

2026 Legislative Bills to Watch: (10/9/2025)

BILLS BEING TRACKED:

HOUSE:

SENATE:

SB 92 Gaetz Employee Protections; prohibits agencies and independent contractors from taking certain actions vs employees or certain persons for disclosing certain info to FCOE; protections for certain complainants/participants in investigations		

APPROPRIATIONS:

HOUSE BILLS:

SENATE BILLS:

SB 92: Employee Protections

General Bill by Gaetz

Employee Protections; Prohibiting agencies and independent contractors from taking specified actions against employees or certain persons for disclosing certain information to the Commission on Ethics; requiring that information disclosed include specified violations or alleged violations; 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 or referral, etc.

Effective Date: 7/1/2026

9/29/2025 SENATE Filed

By Senator Gaetz

1-00194A-26

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A bill to be entitled

An act relating to employee protections; creating s.
112.3242, F.S.; providing legislative intent; defining
terms; prohibiting agencies and independent
contractors from taking specified actions against
employees or certain persons for disclosing certain
information to the Commission on Ethics; providing
applicability; requiring that information disclosed
include specified violations or alleged violations;
requiring disclosure of specified information to the
commission under specified circumstances; 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 or referral;
providing applicability; authorizing certain employees
or applicants for employment to file complaints in
accordance with specified provisions; authorizing such
employees or applicants to pursue a specified
administrative remedy or a civil action within a
specified timeframe; defining the term "local
governmental authority"; authorizing local public
employees to file a complaint with the appropriate
local governmental authority under specified
circumstances; specifying requirements for
administrative procedures created by local
governmental authorities; authorizing such employees
to bring civil actions in a court of competent
jurisdiction under specified conditions; requiring

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specified relief; providing applicability; providing that it is an affirmative defense to certain actions that the adverse personnel action was predicated on grounds other than the exercising of certain protected rights; providing construction; amending s. 112.324, F.S.; requiring the commission to deliver complaints and any amendment thereto to the agency conducting a certain investigation, upon the agency's written request; providing that such delivery does not affect specified exemptions in regard to the complaint and amendments; requiring that such delivery be within a reasonable timeframe; requiring that the commission redact certain information under specified conditions; requiring the commission to deliver complaints and any amendment thereto to certain persons upon a notarized written request; providing that such delivery does not affect the specified exemptions of the complaint; requiring that such delivery be within a reasonable timeframe; requiring that the commission redact certain information under specified conditions; providing an effective date.

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

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

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

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59 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
60 to prevent agencies or independent contractors from taking
61 retaliatory action against an employee who reports to an
62 appropriate agency any violation of this part or s. 8(f), Art.
63 II of the State Constitution on the part of a public employer or
64 an independent contractor. It is further the intent of the
65 Legislature to prevent agencies or independent contractors from
66 taking retaliatory action against any person who discloses
67 information to an appropriate agency regarding alleged breaches
68 of the public trust or violations of s. 8(f), Art. II of the
69 State Constitution on the part of an agency, a public officer,
70 or an employee.

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

73 (a) "Adverse personnel action" means the discharge,
74 suspension, transfer, or demotion of any employee or the
75 withholding of bonuses, the reduction in salary or benefits, or
76 any other adverse action taken against an employee within the
77 terms and conditions of employment by an agency or independent
78 contractor.

79 (b) "Agency" means any state, regional, county, local, or
80 municipal governmental entity, whether executive, judicial, or
81 legislative; any official, officer, department, division,
82 bureau, commission, authority, or political subdivision therein;
83 or any public school, community college, or state university.

84 (c) "Employee" means a person who performs services for,
85 and is under the control and direction of, or contracts with, an
86 agency or independent contractor for wages or other
87 remuneration.

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

91 (3) ACTIONS PROHIBITED.-

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

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

99 (c) This subsection does not apply when an employee or a
100 person discloses information known by the employee or person to
101 be false or when the employee or person discloses information
102 that forms the basis of an award of costs or attorney fees or
103 both pursuant to s. 112.317(7).

104 (4) NATURE OF INFORMATION DISCLOSED.-The information
105 disclosed under this section must include any violation or
106 suspected violation of:

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

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

109 (c) Section 11.062, s. 16.715, part II of chapter 287, s.
110 350.031, s. 350.04, s. 350.041, s. 350.042, or s. 350.0605.

111 (5) TO WHOM INFORMATION IS DISCLOSED.-The information
112 disclosed under this section must be disclosed to the Commission
113 on Ethics.

114 (6) EMPLOYEES AND PERSONS PROTECTED.-This section protects
115 employees and persons who submit a written complaint to the
116 Commission on Ethics executed on a form prescribed by the

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117 commission and signed under oath or affirmation or who provide
118 information to an investigator during an investigation of a
119 complaint or referral. A remedy or other protection under this
120 section does not apply to any employee or person who has
121 committed or intentionally participated in committing the
122 violation or suspected violation for which protection under this
123 section is being sought.

