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A bill to be entitled
 An act relating to local government ethics reform;
 amending s. 112.313, F.S.; providing that contractual
 relationships held by business entities are deemed
 held by public officers or employees in certain
 situations; amending s. 112.3142, F.S.; requiring
 certain ethics training for governing board members of
 special districts and water management districts;
 authorizing certain continuing education to satisfy
 the ethics training requirement; deleting a
 requirement that the Commission on Ethics adopt
 certain rules relating to ethics training class course
 content; providing course content requirements;
 encouraging training providers to seek accreditation;
 amending s. 112.3143, F.S.; prohibiting governing
 board members of special districts or school districts
 from voting in an official capacity on specified
 matters; prohibiting county, municipal, or other local
 public officers or governing board members of special
 districts or school districts from participating in
 specified matters; amending s. 112.3144, F.S.;
 requiring certain mayors and members of a municipality
 governing body to file a full and public disclosure of
 financial interests; providing disclosure
 requirements; amending s. 112.3145, F.S.; providing

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 disclosure requirements; providing applicability;
 27 amending s. 112.31455, F.S.; applying provisions
 28 relating to collecting unpaid fines for failing to
 29 file such disclosures to school districts; amending s.
 30 112.3148, F.S.; conforming provisions to specified
 31 local government lobbyist registration requirements
 32 effective October 1, 2019; providing for the future
 33 removal of local government authority to enact a rule
 34 or ordinance requiring lobbyists to register with the
 35 local government; providing for the future repeal of
 36 s. 112.3261, F.S., relating to registration and
 37 reporting for lobbying water management districts;
 38 creating s. 112.3262, F.S.; providing definitions;
 39 requiring the commission to create the Local
 40 Government Lobbyist Registration System; requiring
 41 lobbyists to register with the commission before
 42 lobbying governmental entities effective a specified
 43 date; providing registration requirements and fees;
 44 providing responsibilities of the lobbyist,
 45 governmental entity, commission, and Governor;
 46 providing civil penalties; authorizing the suspension
 47 of certain lobbyists; authorizing the commission to
 48 adopt rules; requiring the commission to provide
 49 advisory opinions for specified purposes; amending s.
 50 218.32, F.S.; requiring the Department of Financial

51 Services to file an annual report with the Legislature
 52 and commission by a specified date; declaring that the
 53 act fulfills an important state interest; providing
 54 effective dates.

55
 56 Be It Enacted by the Legislature of the State of Florida:

57
 58 Section 1. Subsection (7) of section 112.313, Florida
 59 Statutes, is amended to read:

60 112.313 Standards of conduct for public officers,
 61 employees of agencies, and local government attorneys.-

62 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.-

63 (a) A ~~Ne~~ public officer or employee of an agency may not
 64 ~~shall~~ have or hold any employment or contractual relationship
 65 with any business entity or any agency that ~~which~~ is subject to
 66 the regulation of, or is doing business with, an agency of which
 67 he or she is an officer or employee, excluding those
 68 organizations and their officers who, when acting in their
 69 official capacity, enter into or negotiate a collective
 70 bargaining contract with the state or any municipality, county,
 71 or other political subdivision of the state; and ~~nor shall~~ an
 72 officer or employee of an agency may not have or hold any
 73 employment or contractual relationship that will create a
 74 continuing or frequently recurring conflict between his or her
 75 private interests and the performance of his or her public

76 | duties or that would impede the full and faithful discharge of
 77 | his or her public duties. For purposes of this subsection, if a
 78 | public officer or employee of an agency holds a material
 79 | interest in a business entity other than a publicly traded
 80 | entity, or is an officer, director, or member who manages such
 81 | an entity, contractual relationships held by the business entity
 82 | are deemed to be held by the public officer or employee.

