

*Annual Report
to the
Florida Legislature
For Calendar Year 2025*



*By the
State of Florida
Commission on Ethics*

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Message from the Chair

As Chair of the Florida Commission on Ethics, it is my honor and privilege, along with that of my fellow Commissioners and the Commission staff, to serve the great State of Florida.

Created in 1974 to serve as "guardian of the standards of conduct for the officers and employees of the State" and its political subdivisions, the Commission, supported by a dedicated and tireless staff, diligently evaluates each claim and issue brought before it. On behalf of the Commission, I am proud to present this annual report regarding its work.

In 2025, the Commission's legal and investigative teams continued their dedicated and expeditious investigation and evaluation of claims and requests with professionalism and an efficient use of the public's resources. Through their efforts, the average completion time for an investigation was 73 days.

Regarding financial disclosures, the Commission continues to dedicate resources to educate public officers about their disclosure obligations. Through additional outreach, an enhanced e-filing system, and an improved process, the Commission has facilitated more timely disclosures by public officers and thus greater transparency and accessibility for Florida's citizens. In fact, in 2025, because of these improvements, 99.5% of non-judicial reporting individuals ultimately complied with the annual filing requirement. This is the highest level of compliance in the electronic filing era.

The Commission also remains dedicated to training and educating public officers and employees about their ethical responsibilities and the trust placed in them by Floridians. The Commission accomplishes these efforts through verbal and written guidance and training sessions for public officials, candidates, and employees. These efforts, led by our dedicated staff, help prevent ethics violations and reinforce a culture of compliance.

As we turn to 2026, we look forward to serving our fellow Floridians. Thank you for entrusting us with that privilege.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jon M. Philipson", with a horizontal line extending to the right.

Jon M. Philipson
Chair, Florida Commission on Ethics

Commission Members

JON M. PHILIPSON, *Chair*
Tampa - Attorney (D)
Appointed by Governor Ron DeSantis

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

MICHAEL H. HELLMAN
Miami - Attorney (R)
Appointed by Governor Ron DeSantis

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

JOSEPH OGLESBY
Tallahassee - Project Manager (R)
Appointed by Governor Ron DeSantis

JEREMY M. RODGERS
Tallahassee - Chief Technology Officer (R)
Appointed by Governor Ron DeSantis

ABBEY L. STEWART
Tallahassee – Non-Profit Vice President (NPA)
Appointed by Governor Ron DeSantis

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

Introduction & History

ection 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 2025.

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 39,253 reporting officials, public employees, and judges 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.

The prosecutorial function is, as required by Florida Law, performed by the Office of the Attorney General. 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

Steven Zuilkowski, Deputy Executive Director and General Counsel

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, Senior 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 39,253 reporting officials and employees were notified of their filing requirements in 2025 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

Emma Wade, Clerk (half-time)

Vacant, 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, 2025.

BUDGET AND ACTUAL - GENERAL REVENUE FUNDS For The Fiscal Year Ending June 30, 2025 (Amounts in dollars)

	Ethics General Revenue		Variance- Favorable (Unfavorable)
	Budget	Actual	
Revenues:			
Released General Revenue Appropriations	\$3,214,262	\$3,214,262	\$0
Fines*	0	40,742	\$40,742
Miscellaneous Receipts	0	0	\$0
Total Revenues	3,214,262	3,255,004	40,742
Expenditures:			
Salaries and Related Benefits	2,185,291	2,179,029	6,262
Other Personal Services	549,220	430,317	118,903
Expenses	285,747	200,054	85,693
Operating Capital Outlay	0	0	0
Ethics Commission Lump Sum	8,089	0	8,089
Transfers to Administrative Hearings	42,116	42,116	0
Risk management insurance	43,799	43,799	0
Legislative Carryforward **	3,415,959	323,457	3,092,502
Nonoperating***	100,000	0	100,000
Total Expenditures	6,630,221	3,218,771	3,411,449
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures	(3,415,959)	36,233	<u>\$3,452,192</u>
Budgetary Fund Balance, June 30, 2025		<u>36,233</u>	

EXECUTIVE BRANCH LOBBYIST REGISTRATION SUMMARY

FEES REVENUES:	\$ 372,655
FINES:	\$ 4,550

* 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.

