a complaint with
24 malicious intent against a candidate for public
25 office; amending s. 112.324, F.S.; requiring that
26 allegations in written complaints submitted to the
27 commission be based upon personal knowledge or
28 information other than hearsay; specifying that a
29 certain number of members of the commission are not

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30 required to make a specified determination related to
31 written referrals submitted to the commission by
32 specified parties; requiring the commission to submit
33 a copy of a certain referral to an alleged violator
34 within a specified timeframe; requiring the commission
35 to undertake a preliminary investigation within a
36 specified timeframe after receipt of technically and
37 legally sufficient complaints or referrals and make a
38 certain determination; authorizing a complainant to
39 submit an amended complaint within a specified
40 timeframe; providing that the probable cause
41 determination concludes the preliminary investigation;
42 requiring the commission to complete a preliminary
43 investigation, including a probable cause
44 determination, within a specified timeframe; requiring
45 the commission to complete an investigatory report
46 within a specified timeframe; authorizing the
47 commission to extend, for a specified period, the
48 allowable timeframe to adequately complete a
49 preliminary investigation if a specified number of
50 members of the commission determine such extension is
51 necessary; requiring the commission to document the
52 reasons for extending such investigation and transmit
53 a copy of such documentation to the alleged violator
54 and complainant within a specified timeframe;
55 requiring the commission to transmit a copy of the
56 completed report to an alleged violator and to the
57 counsel representing the commission within a specified
58 timeframe; requiring such counsel to make a written

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59 recommendation for disposition of a complaint or
60 referral within a specified timeframe after receiving
61 the investigatory report; requiring the commission to
62 transmit such recommendation to the alleged violator
63 within a specified timeframe; providing that the
64 alleged violator has a specified timeframe to respond
65 in writing to the counsel's recommendation; requiring
66 the commission, upon receipt of the counsel's
67 recommendation, to schedule a probable cause hearing
68 for the next executive session of the commission for
69 which notice requirements can be met; providing that,
70 under specified conditions, the commission may dismiss
71 complaints or referrals before completion of a
72 preliminary investigation; providing a timeframe
73 within which the commission must transmit a copy of
74 the order finding probable cause to the complainant
75 and the alleged violator after a finding of probable
76 cause; specifying that an alleged violator is entitled
77 to request a formal hearing before the Division of
78 Administrative Hearings or may select an informal
79 hearing with the commission; providing that persons
80 are deemed to waive their rights to a formal or an
81 informal hearing if the request is not received within
82 a specified timeframe; providing the timeframe within
83 which the commission must conduct an informal hearing;
84 requiring the commission to schedule a case that has
85 been relinquished from the Division of Administrative
86 Hearings for additional action at the next commission
87 meeting for which notice requirements can be met;

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88 requiring the commission to complete final action on
89 such case within a specified timeframe; requiring a
90 specified percentage of commission members present at
91 a meeting to vote to reject or deviate from a
92 recommendation made by the counsel representing the
93 commission; providing that specified timeframes are
94 tolled until the completion of a related criminal
95 investigation or prosecution, excluding appeals,
96 whichever occurs later; providing that a harmless
97 error standard applies to the commission regarding
98 specified timeframes; amending s. 112.326, F.S.;
99 providing requirements for noncriminal complaint
100 procedures if a political subdivision or an agency
101 adopts more stringent standards of conduct and
102 disclosure requirements; providing that existing and
103 future ordinances and rules that are in conflict with
104 specified provisions are void; providing an effective
105 date.

106
107 Be It Enacted by the Legislature of the State of Florida:

108
109 Section 1. Paragraph (b) of subsection (4) of section
110 112.3122, Florida Statutes, is amended to read:

111 112.3122 Enforcement and penalties for constitutional
112 prohibition against lobbying by a public officer.—

113 (4) A violation of s. 8(f), Art. II of the State
114 Constitution may be punished by one or more of the following:

115 (b) A civil penalty not to exceed \$20,000 ~~\$10,000~~.

116 Section 2. Paragraph (c) of subsection (6) of section

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117 112.3144, Florida Statutes, is amended to read:

118 112.3144 Full and public disclosure of financial
119 interests.-

120 (6)

121 (c)1. Each separate source and amount of income which
122 exceeds \$1,000 must be identified. For the purpose of a filer
123 reporting income, the commission shall accept federal income tax
124 returns. If a filer submits a federal income tax return for the
125 purpose of reporting income, he or she must also include all
126 attachments and schedules associated with such federal income
127 tax return.

128 2. If disclosure of identifying information regarding a
129 source of income or secondary sources of income will violate
130 confidentiality or privilege pursuant to law or rules governing
131 attorneys, a filer who is also an attorney may indicate that he
132 or she has a legal client who meets the disclosure criteria
133 without providing further information about the client. The
134 filer in such circumstance may write "Legal Client" in the
135 disclosure fields without providing further information.

136 Section 3. Subsection (3) of section 112.3145, Florida
137 Statutes, is amended to read:

138 112.3145 Disclosure of financial interests and clients
139 represented before agencies.-

140 (3) The statement of financial interests for state
141 officers, specified state employees, local officers, and persons
142 seeking to qualify as candidates for state or local office shall
143 be filed even if the reporting person holds no financial
144 interests requiring disclosure in a particular category, in
145 which case that section of the statement shall be marked "not

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146 applicable." Otherwise, the statement of financial interests
147 must include the information under paragraph (a) ~~or paragraph~~
148 ~~(b)~~. ~~The reporting person must indicate on the statement whether~~
149 ~~he or she is using the reporting method under paragraph (a) or~~
150 ~~paragraph (b). Beginning January 1, 2023, only the reporting~~
151 ~~method specified under paragraph (b) may be used.~~

152 (a)1. ~~All sources of income in excess of 5 percent of the~~
153 ~~gross income received during the disclosure period by the person~~
154 ~~in his or her own name or by any other person for his or her use~~
155 ~~or benefit, excluding public salary. However, this shall not be~~
156 ~~construed to require disclosure of a business partner's sources~~
157 ~~of income. The person reporting shall list such sources in~~
158 ~~descending order of value with the largest source first;~~

159 2. ~~All sources of income to a business entity in excess of~~
160 ~~10 percent of the gross income of a business entity in which the~~
161 ~~reporting person held a material interest and from which he or~~
162 ~~she received an amount which was in excess of 10 percent of his~~
163 ~~or her gross income during the disclosure period and which~~
164 ~~exceeds \$1,500. The period for computing the gross income of the~~
165 ~~business entity is the fiscal year of the business entity which~~
166 ~~ended on, or immediately prior to, the end of the disclosure~~
167 ~~period of the person reporting;~~

168 3. ~~The location or description of real property in this~~
169 ~~state, except for residences and vacation homes, owned directly~~
170 ~~or indirectly by the person reporting, when such person owns in~~
171 ~~excess of 5 percent of the value of such real property, and a~~
172 ~~general description of any intangible personal property worth in~~
173 ~~excess of 10 percent of such person's total assets. For the~~
174 ~~purposes of this paragraph, indirect ownership does not include~~

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175 ~~ownership by a spouse or minor child; and~~

176 ~~4. Every individual liability that equals more than the~~
177 ~~reporting person's net worth; or~~

178 ~~(b)~~1. All sources of gross income in excess of \$2,500
179 received during the disclosure period by the person in his or
180 her own name or by any other person for his or her use or
181 benefit, excluding public salary. However, this shall not be
182 construed to require disclosure of a business partner's sources
183 of income. The person reporting shall list such sources in
184 descending order of value with the largest source first;

185 2. All sources of income to a business entity in excess of
186 10 percent of the gross income of a business entity in which the
187 reporting person held a material interest and from which he or
188 she received gross income exceeding \$5,000 during the disclosure
189 period. The period for computing the gross income of the
190 business entity is the fiscal year of the business entity which
191 ended on, or immediately prior to, the end of the disclosure
192 period of the person reporting;

193 3. The location or description of real property in this
194 state, except for residence and vacation homes, owned directly
195 or indirectly by the person reporting, when such person owns in
196 excess of 5 percent of the value of such real property, and a
197 general description of any intangible personal property worth in
198 excess of \$10,000. For the purpose of this paragraph, indirect
199 ownership does not include ownership by a spouse or minor child;
200 and

201 4. Every liability in excess of \$10,000.

202 (b) If disclosure of identifying information regarding a
203 source of income or secondary sources of income will violate

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204 confidentiality or privilege pursuant to law or rules governing
205 attorneys, a filer who is also an attorney may indicate that he
206 or she has a legal client who meets the disclosure criteria
207 without providing further information about the client. The
208 filer in such circumstance may write "Legal Client" in the
209 disclosure fields without providing further information.

210 Section 4. Subsection (1) of section 112.321, Florida
211 Statutes, is amended to read:

212 112.321 Membership, terms; travel expenses; staff.—

213 (1) The commission shall be composed of nine members. Five
214 of these members shall be appointed by the Governor, no more
215 than three of whom shall be from the same political party,
216 subject to confirmation by the Senate. One member appointed by
217 the Governor shall be a former city or county official and may
218 be a former member of a local planning or zoning board which has
219 only advisory duties. Two members shall be appointed by the
220 Speaker of the House of Representatives, and two members shall
221 be appointed by the President of the Senate. Neither the Speaker
222 of the House of Representatives nor the President of the Senate
223 shall appoint more than one member from the same political
224 party. Of the nine members of the Commission, no more than five
225 members shall be from the same political party at any one time.
226 A ~~No~~ member may not hold any public employment. An individual
227 who qualifies as a lobbyist pursuant to s. 11.045 or s. 112.3215
228 or pursuant to any local government charter or ordinance may not
229 serve as a member of the commission, ~~except that this~~
230 ~~prohibition does not apply to an individual who is a member of~~
231 ~~the commission on July 1, 2006, until the expiration of his or~~
232 ~~her current term.~~ A member of the commission may not lobby any

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233 state or local governmental entity as provided in s. 11.045 or
 234 s. 112.3215 or as provided by any local government charter or
 235 ordinance, ~~except that this prohibition does not apply to an~~
 236 ~~individual who is a member of the commission on July 1, 2006,~~
 237 ~~until the expiration of his or her current term.~~ All members
 238 shall serve 2-year terms. A member may not serve more than two
 239 full terms ~~in succession.~~ Any member of the commission may be
 240 removed for cause by majority vote of the Governor, the
 241 President of the Senate, the Speaker of the House of
 242 Representatives, and the Chief Justice of the Supreme Court.

243 Section 5. Subsection (7) of section 112.317, Florida
 244 Statutes, is amended to read:

245 112.317 Penalties.—

246 (7) In any case in which the commission determines that a
 247 person has filed a complaint against a public officer or
 248 employee or a candidate for public office with a malicious
 249 intent to injure the reputation of such officer or employee or
 250 candidate by filing the complaint with knowledge that the
 251 complaint contains one or more false allegations or with
 252 reckless disregard for whether the complaint contains false
 253 allegations of fact material to a violation of this part, the
 254 complainant shall be liable for costs plus reasonable attorney
 255 fees incurred in the defense of the person complained against,
 256 including the costs and reasonable attorney fees incurred in
 257 proving entitlement to and the amount of costs and fees. If the
 258 complainant fails to pay such costs and fees voluntarily within
 259 30 days following such finding by the commission, the commission
 260 shall forward such information to the Department of Legal
 261 Affairs, which shall bring a civil action in a court of

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262 competent jurisdiction to recover the amount of such costs and
263 fees awarded by the commission.

264 Section 6. Subsections (1) and (3) of section 112.324,
265 Florida Statutes, are amended to read:

266 112.324 Procedures on complaints of violations and
267 referrals; public records and meeting exemptions.—

268 (1) The commission shall investigate an alleged violation
269 of this part or other alleged breach of the public trust within
270 the jurisdiction of the commission as provided in s. 8(f), Art.
271 II of the State Constitution:

272 (a) Upon a written complaint executed on a form prescribed
273 by the commission which is based upon personal knowledge or
274 information other than hearsay and signed under oath or
275 affirmation by any person; or

276 (b) Upon receipt of a written referral of a possible
277 violation of this part or other possible breach of the public
278 trust from the Governor, the Department of Law Enforcement, a
279 state attorney, or a United States Attorney ~~which at least six~~
280 ~~members of the commission determine is sufficient to indicate a~~
281 ~~violation of this part or any other breach of the public trust.~~

282
283 Within 5 days after receipt of a complaint or referral by the
284 commission ~~or a determination by at least six members of the~~
285 ~~commission that the referral received is deemed sufficient, a~~
286 copy must ~~shall~~ be transmitted to the alleged violator.

287 (3) (a) A preliminary investigation must ~~shall~~ be undertaken
288 by the commission within 30 days after its receipt of each
289 technically and legally sufficient complaint or referral over
290 which the commission has jurisdiction to determine whether there

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291 is probable cause to believe that a violation has occurred. A
292 complainant may submit an amended complaint up to 60 days after
293 the commission receives the initial complaint. The probable
294 cause determination is the conclusion of the preliminary
295 investigation. The commission shall complete the preliminary
296 investigation, including the probable cause determination, no
297 later than 1 year after the beginning of the preliminary
298 investigation.

299 (b) An investigatory report must be completed no later than
300 150 days after the beginning of the preliminary investigation.
301 If, at any one meeting of the commission held during a given
302 preliminary investigation, at least six members of the
303 commission determine that additional time is necessary to
304 adequately complete such investigation, the commission may
305 extend the timeframe to complete the preliminary investigation
306 by no more than 60 days. During such meeting, the commission
307 shall document its reasons for extending the investigation and
308 transmit a copy of such documentation to the alleged violator
309 and complainant no later than 5 days after the extension is
310 ordered. The investigatory report must be transmitted to the
311 alleged violator and to the counsel representing the commission
312 no later than 5 days after completion of the report. The counsel
313 representing the commission shall make a written recommendation
314 to the commission for the disposition of the complaint or
315 referral no later than 15 days after he or she receives the
316 completed investigatory report. The commission shall transmit
317 the counsel's written recommendation to the alleged violator no
318 later than 5 days after its completion. The alleged violator has
319 14 days after the mailing date of the counsel's recommendation

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320 to respond in writing to the recommendation.

