

2025 Legislative Bills to Watch: (2/20/2025)

BILLS BEING TRACKED:

HOUSE:

<p>HB 495 Benarroch Similar SB 352 Gaetz Whistleblower protections for complainants who file complaints with COE</p>	<p>HB 399 Maney Identical SB 348 Gaetz Stolen Valor added to ethics law prohibitions; adds salary withholding to complaint penalty collection tools for Advocates</p>	<p>HB 443 Snyder Similar SB 822 Rodriguez Prohibits charter school bd mbrs/spouses and others from being landlords of charter school unless school estbl under certain circumstances; Also makes bd mbrs subject to (2), (3), (7), and 3143(3) only when statutes concern employment/contractual relationships and transactions with for-profit businesses</p>
<p>HB 727 Rayner Similar SB 926 Smith Creates a prohibition on PSA publications or expenditures during statewide ballot initiative period, allows COE to investigate violations</p>		

SENATE:

<p>SB 352 Gaetz Similar HB 495 Benarroch Whistleblower protections for complainants who file complaints with COE</p>	<p>SB 348 Gaetz Identical HB 399 Stolen Valor added to ethics law prohibitions; adds salary withholding to complaint penalty collection tools for Advocates</p>	<p>SB 7002 Environment & Natural Resources Committee Includes new provision to apply expenditure ban to members and officers of water management districts; authorizes COE to investigate complaints alleging violation of such & report findings to Governor</p>
<p>SB 192 Gruters Changes location of intangible personal property definition outlined in s. 112.312 from s. 192.001(11)(b) to 192.001 (18)(b)</p>	<p>SB 822 Rodriguez Similar HB 443 Snyder Prohibits charter school bd mbrs/spouses and others from being landlords of charter school unless school estbl under certain circumstances; Also makes bd mbrs subject to (2), (3), (7), and 3143(3) only when statutes concern employment/contractual relationships and transactions with for-profit businesses</p>	<p>SB 926 Smith Similar HB 727 Rayner Creates a prohibition on PSA publications or expenditures during statewide ballot initiative period, allows COE to investigate violations</p>
<p>SB 860 Smith Compare SB 926 Smith Compare HB 727 Rayner Prohibits elected and appointed officials from using or threatening to use their official authority, regarding airing certain political advertisements by broadcasters; providing criminal and administrative penalties, etc.</p>		

HOUSE BILLS:

HB 495: Adverse Personnel Actions Against Employees

General Bill by Benarroch

Adverse Personnel Actions Against Employees; Prohibits agencies & independent contractors from taking specified actions against employees for disclosing certain information to Commission on Ethics; requires that information disclosed include specified violations or alleged violations; requires disclosure of specified information to commission; provides that specified provisions protect employees & persons who submit written complaints to commission or provide information to investigator during investigation of complaint; authorizes certain employees or applicants for employment to file complaints in accordance with specified provisions; authorizes such employees or applicants to pursue specified administrative remedy or civil action within specified timeframe; authorizes local public employees to file complaint with appropriate local governmental authority; provides requirements for administrative procedures created by local governmental authorities; authorizes such employee to bring civil actions in court of competent jurisdiction; requires specified relief; provides that it is affirmative defense to certain actions that adverse action was predicated on grounds other than exercising of certain protected rights.

Effective Date: 7/1/2025

2/10/2025 HOUSE Filed

HB 399: Ethics

GENERAL BILL by Maney

Ethics; Prohibits candidates, elected public officers, appointed public officers, & public employees from knowingly misrepresenting their Armed Forces of United States service records, awards, or qualifications or wearing any uniform, medal, or insignia that they are not authorized to wear; provides applicability; provides civil penalties; provides construction; requires Attorney General to attempt to determine whether individual owing certain penalties is current public officer or public employee; requires Attorney General to notify CFO or governing body of county, municipality, school district, or special district of total amount of any such penalty owed by current public officer or public employee; requires CFO or governing body to begin withholding portions of any salary-related payment that would otherwise be paid to officer or employee; requires that withheld payments be remitted to commission until penalty is satisfied; authorizes CFO or governing body to retain portion of each retained payment for administrative costs; authorizes Attorney General to refer certain unpaid fines to collection agency; authorizes collection agency to use any lawful collection method; authorizes Attorney General to collect unpaid fine within specified period after issuance of civil penalty or restitution penalty.