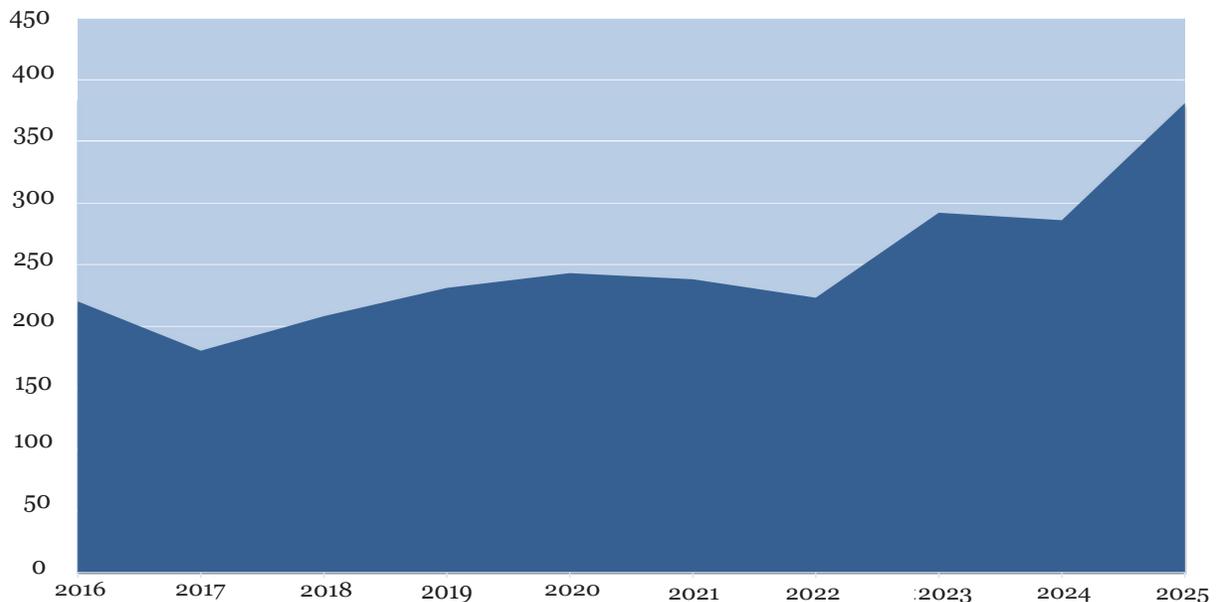
Operations

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.

Ten Year History of Complaints

2025 saw an increase in the number of complaints filed with the Commission. Complaint totals include referrals.

2025.....	386
2024.....	286
2023.....	292
2022.....	223
2021.....	238
2020.....	243
2019.....	231
2018.....	211
2017.....	180
2016.....	220



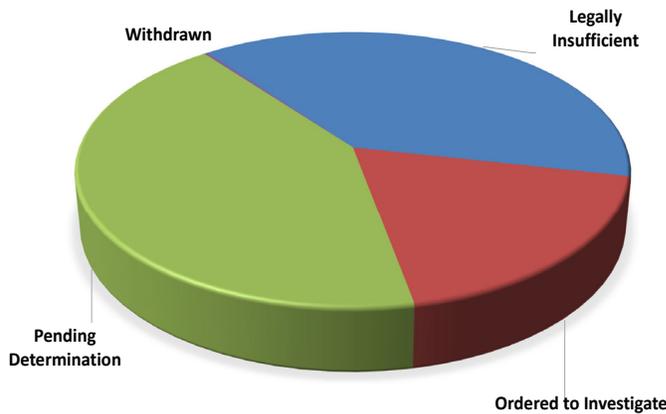
* The Commission may accept referrals from the Governor, State Attorneys, U.S. Attorneys, and the Florida Department of Law Enforcement.

