

*Annual Report
to the
Florida Legislature
For Calendar Year 2024*



*By the
State of Florida
Commission on Ethics*

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Message from the Chair

It was my great honor to be appointed to serve as a member of the Florida Commission on Ethics, but an even greater privilege when my fellow Commissioners elected me to serve as the Commission's Chair.

Truly there is nothing more important in a Democracy than its people's trust in their government. And nothing can taint that trust more than when public leaders display a lack of compassion, honesty, integrity, and discipline. My background in law enforcement and my work in the legal field had already taught me that. But my service on the Commission has emphasized these truths even more. Our leaders must display high character and discipline, even when no one is watching. Although this applies as well to the general public, it is so much more important when you hold a public office and serve others.

As guardians of the public trust, the bipartisan members of this Commission prepare and take great care in considering each matter that comes before us. We recognize how important our decisions are in interpreting and applying Florida's Ethics Code, not just to the public officers and employees involved, but to Floridians around the State. In my opinion, the strength of the Commission lies in how its members carefully consider each matter, giving it the time and thought that it deserves, all while maintaining a high standard of collegiality while discussing it.

And the Commission itself could not maintain this high standard without our hardworking and professional staff. I have been floored with our staff's dedication, work ethics, and commitment. The amount of sheer hustle—and, in the terms of today's culture, "pivoting"—performed on a daily basis by Commission staff would be the envy of any Fortune 500 company. For just one example, the Commission received approximately 40,000 incoming calls in 2024. Each call was promptly received, returned, and handled, despite the agency having only 24 full-time equivalent positions. That is a remarkable ratio, and shows the ability of our staff to rise to any challenge.

But there is always more work to be done. We are hopeful that the Florida Legislature will strongly consider our legislative recommendations, which are included

in this report. As the Sunshine Amendment states, “A public office is a public trust.” We believe these recommendations will further that trust by strengthening Florida's Ethics Code and ensuring accountability for those who are subject to it.

Thank you for reading this message and for taking the time to consider this report. The Commission members and its staff recognize the trust that you have placed with our agency, as well as the importance of our mission, and we will strive to carry out that trust, and perform that mission, with excellence. I wish you a safe and prosperous 2025!

Respectfully,

Luis M. Fusté
Chair, Florida Commission on Ethics

DRAFT

2024 Commission Members

LUIS M. FUSTÉ, Chair
Coral Cables – Attorney (NPA)
Appointed by Governor Ron DeSantis

TINA DESCOVICH, Vice Chair
Indialantic - Nonprofit Executive (R)
Appointed by Governor Ron DeSantis

PAUL D. BAIN
Tampa - Attorney (R)
Appointed by House Speaker Paul Renner

DR. JAMES BUSH, III
Miami - Former State Representative (D)
Appointed by House Speaker Paul Renner

FREDDIE FIGGERS
Fort Lauderdale - Inventor - Executive (D)
Appointed by Governor Ron DeSantis

LAIRD A. LILE
Naples - Attorney (R)
Appointed by Senate President Kathleen Passidomo

ASHLEY LUKIS
Tallahassee - Attorney (R)
Appointed by Governor Ron DeSantis

LINDA STEWART
Orlando - Former State Senator (D)
Appointed by Senate President Kathleen Passidomo

Introduction & History

Section 112.322(8), Florida Statutes, requires the Florida Commission on Ethics to "submit to the Legislature from time to time a report of its work and recommendations for legislation deemed necessary to improve the code of ethics and its enforcement." This report has been provided to the Legislature on an annual basis since 1974. The publication of this document is intended to inform the Legislature and the public of the Commission's work during the calendar year 2024.

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of her people to protect the public trust against abuse. In 1967, the Legislature enacted "a code of ethics setting forth standards of conduct to be observed by state officers and employees in the performance of their official duties." Chapter 67-469, Laws of Florida, declared it to be the policy of the Legislature that no state officer or employee, or member or employee of the Legislature, should have any direct or indirect business or professional interest that would "conflict with the proper discharge of his duties in the public interest." The code was amended to be applicable to officers and employees of political subdivisions of the state in 1969 (Chapter 69-335, Laws of Florida). Five years later, the Florida Commission on Ethics was statutorily created by Chapter 74-176, Laws of Florida (now Part III, Chapter 112, Florida Statutes), to "serve as guardian of the standards of conduct for the officers and employees of the state, and of a county, city, or other political subdivision of the state...."

In late 1975 and 1976, Governor Reubin Askew led an initiative petition drive to amend the Constitution to provide more stringent requirements relating to ethics in government and to require certain public officials and candidates to file full and public disclosure of their financial interests and their campaign finances. The voters in Florida overwhelmingly approved this measure in the 1976 General Election, and the "Sunshine Amendment," Article II, Section 8, Florida Constitution, became part of the Constitution on January 4, 1977. The Amendment declares: "A public office is a public trust. The people shall have the right to secure and sustain that trust against abuse." The

Constitution provides for investigations of complaints concerning breaches of the public trust and provides that the Florida Commission on Ethics be the independent commission to conduct these investigations.

The "Code of Ethics for Public Officers and Employees" adopted by the Legislature is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people in their government. The Code is intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service. Criminal penalties which initially applied to violations of the Code were eliminated in 1974 in favor of administrative enforcement.

