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1  
2 An act relating to ethics requirements for public  
3 officials; amending s. 99.061, F.S.; requiring  
4 candidates for specified elective offices to file a  
5 full and public disclosure at the time of qualifying;  
6 authorizing candidates to file a certain verification  
7 or receipt with the qualifying officer unless certain  
8 conditions exist; conforming provisions to changes  
9 made by the act; amending s. 112.3142, F.S.; revising  
10 legislative intent; requiring commissioners of  
11 community redevelopment agencies to complete annual  
12 ethics training; exempting commissioners who assumed  
13 office after a specified date from completing the  
14 required annual ethics training for that calendar  
15 year; reenacting and amending s. 112.3144, F.S.;  
16 requiring specified local officers and members of the  
17 Commission on Ethics to file full and public  
18 disclosures; requiring the Commission on Ethics to  
19 accept federal income tax returns and any attachments  
20 or schedules for a specified purpose; deleting the  
21 prohibition on including a federal income tax return  
22 or a copy thereof for certain filings; requiring the  
23 commission to allow a filer to include attachments and  
24 other supporting documentation with his or her  
25 disclosure; revising the notice the commission sends  
26 to specified persons by e-mail; requiring that  
27 disclosure statements be filed using the commission's  
28 electronic filing system; revising the deadline for  
29 disclosures to be received by the commission; deleting

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provisions relating to financial statements filed by  
mail; revising a provision requiring the commission to  
adopt a specified rule; requiring an individual  
appointed to replace an elected local officer who  
leaves office before the end of his or her term to  
file a full and public disclosure of financial  
interests annually for the remainder of his or her  
term in office; amending s. 112.31445, F.S.; requiring  
the commission to publish a specified notice on the  
electronic filing system for the disclosure of  
financial interests; requiring that the filing system  
allow a filer to include attachments and other  
supporting documentation; amending s. 112.31446, F.S.;  
requiring that the electronic filing system allow a  
filer to submit attachments and other supporting  
documentation when a disclosure is filed; reenacting  
and amending s. 112.3145, F.S.; deleting a prohibition  
on including a federal income tax return or copy  
thereof in a financial disclosure; deleting a  
provision requiring specified local officers to file  
reports with the supervisor of elections of the  
officer's county of principal employment or residence;  
requiring local officers to file their quarterly  
reports of the names of clients they represent for a  
fee or commission with the Commission on Ethics;  
deleting a provision requiring the commission to  
provide a specified list to the supervisors of  
elections; requiring the commission to allow a filer  
to include attachments or other documentation when

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59 filing a disclosure; deleting a provision requiring  
60 the commission to provide the supervisors of elections  
61 a certain list annually by a specified date; requiring  
62 the commission to provide a certain notice by e-mail,  
63 beginning on a specified date; providing that,  
64 beginning on a specified date, paper forms will no  
65 longer be provided; requiring the commission, before a  
66 specified date, to determine which persons have not  
67 submitted a required statement and to send delinquency  
68 notices to such persons; requiring that disclosure  
69 statements be filed using the electronic filing  
70 system, beginning on a specified date; revising the  
71 criteria for a rule that the commission must adopt  
72 regarding the electronic filing of disclosure  
73 statements; requiring the commission to determine the  
74 amount of fines for all delinquent filers, beginning  
75 on a specified date; conforming provisions to changes  
76 made by the act; amending s. 112.317, F.S.; increasing  
77 the maximum civil penalty allowed for certain  
78 violations related to statements of financial  
79 disclosure; amending s. 112.3215, F.S.; requiring the  
80 commission to investigate specified entities or  
81 individuals that intentionally failed to disclose any  
82 material fact or that knowingly submitted false  
83 information in certain required reports; authorizing  
84 the commission to dismiss certain complaints and  
85 investigations; requiring the commission to issue a  
86 specified public report if it dismisses such a  
87 complaint or investigation; making technical changes;

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88 amending s. 112.324, F.S.; revising applicability;  
89 requiring the commission to revise financial  
90 disclosure forms and rules for the 2022 filing year to  
91 conform to changes made by the act; exempting such  
92 revisions from specified rulemaking requirements;  
93 providing an effective date.  
94

95 Be It Enacted by the Legislature of the State of Florida:  
96

97 Section 1. Subsection (5) and paragraph (a) of subsection  
98 (7) of section 99.061, Florida Statutes, are amended to read:

99 99.061 Method of qualifying for nomination or election to  
100 federal, state, county, or district office.—

101 (5) At the time of qualifying for office, each candidate  
102 for a constitutional office, or for another elective office  
103 subject to an annual filing requirement pursuant to s. 112.3144,  
104 shall file a full and public disclosure of financial interests  
105 pursuant to s. 8, Art. II of the State Constitution, which must  
106 be verified under oath or affirmation pursuant to s.  
107 92.525(1)(a), and a candidate for any other office, including  
108 local elective office, shall file a statement of financial  
109 interests pursuant to s. 112.3145. A candidate who is subject to  
110 an annual filing requirement under s. 112.3144 may file a  
111 verification or receipt of electronic filing pursuant to s.  
112 112.3144(4). A candidate who is subject to an annual filing  
113 requirement under s. 112.3145 may file a verification or receipt  
114 of electronic filing pursuant to s. 112.3145(2)(c) unless the  
115 candidate is required to file a full and public disclosure of  
116 financial interests pursuant to s. 8, Art. II of the State

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117 Constitution or this subsection.