Complaints

Total number of complaints and referrals filed in 2025.....386

POSITION	NUMBER OF COMPLAINTS	PERCENT OF TOTAL
State Elected	7	1.8%
State Appointed	1	0.3%
State Employee	25	6.5%
District Elected	58	15.0%
District Appointed	2	0.5%
District Employee	31	8.0%
County Elected	45	11.7%
County Appointed	1	0.3%
County Employee	47	12.2%
Municipal Elected	98	25.4%
Municipal Appointed	12	3.1%
Municipal Employee	52	13.5%
Candidate	6	1.6%
Other	1	0.3%
TOTAL	386	100.0%

2025 COMPLAINT DISPOSITION

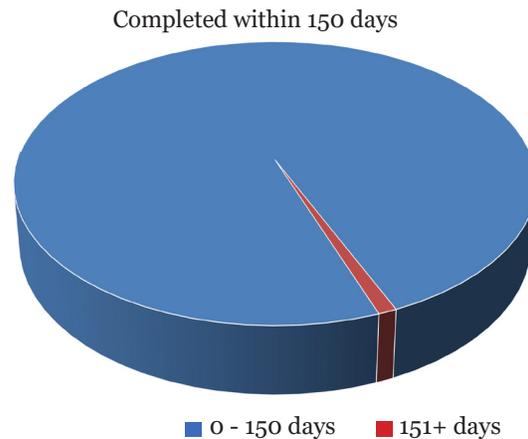


Of the 386 complaints and referrals received in 2025, 150 were dismissed for lack of legal sufficiency; 71 were ordered to be investigated; 1 was withdrawn; and 164 were pending a legal sufficiency determination, as of December 31.*

*The Commission did not meet in October or December.

Timeframes for Completed Investigations

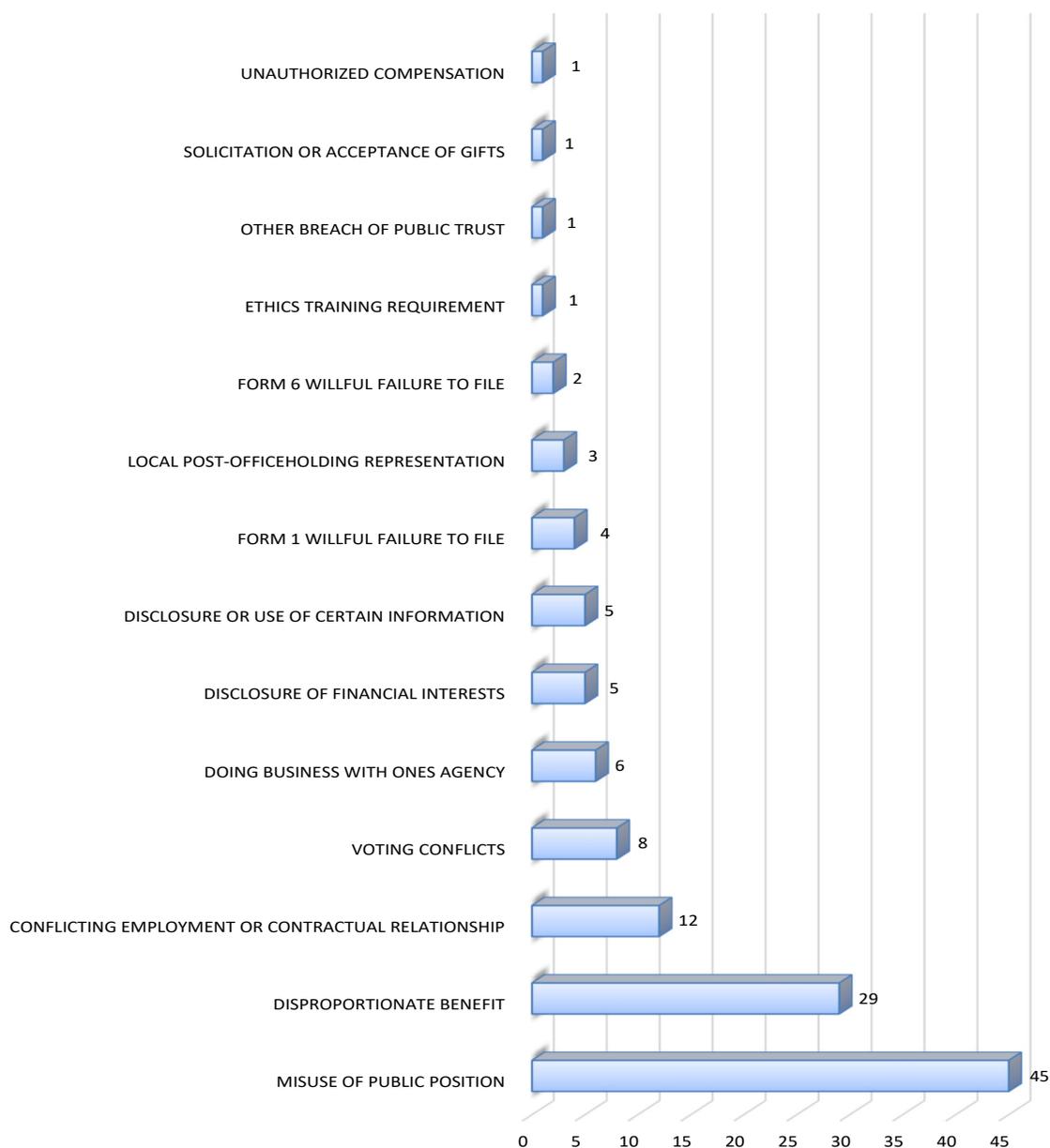
In 2025, the Commission completed 68 investigations. The average time for completion of an investigation was 74 days, which is 44 days less than the 2024 average. 99% of the investigations were compliant with statutory timeframes for investigation.