321 (c) Upon receipt of the counsel's recommendation, the
322 commission shall schedule a probable cause hearing for the next
323 executive session of the commission for which notice
324 requirements can be met.

325 ~~(d) If, upon completion of the preliminary investigation,~~
326 the commission finds no probable cause to believe that this part
327 has been violated, or that no any other breach of the public
328 trust has been committed, the commission must ~~shall~~ dismiss the
329 complaint or referral with the issuance of a public report to
330 the complainant and the alleged violator, stating with
331 particularity its reasons for dismissal. At that time, the
332 complaint or referral and all materials relating to the
333 complaint or referral ~~shall~~ become a matter of public record.

334 (e) If the commission finds from the preliminary
335 ~~investigation~~ probable cause to believe that this part has been
336 violated or that any other breach of the public trust has been
337 committed, it must transmit a copy of the order finding probable
338 cause to ~~shall so notify~~ the complainant and the alleged
339 violator in writing no later than 5 days after the date of the
340 probable cause determination. Such notification and all
341 documents made or received in the disposition of the complaint
342 or referral ~~shall then~~ become public records. Upon request
343 submitted to the commission in writing, any person who the
344 commission finds probable cause to believe has violated any
345 provision of this part or has committed any other breach of the
346 public trust is ~~shall be~~ entitled to a public hearing and may
347 elect to have a formal administrative hearing conducted by an
348 administrative law judge in the Division of Administrative

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349 Hearings. If the person does not elect to have a formal
350 administrative hearing by an administrative law judge, the
351 person is entitled to an informal hearing conducted before the
352 commission. Such person is shall be deemed to have waived the
353 right to a formal or an informal public hearing if the request
354 is not received within 14 days following the mailing date of the
355 probable cause notification required by this paragraph
356 subsection. However, the commission may, on its own motion,
357 require a public hearing.

358 (f) If the commission conducts an informal hearing, it must
359 be held no later than 75 days after the date of the probable
360 cause determination.

361 (g) If the commission refers a case to the Division of
362 Administrative Hearings for a formal hearing and subsequently
363 requests that the case be relinquished back to the commission,
364 or if the administrative law judge assigned to the case
365 relinquishes jurisdiction back to the commission before a
366 recommended order is entered, the commission must schedule the
367 case for additional action at the next commission meeting for
368 which notice requirements can be met. At the next subsequent
369 commission meeting, the commission must complete final action on
370 such case.

371 (h) The commission, may conduct such further investigation
372 as it deems necessary, and may enter into such stipulations and
373 settlements as it finds to be just and in the best interest of
374 the state. The commission is without jurisdiction to, and no
375 respondent may voluntarily or involuntarily, enter into a
376 stipulation or settlement which imposes any penalty, including,
377 but not limited to, a sanction or admonition or any other

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378 penalty contained in s. 112.317. Penalties may ~~shall~~ be imposed
379 only by the appropriate disciplinary authority as designated in
380 this section.

381 (i) At least two-thirds of the members of the commission
382 present at a meeting must vote to reject or deviate from a
383 recommendation of the counsel representing the commission.

384 (j) If a criminal complaint related to an investigation
385 pursuant to this section is filed, the timeframes in this
386 subsection are tolled until completion of the criminal
387 investigation or prosecution, excluding any appeals from such
388 prosecution, whichever occurs later.

389 (k) The failure of the commission to comply with the time
390 limits provided in this subsection constitutes harmless error in
391 any related disciplinary action unless a court finds that the
392 fairness of the proceedings or the correctness of an action may
393 have been impaired by a material error in procedure or a failure
394 to follow prescribed procedure.

395 Section 7. Section 112.326, Florida Statutes, is amended to
396 read:

397 112.326 Additional requirements by political subdivisions
398 and agencies not prohibited; certain procedures preempted.-

399 (1) Except as provided in subsection (2), Nothing in this
400 part does not ~~act shall~~ prohibit the governing body of any
401 political subdivision, by ordinance, or agency, by rule, from
402 imposing upon its own officers and employees additional or more
403 stringent standards of conduct and disclosure requirements than
404 those specified in this part, provided that those standards of
405 conduct and disclosure requirements do not otherwise conflict
406 with the provisions of this part.

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407 (2) If a political subdivision or an agency adopts by
408 ordinance or rule additional or more stringent standards of
409 conduct and disclosure requirements pursuant to subsection (1),
410 any noncriminal complaint procedure must:

411 (a) Require a complaint to be written and signed under oath
412 or affirmation by the person making the complaint;

413 (b) Require a complaint to be based upon personal knowledge
414 or information other than hearsay;

415 (c) Prohibit the initiation of a complaint or investigation
416 by the governing body of the political subdivision, agency, or
417 any entity created to enforce the standards; and

418 (d) Include a provision establishing a process for the
419 recovery of costs and attorney fees for public officers, public
420 employees, or candidates for public office against a person
421 found by the governing body of the political subdivision,
422 agency, or entity created to enforce the standards to have filed
423 the complaint with a malicious intent to injure the reputation
424 of such officer, employee, or candidate by filing the complaint
425 with knowledge that the complaint contains one or more false
426 allegations or with reckless disregard for whether the complaint
427 contains false allegations of fact material to a violation.

428 (3) Any existing or future ordinance or rule adopted by a
429 political subdivision or an agency which is in conflict with
430 subsection (2) is void.

431 Section 8. This act shall take effect October 1, 2024.

26 requiring the commission to complete a preliminary
 27 investigation, including a probable cause
 28 determination, within a specified timeframe; requiring
 29 the commission to complete an investigatory report
 30 within a specified timeframe; authorizing the
 31 commission to extend, for a specified period, the
 32 allowable timeframe to adequately complete a
 33 preliminary investigation if a specified number of
 34 members of the commission determine such extension is
 35 necessary; requiring the commission to document the
 36 reasons for extending such investigation and transmit
 37 a copy of such documentation to the alleged violator
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 40 completed report to an alleged violator and to the
 41 counsel representing the commission within a specified
 42 timeframe; requiring such counsel to make a written
 43 recommendation for disposition of a complaint or
 44 referral within a specified timeframe after receiving
 45 the investigatory report; requiring the commission to
 46 transmit such written recommendation to the alleged
 47 violator within a specified timeframe; providing that
 48 the alleged violator has a specified timeframe to
 49 respond in writing to the counsel's written
 50 recommendation; requiring the commission, upon receipt

51 of the counsel's written recommendation, to schedule a
 52 probable cause hearing for the next executive session
 53 of the commission for which notice requirements can be
 54 met; providing that, under specified conditions, the
 55 commission may dismiss complaints or referrals before
 56 completion of a preliminary investigation; providing a
 57 timeframe within which the commission must transmit a
 58 copy of the order finding probable cause to the
 59 complainant and the alleged violator after a finding
 60 of probable cause; specifying that an alleged violator
 61 is entitled to request a formal public hearing before
 62 the Division of Administrative Hearings or may select
 63 an informal public hearing with the commission;
 64 providing that persons are deemed to waive their
 65 rights to a formal or an informal public hearing if
 66 the request is not received within a specified
 67 timeframe; providing the timeframe within which the
 68 commission must conduct an informal public hearing;
 69 requiring the commission to schedule a case that has
 70 been relinquished from the Division of Administrative
 71 Hearings for additional action at the next commission
 72 meeting for which notice requirements can be met;
 73 requiring the commission to complete final action on
 74 such case within a specified timeframe; requiring a
 75 specified number of commissioners to vote to reject or

76 deviate from a written recommendation made by the
 77 counsel representing the commission; providing that
 78 specified timeframes are tolled until the completion
 79 of a related criminal investigation or prosecution,
 80 excluding appeals, whichever occurs later; providing
 81 that a harmless error standard applies to the
 82 commission regarding specified timeframes; providing
 83 an effective date.

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

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91 (4) A violation of s. 8(f), Art. II of the State
 92 Constitution may be punished by one or more of the following:

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94 Section 2. Subsection (1) of section 112.321, Florida
 95 Statutes, is amended to read:

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 99 than three of whom shall be from the same political party,
 100 subject to confirmation by the Senate. One member appointed by

101 | the Governor shall be a former city or county official and may
 102 | be a former member of a local planning or zoning board which has
 103 | only advisory duties. Two members shall be appointed by the
 104 | Speaker of the House of Representatives, and two members shall
 105 | be appointed by the President of the Senate. Neither the Speaker
 106 | of the House of Representatives nor the President of the Senate
 107 | shall appoint more than one member from the same political
 108 | party. Of the nine members of the commission, no more than five
 109 | members shall be from the same political party at any one time.
 110 | A ~~No~~ member may not hold any public employment. An individual
 111 | who qualifies as a lobbyist pursuant to s. 11.045 or s. 112.3215
 112 | or pursuant to any local government charter or ordinance may not
 113 | serve as a member of the commission, ~~except that this~~
 114 | ~~prohibition does not apply to an individual who is a member of~~
 115 | ~~the commission on July 1, 2006, until the expiration of his or~~
 116 | ~~her current term.~~ A member of the commission may not lobby any
 117 | state or local governmental entity as provided in s. 11.045 or
 118 | s. 112.3215 or as provided by any local government charter or
 119 | ordinance, ~~except that this prohibition does not apply to an~~
 120 | ~~individual who is a member of the commission on July 1, 2006,~~
 121 | ~~until the expiration of his or her current term.~~ All members
 122 | shall serve 2-year terms. A member may not serve more than two
 123 | full terms ~~in succession.~~ Any member of the commission may be
 124 | removed for cause by majority vote of the Governor, the
 125 | President of the Senate, the Speaker of the House of

126 Representatives, and the Chief Justice of the Supreme Court.

127 Section 3. Subsection (7) of section 112.317, Florida
 128 Statutes, is amended to read:

129 112.317 Penalties.—

130 (7) In any case in which the commission determines that a
 131 person has filed a complaint against a public officer, an ~~or~~
 132 employee, or a candidate for public office with a malicious
 133 intent to injure the reputation of such officer, ~~or~~ employee, or
 134 candidate by filing the complaint with knowledge that the
 135 complaint contains one or more false allegations or with
 136 reckless disregard for whether the complaint contains false
 137 allegations of fact material to a violation of this part, the
 138 complainant shall be liable for costs plus reasonable attorney
 139 fees incurred in the defense of the person complained against,
 140 including the costs and reasonable attorney fees incurred in
 141 proving entitlement to and the amount of costs and fees. If the
 142 complainant fails to pay such costs and fees voluntarily within
 143 30 days following such finding by the commission, the commission
 144 shall forward such information to the Department of Legal
 145 Affairs, which shall bring a civil action in a court of
 146 competent jurisdiction to recover the amount of such costs and
 147 fees awarded by the commission.

148 Section 4. Subsections (1) and (3) of section 112.324,
 149 Florida Statutes, are amended to read:

150 112.324 Procedures on complaints of violations and

151 | referrals; public records and meeting exemptions.—

152 | (1) The commission shall investigate an alleged violation
 153 | of this part or other alleged breach of the public trust within
 154 | the jurisdiction of the commission as provided in s. 8(f), Art.
 155 | II of the State Constitution:

156 | (a) Upon a written complaint executed on a form prescribed
 157 | by the commission and signed under oath or affirmation by any
 158 | person; or

159 | (b) Upon receipt of a written referral of a possible
 160 | violation of this part or other possible breach of the public
 161 | trust from the Governor, the Department of Law Enforcement, a
 162 | state attorney, or a United States Attorney ~~which at least six~~
 163 | ~~members of the commission determine is sufficient to indicate a~~
 164 | ~~violation of this part or any other breach of the public trust.~~

165 |
 166 | Within 5 days after receipt of a complaint or referral by the
 167 | commission ~~or a determination by at least six members of the~~
 168 | ~~commission that the referral received is deemed sufficient~~, a
 169 | copy must ~~shall~~ be transmitted to the alleged violator.

170 | (3) (a) A preliminary investigation must ~~shall~~ be
 171 | undertaken by the commission within 30 days after its receipt of
 172 | each technically and legally sufficient complaint or referral
 173 | over which the commission has jurisdiction to determine whether
 174 | there is probable cause to believe that a violation has
 175 | occurred. A complainant may submit an amended complaint up to 60

176 days after the commission receives the initial complaint. The
177 probable cause determination is the conclusion of the
178 preliminary investigation. The commission shall complete the
179 preliminary investigation, including the probable cause
180 determination, no later than 1 year after the beginning of the
181 preliminary investigation.

182 (b) An investigatory report must be completed no later
183 than 150 days after the beginning of the preliminary
184 investigation. If, at any one meeting of the commission held
185 during a preliminary investigation, at least six members of the
186 commission determine that additional time is necessary to
187 adequately complete such investigation, the commission may
188 extend the timeframe to complete the preliminary investigation
189 by no more than 60 days. During such meeting, the commission
190 shall document its reasons for extending the investigation and
191 transmit a copy of such documentation to the alleged violator
192 and complainant no later than 5 days after the extension is
193 ordered. The investigatory report must be transmitted to the
194 alleged violator and to the counsel representing the commission
195 no later than 5 days after completion of the report. The counsel
196 representing the commission shall make a written recommendation
197 to the commission for the disposition of the complaint or
198 referral no later than 15 days after he or she receives the
199 completed investigatory report. The commission shall transmit
200 the counsel's written recommendation to the alleged violator no

201 later than 5 days after its completion. The alleged violator has
 202 14 days after the mailing date of the counsel's written
 203 recommendation to respond in writing to the recommendation.

204 (c) Upon receipt of the counsel's written recommendation,
 205 the commission shall schedule a probable cause hearing for the
 206 next executive session of the commission for which notice
 207 requirements can be met.