Duties statutorily assigned to the Commission on Ethics include investigating sworn complaints alleging violations of the ethics laws, making penalty recommendations for violations, maintaining a financial disclosure notification system totaling 38,330 reporting officials and employees this past year, and issuing advisory opinions regarding Part III of Chapter 112, Florida Statutes, and Article II, Section 8, Florida Constitution. The Commission's jurisdiction was expanded with the adoption of Amendment 12 by Florida voters in 2018. The Constitutional provisions regarding abuse of office for a disproportional benefit were implemented December 31, 2020, and the implementation of the lobbying and post-officeholding provisions took effect December 31, 2022. The Commission also is charged with administering the Executive Branch Lobbyist Registration System and the Executive Branch Lobby Registration Trust Fund. Section 112.3215, Florida Statutes, provides registration requirements for persons wishing to lobby the Executive Office of the Governor, Governor and Cabinet and departments, Commissions, and agencies of the executive branch. Additionally, Section 112.32155, Florida Statutes, directs the Commission to provide an electronic filing system for lobbying firms to submit quarterly compensation reports. This information is accessible by visiting the Florida Reporting system home page at www.floridalobbyist.gov.

Organization

The Commission on Ethics is an appointive body consisting of nine members, none of whom may hold any public employment or be employed to lobby state or local government. Five of the members are appointed by the Governor and confirmed by the Senate. No more than three of the Governor's appointees may be of the same political party, and one must be a former city or county official. The Speaker of the House of Representatives and the President of the Senate each make two appointments to the Commission. The two appointments must be persons with different political party affiliations. The appointees of the President and Speaker are not subject to Senate confirmation. Any member of the Commission may be removed for cause by a majority vote of the Governor, the President of the Senate, the Speaker of the House, and the Chief Justice of the Florida Supreme Court.

Members of the Commission on Ethics serve two-year terms and may not serve more than two full terms in succession; however, members whose terms have expired continue to serve until they are replaced. A chair and vice-chair are selected by the members for one-year terms. Members of the Commission do not receive a salary but do receive reimbursement for travel and per diem expenses while on official Commission business.

Ethics Commission Staff

Legal, investigative, and administrative functions of the Commission are performed by staff, consisting of 24 full-time equivalent positions.

Kerrie J. Stillman, Executive Director

Steven Zuilkowski, Deputy Executive Director and General Counsel

Legal Section

Under the supervision of the Deputy Executive Director and the General Counsel, the legal section drafts opinions, orders, rules, and proposed legislation for consideration by the Commission, teaches, and responds to inquires about the ethics laws. The legal staff also represents the Commission in litigation.

Commission staff does not prosecute complaints. Those services are provided by Assistant Attorneys General Melody Hadley and Joseph Burns, who are employees of the Office of the Attorney General and have been assigned by the Attorney General to act as full-time Advocates for the Commission.

Legal Staff

Grayden Schafer, Assistant General Counsel

Amelia Naomi, Attorney

Michael Terry, Attorney

Stephanie Novenario, Attorney

Investigative Section

The investigative staff, supervised by the Executive Director, conducts investigations of alleged violations of the ethics laws and writes narrative investigative reports.

Investigative Staff

A. Keith Powell, Investigations Manager

Ronald D. Moalli, Senior Investigator

Tracey Maleszewski, Investigator

Brian Durham, Investigator

John Cizmadia, Investigator

Marian Lambeth, Investigator

Robert Malone, Investigator

Michael Wiederspahn, Investigator

Complaints

Under the supervision of the Executive Director, the Complaint Coordinator serves as the liaison between the Commission and the Complainant and Respondent and, as the official Clerk of the Commission, is responsible for maintaining the complaint tracking system and files.

Millie Fulford, Complaint Coordinator

Financial Disclosure Section

The Program Administrator, under the supervision of the Executive Director, responds to questions about the disclosure laws, compiles a list of the persons statewide who are required to file either Form 1 or Form 6 financial disclosure, tracks late filers and automatic fines, and interacts with agency Financial Disclosure coordinators. Some 38,330 reporting officials and employees were notified of their filing requirements in 2024 by the Commission.

Financial Disclosure Staff

Kimberly Holmes, Program Administrator

Emily Prine, Program Specialist

Keyana Green, Executive Secretary

Public Information & Administrative Section

Under the supervision of the Executive Director, the Chief Administrator oversees office technology, responds to general inquiries about the ethics laws, provides information regarding Commission practices and procedures to the press and the public, and oversees the administrative and clerical support staff who provide support services to the Commissioners and staff.

Administrative and Clerical Staff

Lynn Blais, Chief Administrator

Diana Westberry, Office Manager

Kathy Steverson, Assistant to the Executive Director

Jeremy Pennington, Executive Secretary

Rachel Campbell, Clerk (half-time)

Emma Wade, Clerk (half-time)

Executive Branch Lobbyist Registration

The Commission is charged with administering the Executive Branch Lobby Registration Act and oversees the registration of executive branch lobbyist and compensation report filings of executive branch lobbying firms. The Executive Branch Lobbying Registration office is co-located with the Legislative Lobbyist Registration Office.

Lobbyist Registration Staff

Karen Murphy-Bunton, Registrar

Fiscal Report

The following chart reflects revenues, expenditures, and changes in fund balances for the fiscal year ending June 30, 2024.

