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*"A Public Office is a Public Trust"*

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## MEMORANDUM

**TO:** All Interested Persons  
**FROM:** Kerrie Stillman, Executive Director  
**SUBJECT:** Proposed Legislation for 2025  
**DATE:** October 16, 2024

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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 Complaint Penalties

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.