208 (d) If, upon completion of the preliminary investigation,
 209 the commission finds no probable cause to believe that this part
 210 has been violated, or that no ~~any~~ other breach of the public
 211 trust has been committed, the commission must ~~shall~~ dismiss the
 212 complaint or referral with the issuance of a public report to
 213 the complainant and the alleged violator, stating with
 214 particularity its reasons for dismissal. At that time, the
 215 complaint or referral and all materials relating to the
 216 complaint or referral ~~shall~~ become a matter of public record.

217 (e) If the commission finds from the preliminary
 218 ~~investigation~~ probable cause to believe that this part has been
 219 violated or that any other breach of the public trust has been
 220 committed, it must transmit a copy of the order finding probable
 221 cause to ~~shall so notify~~ the complainant and the alleged
 222 violator in writing no later than 5 days after the date of the
 223 probable cause determination. Such notification and all
 224 documents made or received in the disposition of the complaint
 225 or referral ~~shall then~~ become public records. Upon request

226 submitted to the commission in writing, any person who the
 227 commission finds probable cause to believe has violated any
 228 provision of this part or has committed any other breach of the
 229 public trust is ~~shall be~~ entitled to a public hearing and may
 230 elect to have a formal administrative hearing conducted by an
 231 administrative law judge in the Division of Administrative
 232 Hearings. If the person does not elect to have a formal
 233 administrative hearing by an administrative law judge, the
 234 person is entitled to an informal public hearing conducted
 235 before the commission. Such person ~~is~~ ~~shall be~~ deemed to have
 236 waived the right to a formal or an informal public hearing if
 237 the request is not received within 14 days after ~~following~~ the
 238 mailing date of the probable cause notification required by this
 239 paragraph ~~subsection~~. However, the commission may, on its own
 240 motion, require a formal or an informal public hearing.

241 (f) If the commission conducts an informal public hearing,
 242 it must be held no later than 75 days after the date of the
 243 probable cause determination.

244 (g) If the commission refers a case to the Division of
 245 Administrative Hearings for a formal public hearing and
 246 subsequently requests that the case be relinquished back to the
 247 commission, or if the administrative law judge assigned to the
 248 case relinquishes jurisdiction back to the commission before a
 249 recommended order is entered, the commission must schedule the
 250 case for additional action at the next commission meeting for

251 which notice requirements can be met. At the next subsequent
 252 commission meeting, the commission must complete final action on
 253 such case.

254 (h) The commission, ~~may conduct such further investigation~~
 255 ~~as it deems necessary, and~~ may enter into such stipulations and
 256 settlements as it finds to be just and in the best interest of
 257 the state. The commission is without jurisdiction to, and no
 258 respondent may voluntarily or involuntarily, enter into a
 259 stipulation or settlement which imposes any penalty, including,
 260 but not limited to, a sanction or admonition or any other
 261 penalty contained in s. 112.317. Penalties may ~~shall~~ be imposed
 262 only by the appropriate disciplinary authority as designated in
 263 this section.

264 (i) At least six members of the commission must vote to
 265 reject or deviate from a written recommendation of the counsel
 266 representing the commission.

267 (j) If a criminal complaint related to an investigation
 268 pursuant to this section is filed, the timeframes in this
 269 subsection are tolled until completion of the criminal
 270 investigation or prosecution, excluding any appeals from such
 271 prosecution, whichever occurs later.

272 (k) The failure of the commission to comply with the
 273 timeframes provided in this subsection constitutes harmless
 274 error in any related disciplinary action unless a court finds
 275 that the fairness of the proceedings or the correctness of an

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276 action may have been impaired by a material error in procedure
277 or a failure to follow prescribed procedure.

278 Section 5. This act shall take effect October 1, 2024.

By the Committees on Ethics and Elections; and Community Affairs; and Senator Ingoglia

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1 A bill to be entitled
2 An act relating to government accountability; amending
3 s. 112.313, F.S.; defining the term "foreign country
4 of concern"; prohibiting specified individuals from
5 soliciting or accepting anything of value from a
6 foreign country of concern; making technical changes;
7 creating s. 112.3262, F.S.; defining terms;
8 prohibiting a person from lobbying a county,
9 municipality, or special district unless he or she is
10 registered as a lobbyist with the Commission on
11 Ethics; establishing registration requirements;
12 requiring that lobbyist registrations be made
13 available to the public on its website; establishing
14 procedures for canceling a lobbyist's registration;
15 requiring counties, municipalities, or special
16 districts to be diligent in determining whether
17 certain persons have registered with the commission;
18 prohibiting counties, municipalities, or special
19 districts from authorizing nonregistered persons to
20 lobby specified entities; requiring the commission to
21 investigate a lobbyist or principal upon receipt of a
22 sworn complaint containing certain allegations;
23 requiring the commission to provide the chief
24 executive officer of the county or municipality or the
25 governing body of the special district with a report
26 on the findings and recommendations arising out of the
27 investigation; authorizing the chief executive officer
28 of the county or municipality or the governing body of
29 the special district to enforce the findings and

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30 recommendations; providing that specified provisions
31 preempt and supersede specified ordinances or charter
32 provisions adopted before a specified date; amending
33 s. 125.73, F.S.; prohibiting the governing body of a
34 county from renewing or extending the employment
35 contract of a county administrator during a specified
36 timeframe; providing an exception; creating s. 125.75,
37 F.S.; prohibiting the governing body of a county from
38 renewing or extending the employment contract of the
39 county attorney during a specified timeframe;
40 providing an exception; amending s. 166.021, F.S.;
41 prohibiting the governing body of a municipality from
42 renewing or extending the employment contract of a
43 chief executive officer of the municipality or the
44 city attorney during a specified timeframe; providing
45 exceptions; amending s. 1001.50, F.S.; prohibiting a
46 district school board from renewing or extending the
47 employment contract of a district school
48 superintendent during a specified timeframe; providing
49 an exception; creating s. 1012.336, F.S.; prohibiting
50 a district school board from renewing or extending the
51 employment contract of the general counsel of the
52 district school board during a specified timeframe;
53 providing an exception; amending s. 112.061, F.S.;
54 conforming cross-references; reenacting ss.
55 28.35(1)(b), 112.3136(1), 112.3251, 288.012(6)(d),
56 288.8014(4), 288.9604(3)(a), 295.21(4)(d), 406.06(5),
57 447.509(1)(d), 627.311(5)(m), 1002.33(26)(a),
58 1002.333(6)(f), and 1002.83(9), F.S., relating to

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59 members of the executive council of the Florida Clerks
60 of Court Operations Corporation, standards of conduct
61 for officers and employees of entities serving as
62 chief administrative officers of political
63 subdivisions, the ethics code and standards of conduct
64 for citizen support and direct-support organizations,
65 senior managers and members of the board of directors
66 of the direct-support organization of State of Florida
67 international offices, standards of conduct for
68 members of the board of directors of Triumph Gulf
69 Coast, Inc., directors of the Florida Development
70 Finance Corporation, standards of conduct for the
71 board of directors of Florida Is For Veterans, Inc.,
72 standards of conduct for district and associate
73 medical examiners, prohibited actions of employee
74 organizations, their members, agents, representatives,
75 or persons acting on their behalf, standards of
76 conduct for senior managers, officers, and members of
77 the board of governors of the Office of Insurance
78 Regulation, standards of conduct and financial
79 disclosure for members of a governing board of a
80 charter school, those operating schools of hope, and
81 standards of conduct for members of an early learning
82 coalition, respectively, to incorporate the amendments
83 made to s. 112.313, F.S., in references thereto;
84 providing an effective date.

85

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

87

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88 Section 1. Subsections (1) and (2) of section 112.313,
89 Florida Statutes, are amended to read:

90 112.313 Standards of conduct for public officers, employees
91 of agencies, and local government attorneys.—

92 (1) DEFINITIONS ~~DEFINITION~~.—As used in this section, unless
93 the context otherwise requires, the term:

94 (a) “Foreign country of concern” has the same meaning as in
95 s. 286.101.

96 (b) “Public officer” includes any person elected or
97 appointed to hold office in any agency, including any person
98 serving on an advisory body.

99 (2) SOLICITATION OR ACCEPTANCE OF GIFTS.—

100 (a) A ~~Ne~~ public officer, an employee of an agency, a local
101 government attorney, or a candidate for nomination or election
102 may not shall solicit or accept anything of value to the
103 recipient, including a gift, loan, reward, promise of future
104 employment, favor, or service, based upon any understanding that
105 the vote, official action, or judgment of the public officer,
106 employee, local government attorney, or candidate would be
107 influenced thereby.

108 (b) A public officer, an employee of an agency, a local
109 government attorney, or a candidate for nomination or election
110 may not solicit or accept anything of value to the recipient,
111 including a gift, loan, reward, promise of future employment,
112 favor, or service, from a foreign country of concern.

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

115 112.3262 Lobbying before special districts, counties, and
116 municipalities; registration and reporting.—

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117 (1) As used in this section, the term:
118 (a) "Lobby" or "lobbies" means to seek, on behalf of
119 another person or group, to influence a county, municipality, or
120 special district with respect to a decision of that entity in an
121 area of policy or procurement or in an attempt to obtain the
122 goodwill of an official or employee of such entity. The term
123 must be interpreted and applied consistently with the rules of
124 the commission implementing s. 112.3215.

125 (b) "Lobbyist" has the same meaning as in s. 112.3215(1).
126 (c) "Principal" has the same meaning as in s. 112.3215(1).

127 (2) A person may not lobby a county, municipality, or
128 special district unless he or she is registered as a lobbyist
129 with the commission to lobby a county, municipality, or special
130 district. The commission shall note in a public database that
131 such person is registered to lobby a county, municipality, or
132 special district. Such registration is due upon the person's
133 initial retention as a lobbyist and is renewable on a calendar-
134 year basis thereafter. Such person shall, at the time of
135 registration, provide a statement signed by the principal or
136 principal's representative stating that the registrant is
137 authorized to represent the principal. The statement must also
138 identify and designate the principal's main business and
139 authorize the registrant pursuant to a classification system
140 approved by the commission. Any changes in the information
141 provided pursuant to this subsection must be disclosed within 15
142 days after the change occurs by the lobbyist filing a new
143 registration form. The lobbyist shall disclose under oath on a
144 lobbyist registration form used by the commission all of the
145 following information:

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- 146 (a) The lobbyist's name and business address.
- 147 (b) The name and business address of each principal
148 represented.
- 149 (c) The existence of any direct or indirect business
150 association, partnership, or financial relationship the lobbyist
151 has with any officer or employee of the county, municipality, or
152 special district that he or she lobbies or intends to lobby.
- 153 (3) The commission shall make the registrations of
154 lobbyists who register to lobby a county, municipality, or
155 special district available to the public on its website.
- 156 (4) A lobbyist shall promptly send a written statement to
157 the commission canceling the registration for a principal upon
158 termination of the lobbyist's representation of that principal.
159 The commission may remove the name of a lobbyist from the list
160 of registered lobbyists for counties, municipalities, and
161 special districts if the principal notifies the state that a
162 person is no longer authorized to represent that principal
163 before such entity.
- 164 (5) A county, municipality, or special district shall be
165 diligent in determining whether persons required to register
166 with the commission pursuant to this section have complied. A
167 county, municipality, or special district may not knowingly
168 authorize a person who is not registered pursuant to this
169 section to lobby the county, municipality, or special district.
- 170 (6) Upon receipt of a sworn complaint alleging that a
171 lobbyist or principal has failed to register with the commission
172 to lobby a county, municipality, or special district or has
173 knowingly submitted false information in a report or
174 registration required under this section, the commission shall

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175 investigate the lobbyist or principal pursuant to the procedures
176 established under s. 112.324. The commission shall provide the
177 chief executive officer of the county or municipality or the
178 governing body of the special district with a report of its
179 findings and recommendations arising out of any investigation
180 conducted under this subsection. The chief executive officer of
181 the county or municipality or the governing body of the special
182 district may enforce the commission's findings and
183 recommendations.

184 (7) This section preempts and supersedes any ordinance or
185 charter provision establishing a lobbyist registration program
186 adopted before July 1, 2024.

187 Section 3. Subsection (5) is added to section 125.73,
188 Florida Statutes, to read:

189 125.73 County administrator; appointment, qualifications,
190 compensation.—

191 (5) The governing body of a county may not renew or extend
192 the employment contract of a county administrator during the 8
193 months immediately preceding a general election for county
194 mayor, if applicable, or for members of the governing body of
195 the county unless the governing body approves such renewal or
196 extension by a unanimous vote.

197 Section 4. Section 125.75, Florida Statutes, is created to
198 read:

199 125.75 Contract for the county attorney.—The governing body
200 of a county may not renew or extend the contract of the county
201 attorney during the 8 months immediately preceding a general
202 election for county mayor, if applicable, or for members of the
203 governing body of the county unless the governing body approves

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204 such renewal or extension by a unanimous vote.

205 Section 5. Present subsection (9) of section 166.021,
 206 Florida Statutes, is redesignated as subsection (10), and a new
 207 subsection (9) is added to that section, to read:

208 166.021 Powers.—

209 (9) (a) The governing body of a municipality may not renew
 210 or extend the employment contract of a chief executive officer
 211 of the municipality during the 8 months immediately preceding a
 212 general election for the municipal mayor or for members of the
 213 governing body of the municipality unless the governing body
 214 approves such renewal or extension by a unanimous vote.

215 (b) The governing body of a municipality may not renew or
 216 extend the employment contract of the city attorney during the 8
 217 months immediately preceding a general election for the
 218 municipal mayor or for members of the governing body of the
 219 municipality unless the governing body approves such renewal or
 220 extension by a unanimous vote.

221 Section 6. Subsection (2) of section 1001.50, Florida
 222 Statutes, is amended to read:

223 1001.50 Superintendents employed under Art. IX of the State
 224 Constitution.—

225 (2) Each district school board shall enter into an
 226 employment contract with the district school superintendent and
 227 shall adopt rules relating to his or her appointment; however,
 228 if the employment contract contains a provision for severance
 229 pay, it must include the provisions required by s. 215.425. The
 230 district school board may not renew or extend the employment
 231 contract of a superintendent during the 8 months immediately
 232 preceding a general election for district school board members

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233 unless the district school board approves such renewal or
234 extension by a unanimous vote.