124 (7) REMEDIES.-

125 (a) Any employee of or applicant for employment with any
126 state agency as defined in s. 216.011 who is discharged,
127 disciplined, or subjected to other adverse personnel action or
128 denied employment because he or she engaged in an activity
129 protected by this section may file a complaint, which complaint
130 must be made in accordance with s. 112.31895. Upon receipt of
131 notice from the Florida Commission on Human Relations of
132 termination of the investigation, the complainant may elect to
133 pursue the administrative remedy available under s. 112.31895 or
134 bring a civil action within 180 days after receipt of the
135 notice.

136 (b) For the purpose of this paragraph, the term "local
137 governmental authority" includes any regional, county, or
138 municipal entity, special district, community college district,
139 or school district or any political subdivision thereof. Within
140 60 days after the action prohibited by this section, any local
141 public employee protected by this section may file a complaint
142 with the appropriate local governmental authority if that
143 authority has established by ordinance an administrative
144 procedure for handling such complaints or has contracted with
145 the Division of Administrative Hearings under s. 120.65 to

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conduct hearings under this section. The administrative procedure created by ordinance must provide for the complaint to be heard by a panel of impartial persons appointed by the appropriate local governmental authority. Upon hearing the complaint, the panel shall make findings of fact and conclusions of law for a final decision by the local governmental authority. Within 180 days after the entry of a final decision by the local governmental authority, the local public employee who filed the complaint may bring a civil action in any court of competent jurisdiction. If the local governmental authority has not established an administrative procedure by ordinance or contract, a local public employee may, within 180 days after the action prohibited by this section, bring a civil action in a court of competent jurisdiction.

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

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

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

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

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

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

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

180 (f) Temporary reinstatement of the employee to his or her
181 former position or to an equivalent position, pending the final
182 outcome on the complaint, if an employee complains of being
183 discharged in retaliation for a protected disclosure and if a
184 court of competent jurisdiction or the Florida Commission on
185 Human Relations, as applicable under s. 112.31895, determines
186 that the disclosure was not made in bad faith or for a wrongful
187 purpose or occurred after an agency's initiation of a personnel
188 action against the employee which includes documentation of the
189 employee's violation of a disciplinary standard or performance
190 deficiency. This paragraph does not apply to an employee of a
191 municipality.

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

197 (10) EXISTING RIGHTS.—This section does not diminish the
198 rights, privileges, or remedies of an employee under any other
199 law or rule or under any collective bargaining agreement or
200 employment contract; however, the election of remedies in s.
201 447.401 also applies to actions under this section.

202 Section 2. Paragraphs (g) and (h) are added to subsection
203 (2) of section 112.324, Florida Statutes, to read:

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204 112.324 Procedures on complaints of violations and
205 referrals; public records and meeting exemptions.-

206 (2)

207 (g) Notwithstanding the exemptions in paragraphs (a)-(d),
208 the commission shall deliver a copy of an ethics complaint, and
209 its timely amendments, to an agency conducting an investigation
210 of a claim asserted under s. 112.3242, upon receiving a written
211 request from the agency. The commission's delivery of the
212 complaint, and any amendments thereto, does not affect the
213 exemptions in paragraphs (a)-(d) in any other context. The
214 commission shall deliver the complaint, and any amendments
215 thereto, within a reasonable timeframe. If the exemptions in
216 paragraphs (a)-(d) are applicable at the time of the request,
217 the commission must redact any designations to the complaint
218 form it supplied after the form was filed, including, but not
219 limited to, date stamps, receipt stamps, and complaint serial
220 numbers.

221 (h) Notwithstanding the exemptions in paragraphs (a)-(d),
222 the commission shall deliver a copy of an ethics complaint, and
223 its timely amendments, to the person who filed the ethics
224 complaint and to the person who identified himself or herself in
225 the text of the complaint or its timely amendments as a current
226 or former employee of the agency associated with the respondent
227 named in the complaint or of an independent contractor of that
228 agency, upon receiving a notarized, written request from such
229 person. The commission's delivery of the complaint, and any
230 amendments thereto, does not affect the exemptions in paragraphs
231 (a)-(d) in any other context. The commission shall deliver the
232 complaint in a reasonable timeframe. If the exemptions in

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233 paragraphs (a)-(d) are applicable at the time of the request,
234 the commission must redact any designations to the complaint
235 form it supplied after the form was filed, including, but not
236 limited to, date stamps, receipt stamps, and complaint serial
237 numbers.

238 Section 3. This act shall take effect July 1, 2026.