BUDGET AND ACTUAL - GENERAL REVENUE FUNDS For The Fiscal Year Ending June 30, 2024 (Amounts in dollars)

	Ethics General Revenue		Variance- Favorable (Unfavorable)
	Budget	Actual	
Revenues:			
Released General Revenue Appropriations	\$3,218,850	\$3,218,850	\$0
Fines*	0	54,985	\$54,985
Miscellaneous Receipts	0	0	\$0
Total Revenues	3,218,850	3,273,835	54,985
Expenditures:			
Salaries and Related Benefits	2,095,368	1,951,420	143,948
Other Personal Services	575,546	470,739	104,807
Expenses	277,723	213,967	63,756
Operating Capital Outlay	0	0	0
Ethics Commission Lump Sum	0	0	0
Transfers to Administrative Hearings	166,487	166,487	0
Risk management insurance	3,726	3,726	0
Legislative Carryforward **	3,307,479	190,312	3,117,167
Nonoperating***	100,000	1,500	98,500
Total Expenditures	6,526,329	2,998,151	3,528,178
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures	(3,307,479)	275,684	<u>\$3,583,163</u>
Budgetary Fund Balance, June 30, 2024		<u>275,684</u>	

EXECUTIVE BRANCH LOBBYIST REGISTRATION SUMMARY

FEES REVENUES: \$ 355,730
FINES: \$ 5,900

* Fines are recorded as Collection to General Revenue. They are not a revenue in the state's accounting system and are not an available resource to the fund.

** Legislative Carryforward is prior years' unspent budget carried forward to the current year. It is treated as a current appropriation.

*** Nonoperating Budget is budget set up to refund fines and is not an available resource to the fund.

Operations

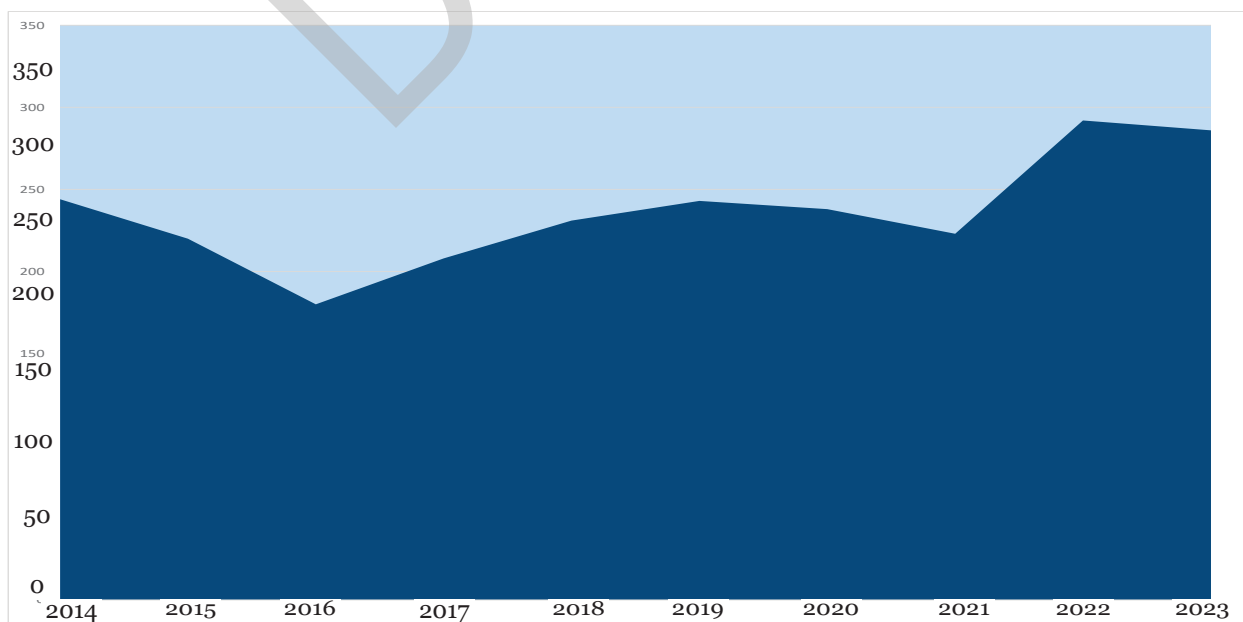
The major operational functions of the Commission on Ethics are the investigation of complaints and referrals,* management of the Executive Branch Lobbyist Registration Act, issuance of advisory opinions, provision of public information and education, and financial disclosure administration. This section offers a profile of the Commission's workload.

Complaints

Ten Year History of Complaints

The number of complaints filed this year remained consistent with last year's complaint totals, though fewer complaints were ordered to be investigated in 2024. Complaint totals include referrals.