235 Section 7. Section 1012.336, Florida Statutes, is created
236 to read:

237 1012.336 Contracts with general counsels of district school
238 boards.—A district school board may not renew or extend the
239 employment contract of the general counsel of the district
240 school board during the 8 months immediately preceding a general
241 election for district school board members unless the district
242 school board approves such renewal or extension by a unanimous
243 vote.

244 Section 8. Paragraphs (a) and (c) of subsection (14) of
245 section 112.061, Florida Statutes, are amended to read:

246 112.061 Per diem and travel expenses of public officers,
247 employees, and authorized persons; statewide travel management
248 system.—

249 (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT
250 SCHOOL BOARDS, SPECIAL DISTRICTS, AND METROPOLITAN PLANNING
251 ORGANIZATIONS.—

252 (a) The following entities may establish rates that vary
253 from the per diem rate provided in paragraph (6) (a), the
254 subsistence rates provided in paragraph (6) (b), or the mileage
255 rate provided in paragraph (7) (d) if those rates are not less
256 than the statutorily established rates that are in effect for
257 the 2005-2006 fiscal year:

258 1. The governing body of a county by the enactment of an
259 ordinance or resolution;

260 2. A county constitutional officer, pursuant to s. 1(d),
261 Art. VIII of the State Constitution, by the establishment of

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262 written policy;

263 3. The governing body of a district school board by the
264 adoption of rules;

265 4. The governing body of a special district, as defined in
266 s. 189.012, except those special districts that are subject to
267 s. 166.021(10) ~~s. 166.021(9)~~, by the enactment of a resolution;
268 or

269 5. Any metropolitan planning organization created pursuant
270 to s. 339.175 or any other separate legal or administrative
271 entity created pursuant to s. 339.175 of which a metropolitan
272 planning organization is a member, by the enactment of a
273 resolution.

274 (c) Except as otherwise provided in this subsection,
275 counties, county constitutional officers and entities governed
276 by those officers, district school boards, special districts,
277 and metropolitan planning organizations, other than those
278 subject to s. 166.021(10) ~~s. 166.021(9)~~, remain subject to the
279 requirements of this section.

280 Section 9. For the purpose of incorporating the amendments
281 made by this act to section 112.313, Florida Statutes, in
282 references thereto, paragraph (b) of subsection (1) of section
283 28.35, Florida Statutes, is reenacted to read:

284 28.35 Florida Clerks of Court Operations Corporation.-

285 (1)

286 (b)1. The executive council shall be composed of eight
287 clerks of the court elected by the clerks of the courts for a
288 term of 2 years, with two clerks from counties with a population
289 of fewer than 100,000, two clerks from counties with a
290 population of at least 100,000 but fewer than 500,000, two

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291 clerks from counties with a population of at least 500,000 but
292 fewer than 1 million, and two clerks from counties with a
293 population of 1 million or more. The executive council shall
294 also include, as ex officio members, a designee of the President
295 of the Senate and a designee of the Speaker of the House of
296 Representatives. The Chief Justice of the Supreme Court shall
297 designate one additional member to represent the state courts
298 system.

299 2. Members of the executive council of the corporation are
300 subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135;
301 and 112.3143(2). For purposes of applying ss. 112.313(1)-(8),
302 (10), (12), and (15); 112.3135; and 112.3143(2) to activities of
303 executive council members, members shall be considered public
304 officers and the corporation shall be considered the members'
305 agency.

306 Section 10. For the purpose of incorporating the amendments
307 made by this act to section 112.313, Florida Statutes, in
308 references thereto, subsection (1) of section 112.3136, Florida
309 Statutes, is reenacted to read:

310 112.3136 Standards of conduct for officers and employees of
311 entities serving as chief administrative officer of political
312 subdivisions.—The officers, directors, and chief executive
313 officer of a corporation, partnership, or other business entity
314 that is serving as the chief administrative or executive officer
315 or employee of a political subdivision, and any business entity
316 employee who is acting as the chief administrative or executive
317 officer or employee of the political subdivision, for the
318 purposes of the following sections, are public officers and
319 employees who are subject to the following standards of conduct

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320 of this part:

321 (1) Section 112.313, and their "agency" is the political
322 subdivision that they serve; however, the contract under which
323 the business entity serves as chief executive or administrative
324 officer of the political subdivision is not deemed to violate s.
325 112.313(3) or (7).

326 Section 11. For the purpose of incorporating the amendments
327 made by this act to section 112.313, Florida Statutes, in
328 references thereto, section 112.3251, Florida Statutes, is
329 reenacted to read:

330 112.3251 Citizen support and direct-support organizations;
331 standards of conduct.—A citizen support or direct-support
332 organization created or authorized pursuant to law must adopt
333 its own ethics code. The ethics code must contain the standards
334 of conduct and disclosures required under ss. 112.313 and
335 112.3143(2), respectively. However, an ethics code adopted
336 pursuant to this section is not required to contain the
337 standards of conduct specified in s. 112.313(3) or (7). The
338 citizen support or direct-support organization may adopt
339 additional or more stringent standards of conduct and disclosure
340 requirements if those standards of conduct and disclosure
341 requirements do not otherwise conflict with this part. The
342 ethics code must be conspicuously posted on the citizen support
343 or direct-support organization's website.

344 Section 12. For the purpose of incorporating the amendments
345 made by this act to section 112.313, Florida Statutes, in
346 references thereto, paragraph (d) of subsection (6) of section
347 288.012, Florida Statutes, is reenacted to read:

348 288.012 State of Florida international offices; direct-

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349 support organization.—The Legislature finds that the expansion
350 of international trade and tourism is vital to the overall
351 health and growth of the economy of this state. This expansion
352 is hampered by the lack of technical and business assistance,
353 financial assistance, and information services for businesses in
354 this state. The Legislature finds that these businesses could be
355 assisted by providing these services at State of Florida
356 international offices. The Legislature further finds that the
357 accessibility and provision of services at these offices can be
358 enhanced through cooperative agreements or strategic alliances
359 between private businesses and state, local, and international
360 governmental entities.

361 (6)

362 (d) The senior managers and members of the board of
363 directors of the organization are subject to ss. 112.313(1)-(8),
364 (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of
365 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
366 112.3143(2) to activities of the president and staff, those
367 persons shall be considered public officers or employees and the
368 corporation shall be considered their agency. The exemption set
369 forth in s. 112.313(12) for advisory boards applies to the
370 members of board of directors. Further, each member of the board
371 of directors who is not otherwise required to file financial
372 disclosures pursuant to s. 8, Art. II of the State Constitution
373 or s. 112.3144, shall file disclosure of financial interests
374 pursuant to s. 112.3145.

375 Section 13. For the purpose of incorporating the amendments
376 made by this act to section 112.313, Florida Statutes, in
377 references thereto, subsection (4) of section 288.8014, Florida

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378 Statutes, is reenacted to read:

379 288.8014 Triumph Gulf Coast, Inc.; organization; board of
380 directors.-

381 (4) The Legislature determines that it is in the public
382 interest for the members of the board of directors to be subject
383 to the requirements of ss. 112.313, 112.3135, and 112.3143,
384 notwithstanding the fact that the board members are not public
385 officers or employees. For purposes of those sections, the board
386 members shall be considered to be public officers or employees.
387 In addition to the postemployment restrictions of s. 112.313(9),
388 a person appointed to the board of directors must agree to
389 refrain from having any direct interest in any contract,
390 franchise, privilege, project, program, or other benefit arising
391 from an award by Triumph Gulf Coast, Inc., during the term of
392 his or her appointment and for 6 years after the termination of
393 such appointment. It is a misdemeanor of the first degree,
394 punishable as provided in s. 775.082 or s. 775.083, for a person
395 to accept appointment to the board of directors in violation of
396 this subsection or to accept a direct interest in any contract,
397 franchise, privilege, project, program, or other benefit granted
398 by Triumph Gulf Coast, Inc., to an awardee within 6 years after
399 the termination of his or her service on the board. Further,
400 each member of the board of directors who is not otherwise
401 required to file financial disclosure under s. 8, Art. II of the
402 State Constitution or s. 112.3144 shall file disclosure of
403 financial interests under s. 112.3145.

404 Section 14. For the purpose of incorporating the amendments
405 made by this act to section 112.313, Florida Statutes, in
406 references thereto, paragraph (a) of subsection (3) of section

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407 288.9604, Florida Statutes, is reenacted to read:

408 288.9604 Creation of the corporation.—

409 (3)(a)1. A director may not receive compensation for his or
 410 her services, but is entitled to necessary expenses, including
 411 travel expenses, incurred in the discharge of his or her duties.
 412 Each appointed director shall hold office until his or her
 413 successor has been appointed.

414 2. Directors are subject to ss. 112.313(1)-(8), (10), (12),
 415 and (15); 112.3135; and 112.3143(2). For purposes of applying
 416 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
 417 112.3143(2) to activities of directors, directors are considered
 418 public officers and the corporation is considered their agency.

419 Section 15. For the purpose of incorporating the amendments
 420 made by this act to section 112.313, Florida Statutes, in
 421 references thereto, paragraph (d) of subsection (4) of section
 422 295.21, Florida Statutes, is reenacted to read:

423 295.21 Florida Is For Veterans, Inc.—

424 (4) GOVERNANCE.—

425 (d) The Legislature finds that it is in the public interest
 426 for the members of the board of directors to be subject to the
 427 requirements of ss. 112.313, 112.3135, and 112.3143.

428 Notwithstanding the fact that they are not public officers or
 429 employees, for purposes of ss. 112.313, 112.3135, and 112.3143,
 430 the board members shall be considered to be public officers or
 431 employees. In addition to the postemployment restrictions of s.
 432 112.313(9), a person appointed to the board of directors may not
 433 have direct interest in a contract, franchise, privilege,
 434 project, program, or other benefit arising from an award by the
 435 corporation during the appointment term and for 2 years after

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436 the termination of such appointment. A person who accepts
437 appointment to the board of directors in violation of this
438 subsection, or accepts a direct interest in a contract,
439 franchise, privilege, project, program, or other benefit granted
440 by the corporation to an awardee within 2 years after the
441 termination of his or her service on the board, commits a
442 misdemeanor of the first degree, punishable as provided in s.
443 775.082 or s. 775.083. Further, each member of the board of
444 directors who is not otherwise required to file financial
445 disclosure under s. 8, Art. II of the State Constitution or s.
446 112.3144 shall file a statement of financial interests under s.
447 112.3145.

448 Section 16. For the purpose of incorporating the amendments
449 made by this act to section 112.313, Florida Statutes, in a
450 reference thereto, subsection (5) of section 406.06, Florida
451 Statutes, is reenacted to read:

452 406.06 District medical examiners; associates; suspension
453 of medical examiners.—

454 (5) District medical examiners and associate medical
455 examiners are public officers for purposes of s. 112.313 and the
456 standards of conduct prescribed thereunder.

457 Section 17. For the purpose of incorporating the amendments
458 made by this act to section 112.313, Florida Statutes, in
459 references thereto, paragraph (d) of subsection (1) of section
460 447.509, Florida Statutes, is reenacted to read:

461 447.509 Other unlawful acts.—

462 (1) Employee organizations, their members, agents, or
463 representatives, or any persons acting on their behalf are
464 hereby prohibited from:

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465 (d) Offering anything of value to a public officer as
466 defined in s. 112.313(1) which the public officer is prohibited
467 from accepting under s. 112.313(2).

468 Section 18. For the purpose of incorporating the amendments
469 made by this act to section 112.313, Florida Statutes, in
470 references thereto, paragraph (m) of subsection (5) of section
471 627.311, Florida Statutes, is reenacted to read:

472 627.311 Joint underwriters and joint reinsurers; public
473 records and public meetings exemptions.—

474 (5)

475 (m) Senior managers and officers, as defined in the plan of
476 operation, and members of the board of governors are subject to
477 the provisions of ss. 112.313, 112.3135, 112.3143, 112.3145,
478 112.316, and 112.317. Senior managers, officers, and board
479 members are also required to file such disclosures with the
480 Commission on Ethics and the Office of Insurance Regulation. The
481 executive director of the plan or his or her designee shall
482 notify each newly appointed and existing appointed member of the
483 board of governors, senior manager, and officer of his or her
484 duty to comply with the reporting requirements of s. 112.3145.
485 At least quarterly, the executive director of the plan or his or
486 her designee shall submit to the Commission on Ethics a list of
487 names of the senior managers, officers, and members of the board
488 of governors who are subject to the public disclosure
489 requirements under s. 112.3145. Notwithstanding s. 112.313, an
490 employee, officer, owner, or director of an insurance agency,
491 insurance company, or other insurance entity may be a member of
492 the board of governors unless such employee, officer, owner, or
493 director of an insurance agency, insurance company, other

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494 insurance entity, or an affiliate provides policy issuance,
495 policy administration, underwriting, claims handling, or payroll
496 audit services. Notwithstanding s. 112.3143, such board member
497 may not participate in or vote on a matter if the insurance
498 agency, insurance company, or other insurance entity would
499 obtain a special or unique benefit that would not apply to other
500 similarly situated insurance entities.

501 Section 19. For the purpose of incorporating the amendments
502 made by this act to section 112.313, Florida Statutes, in a
503 reference thereto, paragraph (a) of subsection (26) of section
504 1002.33, Florida Statutes, is reenacted to read:

505 1002.33 Charter schools.—

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

507 (a) A member of a governing board of a charter school,
508 including a charter school operated by a private entity, is
509 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

510 Section 20. For the purpose of incorporating the amendments
511 made by this act to section 112.313, Florida Statutes, in a
512 reference thereto, paragraph (f) of subsection (6) of section
513 1002.333, Florida Statutes, is reenacted to read:

514 1002.333 Persistently low-performing schools.—

515 (6) STATUTORY AUTHORITY.—

516 (f) Schools of hope operated by a hope operator shall be
517 exempt from chapters 1000-1013 and all school board policies.
518 However, a hope operator shall be in compliance with the laws in
519 chapters 1000-1013 relating to:

520 1. The student assessment program and school grading
521 system.

