

BILL

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to ethics reform; repealing s. 11.061,
 3 F.S., relating to state, state university, and
 4 community college employee lobbyists; creating s.
 5 106.114, F.S.; providing definitions; prohibiting
 6 certain public service announcements by specified
 7 governmental entities, persons acting on behalf of
 8 such entities, and elected officials; providing
 9 applicability; amending s. 112.313, F.S.; revising
 10 applicability of certain provisions relating to
 11 contractual relationships; prohibiting a public
 12 officer or employee of an agency from soliciting
 13 specified employment or contractual relationships;
 14 requiring certain offers and solicitations of
 15 employment or contractual relationships to be
 16 disclosed to certain persons; requiring such
 17 disclosures to the Commission on Ethics in certain
 18 circumstances; authorizing the commission to
 19 investigate such disclosures; providing a definition;
 20 prohibiting agency directors from certain compensated
 21 representation for a specified period following
 22 vacation of office; deleting a provision prohibiting
 23 former legislators from acting as lobbyists before
 24 certain entities and persons for a specified period
 25 following vacation of office; providing applicability;

BILL

ORIGINAL

YEAR

26 | creating s. 112.3181, F.S.; prohibiting statewide
 27 | elected officers and legislators from soliciting
 28 | employment offers or investment advice arising out of
 29 | official or political activities; prohibiting such
 30 | officers or legislators from soliciting or accepting
 31 | investment advice from or soliciting or entering into
 32 | certain profitmaking relationships with or advised by
 33 | lobbyists or principals; providing definitions;
 34 | requiring lobbyists and principals to disclose certain
 35 | prohibited solicitations to the commission;
 36 | authorizing the commission to investigate such
 37 | disclosures; providing disclosure requirements;
 38 | requiring the commission to publish disclosures on its
 39 | website; authorizing the commission to adopt rules;
 40 | amending s. 112.3185, F.S.; providing definitions;
 41 | prohibiting certain officers and employees from
 42 | soliciting employment or contractual relationships
 43 | from or negotiating employment or contractual
 44 | relationships with certain employers; providing
 45 | exceptions; requiring disclosure of certain offers of
 46 | employment or contractual relationships; reenacting
 47 | and amending s. 112.3215, F.S.; revising definitions;
 48 | requiring a lobbyist to electronically register with
 49 | the commission; revising lobbyist registration,
 50 | compensation report, principal designation

BILL

ORIGINAL

YEAR

51 cancellation, and investigation requirements; revising
 52 lobbyist registration fees; authorizing the commission
 53 to dismiss certain complaints and investigations;
 54 providing an effective date.

55

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

57

58 Section 1. Section 11.061, Florida Statutes, is repealed.

59 Section 2. Section 106.114, Florida Statutes, is created

60 to read:

61 106.114 Elected official advertising.—

62 (1) As used in this section, the term:

63 (a) "Governmental entity" means any executive, judicial,
 64 or quasi-judicial department; state university; community
 65 college; water management district; or political subdivision.

66 (b) "Public service announcement" means any message
 67 communicated by radio, television, electronic communication, or
 68 billboard that promotes or announces an issue of public
 69 importance, concern, or welfare.

70 (2) A governmental entity, a person acting on behalf of a
 71 governmental entity, or an elected official may not use or
 72 authorize the use of an elected official's name, image,
 73 likeness, official uniform, badge, or other symbol of office in
 74 a public service announcement beginning on the date that the
 75 elected official becomes a candidate for reelection or election

BILL

ORIGINAL

YEAR

76 | to public office and ending on the date of the general election
 77 | for which the elected official intends to qualify as a candidate
 78 | if such announcement is paid for with public funds or if the
 79 | time or space for such announcement is donated by the media.
 80 | This subsection does not apply to bona fide news events, such as
 81 | public debates broadcast by a licensed broadcaster.