83 | 1. When the agency referred to is a ~~that certain kind of~~
 84 | special tax district created by general or special law and is
 85 | limited specifically to constructing, maintaining, managing, and
 86 | financing improvements in the land area over which the agency
 87 | has jurisdiction, or when the agency has been organized pursuant
 88 | to chapter 298, ~~then~~ employment with, or entering into a
 89 | contractual relationship with, such a business entity by a
 90 | public officer or employee of such an agency is ~~shall~~ not ~~be~~
 91 | prohibited by this subsection or ~~be~~ deemed a conflict per se.
 92 | However, conduct by such officer or employee that is prohibited
 93 | by, or otherwise frustrates the intent of, this section must
 94 | ~~shall~~ be deemed a conflict of interest in violation of the
 95 | standards of conduct set forth by this section.

96 | 2. When the agency referred to is a legislative body and
 97 | the regulatory power over the business entity resides in another
 98 | agency, or when the regulatory power that ~~which~~ the legislative
 99 | body exercises over the business entity or agency is strictly
 100 | through the enactment of laws or ordinances, ~~then~~ employment or

101 a contractual relationship with such a business entity by a
 102 public officer or employee of a legislative body is ~~shall~~ not ~~be~~
 103 prohibited by this subsection or ~~be~~ deemed a conflict.

104 (b) This subsection does ~~shall~~ not prohibit a public
 105 officer or employee from practicing in a particular profession
 106 or occupation when such practice by persons holding such public
 107 office or employment is required or permitted by law or
 108 ordinance.

109 Section 2. Subsection (2) of section 112.3142, Florida
 110 Statutes, is amended to read:

111 112.3142 Ethics training for specified constitutional
 112 officers, and elected municipal officers, and members of a
 113 governing board of a special district or water management
 114 district.-

115 (2)(a) All constitutional officers must complete 4 hours
 116 of ethics training each calendar year which addresses, at a
 117 minimum, s. 8, Art. II of the State Constitution, the Code of
 118 Ethics for Public Officers and Employees, and the public records
 119 and public meetings laws of this state. ~~This requirement may be~~
 120 ~~satisfied by completion of a continuing legal education class or~~
 121 ~~other continuing professional education class, seminar, or~~
 122 ~~presentation if the required subjects are covered.~~

123 (b) ~~Beginning January 1, 2015,~~ All elected municipal
 124 officers must complete 4 hours of ethics training each calendar
 125 year which addresses, at a minimum, s. 8, Art. II of the State

126 Constitution, the Code of Ethics for Public Officers and
 127 Employees, and the public records and public meetings laws of
 128 this state. ~~This requirement may be satisfied by completion of a~~
 129 ~~continuing legal education class or other continuing~~
 130 ~~professional education class, seminar, or presentation if the~~
 131 ~~required subjects are covered.~~

132 (c) Beginning January 1, 2019, all members of the
 133 governing board of a special district or water management
 134 district must complete 4 hours of ethics training each calendar
 135 year which addresses, at a minimum, s. 8, Art. II of the State
 136 Constitution, the Code of Ethics for Public Officers and
 137 Employees, and the public records and public meetings laws of
 138 this state.

139 (d) The requirements specified in paragraphs (a), (b), and
 140 (c) may be satisfied by completion of a continuing legal
 141 education class or other continuing professional education
 142 class, seminar, or presentation if the required subjects are
 143 covered.

144 (e) ~~The commission shall adopt rules establishing minimum~~
 145 ~~Course content for the portion of an ethics training class which~~
 146 ~~addresses s. 8, Art. II of the State Constitution and the Code~~
 147 ~~of Ethics for Public Officers and Employees must include one or~~
 148 ~~more of the following:~~

- 149 1. Doing business with one's own agency;
- 150 2. Conflicting employment or contractual relationships;