2024.....	286
2023.....	292
2022.....	223
2021.....	238
2020.....	243
2019.....	231
2018.....	211
2017.....	180
2016.....	220
2015.....	244



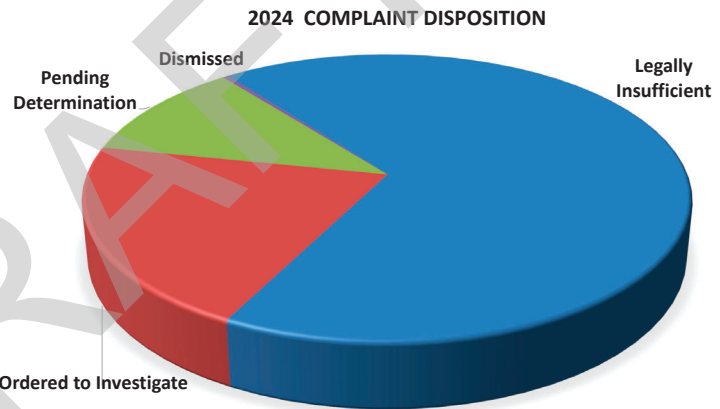
* The Commission may accept referrals from the Governor, State Attorneys, U.S. Attorneys, and the Florida Department of Law Enforcement.

Complaints

Total number of complaints and referrals filed in 2024.286

POSITION	NUMBER OF COMPLAINTS	PERCENT OF TOTAL
State Elected	12	4.2%
State Appointed	4	1.4%
State Employee	11	3.8%
District Elected	22	7.7%
District Appointed	2	0.7%
District Employee	13	4.5%
County Elected	48	16.8%
County Appointed	1	0.3%
County Employee	35	12.2%
Municipal Elected	86	30.1%
Municipal Appointed	6	2.1%
Municipal Employee	37	12.9%
Lobbyist	1	0.3%
Candidate	7	2.4%
Other	1	0.3%
TOTAL	286	100.0%

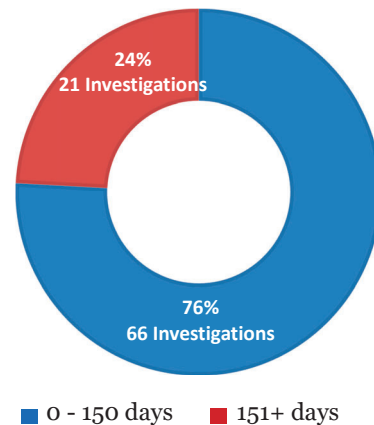
Of the 286 complaints and referrals received in 2024, 194 were dismissed for lack of legal sufficiency; 59 were ordered to be investigated; 1 was dismissed due to the death of Respondent; and 32 were pending a legal sufficiency determination, as of December 31.



Timeframes for Completed Investigations

An analysis of all 87 investigations completed in 2024 shows that 66 were completed within 150 days of the investigation being ordered, with an average was 118 days.* Nearly all of the investigations ordered and completed in 2024 were not subject to the 150-day statutory investigative deadline that became effective for complaints filed on or after October 1, 2024. None of the investigations that took longer than 150 days were subject to the new statutory requirement.