82 | Section 3. Subsections (7), (9), and (15) of section
 83 | 112.313, Florida Statutes, are amended to read:

84 | 112.313 Standards of conduct for public officers,
 85 | employees of agencies, and local government attorneys.—

86 | (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

87 | (a) A ~~No~~ public officer or employee of an agency may not
 88 | ~~shall~~ have or hold any employment or contractual relationship
 89 | with any business entity or any agency that ~~which~~ is subject to
 90 | the regulation of, or is doing business with, the officer's or
 91 | employee's an agency. This paragraph does not apply to ~~of which~~
 92 | ~~he or she is an officer or employee, excluding those~~
 93 | organizations and their officers who, when acting in their
 94 | official capacity, enter into or negotiate a collective
 95 | bargaining contract with the state or any municipality, county,
 96 | or other political subdivision of the state. Such; ~~nor shall an~~
 97 | officer or employee may also not ~~of an agency~~ have or hold any
 98 | employment or contractual relationship that will create a
 99 | continuing or frequently recurring conflict between his or her
 100 | private interests and the performance of his or her public

BILL

ORIGINAL

YEAR

101 duties or that would impede the full and faithful discharge of
 102 his or her public duties.

103 1. When the agency referred to is a ~~that certain kind of~~
 104 special tax district created by general or special law and is
 105 limited specifically to constructing, maintaining, managing, and
 106 financing improvements in the land area over which the agency
 107 has jurisdiction, or when the agency has been organized pursuant
 108 to chapter 298, ~~then~~ employment with, or entering into a
 109 contractual relationship with, such a business entity by a
 110 public officer or employee of such an agency is ~~shall~~ not ~~be~~
 111 prohibited by this subsection or ~~be~~ deemed a conflict ~~per se~~.
 112 However, conduct by such officer or employee that is prohibited
 113 by, or otherwise frustrates the intent of, this section must
 114 ~~shall~~ be deemed a conflict of interest in violation of the
 115 standards of conduct set forth by this section.

116 2. When the agency referred to is a legislative body and
 117 the regulatory power over the business entity resides in another
 118 agency, or when the regulatory power that ~~which~~ the legislative
 119 body exercises over the business entity or agency is strictly
 120 through the enactment of laws or ordinances, ~~then~~ employment
 121 with, or entering into a contractual relationship with, such a
 122 business entity by a public officer or employee of such a
 123 legislative body is ~~shall~~ not ~~be~~ prohibited by this subsection
 124 or ~~be~~ deemed a conflict based on the regulatory power of the
 125 legislative body, unless prohibited or deemed a conflict by

BILL

ORIGINAL

YEAR

126 another law.

127 (b) This subsection does ~~shall~~ not prohibit a public
 128 officer or employee from practicing in a particular profession
 129 or occupation when such practice by persons holding such public
 130 office or employment is required or permitted by law or
 131 ordinance.

132 (c) A public officer or employee of an agency may not
 133 solicit any employment or contractual relationship prohibited by
 134 this subsection.

135 (d) A public officer or employee of an agency must
 136 disclose to the head of his or her agency, the general counsel
 137 or inspector general of his or her agency, or any other officer
 138 or attorney designated by the head of his or her agency any
 139 offer of employment or contractual relationship that is
 140 prohibited by this subsection.

141 (e) If a public officer or employee of an agency, or a
 142 person acting on his or her behalf, solicits employment with any
 143 business entity or any agency that is subject to the regulation
 144 of, or is doing business with, the officer's or employer's
 145 agency in violation of paragraph (c), the solicited business
 146 entity or agency must disclose such solicitation to the head of
 147 the officer's or employee's agency. If such solicitation is by
 148 or on behalf of the head of the agency or a member of a body
 149 that is the head of the agency, the solicited business entity or
 150 agency must disclose such solicitation to the commission. The

BILL

ORIGINAL

YEAR

151 commission may investigate such disclosure as if it were a valid
 152 complaint under this part.

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

155 (a)1. It is the intent of the Legislature to implement by
 156 statute the provisions of s. 8(e), Art. II of the State
 157 Constitution relating to legislators, statewide elected
 158 officers, appointed state officers, and designated public
 159 employees.