- 151 3. Misuse of position;
 152 4. Disclosure or use of certain information;
 153 5. Gifts and honoraria, including solicitation and
 154 acceptance of gifts, and unauthorized compensation;
 155 6. Post-officeholding restrictions;
 156 7. Restrictions on the employment of relatives;
 157 8. Voting conflicts if the officer is a member of a
 158 collegial body and votes in his or her official capacity;
 159 9. Financial disclosure requirements, including the
 160 automatic fine and appeal process;
 161 10. Commission procedures on ethics complaints and
 162 referrals; and
 163 11. The importance of and the process for obtaining
 164 advisory opinions rendered by the commission.
 165 (f) Training providers are encouraged to seek
 166 accreditation from any applicable licensing body for courses
 167 offered pursuant to this subsection.
 168 (g)~~(d)~~ The Legislature intends that a constitutional
 169 officer, ~~or~~ elected municipal officer, or member of the
 170 governing board of a special district or water management
 171 district who is required to complete ethics training pursuant to
 172 this section receive the required training as close as possible
 173 to the date that he or she assumes office. A constitutional
 174 officer, ~~or~~ elected municipal officer, or member of the
 175 governing board of a special district or water management

176 district assuming a new office or new term of office on or
 177 before March 31 must complete the annual training on or before
 178 December 31 of the year in which the term of office began. A
 179 constitutional officer, ~~or~~ elected municipal officer, or member
 180 of the governing board of a special district or water management
 181 district assuming a new office or new term of office after March
 182 31 is not required to complete ethics training for the calendar
 183 year in which the term of office began.

184 Section 3. Subsections (3) and (4) of section 112.3143,
 185 Florida Statutes, are amended to read:

186 112.3143 Voting conflicts.—

187 (3)(a) A ~~No~~ county, municipal, or other local public
 188 officer or governing board member of a special district or
 189 school district may not shall vote in an official capacity upon
 190 any measure which would inure to his or her special private gain
 191 or loss; which he or she knows would inure to the special
 192 private gain or loss of any principal by whom he or she is
 193 retained or to the parent organization or subsidiary of a
 194 corporate principal by which he or she is retained, other than
 195 an agency as defined in s. 112.312(2); or which he or she knows
 196 would inure to the special private gain or loss of a relative or
 197 business associate of the public officer or board member. Such
 198 public officer or board member shall, prior to the vote being
 199 taken, publicly state to the assembly the nature of the
 200 officer's or member's interest in the matter from which he or

201 she is abstaining from voting and, within 15 days after the vote
 202 occurs, disclose the nature of his or her interest as a public
 203 record in a memorandum filed with the person responsible for
 204 recording the minutes of the meeting, who shall incorporate the
 205 memorandum in the minutes.

206 (b) However, a commissioner of a community redevelopment
 207 agency created or designated pursuant to s. 163.356 or s.
 208 163.357, or an officer of an independent special tax district
 209 elected on a one-acre, one-vote basis, is not prohibited from
 210 voting, when voting in said capacity.

211 (4) A county, municipal, or other local public officer;
 212 governing board member of a special district or school district;
 213 or ~~Ne~~ appointed public officer may not ~~shall~~ participate in any
 214 matter which would inure to the officer's or member's special
 215 private gain or loss; which the officer or member knows would
 216 inure to the special private gain or loss of any principal by
 217 whom he or she is retained or to the parent organization or
 218 subsidiary of a corporate principal by which he or she is
 219 retained; or which he or she knows would inure to the special
 220 private gain or loss of a relative or business associate of the
 221 public officer or board member, without first disclosing the
 222 nature of his or her interest in the matter.

223 (a) Such disclosure, indicating the nature of the
 224 conflict, shall be made in a written memorandum filed with the
 225 person responsible for recording the minutes of the meeting,

226 prior to the meeting in which consideration of the matter will
 227 take place, and shall be incorporated into the minutes. Any such
 228 memorandum shall become a public record upon filing, shall
 229 immediately be provided to the other members of the agency, and
 230 shall be read publicly at the next meeting held subsequent to
 231 the filing of this written memorandum.

