



318152

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/05/2014	.	
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The Committee on Community Affairs (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Before line 101

insert:

Section 1. Present subsections (2) through (9) of section 11.045, Florida Statutes, are renumbered as subsections (3) through (10), respectively, present subsections (8) and (9) of that section are amended, and a new subsection (2) is added to that section, to read:

11.045 Lobbying before the Legislature; registration and



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11 reporting; exemptions; penalties.-

12 (2) An elected county or municipal officer may not lobby or  
13 register to lobby the Legislature on behalf of a person or  
14 entity other than his or her political subdivision. This  
15 subsection does not prohibit a person from being employed by, or  
16 contracting with, a lobbying firm if he or she does not  
17 personally represent clients before the Legislature.

18 (9)~~(8)~~ Any person required to be registered or to provide  
19 information pursuant to this section or pursuant to rules  
20 established in conformity with this section who knowingly fails  
21 to disclose any material fact required by this section or by  
22 rules established in conformity with this section, or who  
23 knowingly provides false information on any report required by  
24 this section or by rules established in conformity with this  
25 section, commits a noncriminal infraction, punishable by a fine  
26 not to exceed \$5,000. Such penalty shall be in addition to any  
27 other penalty assessed by a house of the Legislature pursuant to  
28 subsection (8) ~~(7)~~.

29 (10)~~(9)~~ There is hereby created the Legislative Lobbyist  
30 Registration Trust Fund, to be used for the purpose of funding  
31 any office established for the administration of the  
32 registration of lobbyists lobbying the Legislature, including  
33 the payment of salaries and other expenses, and for the purpose  
34 of paying the expenses incurred by the Legislature in providing  
35 services to lobbyists. The trust fund is not subject to the  
36 service charge to general revenue provisions of chapter 215.  
37 Fees collected pursuant to rules established in accordance with  
38 subsection (3) ~~(2)~~ shall be deposited into the Legislative  
39 Lobbyist Registration Trust Fund.



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40 Section 2. Present subsections (3) through (15) of section  
41 112.3215, Florida Statutes, are renumbered as subsections (4)  
42 through (16), respectively, present subsection (11) of that  
43 section is amended, and a new subsection (3) is added to that  
44 section, to read:

45 112.3215 Lobbying before the executive branch or the  
46 Constitution Revision Commission; registration and reporting;  
47 investigation by commission.—

48 (3) An elected county or municipal officer may not lobby or  
49 register to lobby an agency on behalf of a person or entity  
50 other than his or her political subdivision. This subsection  
51 does not prohibit a person from being employed by, or  
52 contracting with, a lobbying firm if he or she does not  
53 personally represent clients before an agency.

54 (12) ~~(11)~~ Any person who is required to be registered or to  
55 provide information under this section or under rules adopted  
56 pursuant to this section and who knowingly fails to disclose any  
57 material fact that is required by this section or by rules  
58 adopted pursuant to this section, or who knowingly provides  
59 false information on any report required by this section or by  
60 rules adopted pursuant to this section, commits a noncriminal  
61 infraction, punishable by a fine not to exceed \$5,000. Such  
62 penalty is in addition to any other penalty assessed by the  
63 Governor and Cabinet pursuant to subsection (11) ~~(10)~~.

64 Section 3. Subsections (3), (4), and (7) of section  
65 11.0455, Florida Statutes, are amended to read:

66 11.0455 Electronic filing of compensation reports and other  
67 information.—

68 (3) A report filed pursuant to this section must be



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69 completed and filed through the electronic filing system not  
70 later than 11:59 p.m. of the day designated in s. 11.045. A  
71 report not filed by 11:59 p.m. of the day designated is a late-  
72 filed report and is subject to the penalties under s. 11.045(4)  
73 ~~s. 11.045(3)~~.

74 (4) Each report filed pursuant to this section is deemed to  
75 meet the certification requirements of s. 11.045(4)(a)4. ~~s.~~  
76 ~~11.045(3)(a)4.~~, and as such subjects the person responsible for  
77 filing and the lobbying firm to the provisions of s. 11.045(8)  
78 and (9) ~~s. 11.045(7) and (8)~~. Persons given a secure sign-on to  
79 the electronic filing system are responsible for protecting it  
80 from disclosure and are responsible for all filings using such  
81 credentials, unless they have notified the office that their  
82 credentials have been compromised.

83 (7) Each house of the Legislature shall provide by rule  
84 that the office make all the data filed available on the  
85 Internet in an easily understood and accessible format. The  
86 Internet website must also include, but not be limited to, the  
87 names and business addresses of lobbyists, lobbying firms, and  
88 principals, the affiliations between lobbyists and principals,  
89 and the classification system designated and identified by each  
90 principal pursuant to s. 11.045(3) ~~s. 11.045(2)~~.

91 Section 4. Subsections (3), (4), and (7) of section  
92 112.32155, Florida Statutes, are amended to read:

93 112.32155 Electronic filing of compensation reports and  
94 other information.—

95 (3) A report filed pursuant to this section must be  
96 completed and filed through the electronic filing system not  
97 later than 11:59 p.m. of the day designated in s. 112.3215. A



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98 report not filed by 11:59 p.m. of the day designated is a late-  
99 filed report and is subject to the penalties under s.  
100 112.3215(6) ~~s. 112.3215(5)~~.

101 (4) Each report filed pursuant to this section is  
102 considered to meet the certification requirements of s.  
103 112.3215(6)(a)4. ~~s. 112.3215(5)(a)4.~~ Persons given a secure  
104 sign-on to the electronic filing system are responsible for  
105 protecting it from disclosure and are responsible for all  
106 filings using such credentials, unless they have notified the  
107 commission that their credentials have been compromised.

108 (7) The commission shall make all the data filed available  
109 on the Internet in an easily understood and accessible format.  
110 The Internet website shall also include, but not be limited to,  
111 the names and business addresses of lobbyists, lobbying firms,  
112 and principals, the affiliations between lobbyists and  
113 principals, and the classification system designated and  
114 identified by each principal pursuant to s. 112.3215(4) ~~s.~~  
115 ~~112.3215(3)~~.

117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete line 2

120 and insert:

121 An act relating to governmental ethics; amending ss.  
122 11.045 and 112.3215, F.S.; prohibiting an elected  
123 county or municipal officer from registering to lobby  
124 the Legislature or an agency on behalf of another  
125 person or entity other than his or her political  
126 subdivision; authorizing such an officer to be



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127 employed by or contracted with a lobbying firm under  
128 certain circumstances; amending ss. 11.0455 and  
129 112.32155, F.S.; conforming cross-references to  
130 changes made by the act; amending s.