160 2. As used in this paragraph:

161 a. "Employee" means:

162 (I) Any person employed in the executive or legislative
 163 branch of government holding a position in the Senior Management
 164 Service as defined in s. 110.402 or any person holding a
 165 position in the Selected Exempt Service as defined in s. 110.602
 166 or any person having authority over policy or procurement
 167 employed by the Department of the Lottery.

168 (II) The Auditor General, the director of the Office of
 169 Program Policy Analysis and Government Accountability, the
 170 Sergeant at Arms and Secretary of the Senate, and the Sergeant
 171 at Arms and Clerk of the House of Representatives.

172 (III) The executive director and deputy executive director
 173 of the Commission on Ethics.

174 (IV) An executive director, staff director, or deputy
 175 staff director of each joint committee, standing committee, or

BILL

ORIGINAL

YEAR

176 | select committee of the Legislature; an executive director,
 177 | staff director, executive assistant, analyst, or attorney of the
 178 | Office of the President of the Senate, the Office of the Speaker
 179 | of the House of Representatives, the Senate Majority Party
 180 | Office, Senate Minority Party Office, House Majority Party
 181 | Office, or House Minority Party Office; or any person, hired on
 182 | a contractual basis, having the power normally conferred upon
 183 | such persons, by whatever title.

184 | (V) The Chancellor and Vice Chancellors of the State
 185 | University System; the general counsel to the Board of Governors
 186 | of the State University System; and the president, provost, vice
 187 | presidents, and deans of each state university.

188 | (VI) Any person, including an other-personal-services
 189 | employee, having the power normally conferred upon the positions
 190 | referenced in this sub-subparagraph.

191 | b. "Appointed state officer" means any member of an
 192 | appointive board, commission, committee, council, or authority
 193 | of the executive or legislative branch of state government whose
 194 | powers, jurisdiction, and authority are not solely advisory and
 195 | include the final determination or adjudication of any personal
 196 | or property rights, duties, or obligations, other than those
 197 | relative to its internal operations.

198 | c. "State agency" means an entity of the legislative,
 199 | executive, or judicial branch of state government over which the
 200 | Legislature exercises plenary budgetary and statutory control.

BILL

ORIGINAL

YEAR

201 d. "Agency director" means a secretary, as that term is
 202 defined in s. 20.03, the chief administrative employee or
 203 officer of a department headed by the Governor and the Cabinet,
 204 or the chief administrative employee or officer of any body
 205 established or granted legislative or executive authority by the
 206 State Constitution, including, but not limited to, the State
 207 Board of Education, the Board of Governors of the State
 208 University System, the State Board of Administration, and the
 209 Fish and Wildlife Conservation Commission, but excluding the
 210 Legislature, the judiciary, or any constituent component of
 211 either. "Agency director" also includes any person, including an
 212 other-personal-services employee, having the power normally
 213 conferred upon such secretary, employee, or officer.

214 3.a. No member of the Legislature, appointed state
 215 officer, or statewide elected officer shall personally represent
 216 another person or entity for compensation before the government
 217 body or agency of which the individual was an officer or member
 218 for a period of 2 years following vacation of office. No member
 219 of the Legislature shall personally represent another person or
 220 entity for compensation during his or her term of office before
 221 any state agency other than judicial tribunals or in settlement
 222 negotiations after the filing of a lawsuit.

223 b. For a period of 2 years following vacation of office, a
 224 former member of the Legislature may not act as a lobbyist for
 225 compensation before an executive branch agency, agency official,

BILL

ORIGINAL

YEAR

226 or employee. The terms used in this sub-subparagraph have the
 227 same meanings as provided in s. 112.3215.

228 4.a. An agency director who is so employed on or after
 229 January 8, 2019, may not personally represent another person or
 230 entity for compensation before any state agency other than the
 231 Legislature or judicial tribunals or in settlement negotiations
 232 after the filing of a lawsuit for a period of 2 years following
 233 vacation of position, except when employed by and representing
 234 another state agency.