118 (7) (a) In order for a candidate to be qualified, the  
119 following items must be received by the filing officer by the  
120 end of the qualifying period:

121 1. A properly executed check drawn upon the candidate's  
122 campaign account payable to the person or entity as prescribed  
123 by the filing officer in an amount not less than the fee  
124 required by s. 99.092, unless the candidate obtained the  
125 required number of signatures on petitions pursuant to s.  
126 99.095. The filing fee for a special district candidate is not  
127 required to be drawn upon the candidate's campaign account. If a  
128 candidate's check is returned by the bank for any reason, the  
129 filing officer shall immediately notify the candidate and the  
130 candidate shall have until the end of qualifying to pay the fee  
131 with a cashier's check purchased from funds of the campaign  
132 account. Failure to pay the fee as provided in this subparagraph  
133 shall disqualify the candidate.

134 2. The candidate's oath required by s. 99.021, which must  
135 contain the name of the candidate as it is to appear on the  
136 ballot; the office sought, including the district or group  
137 number if applicable; and the signature of the candidate, which  
138 must be verified under oath or affirmation pursuant to s.  
139 92.525(1) (a) .

140 3. If the office sought is partisan, the written statement  
141 of political party affiliation required by s. 99.021(1) (b); or  
142 if the candidate is running without party affiliation for a  
143 partisan office, the written statement required by s.  
144 99.021(1) (c) .

145 4. The completed form for the appointment of campaign

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146 treasurer and designation of campaign depository, as required by  
147 s. 106.021.

148 5. The full and public disclosure or statement of financial  
149 interests required by subsection (5). A public officer who has  
150 filed the full and public disclosure or statement of financial  
151 interests with the Commission on Ethics before ~~or the supervisor~~  
152 ~~of elections prior to~~ qualifying for office may file a copy of  
153 that disclosure or a verification or receipt of electronic  
154 filing as provided in subsection (5) at the time of qualifying.

155 Section 2. Paragraph (e) of subsection (2) of section  
156 112.3142, Florida Statutes, is amended to read:

157 112.3142 Ethics training for specified constitutional  
158 officers, elected municipal officers, and commissioners.-

159 (2)

160 (e) The Legislature intends that a constitutional officer,  
161 a commissioner of a community redevelopment agency, or an  
162 elected municipal officer who is required to complete ethics  
163 training pursuant to this section receive the required training  
164 as close as possible to the date that he or she assumes office.  
165 A constitutional officer, a commissioner of a community  
166 redevelopment agency, or an elected municipal officer assuming a  
167 new office or new term of office on or before March 31 must  
168 complete the annual training on or before December 31 of the  
169 year in which the term of office began. A constitutional  
170 officer, a commissioner of a community redevelopment agency, or  
171 an elected municipal officer assuming a new office or new term  
172 of office after March 31 is not required to complete ethics  
173 training for the calendar year in which the term of office  
174 began.

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Section 3. Notwithstanding the expiration date in section 92 of chapter 2022-157, Laws of Florida, paragraph (c) of subsection (6), paragraphs (a) and (c) of subsection (7), and subsections (8) and (10) of section 112.3144, Florida Statutes, are reenacted and amended, and paragraphs (d) and (e) are added to subsection (1) of that section, to read:

112.3144 Full and public disclosure of financial interests.—

(1)

(d) Beginning January 1, 2024, the following local officers must comply with the financial disclosure requirements of s. 8, Art. II of the State Constitution and this section:

1. Mayors.

2. Elected members of the governing body of a municipality.

(e) Beginning January 1, 2024, each member of the Commission on Ethics must comply with the financial disclosure requirements of s. 8, Art. II of the State Constitution and this section.

(6)

(c) Each separate source and amount of income which exceeds \$1,000 must be identified. For the purpose of a filer reporting income, the commission shall accept federal income tax returns. If a filer submits a federal income tax return for the purpose of reporting income, he or she must also include all attachments and schedules associated with such federal income tax return  
~~Beginning January 1, 2023, a federal income tax return may not be used for purposes of reporting income, and the commission may not accept a federal income tax return or a copy thereof.~~

(7) (a) Beginning January 1, 2023, a filer may not include

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in a filing to the commission ~~a federal income tax return or a~~  
~~copy thereof~~; a social security number; a bank, mortgage, or  
brokerage account number; a debit, charge, or credit card  
number; a personal identification number; or a taxpayer  
identification number. If a filer includes such information in  
his or her filing, the information may be made available as part  
of the official records of the commission available for public  
inspection and copying unless redaction is requested by the  
filer. The commission is not liable for the release of social  
security numbers or bank account, debit, charge, or credit card  
numbers included in a filing to the commission if the filer has  
not requested redaction of such information.