Completed within 150 days

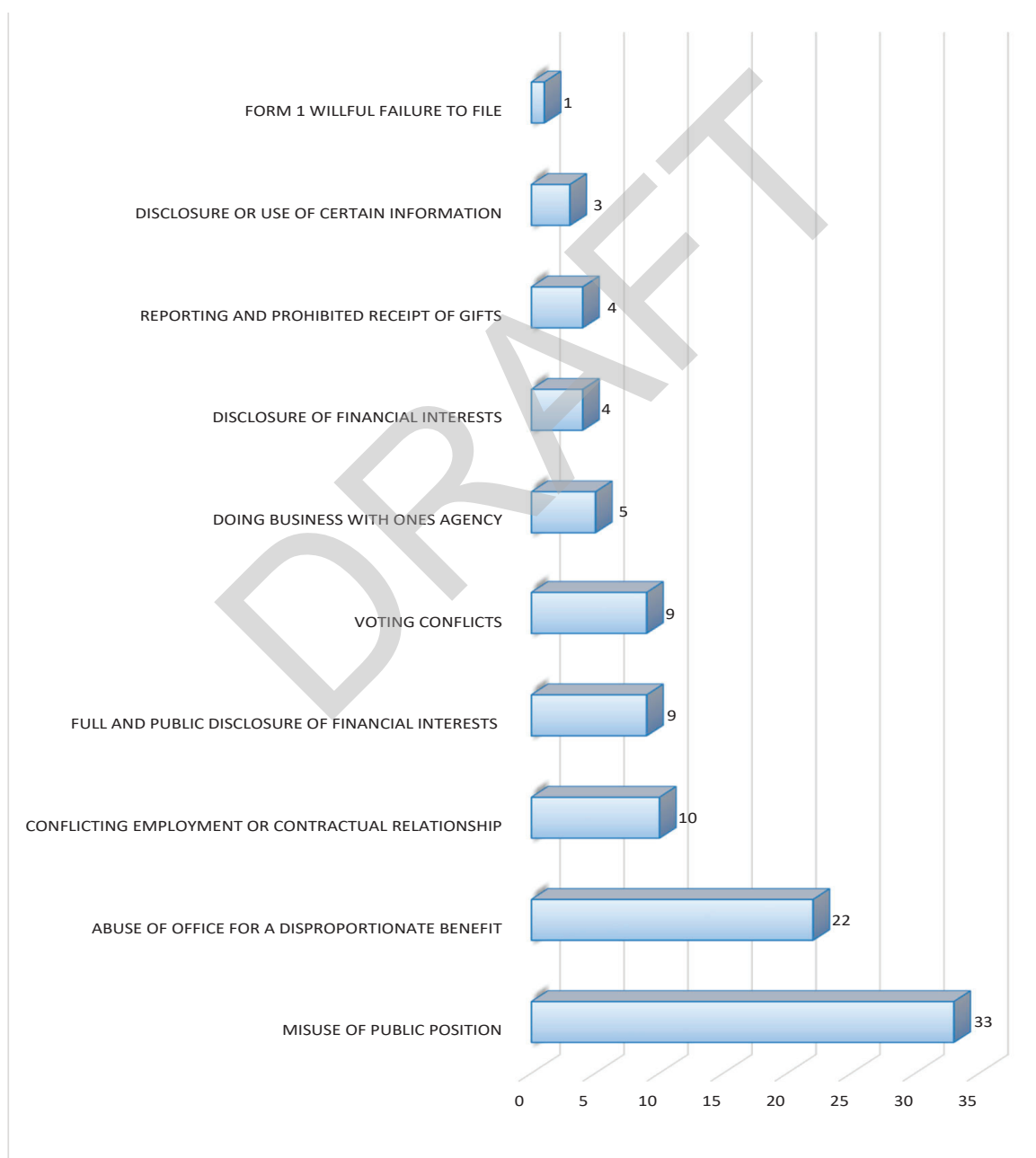


* This is a summary of investigation completed in 2024, across all active complaint years.

Allegations

Of the 286 complaints and referrals received in 2024, 59 had been ordered to be investigated as of the end of the year. A breakdown of the allegations made in complaints found sufficient for investigation is illustrated below. Most complaints contained allegations concerning more than one area of law.

2024 Complaint Allegations



Actions Taken on Complaints in 2024

The Commission took action during its regularly-scheduled meetings on complaints, referrals, statutorily-mandated investigations concerning lobbyist compensation reports, determination as to whether late-filed disclosure was "willful," and petitions for costs and attorney fees. The following is a summary of action taken in 2024, across all active complaints.

Complaints & Mandatory Willfulness Investigations.....	305
Dismissed for lack of legal sufficiency	220
Probable cause hearings held	75
No probable cause - dismissed.....	51
Probable cause	14
Probable cause - no further action	8
Dismissed - § 112.324(12).....	1
Dismissed - Death of Respondent.....	1
Stipulations	10
Violation	10
Respondent's Motion to Reconsider Probable Cause	1
Denied	1
Costs and attorney's fees petitions	2
Insufficient petition - dismissed	1
Hearing ordered.....	1
TOTAL NUMBER OF ACTIONS TAKEN ON COMPLAINTS	308

Executive Branch Lobbyist Registration

A person who is a "lobbyist" as defined in Section 112.3215(1)(h), F.S., may not lobby an Executive branch agency until he or she has registered as a lobbyist with the Commission. Executive branch lobbyist registration may be made by electronic means via the Lobbyist Registration and Compensation Reporting system located at www.floridalobbyist.gov. Lobbyist registrants are required to pay an annual registration fee of \$25 for each principal represented, which is deposited into the Executive Branch Lobby Registration Trust Fund. The fee is payable on a calendar year basis and there is no charge if a lobbyist amends his or her registration to lobby additional agencies on behalf of the same principal.

Executive branch lobbying firms are required to electronically file quarterly compensation reports disclosing compensation received from their principals. Penalties for failure to file these quarterly reports by the deadline are automatic and accrue at \$50 for each day late, with a maximum penalty of \$5,000.

Each lobbying firm is entitled to receive a one-time fine waiver if the report is filed within 30 days after the firm is notified of the failure to file. Otherwise, the lobbying firm is assessed a fine at the time the delinquent report is filed. If an appeal is filed within 30 days after the lobbying firm is noticed of the assessed fine, the Commission has the authority to waive the assessed fines in whole or in part for good cause, based on "unusual circumstances."