235 b. An agency employee, including an agency employee who
 236 was employed on July 1, 2001, in a Career Service System
 237 position that was transferred to the Selected Exempt Service
 238 System under chapter 2001-43, Laws of Florida, may not
 239 personally represent another person or entity for compensation
 240 before the agency with which he or she was employed for a period
 241 of 2 years following vacation of position, except when ~~unless~~
 242 employed by and representing another state agency ~~of state~~
 243 ~~government.~~

244 5. Any person violating this paragraph ~~is shall be~~ subject
 245 to the penalties provided in s. 112.317 and a civil penalty of
 246 an amount equal to the compensation which the person receives
 247 for the prohibited conduct.

248 ~~6. This paragraph is not applicable to:~~

249 ~~a. A person employed by the Legislature or other agency~~
 250 ~~prior to July 1, 1989;~~

BILL

ORIGINAL

YEAR

251 ~~b. A person who was employed by the Legislature or other~~
 252 ~~agency on July 1, 1989, whether or not the person was a defined~~
 253 ~~employee on July 1, 1989;~~

254 ~~e. A person who was a defined employee of the State~~
 255 ~~University System or the Public Service Commission who held such~~
 256 ~~employment on December 31, 1994;~~

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

260 ~~e. Any appointed state officer whose term of office began~~
 261 ~~before January 1, 1995, unless reappointed to that office on or~~
 262 ~~after January 1, 1995.~~

263 (b) In addition to the provisions of this part which are
 264 applicable to legislators and legislative employees by virtue of
 265 their being public officers or employees, the conduct of members
 266 of the Legislature and legislative employees shall be governed
 267 by the ethical standards provided in the respective rules of the
 268 Senate or House of Representatives which are not in conflict
 269 herewith.

270 (15) (a) ADDITIONAL EXEMPTION.—~~An~~ ~~Ne~~ elected public officer
 271 may not shall be held in violation of subsection (7) if the
 272 officer maintains an employment relationship with an entity
 273 which is currently a tax-exempt organization under s. 501(c) of
 274 the Internal Revenue Code and which contracts with or otherwise
 275 enters into a business relationship with the officer's agency

BILL

ORIGINAL

YEAR

276 and:

277 1.~~(a)~~ The officer's employment is not directly or
 278 indirectly compensated as a result of such contract or business
 279 relationship;

280 2.~~(b)~~ The officer has in no way participated in the
 281 agency's decision to contract or to enter into the business
 282 relationship with his or her employer, whether by participating
 283 in discussion at the meeting, by communicating with officers or
 284 employees of the agency, or otherwise; and

285 3.~~(e)~~ The officer abstains from voting on any matter which
 286 may come before the agency involving the officer's employer,
 287 publicly states to the assembly the nature of the officer's
 288 interest in the matter from which he or she is abstaining, and
 289 files a written memorandum as provided in s. 112.3143.

290 (b) This subsection does not apply to an officer who
 291 begins his or her term of office on or after January 8, 2019.

292 Section 4. Section 112.3181, Florida Statutes, is created
 293 to read:

294 112.3181 Additional standards for statewide elected
 295 officers and legislators.—

296 (1) A statewide elected officer or member of the
 297 Legislature may not solicit an employment offer or investment
 298 advice arising out of official or political activities engaged
 299 in while he or she is an officer or legislator or a candidate
 300 for such office, except in the following circumstances:

BILL

ORIGINAL

YEAR

301 (a) The officer or legislator may solicit or accept future
 302 employment, including professional partnerships, in the last 180
 303 days of his or her term of office if he or she is ineligible to
 304 run for reelection or has publicly announced, and filed a letter
 305 or other written notice with the qualifying officer with whom
 306 reelection qualification papers are filed, that he or she is not
 307 and does not intend to become a candidate for reelection.

308 (b) The officer or legislator may solicit or accept
 309 employment from any prospective employer in a profession or
 310 occupation in which he or she has formerly engaged, has been
 311 formally educated or trained, or is licensed unless such
 312 employment is prohibited by other general law.