(c) The commission must conspicuously post a notice, in  
substantially the following form, in the instructions for the  
electronic filing system specifying that:

1. Any filer submitting information through the electronic  
filing system may not include ~~a federal income tax return or a~~  
~~copy thereof~~; a social security number; a bank, mortgage, or  
brokerage account number; a debit, charge, or credit card  
number; a personal identification number; or a taxpayer  
identification number in any filing unless required by law.

2. Information submitted through the electronic filing  
system may be open to public inspection and copying.

3. Any filer has a right to request that the commission  
redact from his or her filing any social security number, bank  
account number, or debit, charge, or credit card number  
contained in the filing. Such request must be made in writing  
and delivered to the commission. The request must specify the  
information to be redacted and the specific section or sections



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of the disclosure in which it was included.

(8) Forms or fields of information for compliance with the full and public disclosure requirements of s. 8, Art. II of the State Constitution must ~~shall~~ be prescribed by the commission. The commission shall allow a filer to include attachments or other supporting documentation when filing a disclosure. The commission shall give notice of disclosure deadlines and delinquencies and distribute forms in the following manner:

(a) Not later than May 1 of each year, the commission shall prepare a current list of the names, e-mail addresses, and physical addresses of and the offices held by every person required to file full and public disclosure annually by s. 8, Art. II of the State Constitution, or other state law. Each unit of government shall assist the commission in compiling the list by providing to the commission not later than February 1 of each year the name, e-mail address, physical address, and name of the office held by such person within the respective unit of government as of December 31 of the preceding year.

(b) Not later than June 1 of each year, the commission shall notify by e-mail all persons required to file a full and public disclosure of financial interests of all of the following:

1. All applicable filing deadlines for completing and filing the full and public disclosure of financial interests prescribed under subsection (3) on the electronic filing system.

2. Instructions on how to complete and file the full and public disclosure of financial interests as prescribed by subsection (3) on the electronic filing system, or where to access such instructions.

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262  
263 Beginning January 1, 2023, paper forms may not be provided and  
264 persons required to file a full and public disclosure of  
265 financial interests must complete and file their disclosures on  
266 the electronic filing system pursuant to subsection (2) ~~Not~~  
267 ~~later than June 1 of each year, the commission shall distribute~~  
268 ~~a copy of the form prescribed for compliance with full and~~  
269 ~~public disclosure and a notice of the filing deadline to each~~  
270 ~~person on the list. Beginning January 1, 2022, no paper forms~~  
271 ~~will be provided by mail. The notice required under this~~  
272 ~~paragraph and instructions for electronic submission must be~~  
273 ~~delivered by e-mail.~~

274 (c) Not later than August 1 of each year, the commission  
275 shall determine which persons on the list have failed to file  
276 full and public disclosure and shall send delinquency notices to  
277 such persons. Each notice must state that a grace period is in  
278 effect until September 1 of the current year. ~~Beginning January~~  
279 ~~1, 2022,~~ The notice required under this paragraph must be  
280 delivered by e-mail and must be redelivered on a weekly basis by  
281 e-mail as long as a person remains delinquent.

282 (d) Disclosures must be received by the commission not  
283 later than 11:59 ~~5~~ p.m. of the due date. ~~However, any disclosure~~  
284 ~~that is postmarked by the United States Postal Service by~~  
285 ~~midnight of the due date is deemed to have been filed in a~~  
286 ~~timely manner, and a certificate of mailing obtained from and~~  
287 ~~dated by the United States Postal Service at the time of the~~  
288 ~~mailing, or a receipt from an established courier company which~~  
289 ~~bears a date on or before the due date, constitutes proof of~~  
290 ~~mailing in a timely manner.~~ Beginning January 1, 2023, upon

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request of the filer, the commission must provide verification to the filer that the commission has received the filed disclosure.

(e) Beginning January 1, 2023, a written declaration, as provided for under s. 92.525(2), accompanied by an electronic signature satisfies the requirement that the disclosure be sworn.