522 2. Student progression and graduation.

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523 3. The provision of services to students with disabilities.

524 4. Civil rights, including s. 1000.05, relating to
525 discrimination.

526 5. Student health, safety, and welfare.

527 6. Public meetings and records, public inspection, and
528 criminal and civil penalties pursuant to s. 286.011. The
529 governing board of a school of hope must hold at least two
530 public meetings per school year in the school district in which
531 the school of hope is located. Any other meetings of the
532 governing board may be held in accordance with s. 120.54(5)(b)2.

533 7. Public records pursuant to chapter 119.

534 8. The code of ethics for public officers and employees
535 pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

536 Section 21. For the purpose of incorporating the amendments
537 made by this act to section 112.313, Florida Statutes, in a
538 reference thereto, subsection (9) of section 1002.83, Florida
539 Statutes, is reenacted to read:

540 1002.83 Early learning coalitions.—

541 (9) Each member of an early learning coalition is subject
542 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
543 112.3143(3)(a), each voting member is a local public officer who
544 must abstain from voting when a voting conflict exists.

545 Section 22. This act shall take effect July 1, 2024.

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Andrade offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (1) and (2) of section 112.313,
7 Florida Statutes, are amended to read:

8 112.313 Standards of conduct for public officers,
9 employees of agencies, and local government attorneys.—

10 (1) DEFINITIONS ~~DEFINITION~~.—As used in this section,
11 unless the context otherwise requires, the term:

12 (a) "Foreign country of concern" has the same meaning as
13 in s. 286.101.

14 (b) "Public officer" includes any person elected or
15 appointed to hold office in any agency, including any person
16 serving on an advisory body.

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17 (2) SOLICITATION OR ACCEPTANCE OF GIFTS.—

18 (a) A ~~Ne~~ public officer, an employee of an agency, a local
19 government attorney, or a candidate for nomination or election
20 may not ~~shall~~ solicit or accept anything of value to the
21 recipient, including a gift, loan, reward, promise of future
22 employment, favor, or service, based upon any understanding that
23 the vote, official action, or judgment of the public officer,
24 employee, local government attorney, or candidate would be
25 influenced thereby.

26 (b) A public officer, an employee of an agency, a local
27 government attorney, or a candidate for nomination or election
28 may not solicit or accept anything of value to the recipient,
29 including a gift, loan, reward, promise of future employment,
30 favor, or service, from a foreign country of concern.

31 Section 2. Paragraph (d) of subsection (1) of section
32 112.3144, Florida Statutes, is amended to read:

33 112.3144 Full and public disclosure of financial
34 interests.—

35 (1)

36 (d) Beginning January 1, 2025 ~~2024~~, the following local
37 officers must comply with the financial disclosure requirements
38 of s. 8, Art. II of the State Constitution and this section:

39 1. Mayors of counties and mayors of municipalities with
40 populations of more than 500 persons.

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41 2. Elected members of the governing body of a municipality
42 with a population of more than 500 persons.

43 Section 3. Section 112.3262, Florida Statutes, is created
44 to read:

45 112.3262 Lobbying before special districts, counties, and
46 municipalities; registration and reporting.—

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

48 (a) "Lobby" or "lobbies" means to seek, on behalf of
49 another person or group, to influence a county, municipality, or
50 special district with respect to a decision of that entity in an
51 area of policy or procurement or in an attempt to obtain the
52 goodwill of an official or employee of such entity. The term
53 must be interpreted and applied consistently with the rules of
54 the commission implementing s. 112.3215.

55 (b) "Lobbyist" has the same meaning as in s. 112.3215(1).

56 (c) "Principal" has the same meaning as in s. 112.3215(1).

57 (2) A person may not lobby a county, municipality, or
58 special district unless he or she is registered as a lobbyist
59 with the commission to lobby a county, municipality, or special
60 district. The commission must note in a public database that
61 such person is registered to lobby a county, municipality, or
62 special district. Such registration is due upon the person's
63 initial retention as a lobbyist and is renewable on a calendar-
64 year basis thereafter. Such person shall, at the time of
65 registration, provide a statement signed by the principal or

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66 principal's representative stating that the registrant is
67 authorized to represent the principal. The statement must also
68 identify and designate the principal's main business and
69 authorize the registrant pursuant to a classification system
70 approved by the commission. A lobbyist must disclose any changes
71 in the information provided pursuant to this subsection within
72 15 days after the change occurs by filing a new registration
73 form. The lobbyist must disclose, under oath, on a lobbyist
74 registration form used by the commission, all of the following
75 information:

76 (a) The lobbyist's name and business address.

77 (b) The name and business address of each principal
78 represented.

79 (c) The existence of any direct or indirect business
80 association, partnership, or financial relationship the lobbyist
81 has with any officer or employee of the county, municipality, or
82 special district that he or she lobbies or intends to lobby.

83 (3) The commission shall make the registrations of
84 lobbyists who register to lobby a county, municipality, or
85 special district available to the public on its website.

86 (4) A lobbyist shall promptly send a written statement to
87 the commission canceling the registration for a principal upon
88 termination of the lobbyist's representation of that principal.
89 The commission may remove the name of a lobbyist from the list
90 of registered lobbyists for counties, municipalities, and

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91 special districts if the principal notifies the commission that
92 a person is no longer authorized to represent that principal
93 before such entity.

94 (5) A county, municipality, or special district must be
95 diligent in determining whether persons required to register
96 with the commission pursuant to this section have complied. A
97 county, municipality, or special district may not knowingly
98 authorize a person who is not registered pursuant to this
99 section to lobby the county, municipality, or special district.

100 (6) Upon receipt of a sworn complaint alleging that a
101 lobbyist or principal has failed to register with the commission
102 to lobby a county, municipality, or special district, or has
103 knowingly submitted false information in a report or
104 registration required under this section, the commission shall
105 investigate the lobbyist or principal pursuant to the procedures
106 established under s. 112.324. The commission shall provide the
107 chief executive officer of the county or municipality or the
108 governing body of the special district with a report of its
109 findings and recommendations arising out of any investigation
110 conducted under this subsection. The chief executive officer of
111 the county or municipality or the governing body of the special
112 district may enforce the commission's findings and
113 recommendations.

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114 (7) This section does not preempt or supersede any
115 ordinance or charter provision establishing a lobbyist
116 registration program adopted before January 1, 2025.

117 Section 4. Subsection (5) is added to section 125.73,
118 Florida Statutes, to read:

119 125.73 County administrator; appointment, qualifications,
120 compensation.—

121 (5) The governing body of a county may not renew or extend
122 the employment contract of a county administrator during the 8
123 months immediately preceding a general election for county
124 mayor, if applicable, or for members of the governing body of
125 the county unless the governing body approves such renewal or
126 extension by a unanimous vote.

127 Section 5. Section 125.75, Florida Statutes, is created to
128 read:

129 125.75 Contract for the county attorney.—The governing
130 body of a county may not renew or extend the contract of the
131 county attorney during the 8 months immediately preceding a
132 general election for county mayor, if applicable, or for members
133 of the governing body of the county unless the governing body
134 approves such renewal or extension by a unanimous vote.

135 Section 6. Subsection (9) of section 166.021, Florida
136 Statutes, is renumbered as subsection (10), and a new subsection
137 (9) is added to that section, to read:

138 166.021 Powers.—

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139 (9) (a) The governing body of a municipality may not renew
140 or extend the employment contract of a chief executive officer
141 of the municipality during the 8 months immediately preceding a
142 general election for the municipal mayor or for members of the
143 governing body of the municipality unless the governing body
144 approves such renewal or extension by a unanimous vote.

145 (b) The governing body of a municipality may not renew or
146 extend the employment contract of the city attorney during the 8
147 months immediately preceding a general election for the
148 municipal mayor or for members of the governing body of the
149 municipality unless the governing body approves such renewal or
150 extension by a unanimous vote.

151 Section 7. Subsection (1) of section 166.031, Florida
152 Statutes, is amended to read:

153 166.031 Charter amendments.—

154 (1) The governing body of a municipality may, by
155 ordinance, or the electors of a municipality may, by petition
156 signed by 10 percent of the registered electors as of the last
157 preceding municipal general election, submit to the electors of
158 said municipality a proposed amendment to its charter, which
159 amendment may be to any part or to all of said charter except
160 that part describing the boundaries of such municipality. The
161 governing body of the municipality must ~~shall~~ place the proposed
162 amendment contained in the ordinance or petition to a vote of
163 the electors at the next general election held in the county,

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164 the next municipal election, within the municipality or at a
165 special election called for such purpose, whichever is earliest.

166 Section 8. Subsection (2) of section 1001.50, Florida
167 Statutes, is amended to read:

168 1001.50 Superintendents employed under Art. IX of the
169 State Constitution.—

170 (2) Each district school board shall enter into an
171 employment contract with the district school superintendent and
172 shall adopt rules relating to his or her appointment; however,
173 if the employment contract contains a provision for severance
174 pay, it must include the provisions required by s. 215.425. The
175 district school board may not renew or extend the employment
176 contract of a superintendent during the 8 months immediately
177 preceding a general election for district school board members
178 unless the district school board approves such renewal or
179 extension by a unanimous vote.

180 Section 9. Section 1012.336, Florida Statutes, is created
181 to read:

182 1012.336 Contracts with general counsels of district
183 school boards.—A district school board may not renew or extend
184 the employment contract of the general counsel of a district
185 school board during the 8 months immediately preceding a general
186 election for district school board members unless the district
187 school board approves such renewal or extension by a unanimous
188 vote.

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189 Section 10. Paragraphs (a) and (c) of subsection (14) of
190 section 112.061, Florida Statutes, are amended to read:

191 112.061 Per diem and travel expenses of public officers,
192 employees, and authorized persons; statewide travel management
193 system.—

194 (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT
195 SCHOOL BOARDS, SPECIAL DISTRICTS, AND METROPOLITAN PLANNING
196 ORGANIZATIONS.—

197 (a) The following entities may establish rates that vary
198 from the per diem rate provided in paragraph (6) (a), the
199 subsistence rates provided in paragraph (6) (b), or the mileage
200 rate provided in paragraph (7) (d) if those rates are not less
201 than the statutorily established rates that are in effect for
202 the 2005-2006 fiscal year:

203 1. The governing body of a county by the enactment of an
204 ordinance or resolution;

205 2. A county constitutional officer, pursuant to s. 1(d),
206 Art. VIII of the State Constitution, by the establishment of
207 written policy;

208 3. The governing body of a district school board by the
209 adoption of rules;

210 4. The governing body of a special district, as defined in
211 s. 189.012, except those special districts that are subject to
212 s. 166.021(10) ~~s. 166.021(9)~~, by the enactment of a resolution;

213 or

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214 5. Any metropolitan planning organization created pursuant
215 to s. 339.175 or any other separate legal or administrative
216 entity created pursuant to s. 339.175 of which a metropolitan
217 planning organization is a member, by the enactment of a
218 resolution.

219 (c) Except as otherwise provided in this subsection,
220 counties, county constitutional officers and entities governed
221 by those officers, district school boards, special districts,
222 and metropolitan planning organizations, other than those
223 subject to s. 166.021(10) ~~s. 166.021(9)~~, remain subject to the
224 requirements of this section.

225 Section 11. For the purpose of incorporating the
226 amendments made by this act to section 112.313, Florida
227 Statutes, in references thereto, paragraph (b) of subsection (1)
228 of section 28.35, Florida Statutes, is reenacted to read:

229 28.35 Florida Clerks of Court Operations Corporation.—

230 (1)

231 (b)1. The executive council shall be composed of eight
232 clerks of the court elected by the clerks of the courts for a
233 term of 2 years, with two clerks from counties with a population
234 of fewer than 100,000, two clerks from counties with a
235 population of at least 100,000 but fewer than 500,000, two
236 clerks from counties with a population of at least 500,000 but
237 fewer than 1 million, and two clerks from counties with a
238 population of 1 million or more. The executive council shall

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239 | also include, as ex officio members, a designee of the President
240 | of the Senate and a designee of the Speaker of the House of
241 | Representatives. The Chief Justice of the Supreme Court shall
242 | designate one additional member to represent the state courts
243 | system.

244 | 2. Members of the executive council of the corporation are
245 | subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135;
246 | and 112.3143(2). For purposes of applying ss. 112.313(1)-(8),
247 | (10), (12), and (15); 112.3135; and 112.3143(2) to activities of
248 | executive council members, members shall be considered public
249 | officers and the corporation shall be considered the members'
250 | agency.

251 | Section 12. For the purpose of incorporating the
252 | amendments made by this act to section 112.313, Florida
253 | Statutes, in references thereto, subsection (1) of section
254 | 112.3136, Florida Statutes, is reenacted to read:

255 | 112.3136 Standards of conduct for officers and employees
256 | of entities serving as chief administrative officer of political
257 | subdivisions.—The officers, directors, and chief executive
258 | officer of a corporation, partnership, or other business entity
259 | that is serving as the chief administrative or executive officer
260 | or employee of a political subdivision, and any business entity
261 | employee who is acting as the chief administrative or executive
262 | officer or employee of the political subdivision, for the
263 | purposes of the following sections, are public officers and

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264 employees who are subject to the following standards of conduct
265 of this part:

266 (1) Section 112.313, and their "agency" is the political
267 subdivision that they serve; however, the contract under which
268 the business entity serves as chief executive or administrative
269 officer of the political subdivision is not deemed to violate s.
270 112.313(3) or (7).