313 (2) A statewide elected officer or member of the
 314 Legislature may not solicit or accept investment advice from or
 315 solicit or enter into an investment, joint venture, or other
 316 profitmaking relationship with a lobbyist or principal, as those
 317 terms are defined in s. 11.045 or s. 112.3215. However, the
 318 officer or legislator may buy or sell listed, publicly traded
 319 securities of a principal without the advice of a lobbyist or
 320 principal unless such action violates s. 112.313. For purposes
 321 of this section, the phrase "investment, joint venture, or other
 322 profitmaking relationship" does not include an employment
 323 relationship or any enterprise organized to employ or engage the
 324 personal services of individuals including the officer or
 325 legislator. For purposes of this section, the terms "investment

BILL

ORIGINAL

YEAR

326 advice" and "profitmaking relationship" do not include a client
 327 relationship with a licensed investment broker, licensed
 328 investment advisor, or similarly licensed professional to whom
 329 the officer or legislator pays ordinary and reasonable fees for
 330 services, regardless of such broker's, advisor's, or
 331 professional's status as a lobbyist's principal or a nonlobbyist
 332 employee of such principal.

333 (3) A lobbyist or principal who receives a solicitation
 334 prohibited by this section by or on behalf of a statewide
 335 elected officer or member of the Legislature must disclose such
 336 solicitation to the commission. Any other person who receives
 337 such solicitation may disclose such solicitation to the
 338 commission. The commission may investigate any disclosure under
 339 this subsection as if it were a valid complaint under this part.

340 (4) (a) A statewide elected officer or member of the
 341 Legislature must file a written disclosure with the commission
 342 upon acceptance of the following:

343 1. Any new employment with or increased compensation from
 344 an entity that receives state funds directly by appropriation;

345 2. Any new employment with or increased compensation from
 346 an agency;

347 3. Any new employment the offer of which arose out of
 348 official or political activities engaged in while he or she was
 349 a statewide elected officer, member of the Legislature, or
 350 candidate for such office; or

BILL

ORIGINAL

YEAR

351 4. Any new employment with or increased compensation from
 352 a lobbyist, principal of a lobbyist, or lobbying firm.

353 (b) The disclosure must identify the applicable
 354 subparagraph of paragraph (a), employer, position, salary or
 355 other compensation, and effective date of employment or
 356 increased compensation. Such disclosure must be filed within 30
 357 days after he or she accepts the employment or increased
 358 compensation or before the effective date of employment or
 359 increased compensation, whichever date is earliest. With respect
 360 to employment or increased compensation accepted or effective
 361 between December 31, 2017, and July 1, 2018, the officer or
 362 legislator must file such disclosure within 30 days after July
 363 1, 2018. The commission shall publish such disclosures with the
 364 officer's or legislator's full financial disclosure on its
 365 website. The commission may adopt forms for disclosure and may
 366 adopt rules requiring electronic submission of the disclosure
 367 required by this subsection.

368 Section 5. Subsections (7) and (8) of section 112.3185,
 369 Florida Statutes, are renumbered as subsections (8) and (9),
 370 respectively, present subsections (1) and (8) are amended, and a
 371 new subsection (7) is added to that section, to read:

372 112.3185 Additional standards for state officers and
 373 agency employees.—

374 (1) For the purposes of this section:

375 (a) "Contractual services" shall be defined as set forth

BILL

ORIGINAL

YEAR

376 | in chapter 287.

377 | (b) "Agency" means any state officer, department, board,
378 | commission, or council of the executive, legislative or judicial
379 | branch of state government and includes the Public Service
380 | Commission.

381 | (c) "Covered officer" means a state officer who is serving
382 | in a position that is not an elective position. The term does
383 | not include a person who is appointed to fill an unexpired term
384 | of an elective office.

385 | (d) "Negotiate" or "negotiation" means a response to an
386 | offer or solicitation of offers of an employment or contractual
387 | relationship, including the submission of a resume, an
388 | application, or any other information demonstrating interest on
389 | the part of a prospective employee and interviewing or engaging
390 | in other communication intended to lead to an offer or
391 | acceptance of an employment or contractual relationship.

392 | (e) "Reporting employee" means any agency employee who is
393 | a reporting individual or procurement employee, as those terms
394 | are defined in s. 112.3148.

395 | (f) "Restricted employer," with respect to any state
396 | officer or agency employee, means any entity that does business
397 | with or is subject to regulation by an agency employing the
398 | covered officer or reporting employee and any person or entity
399 | from whom the covered officer or reporting employee may not
400 | solicit a gift under s. 112.3148(3).