(f) Any person who is required to file full and public disclosure of financial interests and whose name is on the commission's list, and to whom notice has been sent, but who fails to timely file is assessed a fine of \$25 per day for each day late up to a maximum of \$1,500; however this \$1,500 limitation on automatic fines does not limit the civil penalty that may be imposed if the statement is filed more than 60 days after the deadline and a complaint is filed, as provided in s. 112.324. The commission must provide by rule the grounds for waiving the fine and the procedures by which each person whose name is on the list and who is determined to have not filed in a timely manner will be notified of assessed fines and may appeal. The rule must provide for and make specific that the amount of the fine due is based upon when the disclosure is filed on the electronic filing system created and maintained by the commission as provided in s. 112.31446. ~~the following:~~

1. ~~The amount of the fine due is based upon the earliest of the following:~~

~~a. When a statement is actually received by the office.~~

~~b. When the statement is postmarked.~~

~~c. When the certificate of mailing is dated.~~

~~d. When the receipt from an established courier company is~~

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320 ~~dated.~~

321       2. Upon receipt of the disclosure statement or upon accrual  
322 of the maximum penalty, whichever occurs first, the commission  
323 shall determine the amount of the fine which is due and shall  
324 notify the delinquent person. The notice must include an  
325 explanation of the appeal procedure under subparagraph 2. 3.  
326 Such fine must be paid within 30 days after the notice of  
327 payment due is transmitted, unless appeal is made to the  
328 commission pursuant to subparagraph 2. 3. The moneys shall be  
329 deposited into the General Revenue Fund.

330       2.3. Any reporting person may appeal or dispute a fine,  
331 based upon unusual circumstances surrounding the failure to file  
332 on the designated due date, and may request and is entitled to a  
333 hearing before the commission, which may waive the fine in whole  
334 or in part for good cause shown. Any such request must be in  
335 writing and received by the commission within 30 days after the  
336 notice of payment due is transmitted. In such a case, the  
337 reporting person must, within the 30-day period, notify the  
338 person designated to review the timeliness of reports in writing  
339 of his or her intention to bring the matter before the  
340 commission. For purposes of this subparagraph, "unusual  
341 circumstances" does not include the failure to monitor an e-mail  
342 account or failure to receive notice if the person has not  
343 notified the commission of a change in his or her e-mail  
344 address.

345       (g) Any person subject to the annual filing of full and  
346 public disclosure under s. 8, Art. II of the State Constitution,  
347 or other state law, whose name is not on the commission's list  
348 of persons required to file full and public disclosure is not

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349 subject to the fines or penalties provided in this part for  
350 failure to file full and public disclosure in any year in which  
351 the omission occurred, but nevertheless is required to file the  
352 disclosure statement.

353 (h) The notification requirements and fines of this  
354 subsection do not apply to candidates or to the first filing  
355 required of any person appointed to elective constitutional  
356 office or other position required to file full and public  
357 disclosure, unless the person's name is on the commission's  
358 notification list and the person received notification from the  
359 commission. The appointing official shall notify such newly  
360 appointed person of the obligation to file full and public  
361 disclosure by July 1. The notification requirements and fines of  
362 this subsection do not apply to the final filing provided for in  
363 subsection (10).

364 (i) Notwithstanding any provision of chapter 120, any fine  
365 imposed under this subsection which is not waived by final order  
366 of the commission and which remains unpaid more than 60 days  
367 after the notice of payment due or more than 60 days after the  
368 commission renders a final order on the appeal must be submitted  
369 to the Department of Financial Services as a claim, debt, or  
370 other obligation owed to the state, and the department shall  
371 assign the collection of such fine to a collection agent as  
372 provided in s. 17.20.

373 (10) Each person required to file full and public  
374 disclosure of financial interests shall file a final disclosure  
375 statement within 60 days after leaving his or her public  
376 position for the period between January 1 of the year in which  
377 the person leaves and the last day of office or employment,

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378 unless within the 60-day period the person takes another public  
379 position requiring financial disclosure under s. 8, Art. II of  
380 the State Constitution, or is otherwise required to file full  
381 and public disclosure for the final disclosure period. The head  
382 of the agency of each person required to file full and public  
383 disclosure for the final disclosure period shall notify such  
384 persons of their obligation to file the final disclosure and may  
385 designate a person to be responsible for the notification  
386 requirements of this subsection. When an elected local officer  
387 specified in paragraph (1) (d) leaves office before the  
388 expiration of his or her term, any individual appointed to  
389 replace such officer for the remainder of that term must file a  
390 full and public disclosure of financial interests annually  
391 thereafter for the remainder of his or her term in office.

392 Section 4. Subsections (4) and (5) are added to section  
393 112.31445, Florida Statutes, to read:

394 112.31445 Electronic filing system; full and public  
395 disclosure of financial interests.--

396 (4) The commission shall publish a notice on the electronic  
397 filing system instructing filers to redact a social security  
398 number; a bank, mortgage, or brokerage account number; a debit,  
399 charge, or credit card number; a personal identification number;  
400 or a taxpayer identification number in their filings.

401 (5) The electronic filing system must allow a filer to  
402 include attachments or other supporting documentation when  
403 submitting a disclosure through the system.