Allegations

Of the 386 complaints and referrals received in 2025, 71 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.

2025 Complaint Allegations



Actions Taken on Complaints in 2025

The Commission took action during its 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 2025, across all active complaints.

Dismissed for lack of legal sufficiency.....	176
Probable cause hearings held.....	50
No probable cause - dismissed.....	33
Probable cause.....	8
Probable cause - no further action.....	5
Dismissed -Advocates motion.....	2
Post probable cause dismissal - § 112.324(1)(a)	
Dismissed complaint.....	1
Dismissed certain allegations within complaint.....	1
Stipulated settlement agreements - violation found.....	7
TOTAL NUMBER OF ACTIONS TAKEN ON COMPLAINTS	233

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."

2025 Summary of Activity

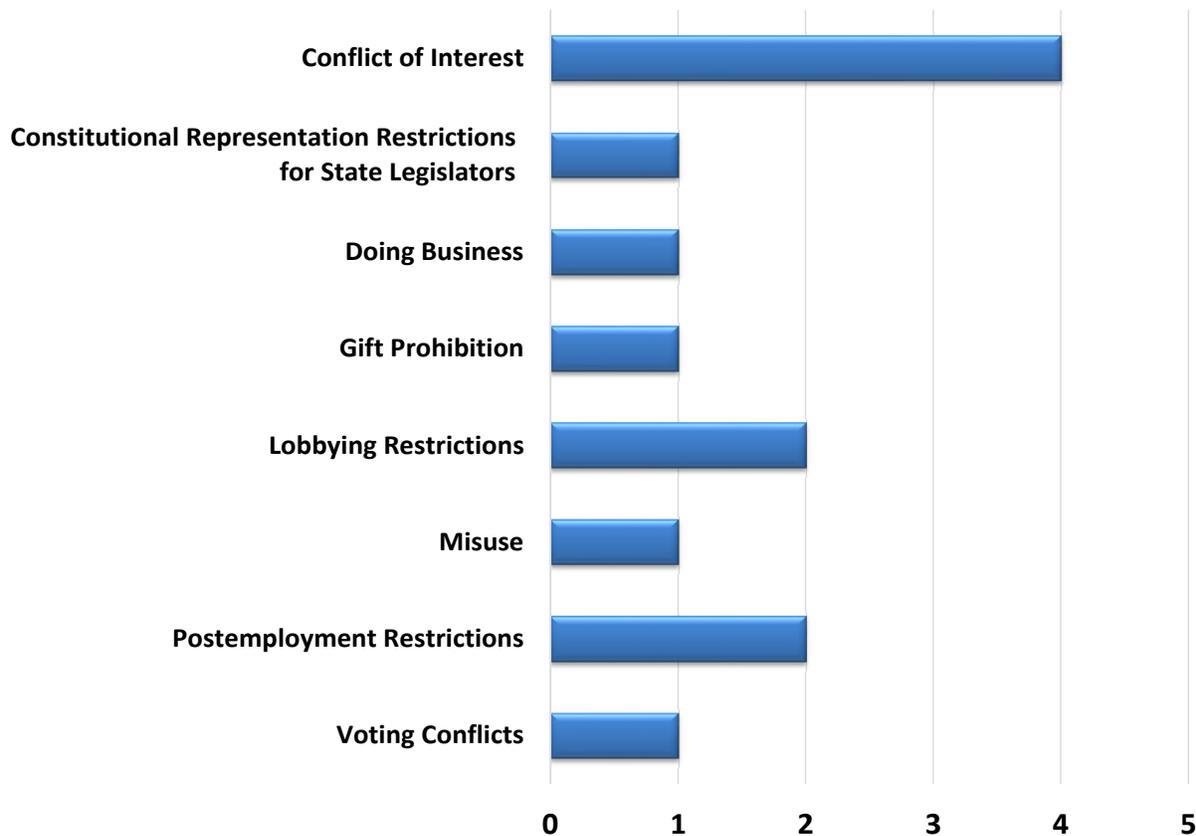
Total number of registered executive branch lobbyists	1,487
Total number of executive branch lobbying firms	318
Total number of principals represented by the lobbyists	15,118
Percent <i>increase</i> in number of principals from 2024 to 2025	10.1%
Total number of firms delinquent in filing their compensation reports	
October - December 2024	22
<i>(Filing deadline for fourth quarter 2024 was February 14, 2025)</i>	
January - March 2025	16
April - June 2025	16
July - September 2025	19
Total number of firms assessed a fine in 2025	
Fourth quarter 2024	19
<i>(Filing deadline for fourth quarter 2024 was February 14, 2025)</i>	
First quarter 2025	10
Second quarter 2025	10
Third quarter 2025	16
Number of appeals considered by the Commission in 2025	1

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 2025, the Commission on Ethics issued ten advisory opinions, bringing the total issued since 1974 to 2,719. The Commission's legal team also provides guidance to public officials, based on advisory opinions issued by the Commission.

Seven of the opinions rendered in 2025 were in response to requests by local officers, employees, or local government attorneys, and another three 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 2025. 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 2025:

- Department of Revenue's Property Tax Oversight's continuing education for Property Appraisers and Tax Collectors
- New Supervisor of Elections Orientation
- Property Appraiser's of Florida, Inc. Conference
- Florida Court Clerks and Comptrollers Association
- Department of Revenue's Certification Course - Duties and Responsibilities of Tax Collectors
- Brevard County Officials and Business Leaders
- The 2025 Joe Cresse Ethics in Government Lecture, in The Askew School of Public Administration & Policy at Florida State University
- Florida Public Relations Association's 2025 Leadership Class luncheon
- Florida State University Askew School of Public Administration
- The Florida Bar's City, County, and Local Government Section
- Pat Dore Administrative Law Conference
- The Florida Bar Annual Sunshine Law, Public Records, & Ethics Conference
- City and County Court Judges
- Financial Disclosure Form 1 Call Center Training
- Board of Governors of the State University System
- Government Lawyer Section of the Florida Bar
- Jacksonville City Council
- Soil and Water Supervisors

- 2025 Lemon Law Arbitrator Training
- Florida School Board Attorneys Association
- Florida Bar Criminal Law Section's Inside the Florida Legislature" annual legislative update
- Miami-Dade Officers of the Sheriff, Property Appraiser's, and Supervisor of Elections
- Institute for County Government's 2025 Ethics. Public Records, and Sunshine Law
- Public Service Commission Form 1 and Form 9 training

Financial Disclosure

The Florida Commission on Ethics ensures transparency and compliance with state law by overseeing the annual financial disclosure requirements for elected and appointed officials, as well as certain public employees. Individuals required to file full and public disclosure submit Form 6 pursuant to Section 112.3144, Florida Statutes, while local officers, state officers, and specified state employees file Form 1 in accordance with Section 112.3145, Florida Statutes.