232 (b) In the event that disclosure has not been made prior
 233 to the meeting or that any conflict is unknown prior to the
 234 meeting, the disclosure shall be made orally at the meeting when
 235 it becomes known that a conflict exists. A written memorandum
 236 disclosing the nature of the conflict shall then be filed within
 237 15 days after the oral disclosure with the person responsible
 238 for recording the minutes of the meeting and shall be
 239 incorporated into the minutes of the meeting at which the oral
 240 disclosure was made. Any such memorandum shall become a public
 241 record upon filing, shall immediately be provided to the other
 242 members of the agency, and shall be read publicly at the next
 243 meeting held subsequent to the filing of this written
 244 memorandum.

245 (c) For purposes of this subsection, the term
 246 "participate" means any attempt to influence the decision by
 247 oral or written communication, whether made by the officer or
 248 member or at the officer's or member's direction.

249 Section 4. Subsections (1) and (2) and paragraph (c) of
 250 subsection (8) of section 112.3144, Florida Statutes, are

251 amended to read:

252 112.3144 Full and public disclosure of financial
253 interests.-

254 (1) (a) An officer or member who is required ~~by s. 8, Art.~~
255 ~~II of the State Constitution~~ to file a full and public
256 disclosure of ~~his or her~~ financial interests for any calendar or
257 fiscal year shall file that disclosure with the ~~Florida~~
258 Commission on Ethics. ~~Additionally, beginning January 1, 2015,~~
259 ~~an officer who is required to complete annual ethics training~~
260 ~~pursuant to s. 112.3142 must certify on his or her full and~~
261 ~~public disclosure of financial interests that he or she has~~
262 ~~completed the required training.~~

263 (b) Each elected mayor and member of the governing body of
264 a municipality that had \$10 million or more in total revenue for
265 the 3 consecutive fiscal years ending prior to the year the
266 disclosure covers shall file a full and public disclosure of
267 financial interests with the Commission on Ethics. Each elected
268 mayor and member of the governing body of such municipality
269 shall continue to file a full and public disclosure until the
270 municipality has less than \$10 million in total revenue for 3
271 consecutive fiscal years. For purposes of this paragraph, the
272 verified report that the Department of Financial Services files
273 with the Commission on Ethics in accordance with s. 218.32(3)
274 shall be the sole basis for determining whether a municipality
275 has \$10 million or more in total revenue, except that a

276 municipality that has not had its annual financial report
 277 certified in accordance with s. 218.32 on or before November 30
 278 of the year in which it is due shall be considered to have \$10
 279 million or more in total revenue for such year. If an
 280 uncertified report is subsequently certified by the Department
 281 of Financial Services, the certified report shall be used in any
 282 disclosure period beginning after the report is certified.

283 (c) An officer or member who is required to complete
 284 annual ethics training pursuant to s. 112.3142 must certify on
 285 his or her full and public disclosure of financial interests
 286 that he or she has completed the required training.

287 Additionally, beginning January 1, 2019, an officer or member
 288 who is required to complete annual ethics training pursuant to
 289 s. 112.3142 must provide the name of the training provider on
 290 his or her full and public disclosure of financial interests.

291 (2) An officer or member ~~a person~~ who is required,
 292 ~~pursuant to s. 8, Art. II of the State Constitution,~~ to file a
 293 full and public disclosure of financial interests and who has
 294 filed a full and public disclosure of financial interests for
 295 any calendar or fiscal year ~~is shall~~ not be required to file a
 296 statement of financial interests pursuant to s. 112.3145(2) and
 297 (3) for the same year or for any part thereof notwithstanding
 298 any requirement of this part. If an incumbent in an elective
 299 office has filed the full and public disclosure of financial
 300 interests to qualify for election to the same office or if a

301 candidate for office holds another office subject to the annual
 302 filing requirement, the qualifying officer shall forward an
 303 electronic copy of the full and public disclosure of financial
 304 interests to the commission no later than July 1. The electronic
 305 copy of the full and public disclosure of financial interests
 306 satisfies the annual disclosure requirement of this section. A
 307 candidate who does not qualify until after the annual full and
 308 public disclosure of financial interests has been filed pursuant
 309 to this section shall file a copy of his or her disclosure with
 310 the officer before whom he or she qualifies.