404 Section 5. Paragraph (f) is added to subsection (2) of  
405 section 112.31446, Florida Statutes, to read:

406 112.31446 Electronic filing system for financial.

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disclosure.—

(2) By January 1, 2022, the commission shall procure and test an electronic filing system. At a minimum, the electronic filing system must:

(f) Allow a filer to include attachments or other supporting documentation when submitting a disclosure or a statement through the system.

Section 6. Notwithstanding the expiration date in section 95 of chapter 2022-157, Laws of Florida, paragraphs (b) and (e) of subsection (2), paragraphs (a) and (c) of subsection (4), and subsections (6) and (8) of section 112.3145, Florida Statutes, are reenacted and amended to read:

112.3145 Disclosure of financial interests and clients represented before agencies.—

(2)

(b) Each state or local officer, except local officers specified in s. 112.3144(1)(d), and each specified state employee shall file a statement of financial interests no later than July 1 of each year. Each state officer, local officer, and specified state employee shall file a final statement of financial interests within 60 days after leaving his or her public position for the period between January 1 of the year in which the person leaves and the last day of office or employment, unless within the 60-day period the person takes another public position requiring financial disclosure under this section or s. 8, Art. II of the State Constitution or otherwise is required to file full and public disclosure or a statement of financial interests for the final disclosure period. Each state or local officer who is appointed and each

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436 specified state employee who is employed shall file a statement  
437 of financial interests within 30 days from the date of  
438 appointment or, in the case of a specified state employee, from  
439 the date on which the employment begins, except that any person  
440 whose appointment is subject to confirmation by the Senate shall  
441 file before ~~prior to~~ confirmation hearings or within 30 days  
442 from the date of appointment, whichever comes first.

443 (e) Beginning January 1, 2024, a statement of financial  
444 interests, and a final statement of financial interests and any  
445 amendments thereto, or any other form required by this section,  
446 except any statement of a candidate who is not subject to an  
447 annual filing requirement, must be filed electronically through  
448 an electronic filing system created and maintained by the  
449 commission as provided in s. 112.31446.

450 (4) (a) ~~Beginning January 1, 2024,~~ A filer may not include  
451 in a filing to the commission ~~a federal income tax return or a~~  
452 ~~copy of thereof,~~ a social security number; a bank, mortgage, or  
453 brokerage account number; a debit, charge, or credit card  
454 number; a personal identification number; or a taxpayer  
455 identification number. If a filer includes such information in  
456 his or her filing, the information may be made available as part  
457 of the official records of the commission available for public  
458 inspection and copying unless redaction is requested by the  
459 filer. The commission is not liable for the release of social  
460 security numbers, bank account numbers, or debit, charge, or  
461 credit card numbers included in a filing to the commission if  
462 the filer has not requested redaction of the information.

463 (c) The commission must conspicuously post a notice, in  
464 substantially the following form, in the instructions for the



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electronic filing system specifying that:

1. Any filer submitting information through the electronic filing system may not include ~~a federal income tax return or a copy thereof~~, a social security number; a bank, mortgage, or brokerage account number; a debit, charge, or credit card number; a personal identification number; or a taxpayer identification number in any filing unless required by law.

2. Information submitted through the electronic filing system may be open to public inspection and copying.

3. Any filer has a right to request that the commission redact from his or her filing any social security number, bank account number, or debit, charge, or credit card number contained in the filing. Such request must be made in writing and delivered to the commission. The request must specify the information to be redacted and the specific section or sections of the disclosure in which it was included.

(6) Each elected constitutional officer, state officer, local officer, and specified state employee shall file a quarterly report of the names of clients represented for a fee or commission, except for appearances in ministerial matters, before agencies at his or her level of government. For the purposes of this part, agencies of government shall be classified as state-level agencies or agencies below state level. ~~Each local officer shall file such report with the supervisor of elections of the county in which the officer is principally employed or is a resident.~~ Each state officer, elected constitutional officer, and specified state employee shall file such report with the commission. Beginning January 1, 2024, each local officer shall file such report with the

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494 commission. The report must ~~shall~~ be filed only when a  
495 reportable representation is made during the calendar quarter  
496 and must ~~shall~~ be filed no later than the last day of each  
497 calendar quarter, for the previous calendar quarter.  
498 Representation before any agency shall be deemed to include  
499 representation by such officer or specified state employee or by  
500 any partner or associate of the professional firm of which he or  
501 she is a member and of which he or she has actual knowledge. For  
502 the purposes of this subsection, the term "representation before  
503 any agency" does not include appearances before any court or the  
504 Deputy Chief Judge of Compensation Claims or judges of  
505 compensation claims or representations on behalf of one's agency  
506 in one's official capacity. Such term does not include the  
507 preparation and filing of forms and applications merely for the  
508 purpose of obtaining or transferring a license based on a quota  
509 or a franchise of such agency or a license or operation permit  
510 to engage in a profession, business, or occupation, so long as  
511 the issuance or granting of such license, permit, or transfer  
512 does not require substantial discretion, a variance, a special  
513 consideration, or a certificate of public convenience and  
514 necessity.