271 Section 13. For the purpose of incorporating the
272 amendments made by this act to section 112.313, Florida
273 Statutes, in references thereto, section 112.3251, Florida
274 Statutes, is reenacted to read:

275 112.3251 Citizen support and direct-support organizations;
276 standards of conduct.—A citizen support or direct-support
277 organization created or authorized pursuant to law must adopt
278 its own ethics code. The ethics code must contain the standards
279 of conduct and disclosures required under ss. 112.313 and
280 112.3143(2), respectively. However, an ethics code adopted
281 pursuant to this section is not required to contain the
282 standards of conduct specified in s. 112.313(3) or (7). The
283 citizen support or direct-support organization may adopt
284 additional or more stringent standards of conduct and disclosure
285 requirements if those standards of conduct and disclosure
286 requirements do not otherwise conflict with this part. The
287 ethics code must be conspicuously posted on the citizen support
288 or direct-support organization's website.

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289 Section 14. For the purpose of incorporating the
290 amendments made by this act to section 112.313, Florida
291 Statutes, in references thereto, paragraph (d) of subsection (6)
292 of section 288.012, Florida Statutes, is reenacted to read:

293 288.012 State of Florida international offices; direct-
294 support organization.—The Legislature finds that the expansion
295 of international trade and tourism is vital to the overall
296 health and growth of the economy of this state. This expansion
297 is hampered by the lack of technical and business assistance,
298 financial assistance, and information services for businesses in
299 this state. The Legislature finds that these businesses could be
300 assisted by providing these services at State of Florida
301 international offices. The Legislature further finds that the
302 accessibility and provision of services at these offices can be
303 enhanced through cooperative agreements or strategic alliances
304 between private businesses and state, local, and international
305 governmental entities.

306 (6)

307 (d) The senior managers and members of the board of
308 directors of the organization are subject to ss. 112.313(1)-(8),
309 (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of
310 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
311 112.3143(2) to activities of the president and staff, those
312 persons shall be considered public officers or employees and the
313 corporation shall be considered their agency. The exemption set

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314 | forth in s. 112.313(12) for advisory boards applies to the
315 | members of board of directors. Further, each member of the board
316 | of directors who is not otherwise required to file financial
317 | disclosures pursuant to s. 8, Art. II of the State Constitution
318 | or s. 112.3144, shall file disclosure of financial interests
319 | pursuant to s. 112.3145.

320 | Section 15. For the purpose of incorporating the
321 | amendments made by this act to section 112.313, Florida
322 | Statutes, in references thereto, subsection (4) of section
323 | 288.8014, Florida Statutes, is reenacted to read:

324 | 288.8014 Triumph Gulf Coast, Inc.; organization; board of
325 | directors.—

326 | (4) The Legislature determines that it is in the public
327 | interest for the members of the board of directors to be subject
328 | to the requirements of ss. 112.313, 112.3135, and 112.3143,
329 | notwithstanding the fact that the board members are not public
330 | officers or employees. For purposes of those sections, the board
331 | members shall be considered to be public officers or employees.
332 | In addition to the postemployment restrictions of s. 112.313(9),
333 | a person appointed to the board of directors must agree to
334 | refrain from having any direct interest in any contract,
335 | franchise, privilege, project, program, or other benefit arising
336 | from an award by Triumph Gulf Coast, Inc., during the term of
337 | his or her appointment and for 6 years after the termination of
338 | such appointment. It is a misdemeanor of the first degree,

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339 punishable as provided in s. 775.082 or s. 775.083, for a person
340 to accept appointment to the board of directors in violation of
341 this subsection or to accept a direct interest in any contract,
342 franchise, privilege, project, program, or other benefit granted
343 by Triumph Gulf Coast, Inc., to an awardee within 6 years after
344 the termination of his or her service on the board. Further,
345 each member of the board of directors who is not otherwise
346 required to file financial disclosure under s. 8, Art. II of the
347 State Constitution or s. 112.3144 shall file disclosure of
348 financial interests under s. 112.3145.

349 Section 16. For the purpose of incorporating the
350 amendments made by this act to section 112.313, Florida
351 Statutes, in a reference thereto, paragraph (a) of subsection
352 (3) of section 288.9604, Florida Statutes, is reenacted to read:

353 288.9604 Creation of the corporation.-

354 (3)(a)1. A director may not receive compensation for his
355 or her services, but is entitled to necessary expenses,
356 including travel expenses, incurred in the discharge of his or
357 her duties. Each appointed director shall hold office until his
358 or her successor has been appointed.

359 2. Directors are subject to ss. 112.313(1)-(8), (10),
360 (12), and (15); 112.3135; and 112.3143(2). For purposes of
361 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
362 112.3143(2) to activities of directors, directors are considered
363 public officers and the corporation is considered their agency.

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364 Section 17. For the purpose of incorporating the
365 amendments made by this act to section 112.313, Florida
366 Statutes, in references thereto, paragraph (d) of subsection (4)
367 of section 295.21, Florida Statutes, is reenacted to read:
368 295.21 Florida Is For Veterans, Inc.—
369 (4) GOVERNANCE.—
370 (d) The Legislature finds that it is in the public
371 interest for the members of the board of directors to be subject
372 to the requirements of ss. 112.313, 112.3135, and 112.3143.
373 Notwithstanding the fact that they are not public officers or
374 employees, for purposes of ss. 112.313, 112.3135, and 112.3143,
375 the board members shall be considered to be public officers or
376 employees. In addition to the postemployment restrictions of s.
377 112.313(9), a person appointed to the board of directors may not
378 have direct interest in a contract, franchise, privilege,
379 project, program, or other benefit arising from an award by the
380 corporation during the appointment term and for 2 years after
381 the termination of such appointment. A person who accepts
382 appointment to the board of directors in violation of this
383 subsection, or accepts a direct interest in a contract,
384 franchise, privilege, project, program, or other benefit granted
385 by the corporation to an awardee within 2 years after the
386 termination of his or her service on the board, commits a
387 misdemeanor of the first degree, punishable as provided in s.
388 775.082 or s. 775.083. Further, each member of the board of

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389 directors who is not otherwise required to file financial
390 disclosure under s. 8, Art. II of the State Constitution or s.
391 112.3144 shall file a statement of financial interests under s.
392 112.3145.

393 Section 18. For the purpose of incorporating the
394 amendments made by this act to section 112.313, Florida
395 Statutes, in a reference thereto, subsection (5) of section
396 406.06, Florida Statutes, is reenacted to read:

397 406.06 District medical examiners; associates; suspension
398 of medical examiners.—

399 (5) District medical examiners and associate medical
400 examiners are public officers for purposes of s. 112.313 and the
401 standards of conduct prescribed thereunder.

402 Section 19. For the purpose of incorporating the
403 amendments made by this act to section 112.313, Florida
404 Statutes, in references thereto, paragraph (d) of subsection (1)
405 of section 447.509, Florida Statutes, is reenacted to read:

406 447.509 Other unlawful acts.—

407 (1) Employee organizations, their members, agents, or
408 representatives, or any persons acting on their behalf are
409 hereby prohibited from:

410 (d) Offering anything of value to a public officer as
411 defined in s. 112.313(1) which the public officer is prohibited
412 from accepting under s. 112.313(2).

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413 Section 20. For the purpose of incorporating the
414 amendments made by this act to section 112.313, Florida
415 Statutes, in references thereto, paragraph (m) of subsection (5)
416 of section 627.311, Florida Statutes, is reenacted to read:

417 627.311 Joint underwriters and joint reinsurers; public
418 records and public meetings exemptions.—

419 (5)

420 (m) Senior managers and officers, as defined in the plan
421 of operation, and members of the board of governors are subject
422 to the provisions of ss. 112.313, 112.3135, 112.3143, 112.3145,
423 112.316, and 112.317. Senior managers, officers, and board
424 members are also required to file such disclosures with the
425 Commission on Ethics and the Office of Insurance Regulation. The
426 executive director of the plan or his or her designee shall
427 notify each newly appointed and existing appointed member of the
428 board of governors, senior manager, and officer of his or her
429 duty to comply with the reporting requirements of s. 112.3145.
430 At least quarterly, the executive director of the plan or his or
431 her designee shall submit to the Commission on Ethics a list of
432 names of the senior managers, officers, and members of the board
433 of governors who are subject to the public disclosure
434 requirements under s. 112.3145. Notwithstanding s. 112.313, an
435 employee, officer, owner, or director of an insurance agency,
436 insurance company, or other insurance entity may be a member of
437 the board of governors unless such employee, officer, owner, or

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438 director of an insurance agency, insurance company, other
439 insurance entity, or an affiliate provides policy issuance,
440 policy administration, underwriting, claims handling, or payroll
441 audit services. Notwithstanding s. 112.3143, such board member
442 may not participate in or vote on a matter if the insurance
443 agency, insurance company, or other insurance entity would
444 obtain a special or unique benefit that would not apply to other
445 similarly situated insurance entities.

446 Section 21. For the purpose of incorporating the
447 amendments made by this act to section 112.313, Florida
448 Statutes, in a reference thereto, paragraph (a) of subsection
449 (26) of section 1002.33, Florida Statutes, is reenacted to read:

450 1002.33 Charter schools.—

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

452 (a) A member of a governing board of a charter school,
453 including a charter school operated by a private entity, is
454 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

455 Section 22. For the purpose of incorporating the
456 amendments made by this act to section 112.313, Florida
457 Statutes, in a reference thereto, paragraph (f) of subsection
458 (6) of section 1002.333, Florida Statutes, is reenacted to read:

459 1002.333 Persistently low-performing schools.—

460 (6) STATUTORY AUTHORITY.—

461 (f) Schools of hope operated by a hope operator shall be
462 exempt from chapters 1000-1013 and all school board policies.

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463 However, a hope operator shall be in compliance with the laws in
464 chapters 1000-1013 relating to:

465 1. The student assessment program and school grading
466 system.

467 2. Student progression and graduation.

468 3. The provision of services to students with
469 disabilities.

470 4. Civil rights, including s. 1000.05, relating to
471 discrimination.

472 5. Student health, safety, and welfare.

473 6. Public meetings and records, public inspection, and
474 criminal and civil penalties pursuant to s. 286.011. The
475 governing board of a school of hope must hold at least two
476 public meetings per school year in the school district in which
477 the school of hope is located. Any other meetings of the
478 governing board may be held in accordance with s. 120.54(5)(b)2.

479 7. Public records pursuant to chapter 119.

480 8. The code of ethics for public officers and employees
481 pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

482 Section 23. For the purpose of incorporating the
483 amendments made by this act to section 112.313, Florida
484 Statutes, in a reference thereto, subsection (9) of section
485 1002.83, Florida Statutes, is reenacted to read:

486 1002.83 Early learning coalitions.—

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487 (9) Each member of an early learning coalition is subject
488 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
489 112.3143(3)(a), each voting member is a local public officer who
490 must abstain from voting when a voting conflict exists.

491 Section 24. This act shall take effect January 1, 2025.
492

493 -----

494 **T I T L E A M E N D M E N T**

495 Remove everything before the enacting clause and insert:
496 An act relating to government accountability; amending s.
497 112.313, F.S.; defining the term "foreign country of concern";
498 prohibiting specified individuals from soliciting or accepting
499 anything of value from a foreign country of concern; amending s.
500 112.3144, F.S.; providing that only certain mayors and certain
501 elected members of the governing body of a municipality are
502 required to file full and public disclosures; creating s.
503 112.3262, F.S.; providing definitions; prohibiting a person from
504 lobbying a county, municipality, or special district unless he
505 or she is registered as a lobbyist with the Commission on
506 Ethics; establishing registration requirements; requiring the
507 commission to make lobbyist registrations available to the
508 public on its website; establishing procedures for canceling of
509 a lobbyist's registration; requiring a county, municipality, or
510 special district to monitor compliance with lobbyist
511 registration requirements; requiring the commission to

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512 investigate a lobbyist or principal upon receipt of a sworn
513 complaint containing certain allegations; requiring the
514 commission to provide the chief executive officer of the county
515 or municipality or the governing body of the special district
516 with a report on the findings and recommendations arising out of
517 the investigation; authorizing the chief executive officer of
518 the county or municipality or the governing body of the special
519 district to enforce the findings and recommendations; providing
520 local lobbyist registration programs adopted before a certain
521 date are not preempted; amending s. 125.73, F.S.; prohibiting
522 the governing body of a county from renewing or extending the
523 employment contract of a county administrator during a specified
524 timeframe; providing an exception; creating s. 125.75, F.S.;
525 prohibiting the governing body of a county from renewing or
526 extending the employment contract of the county attorney during
527 a specified timeframe; providing an exception; amending s.
528 166.021, F.S.; prohibiting the governing body of a municipality
529 from renewing or extending the employment contract of a chief
530 executive officer of the municipality or the city attorney
531 during a specified timeframe; providing exceptions; amending s.
532 166.031, F.S.; requiring the governing body of a municipality to
533 place certain proposed amendments to a vote of the electors at
534 the next general election, municipal election, or special
535 election, whichever is earliest; amending s. 1001.50, F.S.;
536 prohibiting a district school board from renewing or extending

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537 the employment contract of a district school superintendent
538 during a specified timeframe; providing an exception; creating
539 s. 1012.336, F.S.; prohibiting a district school board from
540 renewing or extending the employment contract of the general
541 counsel of a district school board during a specified timeframe;
542 providing an exception; amending s. 112.061, F.S.; conforming
543 cross-references; reenacting ss. 28.35(1)(b), 112.3136(1),
544 112.3251, 288.012(6)(d), 288.8014(4), 288.9604(3)(a),
545 295.21(4)(d), 406.06(5), 447.509(1)(d), 627.311(5)(m),
546 1002.33(26)(a), 1002.333(6)(f), and 1002.83(9), F.S., relating
547 to members of the executive council of the Florida Clerks of
548 Court Operations Corporation, standards of conduct for officers
549 and employees of entities serving as chief administrative
550 officers of political subdivisions, the ethics code and
551 standards of conduct for citizen support and direct-support
552 organizations, senior managers and members of the board of
553 directors of the direct-support organization of State of Florida
554 international offices, standards of conduct for members of the
555 board of directors of Triumph Gulf Coast, Inc., directors of the
556 Florida Development Finance Corporation, standards of conduct
557 for the board of directors of Florida Is For Veterans, Inc.,
558 standards of conduct for district and associate medical
559 examiners, prohibited actions of employee organizations, their
560 members, agents, representatives, or persons acting on their
561 behalf, standards of conduct for senior managers, officers and

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562 members of the board of governors of the Office of Insurance
563 Regulation, standards of conduct and financial disclosure for
564 members of a governing board of a charter school, those
565 operating schools of hope, and standards of conduct for members
566 of an early learning coalition, respectively, to incorporate the
567 amendments made to s. 112.313, F.S., in references thereto;
568 providing an effective date.