The Commission has dedicated considerable staff time to ensure the successful implementation of the electronic filing system. To support filers, the Commission provides direct assistance and manages escalated calls. In 2025, a dedicated call center helped Form 1 filers with logging in, navigating the system, and completing their electronic filings, handling 10,344 calls from late April to mid-September.

The statutory filing deadline is July 1, with a grace period ending on September 1. Following the end of the grace period, the Commission compiles a list of individuals who failed to file timely. Filers who miss the deadline are subject to automatic fines of \$25 per day, up to a statutory maximum of \$1,500, with limited opportunities for appeal. When a public officer or employee accrues the maximum \$1,500 fine and continues to hold the filing position, the Commission is required to investigate whether the failure to file was willful. If the Commission finds a willful failure to file, the only penalty that can be recommended, by law, is removal from office.

The following pages summarize filing compliance rates and appeals.

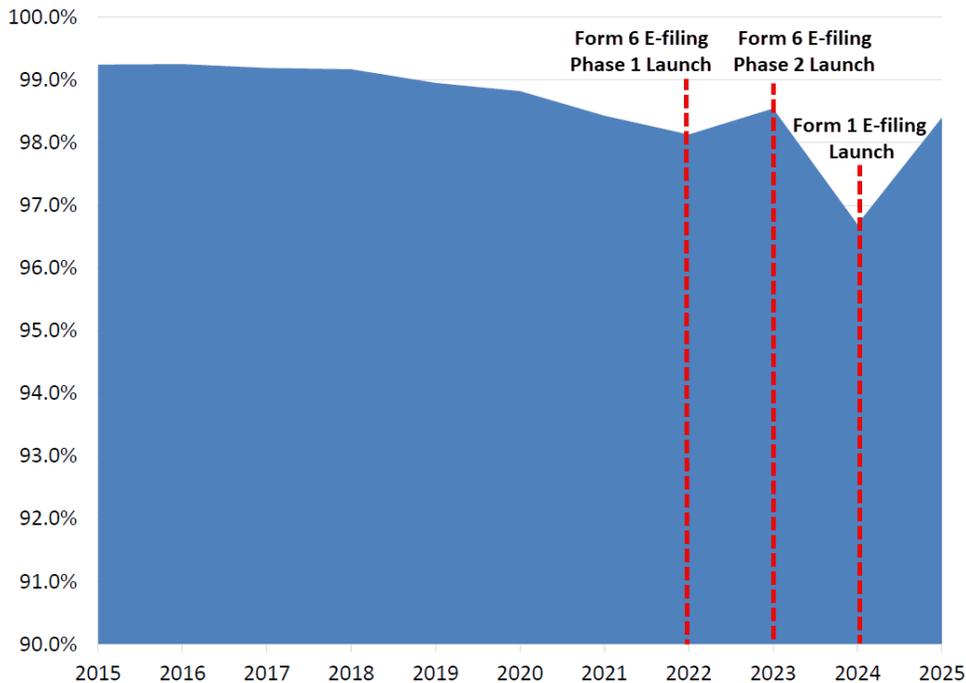
Compliance

Approximately 99.5% of non-judicial reporting individuals with an annual filing requirement filed a Form 1 or Form 6 via the Electronic Financial Disclosure Management System in 2025. This percentage represents forms filed in 2025, both timely-filed and late-filed forms. 98.14% of filers were considered timely. Only 0.5% of those required to file in 2025 failed to do so. The following table outlines compliance figures for public officers and employees required to file financial disclosure and are subject to automatic fines for late-filed forms. *

2025 Financial Disclosure Compliance Figures						
	Timely Filers	Late-Filers	Non-Filers	Total Filers	Timely Compliance Rate	Overall Compliance Rate
Total-Form 1 Local	22,996	363	171	23,530	97.73%	99.27%
Total-Form 1 State	12,932	126	24	13,082	98.85%	99.82%
Total-Form 6 (Not Judges)	1,402	23	2	1,427	98.25%	99.86%
TOTAL	37,330	512	197	38,039	98.14%	99.48%

There are 1,048 active judges and 166 senior judges required to file a Form 6 with the Commission. The total number of reporting officials, including Judges, is 39,253. The Commission is also the repository for Form 6s filed by Judges. However, judges are not subject to the Commission's jurisdiction and automatic fines for noncompliance.