515 (8) Beginning January 1, 2024, forms for compliance with  
516 the disclosure requirements of this section and a current list  
517 of persons subject to disclosure must ~~shall~~ be created by the  
518 commission ~~and provided to each supervisor of elections.~~ The  
519 commission shall allow a filer to include attachments or other  
520 supporting documentation when filing a disclosure. Beginning  
521 January 1, 2024, the commission ~~and each supervisor of elections~~  
522 shall give notice of disclosure deadlines, ~~and delinquencies,~~

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and instructions ~~distribute forms~~ in the following manner:

(a) ~~1.~~ Not later than May 1 of each year, the commission shall prepare a current list of the names, e-mail addresses, and physical addresses of, and the offices or positions held by, every state officer, local officer, and specified employee. Each unit of government shall assist the commission in compiling the list by providing to the commission not later than February 1 of each year the name, e-mail address, physical address, and name of agency of, and the office or position held by, each state officer, local officer, or specified state employee within the respective unit of government as of December 31 of the preceding year.

~~2. Not later than May 15 of each year, the commission shall provide each supervisor of elections with a current list of all local officers required to file with such supervisor of elections.~~

(b) The commission shall notify by e-mail, not later than June 1 of each year, all persons required to file a statement of financial interests under subsection (3) of all of the following:

1. All applicable filing deadlines for completing and filing the statement on the electronic filing system.

2. Instructions on how to complete and file the statement on the electronic filing system, or where to access such instructions.

Beginning January 1, 2024, paper forms may not be provided and persons required to file a statement of financial interests must complete and file such statements on the electronic filing

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552 system pursuant to paragraph (2) (e) ~~Not later than June 1 of~~  
553 ~~each year, the commission and each supervisor of elections, as~~  
554 ~~appropriate, shall distribute a copy of the form prescribed for~~  
555 ~~compliance with subsection (3) and a notice of all applicable~~  
556 ~~disclosure forms and filing deadlines to each person required to~~  
557 ~~file a statement of financial interests. Beginning January 1,~~  
558 ~~2024, no paper forms will be provided. The notice required under~~  
559 ~~this paragraph and instructions for electronic submission must~~  
560 ~~be delivered by e-mail.~~

561 (c) Not later than August 1 of each year, the commission  
562 ~~and each supervisor of elections~~ shall determine which persons  
563 required to file a statement of financial interests ~~in their~~  
564 ~~respective offices~~ have failed to do so and shall send  
565 delinquency notices to these persons. Through December 31, 2023,  
566 delinquency notices must be sent by certified mail, return  
567 receipt requested. Each notice must state that a grace period is  
568 in effect until September 1 of the current year; that no  
569 investigative or disciplinary action based upon the delinquency  
570 will be taken by the agency head or commission if the statement  
571 is filed by September 1 of the current year; that, if the  
572 statement is not filed by September 1 of the current year, a  
573 fine of \$25 for each day late will be imposed, up to a maximum  
574 penalty of \$1,500; ~~for notices distributed by a supervisor of~~  
575 ~~elections, that he or she is required by law to notify the~~  
576 ~~commission of the delinquency;~~ and that, if upon the filing of a  
577 sworn complaint the commission finds that the person has failed  
578 to timely file the statement within 60 days after September 1 of  
579 the current year, such person will also be subject to the  
580 penalties provided in s. 112.317. Beginning January 1, 2024,

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notice required under this paragraph must be delivered by e-mail and must be redelivered on a weekly basis by e-mail as long as the person remains delinquent.

(d) Beginning January 1, 2024, disclosure statements required to be filed with the commission must be filed by 11:59 p.m. on the due date using the commission's electronic filing system pursuant to s. 112.31446 ~~No later than November 15 of each year, the supervisor of elections in each county shall certify to the commission a list of the names and addresses of, and the offices or positions held by, all persons who have failed to timely file the required statements of financial interests. The certification must include the earliest of the dates described in subparagraph (g)1. The certification shall be on a form prescribed by the commission and shall indicate whether the supervisor of elections has provided the disclosure forms and notice as required by this subsection to all persons named on the delinquency list.~~

(e) ~~Statements must be received by the commission not later than 5 p.m. of the due date. However, any statement that is postmarked by the United States Postal Service by midnight of the due date is deemed to have been filed in a timely manner, and a certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, constitutes proof of mailing in a timely manner. Beginning January 1, 2023, upon request of the filer, the commission must provide verification to the filer that the commission has received the filed statement.~~

~~(f)~~ Beginning January 1, 2023, the statement must be

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610 accompanied by a declaration as provided in s. 92.525(2) and an  
611 electronic acknowledgment thereof.