BILL

ORIGINAL

YEAR

401 (g) "Subject to regulation by an agency" means subject to
 402 regulation by agency action as defined in s. 120.52(2) or its
 403 substantial equivalent. The term does not include regulatory
 404 power exercised strictly through the enactment of general laws.

405 (7) A covered officer or reporting employee who is
 406 employed in such position on or after January 8, 2019, may not
 407 solicit an employment or contractual relationship from or
 408 negotiate an employment or contractual relationship with a
 409 restricted employer except as provided in this subsection.

410 (a) A covered officer or reporting employee may solicit a
 411 future employment or contractual relationship from or negotiate
 412 a future employment or contractual relationship with a
 413 restricted employer within 90 days before the expiration of the
 414 officer's term of office, if the officer does not seek
 415 reappointment, or within 90 days before the officer's or
 416 employee's termination or retirement date, if he or she provides
 417 notice of termination or retirement to the head of his or her
 418 agency, the general counsel or inspector general of his or her
 419 agency, or any other officer or attorney designated by the head
 420 of his or her agency.

421 (b) If a covered officer or reporting employee has been
 422 notified by his or her appointing authority or employing agency
 423 that he or she will be discharged from office or dismissed or
 424 terminated from employment, he or she may solicit a future
 425 employment or contractual relationship from or negotiate a

BILL

ORIGINAL

YEAR

426 future employment or contractual relationship with a restricted
 427 employer at any time after such notice but not sooner than 180
 428 days before his or her employment is scheduled to end.

429 (c) A covered officer or reporting employee must disclose
 430 to the head of his or her agency, the general counsel or
 431 inspector general of his or her agency, or any other officer or
 432 attorney designated by the head of his or her agency any offer
 433 from a restricted employer of an employment or contractual
 434 relationship. After such disclosure, a covered officer or
 435 reporting employee may negotiate an employment or contractual
 436 relationship with the restricted employer if expressly
 437 authorized by the head of his or her agency or the agency head's
 438 authorized designee. Permission may be withheld only if the
 439 agency head or his or her authorized designee determines such
 440 negotiation poses an actual or potential conflict with the
 441 interests of the state or the agency.

442 (d) This subsection does not authorize any employment or
 443 contractual relationship solicitation otherwise prohibited by
 444 general law.

445 (9)~~(8)~~ Subsections (1) through (6) of this section do not
 446 apply ~~is not applicable~~ to any employee of the Public Service
 447 Commission who was so employed on or before December 31, 1994,
 448 unless so employed on or after January 8, 2019.

449 Section 6. Paragraphs (a), (f), and (h) of subsection (1),
 450 subsections (3) and (4), paragraph (a) of subsection (5), and

BILL

ORIGINAL

YEAR

451 subsections (7) and (8) of section 112.3215, Florida Statutes,
 452 are amended, and subsection (15) of that section is reenacted,
 453 to read:

454 112.3215 Lobbying before the executive branch or the
 455 Constitution Revision Commission; registration and reporting;
 456 investigation by commission.—

457 (1) For the purposes of this section:

458 (a) "Agency" means the Governor; the Governor and
 459 Cabinet; ~~or~~ any department, division, bureau, board,
 460 commission, or authority of the executive branch; the State
 461 Board of Education; or the Board of Governors of the State
 462 University System. In addition, "agency" means ~~shall mean~~ the
 463 Constitution Revision Commission as provided by s. 2, Art. XI of
 464 the State Constitution.

465 (f) "Lobbying" ~~"Lobbies"~~ means seeking, on behalf of
 466 another person, to influence an agency with respect to a
 467 decision of the agency in the area of policy or procurement or
 468 an attempt to obtain the goodwill of an agency official or
 469 employee. "Lobbying" ~~"Lobbies"~~ also means influencing or
 470 attempting to influence, on behalf of another, the Constitution
 471 Revision Commission's action or nonaction through oral or
 472 written communication or an attempt to obtain the goodwill of a
 473 member or employee of the Constitution Revision Commission.