Financial Disclosure Timely Compliance



*Disclosure statistics no longer include judicial compliance. As a result, some figures may not be directly comparable to those in prior reports.

Summary of Local Level Form 1 Compliance

By September 2, 2025, 97.73% of local level reporting individuals filed their Form 1, Statement of Financial Interests. As in previous years, Commission staff sent reminder postcards and call center staff placed reminder telephone calls to delinquent filers. Although these reminders are not required by statute, they are part of the Commission's additional efforts to encourage compliance. As a result of these efforts, an additional 363 filers submitted their statements increasing the overall local level Form 1 compliance rate to 99.27%.

Summary of State Level Form 1 Compliance

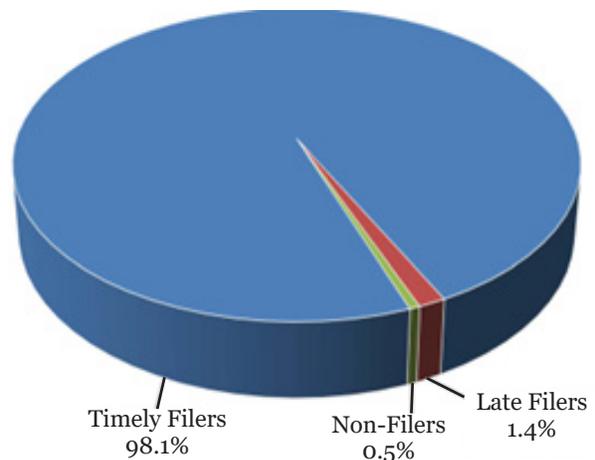
By September 2, 2025, 98.85% of state level reporting individuals timely filed their Form 1, Statement of Financial Interests. Postcard and telephone reminders were also utilized for these individuals. As a result of these efforts, an additional 126 filers submitted their statements, increasing the overall state level Form 1 compliance rate to 99.82%.

Summary of Full Disclosure (Form 6) Compliance

By September 2, 2025, 98.25% of non-judicial reporting individuals timely filed their Form 6, Full and Public Disclosure of Financial Interests. As a result of post card and telephone reminders, an additional 23 filers submitted their annual disclosure form, increasing the overall non-judicial Form 6 compliance rate to 99.86%.

Summary of 2025 Overall Compliance

During the 2025 filing year, the Commission oversaw financial disclosure compliance for 38,039 non-judicial filers. Through statutory enforcement and additional outreach efforts, 99.5% of reporting individuals filed their disclosure form. 709 individuals (less than 2%) failed to file by September 2; 512 of those individuals filed after the grace period, while 197 officers and employees failed to file the required disclosure.



Financial Disclosure Fine Appeals

Individuals delinquent in filing the annual financial disclosure form (those who did not file by the end of the September 2 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 Commission took the following action on assessed fines during calendar year 2025.*

Financial Disclosure Appeals 2025 Appeal Decisions				
WAIVED	REDUCED	DENIED	DEFAULT ORDERS APPROVED	UNCOLLECTIBLE
19	0	11	254	27

* The Commission did not meeting in October and December.