612 (f) ~~(g)~~ Any person ~~who is~~ required to file a statement of  
613 financial interests ~~and~~ whose name is on the commission's list,  
614 and to whom notice has been sent, but who fails to timely file  
615 is assessed a fine of \$25 per day for each day late up to a  
616 maximum of \$1,500; however, this \$1,500 limitation on automatic  
617 fines does not limit the civil penalty that may be imposed if  
618 the statement is filed more than 60 days after the deadline and  
619 a complaint is filed, as provided in s. 112.324. The commission  
620 must provide by rule the grounds for waiving the fine and  
621 procedures by which each person whose name is on the list and  
622 who is determined to have not filed in a timely manner will be  
623 notified of assessed fines and may appeal. The rule must provide  
624 for and make specific that the amount of the fine is based upon  
625 the date and time that the disclosure is filed on the electronic  
626 filing system as provided in s. 112.31446. ~~the following:~~

627 1. Beginning January 1, 2024, ~~The amount of the fine due is~~  
628 ~~based upon the earliest of the following:~~

- 629 a. ~~When a statement is actually received by the office.~~  
630 b. ~~When the statement is postmarked.~~  
631 c. ~~When the certificate of mailing is dated.~~  
632 d. ~~When the receipt from an established courier company is~~  
633 ~~dated.~~

634 2. ~~for a specified state employee, or a state officer, or~~  
635 local officer, upon receipt of the disclosure statement by the  
636 commission or upon accrual of the maximum penalty, whichever  
637 occurs first, ~~and for a local officer upon receipt by the~~  
638 ~~commission of the certification from the local officer's~~

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639 ~~supervisor of elections pursuant to paragraph (d),~~ the  
640 commission shall determine the amount of the fine which is due  
641 and shall notify the delinquent person. The notice must include  
642 an explanation of the appeal procedure under subparagraph 2. 3.  
643 The fine must be paid within 30 days after the notice of payment  
644 due is transmitted, unless appeal is made to the commission  
645 pursuant to subparagraph 2. 3. The moneys are to be deposited  
646 into the General Revenue Fund.

647 2.3. Any reporting person may appeal or dispute a fine,  
648 based upon unusual circumstances surrounding the failure to file  
649 on the designated due date, and may request and is entitled to a  
650 hearing before the commission, which may waive the fine in whole  
651 or in part for good cause shown. Any such request must be in  
652 writing and received by the commission within 30 days after the  
653 notice of payment due is transmitted. In such a case, the  
654 reporting person must, within the 30-day period, notify the  
655 person designated to review the timeliness of reports in writing  
656 of his or her intention to bring the matter before the  
657 commission. For purposes of this subparagraph, the term "unusual  
658 circumstances" does not include the failure to monitor an e-mail  
659 account or failure to receive notice if the person has not  
660 notified the commission of a change in his or her e-mail  
661 address.

662 (g) ~~(h)~~ Any state officer, local officer, or specified  
663 employee whose name is not on the list of persons required to  
664 file an annual statement of financial interests is not subject  
665 to the penalties provided in s. 112.317 or the fine provided in  
666 this section for failure to timely file a statement of financial  
667 interests in any year in which the omission occurred, but

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nevertheless is required to file the disclosure statement.

(h) ~~(i)~~ The notification requirements and fines of this subsection do not apply to candidates or to the first or final filing required of any state officer, specified employee, or local officer as provided in paragraph (2)(b).

(i) ~~(j)~~ Notwithstanding any provision of chapter 120, any fine imposed under this subsection which is not waived by final order of the commission and which remains unpaid more than 60 days after the notice of payment due or more than 60 days after the commission renders a final order on the appeal must be submitted to the Department of Financial Services as a claim, debt, or other obligation owed to the state, and the department shall assign the collection of such a fine to a collection agent as provided in s. 17.20.

Section 7. Subsection (1) of section 112.317, Florida Statutes, is amended to read:

112.317 Penalties.—

(1) Any violation of this part, including, but not limited to, failure to file disclosures required by this part or violation of any standard of conduct imposed by this part, or any violation of s. 8, Art. II of the State Constitution, in addition to any criminal penalty or other civil penalty involved, under applicable constitutional and statutory procedures, constitutes grounds for, and may be punished by, one or more of the following:

(a) In the case of a public officer:

1. Impeachment.
2. Removal from office.
3. Suspension from office.



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697 4. Public censure and reprimand.

698 5. Forfeiture of no more than one-third of his or her  
699 salary per month for no more than 12 months.

700 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

701 7. Restitution of any pecuniary benefits received because  
702 of the violation committed. The commission may recommend that  
703 the restitution penalty be paid to the agency of which the  
704 public officer was a member or to the General Revenue Fund.

705 (b) In the case of an employee or a person designated as a  
706 public officer by this part who otherwise would be deemed to be  
707 an employee:

708 1. Dismissal from employment.