474 (h) "Lobbyist" means a person who is employed and receives
 475 payment, or who contracts for economic consideration, for the

BILL

ORIGINAL

YEAR

476 | purpose of lobbying, or a person who is principally employed for
 477 | governmental affairs by another person or governmental entity to
 478 | lobby on behalf of that other person or governmental entity. The
 479 | term "principally employed for governmental affairs" means that
 480 | one of the principal or most significant responsibilities of the
 481 | employee to the employer is overseeing the employer's various
 482 | relationships with government or representing the employer in
 483 | its contacts with government. "Lobbyist" does not include a
 484 | person who is:

485 | 1. An attorney, or any person, who represents a client in
 486 | a judicial proceeding or in a formal administrative proceeding
 487 | conducted pursuant to chapter 120 or any other formal hearing
 488 | before an agency, board, commission, or authority of this state.

489 | 2. An officer or employee of an agency, ~~or of~~ a
 490 | legislative or judicial branch entity, or a political
 491 | subdivision of this state acting in the normal course of his or
 492 | her office or duties.

493 | 3. A confidential informant who is providing, or wishes to
 494 | provide, confidential information to be used for law enforcement
 495 | purposes.

496 | 4. A person who seeks ~~lobbies~~ to procure a contract
 497 | pursuant to chapter 287 which contract is less than the
 498 | threshold for CATEGORY ONE as provided in s. 287.017.

499 | (3) A person may not lobby an agency until such person has
 500 | electronically registered as a lobbyist with the commission.

BILL

ORIGINAL

YEAR

501 Such registration shall be due upon initially being retained to
 502 lobby and is renewable on a calendar year basis thereafter. The
 503 commission shall request authorization from the principal with
 504 the principal's name, business address, e-mail address, and
 505 telephone number to confirm that the registrant is authorized to
 506 represent the principal. ~~Upon registration the person shall~~
 507 ~~provide a statement signed by the principal or principal's~~
 508 ~~representative that the registrant is authorized to represent~~
 509 ~~the principal.~~ The principal or principal's representative shall
 510 also identify and designate its main business pursuant to the
 511 North American Industry Classification System (NAICS) six-digit
 512 numerical code that most accurately describes the principal's
 513 main business. Registration is not complete until the commission
 514 receives the principal's authorization and the registration fee
 515 ~~on the statement authorizing that lobbyist pursuant to a~~
 516 ~~classification system approved by the commission.~~ The
 517 registration shall require each lobbyist to attest to disclose,
 518 ~~under oath,~~ the following information:
 519 (a) Full legal name, e-mail address, telephone number,
 520 ~~Name~~ and business address;
 521 (b) The full name, e-mail address, telephone number, and
 522 business address of each principal represented;
 523 (c) ~~His or her area of interest;~~
 524 ~~(d)~~ The agencies before which he or she will appear; and
 525 (d)(e) The existence of any direct or indirect business

BILL

ORIGINAL

YEAR

526 association, partnership, or financial relationship with any
 527 employee of an agency with which he or she lobbies, or intends
 528 to lobby, as disclosed in the registration.

529 (4) The annual lobbyist registration fee shall be set by
 530 the commission by rule, not to exceed \$20 ~~\$40~~ for each principal
 531 represented plus, for each principal, a fee not to exceed \$5 for
 532 each agency after the first.

533 (5) (a)1. Each lobbying firm shall file a compensation
 534 report with the commission for each calendar quarter during any
 535 portion of which one or more of the firm's lobbyists were
 536 registered to represent a principal. The report shall include
 537 the:

- 538 a. Full name, e-mail address, business address, and
- 539 telephone number of the lobbying firm;
- 540 b. Name of each of the firm's lobbyists; and
- 541 c. Total compensation provided or owed to the lobbying
- 542 firm from all principals for the reporting period, reported in
- 543 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
- 544 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
- 545 \$999,999; \$1 million or more.