26 | the special district with a report on the findings and
 27 | recommendations arising out of the investigation;
 28 | authorizing the chief executive officer of the county
 29 | or municipality or the governing body of the special
 30 | district to enforce the findings and recommendations;
 31 | authorizing counties and municipalities to adopt
 32 | ordinances, and special districts to adopt rules,
 33 | governing lobbyist registration and fees; providing
 34 | construction; amending s. 125.73, F.S.; prohibiting
 35 | the governing body of a county from renewing or
 36 | extending the employment contract of a county
 37 | administrator during a specified timeframe; providing
 38 | an exception; creating s. 125.75, F.S.; prohibiting
 39 | the governing body of a county from renewing or
 40 | extending the employment contract of the county
 41 | attorney during a specified timeframe; providing an
 42 | exception; amending s. 166.021, F.S.; prohibiting the
 43 | governing body of a municipality from renewing or
 44 | extending the employment contract of a chief executive
 45 | officer of the municipality or the city attorney
 46 | during a specified timeframe; providing exceptions;
 47 | amending s. 1001.50, F.S.; prohibiting a district
 48 | school board from renewing or extending the employment
 49 | contract of a district school superintendent during a
 50 | specified timeframe; providing an exception; creating

51 s. 1012.336, F.S.; prohibiting a district school board
 52 from renewing or extending the employment contract of
 53 the general counsel of a district school board during
 54 a specified timeframe; providing an exception;
 55 amending s. 112.061, F.S.; conforming cross-
 56 references; reenacting ss. 28.35(1)(b), 112.3136(1),
 57 112.3251, 288.012(6)(d), 288.8014(4), 288.9604(3)(a),
 58 295.21(4)(d), 406.06(5), 447.509(1)(d), 627.311(5)(m),
 59 1002.33(26)(a), 1002.333(6)(f), and 1002.83(9), F.S.,
 60 relating to members of the executive council of the
 61 Florida Clerks of Court Operations Corporation,
 62 standards of conduct for officers and employees of
 63 entities serving as chief administrative officers of
 64 political subdivisions, the ethics code and standards
 65 of conduct for citizen support and direct-support
 66 organizations, senior managers and members of the
 67 board of directors of the direct-support organization
 68 of State of Florida international offices, standards
 69 of conduct for members of the board of directors of
 70 Triumph Gulf Coast, Inc., directors of the Florida
 71 Development Finance Corporation, standards of conduct
 72 for the board of directors of Florida Is For Veterans,
 73 Inc., standards of conduct for district and associate
 74 medical examiners, prohibited actions of employee
 75 organizations, their members, agents, representatives,

76 or persons acting on their behalf, standards of
 77 conduct for senior managers, officers and members of
 78 the board of governors of the Office of Insurance
 79 Regulation, standards of conduct and financial
 80 disclosure for members of a governing board of a
 81 charter school, those operating schools of hope, and
 82 standards of conduct for members of an early learning
 83 coalition, respectively, to incorporate the amendments
 84 made to s. 112.313, F.S., in references thereto;
 85 providing an effective date.

86

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

88

89 Section 1. Subsections (1) and (2) of section 112.313,
 90 Florida Statutes, are amended to read:

91 112.313 Standards of conduct for public officers,
 92 employees of agencies, and local government attorneys.—

93 (1) ~~DEFINITIONS~~ DEFINITION.—As used in this section,
 94 unless the context otherwise requires, the term:

95 (a) "Foreign country of concern" has the same meaning as
 96 in s. 286.101.

97 (b) "Public officer" includes any person elected or
 98 appointed to hold office in any agency, including any person
 99 serving on an advisory body.

100

(2) SOLICITATION OR ACCEPTANCE OF GIFTS.—

101 (a) A ~~Ne~~ public officer, an employee of an agency, a local
 102 government attorney, or a candidate for nomination or election
 103 may not ~~shall~~ solicit or accept anything of value to the
 104 recipient, including a gift, loan, reward, promise of future
 105 employment, favor, or service, based upon any understanding that
 106 the vote, official action, or judgment of the public officer,
 107 employee, local government attorney, or candidate would be
 108 influenced thereby.

109 (b) A public officer, an employee of an agency, a local
 110 government attorney, or a candidate for nomination or election
 111 may not solicit or accept anything of value to the recipient,
 112 including a gift, loan, reward, promise of future employment,
 113 favor, or service, from a foreign country of concern.

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

116 112.3262 Lobbying before special districts, counties, and
 117 municipalities; registration and reporting.-

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

119 (a) "Lobby" or "lobbies" means to seek, on behalf of
 120 another person or group, to influence a county, municipality, or
 121 special district with respect to a decision of that entity in an
 122 area of policy or procurement or in an attempt to obtain the
 123 goodwill of an official or employee of such entity. The term
 124 must be interpreted and applied consistently with the rules of
 125 the commission implementing s. 112.3215.

126 (b) "Lobbyist" has the same meaning as in s. 112.3215(1).
 127 (c) "Principal" has the same meaning as in s. 112.3215(1).
 128 (2) A person may not lobby a county, municipality, or
 129 special district unless he or she is registered as a lobbyist
 130 with such entity. Such registration is due upon the person's
 131 initial retention as a lobbyist and is renewable on a calendar-
 132 year basis thereafter. Such person shall, at the time of
 133 registration, provide a statement signed by the principal or
 134 principal's representative stating that the registrant is
 135 authorized to represent the principal. The statement must also
 136 identify and designate the principal's main business and
 137 authorize the registrant pursuant to a classification system
 138 approved by the county, municipality, or special district, as
 139 applicable. Any changes in the information provided pursuant to
 140 this subsection must be disclosed within 15 days after the
 141 change occurs by filing a new registration form. The
 142 registration form must require each lobbyist to disclose, under
 143 oath, all of the following information:
 144 (a) The lobbyist's name and business address.
 145 (b) The name and business address of each principal
 146 represented.
 147 (c) The existence of any direct or indirect business
 148 association, partnership, or financial relationship the lobbyist
 149 has with any officer or employee of the county, municipality, or
 150 special district that he or she lobbies or intends to lobby.

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151 (3) In lieu of creating its own lobbyist registration
152 form, a county, municipality, or special district may accept a
153 completed legislative branch or executive branch lobbyist
154 registration form.

155 (4) A county, municipality, or special district shall make
156 lobbyist registrations available to the public. If a county,
157 municipality, or special district maintains a website, the
158 website must make available a database of currently registered
159 lobbyists and principals.

160 (5) A lobbyist shall promptly send a written statement to
161 the county, municipality, or special district, as applicable,
162 canceling the registration for a principal upon termination of
163 the lobbyist's representation of that principal. A county,
164 municipality, or special district may remove the name of a
165 lobbyist from the list of registered lobbyists if the principal
166 notifies the county, municipality, or district that a person is
167 no longer authorized to represent that principal.

168 (6) A county, municipality, or special district may
169 establish an annual lobbyist registration fee, not to exceed
170 \$40, for each principal represented. The county, municipality,
171 or special district may use registration fees only to administer
172 this section.

173 (7) A county, municipality, or special district must be
174 diligent in ascertaining whether persons required to register
175 pursuant to this section have complied. A county, municipality,

176 or special district may not knowingly authorize a person who is
 177 not registered pursuant to this section to lobby the county,
 178 municipality, or special district.

179 (8)(a) Upon receipt of a sworn complaint alleging that a
 180 lobbyist or principal has failed to register with a county or
 181 municipality or has knowingly submitted false information in a
 182 report or registration required under this section, a Commission
 183 on Ethics and Public Trust established by the county or
 184 municipality or, if the county or municipality has not
 185 established such a commission, the Commission on Ethics shall
 186 investigate the lobbyist or principal pursuant to the procedures
 187 established under s. 112.324. The commission shall provide the
 188 chief executive officer of the county or municipality with a
 189 report of its findings and recommendations arising out of any
 190 investigation conducted under this subsection. The chief
 191 executive officer of the county or municipality may enforce the
 192 commission's findings and recommendations.

193 (b) Upon receipt of a sworn complaint alleging that a
 194 lobbyist or principal has failed to register with a special
 195 district or has knowingly submitted false information in a
 196 report or registration required under this section, the
 197 commission shall investigate the lobbyist or principal pursuant
 198 to the procedures established under s. 112.324. The commission
 199 shall provide the governing body of the special district with a
 200 report of its findings and recommendations arising out of any

201 investigation conducted under this subsection. The governing
 202 body of the special district may enforce the commission's
 203 findings and recommendations.

204 (9) Counties and municipalities may adopt ordinances, and
 205 special districts may adopt rules, to establish procedures to
 206 govern the registration of lobbyists, including the adoption of
 207 forms and the establishment of a lobbyist registration fee.

208 (10) This section does not preempt or supersede any
 209 ordinance or charter provision establishing a lobbyist
 210 registration program adopted before July 1, 2024, but this
 211 section shall prevail to the extent of any conflict. In
 212 accordance with s. 112.326, any ordinance or rule adopted
 213 pursuant to this section may include additional or more
 214 stringent disclosure requirements so long as the requirements do
 215 not otherwise conflict with this section.

216 Section 3. Subsection (5) is added to section 125.73,
 217 Florida Statutes, to read:

218 125.73 County administrator; appointment, qualifications,
 219 compensation.—

220 (5) The governing body of a county may not renew or extend
 221 the employment contract of a county administrator during the 8
 222 months immediately preceding a general election for county
 223 mayor, if applicable, or for members of the governing body of
 224 the county unless the governing body approves such renewal or
 225 extension by a unanimous vote.

226 Section 4. Section 125.75, Florida Statutes, is created to
 227 read:

228 125.75 Contract for the county attorney.—The governing
 229 body of a county may not renew or extend the contract of the
 230 county attorney during the 8 months immediately preceding a
 231 general election for county mayor, if applicable, or for members
 232 of the governing body of the county unless the governing body
 233 approves such renewal or extension by a unanimous vote.

234 Section 5. Subsection (9) of section 166.021, Florida
 235 Statutes, is renumbered as subsection (10), and a new subsection
 236 (9) is added to that section, to read:

237 166.021 Powers.—

238 (9) (a) The governing body of a municipality may not renew
 239 or extend the employment contract of a chief executive officer
 240 of the municipality during the 8 months immediately preceding a
 241 general election for the municipal mayor or for members of the
 242 governing body of the municipality unless the governing body
 243 approves such renewal or extension by a unanimous vote.

244 (b) The governing body of a municipality may not renew or
 245 extend the employment contract of the city attorney during the 8
 246 months immediately preceding a general election for the
 247 municipal mayor or for members of the governing body of the
 248 municipality unless the governing body approves such renewal or
 249 extension by a unanimous vote.

250 Section 6. Subsection (2) of section 1001.50, Florida

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251 Statutes, is amended to read:

252 1001.50 Superintendents employed under Art. IX of the
253 State Constitution.—

254 (2) Each district school board shall enter into an
255 employment contract with the district school superintendent and
256 shall adopt rules relating to his or her appointment; however,
257 if the employment contract contains a provision for severance
258 pay, it must include the provisions required by s. 215.425. The
259 district school board may not renew or extend the employment
260 contract of a superintendent during the 8 months immediately
261 preceding a general election for district school board members
262 unless the district school board approves such renewal or
263 extension by a unanimous vote.

264 Section 7. Section 1012.336, Florida Statutes, is created
265 to read:

266 1012.336 Contracts with general counsels of district
267 school boards.—A district school board may not renew or extend
268 the employment contract of the general counsel of a district
269 school board during the 8 months immediately preceding a general
270 election for district school board members unless the district
271 school board approves such renewal or extension by a unanimous
272 vote.

273 Section 8. Paragraphs (a) and (c) of subsection (14) of
274 section 112.061, Florida Statutes, are amended to read:

275 112.061 Per diem and travel expenses of public officers,

276 employees, and authorized persons; statewide travel management
 277 system.—

278 (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT
 279 SCHOOL BOARDS, SPECIAL DISTRICTS, AND METROPOLITAN PLANNING
 280 ORGANIZATIONS.—

281 (a) The following entities may establish rates that vary
 282 from the per diem rate provided in paragraph (6) (a), the
 283 subsistence rates provided in paragraph (6) (b), or the mileage
 284 rate provided in paragraph (7) (d) if those rates are not less
 285 than the statutorily established rates that are in effect for
 286 the 2005-2006 fiscal year:

287 1. The governing body of a county by the enactment of an
 288 ordinance or resolution;

289 2. A county constitutional officer, pursuant to s. 1(d),
 290 Art. VIII of the State Constitution, by the establishment of
 291 written policy;

292 3. The governing body of a district school board by the
 293 adoption of rules;

294 4. The governing body of a special district, as defined in
 295 s. 189.012, except those special districts that are subject to
 296 s. 166.021(10) ~~s. 166.021(9)~~, by the enactment of a resolution;
 297 or

298 5. Any metropolitan planning organization created pursuant
 299 to s. 339.175 or any other separate legal or administrative
 300 entity created pursuant to s. 339.175 of which a metropolitan

301 | planning organization is a member, by the enactment of a
 302 | resolution.

