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1 A bill to be entitled
 2 An act relating to state officer post-service lobbying
 3 prohibitions; amending s. 112.312, F.S.; defining the
 4 term "appointed state officer"; amending s. 112.313,
 5 F.S.; deleting a definition; extending the prohibition
 6 on legislators, elected statewide officers, and
 7 appointed state officers, from providing personal
 8 representation for compensation before the government
 9 body or agency of which the individual was an officer
 10 or member to a number of specified years following
 11 vacation of office; extending the prohibition on
 12 legislators lobbying the executive branch for
 13 compensation to a number of specified years following
 14 vacation of office; amending s. 1001.421, F.S.;
 15 conforming a provision to changes made by the act;
 16 providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Subsections (3) through (24) of section
 21 112.312, Florida Statutes, are renumbered as subsections (4)
 22 through (25), respectively, and a new subsection (3) is added to
 23 that section, to read:

24 112.312 Definitions.—As used in this part and for purposes
 25 of the provisions of s. 8, Art. II of the State Constitution,

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26 unless the context otherwise requires:

27 (3) "Appointed state officer" means any member of an
 28 appointive board, commission, committee, council, or authority
 29 of the executive or legislative branch of state government whose
 30 powers, jurisdiction, and authority are not solely advisory and
 31 include the final determination or adjudication of any personal
 32 or property rights, duties, or obligations, other than those
 33 relative to its internal operations.

34 Section 2. Subsection (9) of section 112.313, Florida
 35 Statutes, is amended to read:

36 112.313 Standards of conduct for public officers,
 37 employees of agencies, and local government attorneys.—

38 (9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR
 39 LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

40 (a)1. It is the intent of the Legislature to implement by
 41 statute the provisions of s. 8(e), Art. II of the State
 42 Constitution relating to legislators, statewide elected
 43 officers, appointed state officers, and designated public
 44 employees.

45 2. As used in this paragraph:

46 a. "Employee" means:

47 (I) Any person employed in the executive or legislative
 48 branch of government holding a position in the Senior Management
 49 Service as defined in s. 110.402 or any person holding a
 50 position in the Selected Exempt Service as defined in s. 110.602

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51 or any person having authority over policy or procurement
 52 employed by the Department of the Lottery.

53 (II) The Auditor General, the director of the Office of
 54 Program Policy Analysis and Government Accountability, the
 55 Sergeant at Arms and Secretary of the Senate, and the Sergeant
 56 at Arms and Clerk of the House of Representatives.

57 (III) The executive director and deputy executive director
 58 of the Commission on Ethics.

59 (IV) An executive director, staff director, or deputy
 60 staff director of each joint committee, standing committee, or
 61 select committee of the Legislature; an executive director,
 62 staff director, executive assistant, analyst, or attorney of the
 63 Office of the President of the Senate, the Office of the Speaker
 64 of the House of Representatives, the Senate Majority Party
 65 Office, Senate Minority Party Office, House Majority Party
 66 Office, or House Minority Party Office; or any person, hired on
 67 a contractual basis, having the power normally conferred upon
 68 such persons, by whatever title.

69 (V) The Chancellor and Vice Chancellors of the State
 70 University System; the general counsel to the Board of Governors
 71 of the State University System; and the president, provost, vice
 72 presidents, and deans of each state university.

73 (VI) Any person, including an other-personal-services
 74 employee, having the power normally conferred upon the positions
 75 referenced in this sub-subparagraph.

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76 | b. ~~"Appointed state officer" means any member of an~~
 77 | ~~appointive board, commission, committee, council, or authority~~
 78 | ~~of the executive or legislative branch of state government whose~~
 79 | ~~powers, jurisdiction, and authority are not solely advisory and~~
 80 | ~~include the final determination or adjudication of any personal~~
 81 | ~~or property rights, duties, or obligations, other than those~~
 82 | ~~relative to its internal operations.~~

83 | e. "State agency" means an entity of the legislative,
 84 | executive, or judicial branch of state government over which the
 85 | Legislature exercises plenary budgetary and statutory control.

86 | 3.a. A ~~No~~ member of the Legislature, appointed state
 87 | officer, or statewide elected officer may not ~~shall~~ personally
 88 | represent another person or entity for compensation before the
 89 | government body or agency of which the individual was an officer
 90 | or member for a period of 6 ~~2~~ years following vacation of
 91 | office. A ~~No~~ member of the Legislature may not ~~shall~~ personally
 92 | represent another person or entity for compensation during his
 93 | or her term of office before any state agency other than
 94 | judicial tribunals or in settlement negotiations after the
 95 | filing of a lawsuit.

96 | b. For a period of 6 ~~2~~ years following vacation of office,
 97 | a former member of the Legislature may not act as a lobbyist for
 98 | compensation before an executive branch agency, agency official,
 99 | or employee. The terms used in this sub-subparagraph have the
 100 | same meanings as provided in s. 112.3215.

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101 4. An agency employee, including an agency employee who
 102 was employed on July 1, 2001, in a Career Service System
 103 position that was transferred to the Selected Exempt Service
 104 System under chapter 2001-43, Laws of Florida, may not
 105 personally represent another person or entity for compensation
 106 before the agency with which he or she was employed for a period
 107 of 2 years following vacation of position, unless employed by
 108 another agency of state government.

109 5. Any person violating this paragraph shall be subject to
 110 the penalties provided in s. 112.317 and a civil penalty of an
 111 amount equal to the compensation which the person receives for
 112 the prohibited conduct.

113 6. This paragraph is not applicable to:

114 a. A person employed by the Legislature or other agency
 115 prior to July 1, 1989;

116 b. A person who was employed by the Legislature or other
 117 agency on July 1, 1989, whether or not the person was a defined
 118 employee on July 1, 1989;

119 c. A person who was a defined employee of the State
 120 University System or the Public Service Commission who held such
 121 employment on December 31, 1994;

122 d. A person who has reached normal retirement age as
 123 defined in s. 121.021(29), and who has retired under the
 124 provisions of chapter 121 by July 1, 1991; or

125 e. Any appointed state officer whose term of office began

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126 before January 1, 1995, unless reappointed to that office on or
 127 after January 1, 1995.

128 (b) In addition to the provisions of this part which are
 129 applicable to legislators and legislative employees by virtue of
 130 their being public officers or employees, the conduct of members
 131 of the Legislature and legislative employees shall be governed
 132 by the ethical standards provided in the respective rules of the
 133 Senate or House of Representatives which are not in conflict
 134 herewith.

135 Section 3. Section 1001.421, Florida Statutes, is amended
 136 to read:

137 1001.421 Gifts.—Notwithstanding any other provision of law
 138 to the contrary, district school board members and their
 139 relatives, as defined in s. 112.312(22) ~~112.312(21)~~, may not
 140 directly or indirectly solicit any gift, or directly or
 141 indirectly accept any gift in excess of \$50, from any person,
 142 vendor, potential vendor, or other entity doing business with
 143 the school district. The term "gift" has the same meaning as in
 144 s. 112.312(13) ~~112.312(12)~~.

145 Section 4. This act shall take effect July 1, 2017.