546 2. For each principal represented by one or more of the
 547 firm's lobbyists, the lobbying firm's compensation report shall
 548 also include the:

- 549 a. Full name, e-mail address, business address, and
- 550 telephone number of the principal; and

BILL

ORIGINAL

YEAR

551 b. Total compensation provided or owed to the lobbying
 552 firm for the reporting period, reported in one of the following
 553 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to
 554 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or
 555 more. If the category "\$50,000 or more" is selected, the
 556 specific dollar amount of compensation must be reported, rounded
 557 up or down to the nearest \$1,000.

558 3. If the lobbying firm subcontracts work from another
 559 lobbying firm and not from the original principal:

560 a. The lobbying firm providing the work to be
 561 subcontracted shall be treated as the reporting lobbying firm's
 562 principal for reporting purposes under this paragraph; and

563 b. The reporting lobbying firm shall, for each lobbying
 564 firm identified under subparagraph 2., identify the name and
 565 address of the principal originating the lobbying work.

566 4. The senior partner, officer, or owner of the lobbying
 567 firm shall certify to the veracity and completeness of the
 568 information submitted pursuant to this paragraph.

569 (7) A lobbyist shall promptly send a written statement to
 570 the commission canceling the designation of ~~registration for~~ a
 571 principal in his or her registration upon termination of such
 572 ~~the lobbyist's representation of that principal. The commission~~
 573 may cancel a lobbyist's designation of a principal upon the
 574 principal's notification that the lobbyist is no longer
 575 authorized to represent the principal ~~Notwithstanding this~~

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576 ~~requirement, the commission may remove the name of a lobbyist~~
 577 ~~from the list of registered lobbyists if the principal notifies~~
 578 ~~the office that a person is no longer authorized to represent~~
 579 ~~that principal.~~

580 (8) (a) The commission shall investigate every sworn
 581 complaint that is filed with it alleging that a person covered
 582 by this section has failed to register, has failed to submit a
 583 compensation report, has made a prohibited expenditure, or has
 584 knowingly submitted false information in any report or
 585 registration required in this section.

586 (b) All proceedings, the complaint, and other records
 587 relating to the investigation are confidential and exempt from
 588 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 589 Constitution, and any meetings held pursuant to an investigation
 590 are exempt from the provisions of s. 286.011(1) and s. 24(b),
 591 Art. I of the State Constitution either until the alleged
 592 violator requests in writing that such investigation and
 593 associated records and meetings be made public or until the
 594 commission determines, based on the investigation, whether
 595 probable cause exists to believe that a violation has occurred.

596 (c) The commission shall investigate any lobbying firm,
 597 lobbyist, principal, agency, officer, or employee upon receipt
 598 of information from a sworn complaint or from a random audit of
 599 lobbying reports indicating that the individual or entity has
 600 intentionally failed to disclose any material fact or has

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601 knowingly submitted false information in any report required by
 602 this section or by rules adopted pursuant to this section ~~a~~
 603 ~~possible violation other than a late-filed report.~~

604 (d) Notwithstanding paragraphs (a)-(c), the commission may
 605 dismiss any complaint or investigation resulting from a random
 606 audit of lobbying reports, at any stage of disposition, if it
 607 determines that the public interest is not served by proceeding
 608 further, in which case the commission shall issue a public
 609 report stating with particularity its reasons for the dismissal.

610 (e)1. Records relating to an audit conducted pursuant to
 611 this section or an investigation conducted pursuant to this
 612 section or s. 112.32155 are confidential and exempt from s.
 613 119.07(1) and s. 24(a), Art. I of the State Constitution.

614 2. Any portion of a meeting wherein such investigation or
 615 audit is discussed is exempt from s. 286.011 and s. 24(b), Art.
 616 I of the State Constitution.

617 3. The exemptions no longer apply if the lobbying firm
 618 requests in writing that such investigation and associated
 619 records and meetings be made public or the commission determines
 620 there is probable cause that the audit reflects a violation of
 621 the reporting laws.

622 (15) The commission shall adopt rules to administer this
 623 section, which shall prescribe forms for registration and
 624 compensation reports, procedures for registration, and
 625 procedures that will prevent disclosure of information that is

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626 | confidential as provided in this section.

627 | Section 7. This act shall take effect July 1, 2018.