Litigation Report

Douglas Underhill v. State of Florida, Commission on Ethics,

Case Number 1D22-3429, 403 So. 3d 496 (Fla. 1st DCA 2025). This case was an administrative appeal of Complaint Nos. 20-060, 20-073, and 20-103 (cons.). After an ethics hearing at DOAH, the Commission issued a final order determining that the Respondent had violated Sections 112.313(8), 112.3148(3), and 112.3148(4), Florida Statutes, (one count each) and had violated Section 112.3148(8), Florida Statutes (two counts). For these violations, the Commission recommended a total civil penalty of \$35,000, a public censure and reprimand, and removal from office. This represented an upward modification from the ALJ's recommendation of a total civil penalty of \$5,000 and a public censure and reprimand. On appeal, the Court concluded that the Commission on Ethics abused its discretion by increasing the recommended penalty. The Court also found that the Commission on Ethics misinterpreted Section 112.313(8), and that there was no evidence of a benefit as needed to violate the statute. Lastly, the Court found the Commission erred in finding a violation of Section 112.3148(3), finding the statute required a targeted and specific solicitation of a gift rather than a general request. Upon remand, the Commission entered a final order recommending the imposition of a \$5,000 civil penalty and public censure and reprimand.

Jerson Immer Velazquez v. State of Florida Commission on Ethics,

Case Nos. 1D2025-0690 and 1D2025-0691, (Fla. 1st DCA). Appellant filed four complaints with the Commission on Ethics that, in accordance with Rule 34-5.001(2), F.A.C., were returned to him on the basis that the allegations contained within the complaints did not fall within the jurisdiction of the Commission. In Case No. 1D2025-0690, Appellant sought judicial review of final agency action. In Case No. 1D2025-0691, Appellant filed a Petition for Writ of Certiorari seeking review of final agency action. The Court dismissed both cases on procedural grounds.

Jeremy McBryan v. Florida Commission on Ethics, Case No. 1D2025-1144, 415 So. 3d 919 (Fla. 1st DCA 2025). The Commission issued a default final order against Appellant for his failure to timely file his 2021 CE Form 1. The final order imposed a \$1,500 penalty. Appellant filed an appeal of that final order with the First DCA. On the same day, he also filed with the Commission an appeal of his automatic fine. The Commission filed an unopposed motion requesting that jurisdiction be relinquished back to the Commission so it could consider the fine appeal, which the Court granted. The Commission ultimately voted to waive Appellant's financial disclosure fine and rescind the default final order that had been issued. The Commission then filed a Status Report containing the waiver order with the Court, and later filed an Unopposed Motion to Dismiss. The Court granted the dismissal.

Jonathan L. Owens v. State of Florida, Office of the Attorney General, Florida Commission on Ethics, and Division of Administrative Hearings, Case No. 2025 CA 001007, (Fla. 2nd Circ. Ct., Leon County). The Plaintiff, Mr. Owens, was the Respondent in Complaint No. 23-231, which, at the time the Circuit Court matter was filed, was before DOAH for an ethics hearing to determine whether Mr. Owens violated Section 112.313(8), Florida Statutes. DOAH issued an order granting Mr. Owens' emergency motion to stay the administrative proceedings so that Mr. Owens could file a complaint in the Circuit Court in which he requested a declaration that the ethics hearing at DOAH violated his First Amendment rights and that the Commission lacked jurisdiction to pursue the case. The Circuit Court granted the Commission's motion to dismiss with prejudice, allowing DOAH to regain jurisdiction over the ethics hearing.

2026 Legislative Recommendations

For 2026, 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.

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, Section 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

First-Time Fine Waiver for Financial Disclosure

Pursuant to Section 112.3215(5)(d)4., Florida Statutes, a fine is not assessed against a lobbying firm the first time it fails to file a timely compensation report. We believe a similar provision regarding fines for those who have failed to timely file their financial disclosure forms should be introduced, with the caveat that this first-time fine waiver is only applicable if the reporting individual filed his or her form prior to accruing the maximum \$1,500 fine. This would increase efficiency by reducing the number of fine appeals Commission staff have to process. It would also comport with the Commission's ultimate goal of achieving a filing by the filer at issue.

Public Records Exemptions for Members and Staff of the Commission

The Commission and its staff process ethics complaints that can result in harsh penalties for Respondents, up to and including removal from their public positions, and fines of up to \$20,000. Aside from this, Commission staff often receive hostile communications from members of the public, as well as ethics Complainants who are upset about the outcome of complaints they have filed. Because of this, we believe Commission Members, as well as Commission staff, should receive a public records exemption for information such as their home addresses and phone numbers, similar to other public records exemptions available to other public officers and employees.