Effective Date: 7/1/2025

2/5/2025 HOUSE Filed
 2/12/2025 H Referred to Rules & Ethics Committee
 Referred to Judiciary Committee
 Referred to State Affairs Committee
 Now in Rules & Ethics Committee

HB 443: Charter Schools**General Bill By Snyder**

Charter Schools; Revises provisions relating to charter schools, charter school sponsors, DOE duties, & disposal of school district real property.

Effective Date: 7/1/2025

2/6/2025	HOUSE	Filed
2/12/2025	H	Referred to Education Administration Subcommittee
		Referred to PreK-12 Budget Subcommittee
		Referred to Education & Employment Committee
		Now in Education Administration Subcommittee

HB 727: Use of State Resources to Influence Statewide Ballot Initiatives**GENERAL BILL by Rayner**

Use of State Resources to Influence Statewide Ballot Initiatives; Provides short title, legislative intent, & definitions; prohibits certain entities from producing, disseminating, or funding specified public service announcements during certain timeframe; provides construction; requires certain entities to maintain specified records & make such records available to public.

Effective Date: upon becoming a law

2/19/2025	HOUSE	Filed
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SENATE BILLS:**SB 352: Employee Protections****General Bill by Gaetz**

Employee Protections; Prohibiting agencies and independent contractors from taking specified actions against employees for disclosing certain information to the Commission on Ethics; providing that specified provisions protect employees and persons who submit written complaints to the commission or provide information to an investigator during an investigation of a complaint; authorizing certain employees or applicants for employment to file complaints in accordance with specified provisions; providing requirements for administrative procedures created by local governmental authorities, etc.

Effective Date: 7/1/2025

1/27/2025	SENATE	Filed
2/3/2025	S	Referred to Governmental Oversight and Accountability; Ethics and Elections; Rules

SB 348: Ethics**General Bill by Gaetz**

Ethics; Prohibiting candidates, elected public officers, appointed public officers, and public employees from knowingly misrepresenting their Armed Forces of the United States service records, awards, or qualifications or wearing any uniform, medal, or insignia that they are not authorized to wear; requiring the Attorney General to attempt to determine whether an individual owing certain penalties is a current public officer or public employee, etc.

Effective Date: 7/1/2025

1/27/2025	SENATE	Filed
2/3/2025	S	Referred to Ethics and Elections; Military and Veterans Affairs, Space, and Domestic Security; Rules
2/10/2025	S	On Committee agenda-- Ethics and Elections, 02/18/25, 8:30 am, 37 Senate Building

2/18/2025 S CS by Ethics and Elections; YEAS 7 NAYS 0

SB 192: Revenue Administration

General Bill by Gruters

Revenue Administration; Replacing the term “tax assessor” with the term “property appraiser”; revising the definitions of the terms “ad valorem tax” and “assessed value of property”; prohibiting the levy of non-ad valorem assessments on agricultural lands under certain circumstances; specifying that non-ad valorem assessments may become delinquent and bear penalties in the same manner as county taxes; authorizing non-ad valorem assessments to be levied to pay certain bonds issued, etc.

Effective Date: 7/1/2025

1/10/2025 SENATE Filed

1/24/2025 S Referred to Community Affairs; Finance and Tax; Appropriations

SB 7002: Water Management Districts

GENERAL BILL by Environment and Natural Resources

Water Management Districts; Requiring the Commission on Ethics to investigate a lobbyist or principal who has made a prohibited expenditure and to provide the Governor with a report of its findings and recommendations regarding such investigation; requiring the South Florida Water Management District, in cooperation with the Department of Environmental Protection, to provide a detailed report that includes the total estimated remaining cost of implementation of the Everglades restoration comprehensive plan and the status of all performance indicators; authorizing the districts to levy ad valorem taxes on property by resolution adopted by a majority vote of the governing board, etc.

Effective Date: 7/1/2025

2/10/2025 SENATE Submitted for consideration by Environment and Natural Resources
On Committee agenda-- Environment and Natural Resources,
02/18/25, 11:00 am, 110 Senate Building

2/18/2025 S Submitted as Committee Bill and Reported Favorably by
Environment and Natural Resources; YEAS 7 NAYS 0

2/19/2025 S Filed

SB 822: Education

GENERAL BILL by Rodriguez

Education; Providing requirements for specified deadlines for charter schools; authorizing a charter school to assign its charter to another governing board under certain circumstances; revising which facilities and land are exempt from specified ad valorem taxes; authorizing high-performing charter schools to assume the charters of certain charter schools; requiring school districts to take specified actions before the disposal of real property, etc.