311 (8)

312 (c) For purposes of this section, an error or omission is
 313 immaterial, inconsequential, or de minimis if the original
 314 filing provided sufficient information for the public to
 315 identify potential conflicts of interest. However, failure to
 316 certify completion of annual ethics training required under s.
 317 112.3142 or provide the name of the training provider does not
 318 constitute an immaterial, inconsequential, or de minimis error
 319 or omission.

320 Section 5. Subsection (4) and paragraph (c) of subsection
 321 (10) of section 112.3145, Florida Statutes, are amended to read:

322 112.3145 Disclosure of financial interests and clients
 323 represented before agencies.—

324 (4) ~~Beginning January 1, 2015,~~ An officer who is required
 325 to complete annual ethics training pursuant to s. 112.3142 must

326 certify on his or her statement of financial interests that he
 327 or she has completed the required training. Beginning January 1,
 328 2019, an officer or member who is required to complete annual
 329 ethics training pursuant to s. 112.3142 must provide the name of
 330 the training provider on his or her statement of financial
 331 interests.

332 (10)

333 (c) For purposes of this section, an error or omission is
 334 immaterial, inconsequential, or de minimis if the original
 335 filing provided sufficient information for the public to
 336 identify potential conflicts of interest. However, failure to
 337 certify completion of annual ethics training required under s.
 338 112.3142 or provide the name of the training provider does not
 339 constitute an immaterial, inconsequential, or de minimis error
 340 or omission.

341 Section 6. The amendments made by this act to ss. 112.3144
 342 and 112.3145, Florida Statutes, apply to disclosures filed for
 343 the 2018 calendar year and all subsequent calendar years.

344 Section 7. Subsection (1) of section 112.31455, Florida
 345 Statutes, is amended to read:

346 112.31455 Collection methods for unpaid automatic fines
 347 for failure to timely file disclosure of financial interests.-

348 (1) Before referring any unpaid fine accrued pursuant to
 349 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial
 350 Services, the commission shall attempt to determine whether the

351 individual owing such a fine is a current public officer or
 352 current public employee. If so, the commission may notify the
 353 Chief Financial Officer or the governing body of the appropriate
 354 county, municipality, school district, or special district of
 355 the total amount of any fine owed to the commission by such
 356 individual.

357 (a) After receipt and verification of the notice from the
 358 commission, the Chief Financial Officer or the governing body of
 359 the county, municipality, school district, or special district
 360 shall begin withholding the lesser of 10 percent or the maximum
 361 amount allowed under federal law from any salary-related
 362 payment. The withheld payments shall be remitted to the
 363 commission until the fine is satisfied.

364 (b) The Chief Financial Officer or the governing body of
 365 the county, municipality, school district, or special district
 366 may retain an amount of each withheld payment, as provided in s.
 367 77.0305, to cover the administrative costs incurred under this
 368 section.

369 Section 8. Effective October 1, 2019, paragraph (b) of
 370 subsection (2) of section 112.3148, Florida Statutes, is amended
 371 to read:

372 112.3148 Reporting and prohibited receipt of gifts by
 373 individuals filing full or limited public disclosure of
 374 financial interests and by procurement employees.—

375 (2) As used in this section:

376 (b)1. "Lobbyist" means any natural person who, for
 377 compensation, seeks, or sought during the preceding 12 months,
 378 to influence the governmental decisionmaking of a reporting
 379 individual or procurement employee or his or her agency or
 380 seeks, or sought during the preceding 12 months, to encourage
 381 the passage, defeat, or modification of any proposal or
 382 recommendation by the reporting individual or procurement
 383 employee or his or her agency.