303 | (c) Except as otherwise provided in this subsection,
 304 | counties, county constitutional officers and entities governed
 305 | by those officers, district school boards, special districts,
 306 | and metropolitan planning organizations, other than those
 307 | subject to s. 166.021(10) ~~s. 166.021(9)~~, remain subject to the
 308 | requirements of this section.

309 | Section 9. For the purpose of incorporating the amendments
 310 | made by this act to section 112.313, Florida Statutes, in
 311 | references thereto, paragraph (b) of subsection (1) of section
 312 | 28.35, Florida Statutes, is reenacted to read:

313 | 28.35 Florida Clerks of Court Operations Corporation.—

314 | (1)

315 | (b)1. The executive council shall be composed of eight
 316 | clerks of the court elected by the clerks of the courts for a
 317 | term of 2 years, with two clerks from counties with a population
 318 | of fewer than 100,000, two clerks from counties with a
 319 | population of at least 100,000 but fewer than 500,000, two
 320 | clerks from counties with a population of at least 500,000 but
 321 | fewer than 1 million, and two clerks from counties with a
 322 | population of 1 million or more. The executive council shall
 323 | also include, as ex officio members, a designee of the President
 324 | of the Senate and a designee of the Speaker of the House of
 325 | Representatives. The Chief Justice of the Supreme Court shall

326 designate one additional member to represent the state courts
 327 system.

328 2. Members of the executive council of the corporation are
 329 subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135;
 330 and 112.3143(2). For purposes of applying ss. 112.313(1)-(8),
 331 (10), (12), and (15); 112.3135; and 112.3143(2) to activities of
 332 executive council members, members shall be considered public
 333 officers and the corporation shall be considered the members'
 334 agency.

335 Section 10. For the purpose of incorporating the
 336 amendments made by this act to section 112.313, Florida
 337 Statutes, in references thereto, subsection (1) of section
 338 112.3136, Florida Statutes, is reenacted to read:

339 112.3136 Standards of conduct for officers and employees
 340 of entities serving as chief administrative officer of political
 341 subdivisions.—The officers, directors, and chief executive
 342 officer of a corporation, partnership, or other business entity
 343 that is serving as the chief administrative or executive officer
 344 or employee of a political subdivision, and any business entity
 345 employee who is acting as the chief administrative or executive
 346 officer or employee of the political subdivision, for the
 347 purposes of the following sections, are public officers and
 348 employees who are subject to the following standards of conduct
 349 of this part:

350 (1) Section 112.313, and their "agency" is the political

351 subdivision that they serve; however, the contract under which
 352 the business entity serves as chief executive or administrative
 353 officer of the political subdivision is not deemed to violate s.
 354 112.313(3) or (7).

355 Section 11. For the purpose of incorporating the
 356 amendments made by this act to section 112.313, Florida
 357 Statutes, in references thereto, section 112.3251, Florida
 358 Statutes, is reenacted to read:

359 112.3251 Citizen support and direct-support organizations;
 360 standards of conduct.—A citizen support or direct-support
 361 organization created or authorized pursuant to law must adopt
 362 its own ethics code. The ethics code must contain the standards
 363 of conduct and disclosures required under ss. 112.313 and
 364 112.3143(2), respectively. However, an ethics code adopted
 365 pursuant to this section is not required to contain the
 366 standards of conduct specified in s. 112.313(3) or (7). The
 367 citizen support or direct-support organization may adopt
 368 additional or more stringent standards of conduct and disclosure
 369 requirements if those standards of conduct and disclosure
 370 requirements do not otherwise conflict with this part. The
 371 ethics code must be conspicuously posted on the citizen support
 372 or direct-support organization's website.

373 Section 12. For the purpose of incorporating the
 374 amendments made by this act to section 112.313, Florida
 375 Statutes, in references thereto, paragraph (d) of subsection (6)

376 of section 288.012, Florida Statutes, is reenacted to read:
 377 288.012 State of Florida international offices; direct-
 378 support organization.—The Legislature finds that the expansion
 379 of international trade and tourism is vital to the overall
 380 health and growth of the economy of this state. This expansion
 381 is hampered by the lack of technical and business assistance,
 382 financial assistance, and information services for businesses in
 383 this state. The Legislature finds that these businesses could be
 384 assisted by providing these services at State of Florida
 385 international offices. The Legislature further finds that the
 386 accessibility and provision of services at these offices can be
 387 enhanced through cooperative agreements or strategic alliances
 388 between private businesses and state, local, and international
 389 governmental entities.

390 (6)

391 (d) The senior managers and members of the board of
 392 directors of the organization are subject to ss. 112.313(1)-(8),
 393 (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of
 394 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
 395 112.3143(2) to activities of the president and staff, those
 396 persons shall be considered public officers or employees and the
 397 corporation shall be considered their agency. The exemption set
 398 forth in s. 112.313(12) for advisory boards applies to the
 399 members of board of directors. Further, each member of the board
 400 of directors who is not otherwise required to file financial

401 disclosures pursuant to s. 8, Art. II of the State Constitution
 402 or s. 112.3144, shall file disclosure of financial interests
 403 pursuant to s. 112.3145.

404 Section 13. For the purpose of incorporating the
 405 amendments made by this act to section 112.313, Florida
 406 Statutes, in references thereto, subsection (4) of section
 407 288.8014, Florida Statutes, is reenacted to read:

408 288.8014 Triumph Gulf Coast, Inc.; organization; board of
 409 directors.-

410 (4) The Legislature determines that it is in the public
 411 interest for the members of the board of directors to be subject
 412 to the requirements of ss. 112.313, 112.3135, and 112.3143,
 413 notwithstanding the fact that the board members are not public
 414 officers or employees. For purposes of those sections, the board
 415 members shall be considered to be public officers or employees.
 416 In addition to the postemployment restrictions of s. 112.313(9),
 417 a person appointed to the board of directors must agree to
 418 refrain from having any direct interest in any contract,
 419 franchise, privilege, project, program, or other benefit arising
 420 from an award by Triumph Gulf Coast, Inc., during the term of
 421 his or her appointment and for 6 years after the termination of
 422 such appointment. It is a misdemeanor of the first degree,
 423 punishable as provided in s. 775.082 or s. 775.083, for a person
 424 to accept appointment to the board of directors in violation of
 425 this subsection or to accept a direct interest in any contract,

426 franchise, privilege, project, program, or other benefit granted
 427 by Triumph Gulf Coast, Inc., to an awardee within 6 years after
 428 the termination of his or her service on the board. Further,
 429 each member of the board of directors who is not otherwise
 430 required to file financial disclosure under s. 8, Art. II of the
 431 State Constitution or s. 112.3144 shall file disclosure of
 432 financial interests under s. 112.3145.

433 Section 14. For the purpose of incorporating the
 434 amendments made by this act to section 112.313, Florida
 435 Statutes, in a reference thereto, paragraph (a) of subsection
 436 (3) of section 288.9604, Florida Statutes, is reenacted to read:

437 288.9604 Creation of the corporation.—

438 (3)(a)1. A director may not receive compensation for his
 439 or her services, but is entitled to necessary expenses,
 440 including travel expenses, incurred in the discharge of his or
 441 her duties. Each appointed director shall hold office until his
 442 or her successor has been appointed.

443 2. Directors are subject to ss. 112.313(1)-(8), (10),
 444 (12), and (15); 112.3135; and 112.3143(2). For purposes of
 445 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
 446 112.3143(2) to activities of directors, directors are considered
 447 public officers and the corporation is considered their agency.

448 Section 15. For the purpose of incorporating the
 449 amendments made by this act to section 112.313, Florida
 450 Statutes, in references thereto, paragraph (d) of subsection (4)

451 of section 295.21, Florida Statutes, is reenacted to read:
 452 295.21 Florida Is For Veterans, Inc.—
 453 (4) GOVERNANCE.—
 454 (d) The Legislature finds that it is in the public
 455 interest for the members of the board of directors to be subject
 456 to the requirements of ss. 112.313, 112.3135, and 112.3143.
 457 Notwithstanding the fact that they are not public officers or
 458 employees, for purposes of ss. 112.313, 112.3135, and 112.3143,
 459 the board members shall be considered to be public officers or
 460 employees. In addition to the postemployment restrictions of s.
 461 112.313(9), a person appointed to the board of directors may not
 462 have direct interest in a contract, franchise, privilege,
 463 project, program, or other benefit arising from an award by the
 464 corporation during the appointment term and for 2 years after
 465 the termination of such appointment. A person who accepts
 466 appointment to the board of directors in violation of this
 467 subsection, or accepts a direct interest in a contract,
 468 franchise, privilege, project, program, or other benefit granted
 469 by the corporation to an awardee within 2 years after the
 470 termination of his or her service on the board, commits a
 471 misdemeanor of the first degree, punishable as provided in s.
 472 775.082 or s. 775.083. Further, each member of the board of
 473 directors who is not otherwise required to file financial
 474 disclosure under s. 8, Art. II of the State Constitution or s.
 475 112.3144 shall file a statement of financial interests under s.

476 112.3145.

477 Section 16. For the purpose of incorporating the
 478 amendments made by this act to section 112.313, Florida
 479 Statutes, in a reference thereto, subsection (5) of section
 480 406.06, Florida Statutes, is reenacted to read:

481 406.06 District medical examiners; associates; suspension
 482 of medical examiners.—

483 (5) District medical examiners and associate medical
 484 examiners are public officers for purposes of s. 112.313 and the
 485 standards of conduct prescribed thereunder.

486 Section 17. For the purpose of incorporating the
 487 amendments made by this act to section 112.313, Florida
 488 Statutes, in references thereto, paragraph (d) of subsection (1)
 489 of section 447.509, Florida Statutes, is reenacted to read:

490 447.509 Other unlawful acts.—

491 (1) Employee organizations, their members, agents, or
 492 representatives, or any persons acting on their behalf are
 493 hereby prohibited from:

494 (d) Offering anything of value to a public officer as
 495 defined in s. 112.313(1) which the public officer is prohibited
 496 from accepting under s. 112.313(2).

497 Section 18. For the purpose of incorporating the
 498 amendments made by this act to section 112.313, Florida
 499 Statutes, in references thereto, paragraph (m) of subsection (5)
 500 of section 627.311, Florida Statutes, is reenacted to read:

501 627.311 Joint underwriters and joint reinsurers; public
502 records and public meetings exemptions.—

503 (5)

504 (m) Senior managers and officers, as defined in the plan
505 of operation, and members of the board of governors are subject
506 to the provisions of ss. 112.313, 112.3135, 112.3143, 112.3145,
507 112.316, and 112.317. Senior managers, officers, and board
508 members are also required to file such disclosures with the
509 Commission on Ethics and the Office of Insurance Regulation. The
510 executive director of the plan or his or her designee shall
511 notify each newly appointed and existing appointed member of the
512 board of governors, senior manager, and officer of his or her
513 duty to comply with the reporting requirements of s. 112.3145.
514 At least quarterly, the executive director of the plan or his or
515 her designee shall submit to the Commission on Ethics a list of
516 names of the senior managers, officers, and members of the board
517 of governors who are subject to the public disclosure
518 requirements under s. 112.3145. Notwithstanding s. 112.313, an
519 employee, officer, owner, or director of an insurance agency,
520 insurance company, or other insurance entity may be a member of
521 the board of governors unless such employee, officer, owner, or
522 director of an insurance agency, insurance company, other
523 insurance entity, or an affiliate provides policy issuance,
524 policy administration, underwriting, claims handling, or payroll
525 audit services. Notwithstanding s. 112.3143, such board member

526 | may not participate in or vote on a matter if the insurance
 527 | agency, insurance company, or other insurance entity would
 528 | obtain a special or unique benefit that would not apply to other
 529 | similarly situated insurance entities.

530 | Section 19. For the purpose of incorporating the
 531 | amendments made by this act to section 112.313, Florida
 532 | Statutes, in a reference thereto, paragraph (a) of subsection
 533 | (26) of section 1002.33, Florida Statutes, is reenacted to read:

534 | 1002.33 Charter schools.—

535 | (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

536 | (a) A member of a governing board of a charter school,
 537 | including a charter school operated by a private entity, is
 538 | subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

539 | Section 20. For the purpose of incorporating the
 540 | amendments made by this act to section 112.313, Florida
 541 | Statutes, in a reference thereto, paragraph (f) of subsection
 542 | (6) of section 1002.333, Florida Statutes, is reenacted to read:

543 | 1002.333 Persistently low-performing schools.—

544 | (6) STATUTORY AUTHORITY.—

545 | (f) Schools of hope operated by a hope operator shall be
 546 | exempt from chapters 1000-1013 and all school board policies.
 547 | However, a hope operator shall be in compliance with the laws in
 548 | chapters 1000-1013 relating to:

549 | 1. The student assessment program and school grading
 550 | system.

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551 2. Student progression and graduation.
 552 3. The provision of services to students with
 553 disabilities.
 554 4. Civil rights, including s. 1000.05, relating to
 555 discrimination.
 556 5. Student health, safety, and welfare.
 557 6. Public meetings and records, public inspection, and
 558 criminal and civil penalties pursuant to s. 286.011. The
 559 governing board of a school of hope must hold at least two
 560 public meetings per school year in the school district in which
 561 the school of hope is located. Any other meetings of the
 562 governing board may be held in accordance with s. 120.54(5)(b)2.
 563 7. Public records pursuant to chapter 119.
 564 8. The code of ethics for public officers and employees
 565 pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).
 566 Section 21. For the purpose of incorporating the
 567 amendments made by this act to section 112.313, Florida
 568 Statutes, in a reference thereto, subsection (9) of section
 569 1002.83, Florida Statutes, is reenacted to read:
 570 1002.83 Early learning coalitions.—
 571 (9) Each member of an early learning coalition is subject
 572 to ss. 112.313, 112.3135, and 112.3143. For purposes of s.
 573 112.3143(3)(a), each voting member is a local public officer who
 574 must abstain from voting when a voting conflict exists.
 575 Section 22. This act shall take effect July 1, 2024.