Effective Date: 7/1/2025

2/18/2025 SENATE Filed

SB 926: Public Service Announcements by State Agencies

GENERAL BILL by Smith

Public Service Announcements by State Agencies; Citing this act as the “Public Resource Election Neutrality Act”; prohibiting state agencies from producing, disseminating, or funding certain public service announcements; prohibiting state agencies from using funds, resources, or personnel to influence, directly or indirectly, the outcome of statewide ballot initiatives; providing exceptions; providing that individuals who violate specified provisions may be subject to

suspension, removal, or disciplinary action; authorizing the Legislature to reduce future appropriations to state agencies under specified conditions, etc.

Effective Date: Upon becoming a law

2/20/2025 SENATE Filed

SB 860: Political Advertisements by Governmental Officials

GENERAL BILL by Smith

Political Advertisements by Governmental Officials; Citing this act as the “Broadcast Freedom Protection Act”; prohibiting elected and appointed officials from using or threatening to use their official authority, position, and influence to compel, coerce, induce, or intimidate broadcasters to air or refrain from airing certain political advertisements; prohibiting such officials from threatening to withhold or promise to grant state funding, permits, or other benefits to such broadcasters or initiating or threatening regulatory action, investigations, or audits against such broadcasters; providing criminal and administrative penalties, etc.

Effective Date: 7/1/2025

2/19/2025 SENATE Filed

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

582-01987-25

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

582-01987-25

2025348c1

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

36 Be It Enacted by the Legislature of the State of Florida:
37

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

40 112.3131 Stolen valor.-

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

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

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

582-01987-25

2025348c1

59 minimis.

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

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

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

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

74 a. Air Force Combat Action Medal.

75 b. Air Force Cross.

76 c. Combat Action Badge.

77 d. Combat Action Ribbon.

78 e. Combat Infantryman Badge.

79 f. Combat Medical Badge.

80 g. Distinguished Service Cross.

81 h. Medal of Honor.

82 i. Navy Cross.

83 j. Purple Heart.

84 k. Silver Star Medal.

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

582-01987-25

2025348c1

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

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

91 b. Explosive Ordinance Disposal Technician.

92 c. Parachutist.

93 d. United States Army Ranger.

94 e. United States Navy Seal or Diver.

95 f. United States special operations forces member.

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

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

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

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

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

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

116 112.317 Penalties.—

582-01987-25

2025348c1

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

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

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

582-01987-25

2025348c1

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

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

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

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

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

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

51 gaining a position in state or local government with authority
 52 over another person, regardless of whether the individual
 53 receives compensation or renumeration for his or her service in
 54 the position; obtaining or retaining state or local public
 55 office through election or appointment; or any thing in which or
 56 for which a tangible benefit was gained, even if the value of
 57 such benefit is de minimis.

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

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

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

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

- 72 a. Air Force Combat Action Medal.
- 73 b. Air Force Cross.
- 74 c. Combat Action Badge.
- 75 d. Combat Action Ribbon.

101 for use by members or veterans of the Armed Forces of the United
 102 States which he or she is not authorized to wear.

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

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

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

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

114 112.317 Penalties.—

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

151 as expressly limited by this section, such collection agency may
152 use any collection method authorized by law.

153 (d) The Attorney General may take any action to collect
154 any unpaid civil penalty or restitution penalty imposed within
155 20 years after the date the civil penalty or restitution penalty
156 is imposed.

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

By Senator Gaetz

1-00560-25

2025352

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

1-00560-25

2025352

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

33
34 Be It Enacted by the Legislature of the State of Florida:

35
36 Section 1. Section 112.3242, Florida Statutes, is created
37 to read:

38 112.3242 Adverse action against employee for disclosing
39 information of specified nature to the Commission on Ethics
40 prohibited; employee remedy and relief.-

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

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

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

1-00560-25

2025352

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

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

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

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

73 (3) ACTIONS PROHIBITED.—

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

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

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

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

1-00560-25

2025352__

88 suspected violation of:

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

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

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

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

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

106 (7) REMEDIES.—

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

1-00560-25

2025352__

117 notice.

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

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

1-00560-25

2025352

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

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

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

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

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

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

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

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

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

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

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

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

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

34

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

36

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

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

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

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

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

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

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

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

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

75 (3) ACTIONS PROHIBITED.—

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

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

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

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

- 91 (a) Any standard of conduct imposed by this part;
- 92 (b) Section 8, Art. II of the State Constitution; or
- 93 (c) Section 11.062, s. 350.031, s. 350.04, s. 350.041, s.
 94 350.042, or s. 350.0605.

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

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

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

108 (7) REMEDIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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