384 2. With respect to an agency that is a governmental entity
 385 as defined in s. 112.3262 ~~has established by rule, ordinance, or~~
 386 ~~law a registration process for persons seeking to influence~~
 387 ~~decisionmaking or to encourage the passage, defeat, or~~
 388 ~~modification of any proposal or recommendation by such agency or~~
 389 ~~an employee or official of the agency,~~ the term "lobbyist"
 390 includes only a person who is required to be registered as a
 391 lobbyist in accordance with s. 112.3262 ~~such rule, ordinance, or~~
 392 ~~law~~ or who was during the preceding 12 months required to be
 393 registered as a lobbyist in accordance with s. 112.3262 ~~such~~
 394 ~~rule, ordinance, or law. At a minimum, such a registration~~
 395 ~~system must require the registration of, or must designate,~~
 396 ~~persons as "lobbyists" who engage in the same activities as~~
 397 ~~require registration to lobby the Legislature pursuant to s.~~
 398 ~~11.045.~~

399 Section 9. Effective October 1, 2019, section 112.3261,
 400 Florida Statutes, is repealed.

426 governmental affairs by another person or governmental entity to
 427 lobby on behalf of such person or governmental entity. The term
 428 does not include a person who:

429 1. Represents a client in a judicial proceeding or in a
 430 formal administrative proceeding before a governmental entity.

431 2. Is an officer or employee of an agency acting in the
 432 normal course of his or her duties.

433 3. Consults under contract with the governmental entity
 434 and communicates with the entity's governing body or governing
 435 body employee regarding issues related to the scope of services
 436 in his or her contract.

437 4. Is an employee, officer, or board member of a
 438 homeowners' association, condominium association, or
 439 neighborhood association when addressing, in his or her capacity
 440 as an employee, officer, or board member of such association, an
 441 issue impacting the association or its members.

442 5. Is a confidential informant who is providing, or wishes
 443 to provide, confidential information to be used for law
 444 enforcement purposes.

445 6. Is an expert witness who is retained or employed by an
 446 employer, principal, or client to provide only scientific,
 447 technical, or other specialized information provided in agenda
 448 materials or testimony only in public hearings, provided the
 449 expert identifies such employer, principal, or client at such
 450 hearing.

451 7. Seeks to procure a contract which is less than \$20,000
 452 or a contract pursuant s. 287.056.

453 (d) "Principal" has the same meaning as in s. 112.3215.

454 (e) "Principally employed for governmental affairs" means
 455 that one of the employee's principal or most significant
 456 responsibilities to the employer is overseeing the employer's
 457 various governmental relationships or representing the employer
 458 in its contacts made with an officer or employee of a
 459 governmental entity.

460 (2) The Commission on Ethics shall create the Local
 461 Government Lobbyist Registration System to register lobbyists
 462 who wish to lobby governmental entities in accordance with this
 463 section. Beginning October 1, 2019, any governmental entity rule
 464 or ordinance that requires lobbyist registration is preempted
 465 and replaced by the registration system established by this
 466 subsection. However, in accordance with s. 112.326, a
 467 governmental entity may adopt a rule or ordinance to regulate
 468 lobbyist conduct and may require compensation reporting,
 469 disclosure of contacts made with an officer or employee of a
 470 governmental entity, or any other activity related to lobbyist
 471 conduct, other than registration. A governmental entity may not
 472 charge a fee for registration of lobbyists and principals, and a
 473 fee may not be charged in the enforcement of lobbyist regulation
 474 except as may be reasonable and necessary to cover the cost of
 475 such enforcement.