2024 Summary of Activity

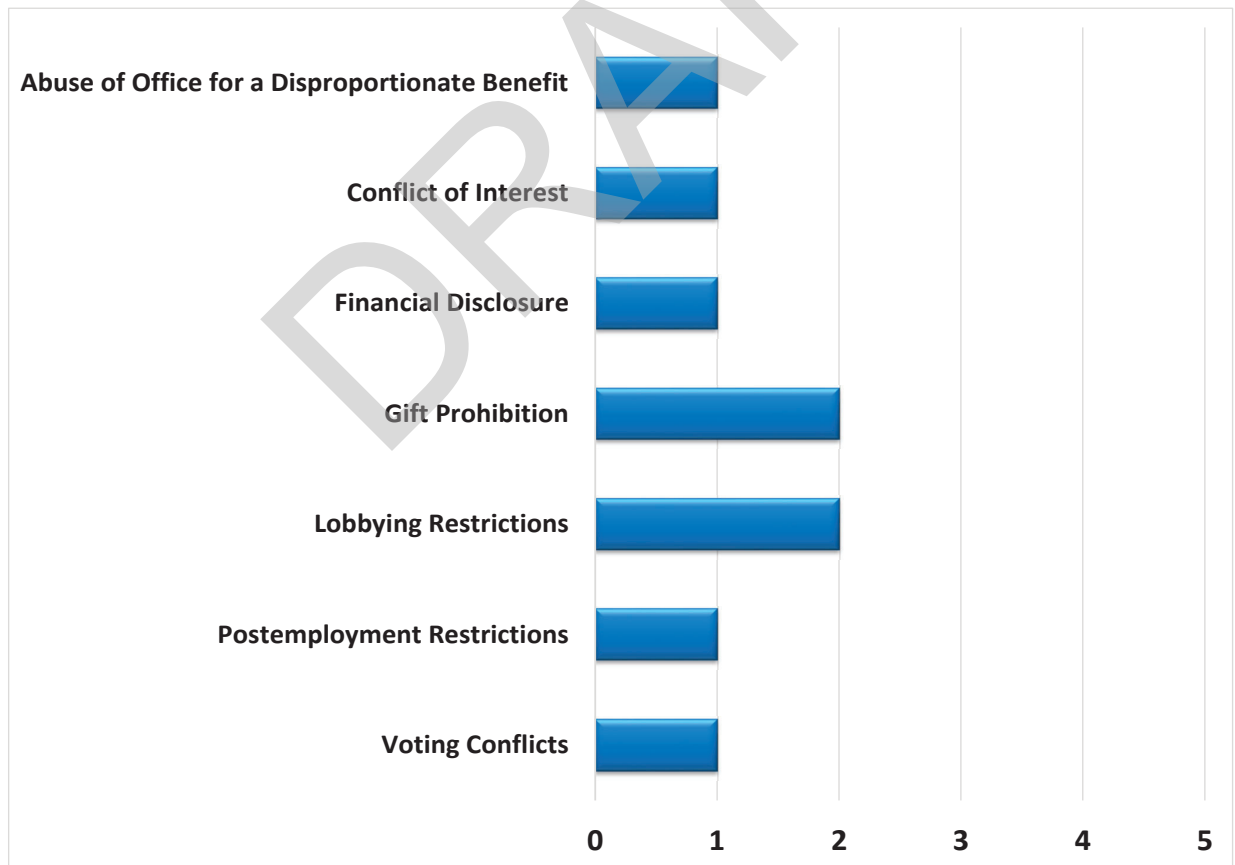
Total number of registered executive branch lobbyists	1,480
Total number of executive branch lobbying firms	315
Total number of principals represented by the lobbyists	13,735
Percent <i>increase</i> in number of principals from 2023 to 2024	1.67%
Total number of firms delinquent in filing their compensation reports	
October - December 2023.....	19
(<i>Filing deadline for fourth quarter 2023 was February 14, 2024</i>)	
January - March 2024	13
April - June 2024	13
July - September 2024.....	17
Total number of firms assessed a fine in 2024	
Fourth quarter 2023	17
(<i>Filing deadline for fourth quarter 2023 was February 14, 2024</i>)	
First quarter 2024.....	12
Second quarter 2024	10
Third quarter 2024	14
Number of appeals considered by the Commission in 2024.....	0

Formal Advisory Opinions

The Commission issues advisory opinions to public officers, candidates, and public employees who are in doubt about the applicability of the standards of conduct or disclosure laws to themselves or to anyone they have the power to hire or terminate. During 2024, the Commission on Ethics issued eight advisory opinions, bringing the total issued since 1974 to 2,710. The Commission's legal team also provides guidance to public officials, based on advisory opinions issued by the Commission.

Six of the opinions rendered in 2024 were in response to requests by local officers, employees, or local government attorneys, and another two opinions were issued regarding state level officers or employees.

The bar graph illustrates the number of instances in which a provision of the ethics code was addressed in a formal opinion of the Commission in 2024. A number of opinions addressed more than one aspect of the ethics laws.



All Commission advisory opinions, from 1974 to present, can be accessed and researched without cost on our website: <http://www.ethics.state.fl.us>.

Training & Education

Pursuant to Section 112.3142, Florida Statutes, Florida's Constitutional officers (including the Governor, Lieutenant Governor, Attorney General, Chief Financial Officer, Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools), elected municipal officers, and CRA members are required to complete four hours of ethics training each calendar year. Beginning January 1, 2024, each elected local officer of an independent special district, as defined in s. 189.012, and each person who is appointed to fill a vacancy for an unexpired term of elective office must complete 4 hours of ethics training each calendar year.

The training must include:

- Article II, Section 8 of the Florida Constitution
- Part III, Chapter 112, Florida Statutes (Code of Ethics)
- Public Records
- Public Meetings (Sunshine Law)

The requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered. Officials are not required to receive the training from the Commission on Ethics. The Commission's training page on its website features the latest administrative rules and ethics opinions on the mandatory training requirements. From that page, individuals can access free training audio and video of the Commission's staff, as well as a listing of live training opportunities conducted by staff at various locations around the state.

Speaking Engagements

A vital part of the Commission's mission is to educate public officers and employees regarding the standards of conduct and financial disclosure requirements of the Code of Ethics. As personnel and resources are available, members of the Commission's staff conduct training for public officials throughout the state. Commission staff presented educational programs to the following groups and organizations during 2024:

- Florida Conference of District Court of Appeals
- Department of Revenue's Property Tax Oversight's training for Property Appraisers and Tax Collectors
- Florida Public Relations Association's Leadership Class
- Department of Revenue's Duties and Responsibilities of Tax Collectors
- Webinar for Form 6 filers in Senator Pizzo's and Senator Gruter's Districts
- Florida Association of Counties
- The Florida Bar Annual Sunshine Law, Public Records, & Ethics Conference
- Florida Court Clerks and Comptrollers Association
- Northeast Florida League of Cities
- Space Coast League of Cities
- Elected Municipal Officers from Southern Alachua and Northern Marion Counties
- Administrative Law Judges and Judges of Compensation Claims
- Justice Administrative Commission
- Florida A&M University Board of Trustees
- Florida State University Strategic Leadership and Communications course
- Florida State University Askew School of Public Administration
- Florida Housing Finance Corporation
- Florida Senate
- Presentatin for Public Officers in Representative Hinson's District
- Tallahassee Ethics Board