709 2. Suspension from employment for not more than 90 days  
710 without pay.

711 3. Demotion.

712 4. Reduction in his or her salary level.

713 5. Forfeiture of no more than one-third salary per month  
714 for no more than 12 months.

715 6. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

716 7. Restitution of any pecuniary benefits received because  
717 of the violation committed. The commission may recommend that  
718 the restitution penalty be paid to the agency by which the  
719 public employee was employed, or of which the officer was deemed  
720 to be an employee, or to the General Revenue Fund.

721 8. Public censure and reprimand.

722 (c) In the case of a candidate who violates this part or s.  
723 8(a) and (i), Art. II of the State Constitution:

724 1. Disqualification from being on the ballot.

725 2. Public censure.

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726 3. Reprimand.

727 4. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

728 (d) In the case of a former public officer or employee who  
729 has violated a provision applicable to former officers or  
730 employees or whose violation occurred before the officer's or  
731 employee's leaving public office or employment:

732 1. Public censure and reprimand.

733 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

734 3. Restitution of any pecuniary benefits received because  
735 of the violation committed. The commission may recommend that  
736 the restitution penalty be paid to the agency of the public  
737 officer or employee or to the General Revenue Fund.

738 (e) In the case of a person who is subject to the standards  
739 of this part, other than a lobbyist or lobbying firm under s.  
740 112.3215 for a violation of s. 112.3215, but who is not a public  
741 officer or employee:

742 1. Public censure and reprimand.

743 2. A civil penalty not to exceed \$20,000 ~~\$10,000~~.

744 3. Restitution of any pecuniary benefits received because  
745 of the violation committed. The commission may recommend that  
746 the restitution penalty be paid to the agency of the person or  
747 to the General Revenue Fund.

748 Section 8. Present paragraph (d) of subsection (8) of  
749 section 112.3215, Florida Statutes, is redesignated as paragraph  
750 (e), a new paragraph (d) is added to that subsection, and  
751 paragraph (c) of subsection (8) and subsection (9) of that  
752 section are amended, to read:

753 112.3215 Lobbying before the executive branch or the  
754 Constitution Revision Commission; registration and reporting;

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investigation by commission.—

(8)

(c) The commission shall investigate any lobbying firm, lobbyist, principal, agency, officer, or employee upon receipt of information from a sworn complaint or from a random audit of lobbying reports indicating that the entity or individual has intentionally failed to disclose any material fact or has knowingly submitted false information in any report required by this section or by rules adopted pursuant to this section ~~a possible violation other than a late-filed report.~~

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

(9) If the commission finds no probable cause to believe that a violation of this section occurred, it must ~~shall~~ dismiss the complaint, whereupon the complaint, together with a written statement of the findings of the investigation and a summary of the facts, becomes ~~shall become~~ a matter of public record, and the commission must ~~shall~~ send a copy of the complaint, findings, and summary to the complainant and the alleged violator. If, after investigating information from a random audit of lobbying reports, the commission finds no probable cause to believe that a violation of this section occurred, a written statement of the findings of the investigation and a summary of the facts becomes ~~shall become~~ a matter of public

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record, and the commission must ~~shall~~ send a copy of the findings and summary to the alleged violator. If the commission finds probable cause to believe that a violation occurred, it must ~~shall~~ report the results of its investigation to the Governor and Cabinet and send a copy of the report to the alleged violator by certified mail. Such notification and all documents made or received in the disposition of the complaint ~~shall then~~ become public records. Upon a request submitted to the Governor and Cabinet in writing, any person whom the commission finds probable cause to believe has violated ~~any provision of~~ this section shall be entitled to a public hearing. Such person shall be deemed to have waived the right to a public hearing if the request is not received within 14 days following the mailing of the probable cause notification. However, the Governor and Cabinet may on its own motion require a public hearing and may conduct such further investigation as it deems necessary.

Section 9. Paragraph (a) of subsection (11) of section 112.324, Florida Statutes, is amended to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

(11)(a) Notwithstanding subsections (1)–(8), the commission may dismiss any complaint or referral at any stage of disposition if it determines that the violation that is alleged or has occurred is a de minimis violation attributable to inadvertent or unintentional error. In determining whether a violation was de minimis, the commission shall consider whether the interests of the public were protected despite the violation. ~~This subsection does not apply to complaints or~~

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813 ~~referrals pursuant to ss. 112.3144 and 112.3145.~~

814       Section 10. Upon this act becoming a law, the Commission on  
815 Ethics shall, as necessary, revise its financial disclosure  
816 forms and instructions and any related rules to conform to this  
817 act. Any such revisions to disclosure forms and instructions  
818 pertaining to the 2022 filing year shall be exempt from the  
819 requirements of chapter 120, Florida Statutes.

820       Section 11. This act shall take effect upon becoming a law.