476 (3) Beginning October 1, 2019, a person may not lobby a
 477 governmental entity until such person has electronically
 478 registered as a lobbyist with the commission. Such initial
 479 registration shall be due upon being retained to lobby and is
 480 renewable annually on the anniversary of the lobbyist's
 481 registration or in the month of the lobbyist's birth as selected
 482 by the lobbyist at the time of registration. The commission
 483 shall request authorization from the principal using the
 484 principal's name, business address, e-mail address, and
 485 telephone number to confirm that the registrant is authorized to
 486 represent the principal. The principal or principal's
 487 representative shall identify and designate its main business
 488 pursuant to the North American Industry Classification System
 489 (NAICS) six digit numerical code that most accurately describes
 490 its main business. Registration is incomplete until the
 491 commission receives the principal's authorization and the
 492 lobbyist's registration fee. Any changes to the information
 493 required by this subsection must be disclosed within 15 days by
 494 the lobbyist updating his or her registration. The commission
 495 may require separate registration submissions for each county
 496 and multi-county governmental entity, but each submission may
 497 include, without an additional fee, any governmental entity in
 498 the county for which the submission is made. A person required
 499 to register as a lobbyist under this subsection must register
 500 through the electronic system and must attest to the following:

- 501 (a) Full legal name, birth month, e-mail address,
 502 telephone number, and business address.
- 503 (b) Name, e-mail address, telephone number, and business
 504 address of each principal.
- 505 (c) Name of each governmental entity lobbied or intended
 506 to be lobbied on behalf of the principal.
- 507 (d) Any direct or indirect business association,
 508 partnership, or financial relationship with an official or
 509 employee of a governmental entity lobbied or intended to be
 510 lobbied on behalf of the principal.
- 511 (4) The annual lobbyist registration fee shall be
 512 established by commission rule but shall not exceed \$20 for each
 513 principal represented for one county and governmental entities
 514 therein or one multi-county governmental entity and shall not
 515 exceed \$5 for each additional county and governmental entities
 516 therein or additional multi-county governmental entities.
- 517 (5) The commission shall publish a lobbyist directory of
 518 all lobbyist registrations on the Internet.
- 519 (6) A lobbyist shall promptly provide a written statement
 520 to the commission canceling the designation of a principal in
 521 his or her registration upon termination of such representation.
 522 The commission may cancel a lobbyist's designation of a
 523 principal upon the principal's notification that the lobbyist is
 524 no longer authorized to represent such principal.
- 525 (7) A governmental entity must use reasonable efforts to

526 ascertain whether a lobbyist has registered pursuant to this
527 section. A governmental entity may not knowingly authorize an
528 unregistered lobbyist to lobby the entity.

529 (8)(a) Except as provided in subsection (9), the
530 commission shall investigate every sworn complaint that is filed
531 with it alleging that a person covered by this section has
532 failed to register or has knowingly submitted false information
533 in any registration required in this section.

534 (b) If the commission finds no probable cause to believe
535 that a violation of this section occurred, it shall dismiss the
536 complaint and send a copy of the complaint, findings, and
537 summary to the complainant and the alleged violator. If the
538 commission finds probable cause to believe that a violation of
539 this section occurred, it shall report the results of its
540 investigation to the Governor and send, by certified mail, a
541 copy of the report to the alleged violator. Upon request
542 submitted to the Governor in writing, a person whom the
543 commission finds probable cause to believe has violated this
544 section shall be entitled to a public hearing. Such person shall
545 be deemed to have waived the right to a public hearing if the
546 request is not received within 14 days after a copy of the
547 report is mailed. However, the Governor may require a public
548 hearing and may conduct such further investigation as he or she
549 deems necessary.

550 (c) If the Governor finds that a violation occurred, he or

551 she may reprimand the violator, censure the violator, or asses a
 552 civil penalty against the violator in accordance with this
 553 section.

554 (d) Upon discovery of a violation of this section, a
 555 person or governmental entity may file a sworn complaint with
 556 the commission.