Financial Disclosure

The Florida Commission on Ethics is required by statute to compile an annual list of elected and appointed officials and employees subject to filing annual financial disclosure. Additionally, the Commission was tasked with the development of an electronic filing system. The phased launch began January 1, 2022, with Form 6 filers. The system was paused in June and relaunched to 2,609 Form 6 filers on January 1, 2023. Beginning January 1, 2024, electronic filing launched for 35,775 Form 1 filers. The Commission has invested significant staff hours for the successful rollout of Form 1 filers. In 2024, the Commission also trained Call Center Representatives to assist Form 1 filers logging in, navigating, and completing the electronic form. The Call Center answered 8,843 calls from the end of April through the middle of September. The Commission staff assisted Form 1 and Form 6 filers with e-filing, as well as escalated calls from the call center.

Section 112.3144, Florida Statutes, applies to persons subject to the annual filing of full and public disclosure under Section 8, Article II of the State Constitution or other state law. These individuals file Commission on Ethics Form 6, Full and Public Disclosure of Financial Interests.

Section 112.3145, Florida Statutes, applies to local officers, state officers, and specified state employees subject to the annual filing of a more limited statement of financial interests. These individuals file Commission on Ethics Form 1, Statement of Financial Interests.

The deadline for filing disclosure is July 1 of each year. A grace period is provided until September 1 of each year. The Commission on Ethics compiles a list after that time the names of, and positions held by, persons who fail to file by the end of the grace period.

Those who did not file their annual disclosure form (either Form 6 or Form 1) by September 3, 2024, were subject to automatic fines of \$25 for each late day, up to a maximum of \$1,500. Modeled after the automatic fine system in place for campaign finance reports, the law allows the Ethics Commission to hear appeals and to waive fines under limited circumstances. Information on the following pages reflects compliance rates and disposition of appeals.

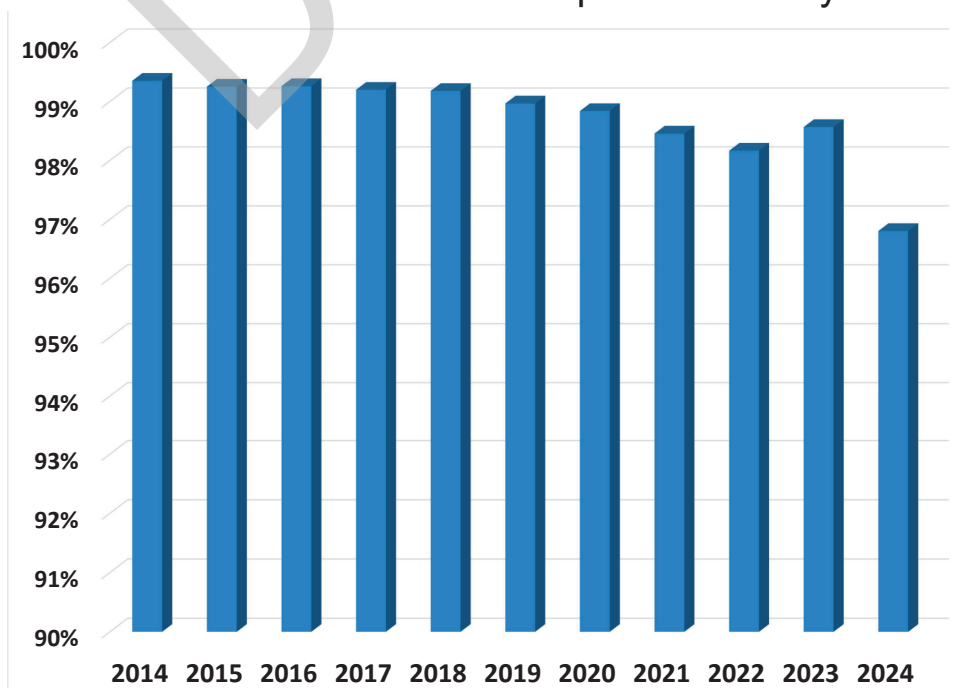
Compliance

There was approximately 97% overall compliance with the annual reporting requirement in 2024. The following table reflects the number of officials and employees subject to disclosure, the number delinquent, and the percentages of compliance. Also provided is a chart which outlines filing compliance from 2014 to present.