557 (9) (a) Upon a first complaint to the commission alleging a
 558 violation of subsection (3) against a lobbyist, or upon any
 559 complaint against a lobbyist received before January 1, 2020,
 560 the commission shall, within 30 days after receipt of the
 561 complaint, issue a warning letter to the lobbyist directing him
 562 or her to consult the obligations of lobbyists under this
 563 section and dismiss the complaint.

564 (b) On or after January 1, 2020, notwithstanding the civil
 565 penalties in s. 112.317, a lobbyist found by the commission to
 566 have violated subsection (3) is subject to:

567 1. For a first violation, a civil penalty not to exceed
 568 \$500.

569 2. For a second or subsequent violation committed within
 570 12 months after the Governor determines that a first violation
 571 has been committed, a civil penalty of at least \$200 but not
 572 more than \$1000 or a 1-year suspension from lobbying any
 573 governmental entity associated with the violation. A
 574 governmental entity may impose additional civil penalties not to
 575 exceed \$500 per violation, and, notwithstanding paragraph (c),

576 may suspend the lobbyist from lobbying the governmental entity
 577 and its agencies on behalf of any principal for up to 2 years.

578 (c) The civil penalties and suspensions provided in this
 579 subsection shall be applied on a per principal basis with
 580 suspensions affecting only those principals for whom
 581 unregistered lobbying occurred.

582 (10) By January 1, 2019, a governmental entity's governing
 583 body, or the entity's designee, shall notify the commission of
 584 any ordinance or rule that imposes additional or more stringent
 585 obligations with respect to lobbyist compensation reporting, or
 586 other conduct involving lobbying activities, and shall forward
 587 to the commission a copy of any associated form that has been
 588 established to facilitate compliance with such ordinance or
 589 rule. Beginning October 1, 2019, each governmental entity is
 590 encouraged to conform its lobbyist regulation system, if any, to
 591 accommodate regular digital distribution of lobbyist
 592 registration data from the commission so that initial
 593 registration of a lobbyist pursuant to subsection (3) is
 594 accomplished without having to supply the lobbyist and principal
 595 information to more than one lobbyist regulation system. The
 596 commission shall cooperate to the extent reasonably practicable
 597 to ensure such coordination of information.

598 (11) The commission may adopt rules to establish
 599 procedures to administer the Local Government Lobbyist
 600 Registration System, including the staggering of registration

601 renewal dates based on the anniversary of the lobbyist's
602 registration or the month of the lobbyist's birth as selected by
603 the lobbyist at the time of registration, the adoption of forms,
604 the method of registering specific entities lobbied, the
605 exchange of information with local governmental entities, and
606 the establishment of fees authorized in this section.

607 (12) A person, when in doubt about the applicability and
608 interpretation of this section, may submit in writing to the
609 commission the facts of the situation with a request for an
610 advisory opinion to establish a standard of duty. An advisory
611 opinion shall be rendered by the commission and, until amended
612 or revoked, is binding on the conduct of the person who sought
613 the opinion, unless material facts were omitted or misstated in
614 the request.

615 Section 11. Subsection (3) of section 218.32, Florida
616 Statutes, is renumbered as subsection (4), and a new subsection
617 (3) is added to that section to read:

618 218.32 Annual financial reports; local governmental
619 entities.—

620 (3) The department shall annually by December 1 file a
621 verified report with the Legislature and the Commission on
622 Ethics showing the total revenues for each municipality in each
623 of the 3 prior fiscal years and whether the municipality timely
624 filed its annual financial report in accordance with this
625 section. The report shall also indicate each municipality that

626 does not have a certified annual financial report in each such
 627 year.

628 Section 12. The Legislature finds that a proper and
 629 legitimate state purpose is served when mechanisms are
 630 established to secure and sustain the public's trust in public
 631 officers and employees. Therefore, the Legislature determines
 632 and declares that this act fulfills an important state interest.

633 Section 13. Except as otherwise expressly provided in this
 634 act, his act shall take effect July 1, 2018.