2024 Financial Disclosure Compliance Figures				
	Timely Filers	Delinquent Filers	Total Filers	Compliance Rate
Total-Form 1 Local	21,926	981	22,907	95.72%
Total-Form 1 State	12,592	276	12,868	97.86%
Total-Form 6 (Not Judges)	1,374	9	1,383	99.35%
Total-Judges (Active)	1,006	0	1,006	100.00%
Total-Judges (Senior)	166	0	166	100.00%
OVERALL TOTAL	37,064	1,266	38,330	96.70%

FINANCIAL DISCLOSURE FILING COMPLIANCE (2014 - 2024)			
Year	Individuals Required to File	Form 1 & 6 Delinquent Filers	Overall Compliance Rate
2014	38,181	249	99.4%
2015	38,613	291	99.3%
2016	38,824	289	99.3%
2017	38,909	314	99.2%
2018	39,402	326	99.2%
2019	39,433	412	99.0%
2020	38,792	456	98.8%
2021	38,519	604	98.5%
2022	38,257	715	98.2%
2023	38,026	553	98.6%
2024	38,330	1,266	96.8%

Financial Disclosure Compliance History



Summary of Local Level Form 1 Compliance

- Total compliance rate for Form 1 Statement of Financial Interests was 95.7%. As in previous years, disclosure staff sent reminder postcards to delinquent filers immediately prior to the start of the statutory fining period. Commission staff also telephoned filers to remind them to file. These reminders are not required by statute, but are part of the Commission's additional efforts to encourage compliance.
- Of the 22,907 individuals required to file, 981 were delinquent.

Summary of State Level Form 1 Compliance

- The Form 1 compliance rate was 97.9%. Postcard and telephone reminders also were used with these filers.
- Of the 12,868 individuals required to file, only 276 were delinquent.

Summary of Full Disclosure (Form 6) Compliance

- Form 6 Full and Public Disclosure of Financial Interests compliance rate for elected constitutional officers and employees other than judges was 99.3%. Postcard and telephone reminders also were used with these filers.
- There were only 9 delinquencies out of a total of 1,383 individuals (excluding judges) required to file Form 6.

Summary of 2024 Overall Compliance

- Out of the 37,158 individuals who were non-judicial financial disclosure filers, there were only 1266 public officers and employees who failed to do so. The dip in compliance from last year may be due to the transition to e-filing and obtaining valid emails for filers from their agencies.

Financial Disclosure Fine Appeals

Individuals delinquent in filing the annual financial disclosure form (those who did not file by the end of the September 3 grace period provided by law), are fined \$25 per day for each day late, up to a statutory maximum of \$1,500.

Individuals may opt to pay the assessed fine or may appeal the assessed fine. Under the law, the Commission has the authority to waive or reduce an assessed fine if an appeal is filed reflecting that "unusual circumstances" caused the failure to file the form on time.

For fines where there is no appeal and no payment, a Default Final Order is rendered and the cases are either transmitted to private collection agencies for collection, or the Commission attempts to make collections.

The following reflects the Commission's actions taken on appeals of assessed fines at its regularly scheduled meetings held during calendar year 2024. (The fines for late filings in 2024 recently have been assessed and will be reported in 2025).

Financial Disclosure Appeals 2024 Appeal Decisions					
COMMISSION MEETING	WAIVED	REDUCED	DENIED	DEFAULT ORDERS APPROVED	UNCOLLECTIBLE
January 26, 2024	4	0	1	0	0
March 8, 2024	10	0	1	0	1
April 19, 2024	5	0	0	0	0
June 7, 2024	4	0	1	0	0
July 26, 2024	4	0	1	0	0
September 13, 2024	17	0	2	0	0
October 25, 2024	0	0	0	0	0
December 6, 2024	0	0	0	0	0

2025 Legislative Recommendations

For 2025, the Commission on Ethics makes the following recommendations regarding legislative changes to the Code of Ethics for Public Officers and Employees (Code of Ethics).

Whistle Blower-like Protection For Ethics Complainants

The Commission believes that the threat of adverse employment or personnel actions in retaliation for a person's filing of an ethics complaint discourages the filing of valid complaints. Thus, the Commission seeks the enactment of protections or remedies, akin to those in the "Whistle-blower's Act," Sections 112.3187-112.31895, Florida Statutes, for the benefit of ethics complainants.

Salary Withholding For Civil Penalties Arising From Complaints

Currently, the Commission Advocates who prosecute ethics complaints obtain judgments from the courts when a Respondent fails to pay an imposed civil penalty resulting from a finding of a violation from a complaint proceeding. Commission recommends the Advocates have an additional tool for collecting civil penalties under 112.317(2). Salary withholding would be an efficient, cost-effective way to collect complaint civil penalties. It has proven very effective with the statutory automatic fines for late-filed disclosure forms. Language could be adapted from 112.31455(1) and added to 112.317.

Include "Current and Former Foster Parents and Foster Children" in the Definition of Relative in Section 112.312(21), F.S.

In the Code of Ethics, s. 112.313(21), F.S. defines relative for purposes of Florida's gift law. Although the statutory definition of relative is broad and includes persons sharing the same legal residence, as well as those who are engaged to be married, the term "relative" as currently defined does not include the current and former foster children and foster parents of a Reporting Individual or Procurement Employee (RIPE). Individuals subject to the prohibitions and reporting requirements found in Section 112.3148, F.S. may accept any gift in any amount from a "relative" and there are no reporting requirements for gifts from relatives. However, a RIPE, subject to the gifts law, would be required to report any gifts valued at more than \$100 that they receive from a current or former foster parent or foster child that does not have the same legal residence as the RIPE. Foster parents do not necessarily adopt the children they foster, but these foster parents and foster children may maintain a familial relationship throughout their lives, even after their legal relationship ends. The Commission recommends the Legislature amend the statute to include current and former foster parents and foster children in the definition of relative.