

1                   A bill to be entitled  
2           An act relating to government accountability;  
3           providing a short title; amending s. 11.40, F.S.;  
4           authorizing the Governor, the Commissioner of  
5           Education, or the designee of the Governor or  
6           commissioner to notify the Legislative Auditing  
7           Committee of an entity's failure to comply with  
8           certain auditing and financial reporting requirements;  
9           amending s. 11.45, F.S.; revising and providing  
10          definitions; excluding water management districts from  
11          certain audit requirements; removing a cross-  
12          reference; authorizing the Auditor General to conduct  
13          audits of tourist development councils and county  
14          tourism promotion agencies; revising Auditor General  
15          reporting requirements; creating s. 20.602, F.S.;  
16          specifying the applicability of certain provisions of  
17          the Code of Ethics for Public Officers and Employees  
18          to officers and board members of corporate entities  
19          associated with the Department of Economic  
20          Opportunity; prohibiting such officers and board  
21          members from representing a person or an entity for  
22          compensation before certain bodies for a specified  
23          timeframe; providing for construction; amending s.  
24          28.35, F.S.; revising Florida Clerks of Court  
25          Operations Corporation reporting requirements;  
26          amending s. 43.16, F.S.; revising the responsibilities

27 of the Justice Administrative Commission, each state  
28 attorney, each public defender, a criminal conflict  
29 and civil regional counsel, a capital collateral  
30 regional counsel, and the Guardian Ad Litem Program to  
31 include the establishment and maintenance of certain  
32 internal controls; amending s. 112.313, F.S.; applying  
33 prohibitions on conflicting employment or contractual  
34 relationships for public officers or employees of an  
35 agency to contractual relationships held by certain  
36 business entities; amending s. 112.3144, F.S.;

37 requiring certain elected municipal officers to file a  
38 full and public disclosure of financial interests;  
39 providing for applicability; amending s. 112.31455,  
40 F.S.; including school districts in provisions  
41 governing collection methods for unpaid automatic  
42 fines for failure to timely file disclosure of  
43 financial interests; amending ss. 129.03, 129.06,  
44 166.241, and 189.016, F.S.; requiring counties,  
45 municipalities, and special districts to maintain  
46 certain budget documents on the entities' websites for  
47 a specified period; amending s. 215.425, F.S.;

48 defining the term "public funds"; revising exceptions  
49 to the prohibition on extra compensation claims;  
50 requiring certain contracts to which a unit of  
51 government or state university is a party during a  
52 specified period to contain certain prohibitions on

53 | severance pay; requiring a unit of government to  
54 | investigate and take necessary action to recover  
55 | prohibited compensation; specifying methods of  
56 | recovery for unintentional and willful violations;  
57 | providing a penalty; specifying applicability of  
58 | procedures regarding suspension and removal of an  
59 | officer who commits a willful violation; establishing  
60 | eligibility criteria and amounts for rewards;  
61 | specifying circumstances under which an employee has a  
62 | cause of action under the Whistle-blower's Act;  
63 | establishing causes of action if a unit of government  
64 | fails to recover prohibited compensation within a  
65 | certain timeframe; providing for applicability;  
66 | amending s. 215.86, F.S.; revising the purposes for  
67 | which management systems and internal controls must be  
68 | established and maintained by each state agency and  
69 | the judicial branch; amending s. 215.97, F.S.;  
70 | revising the definition of the term "audit threshold";  
71 | amending s. 215.985, F.S.; revising requirements for a  
72 | monthly financial statement provided by a water  
73 | management district; amending s. 218.32, F.S.;  
74 | revising requirements for the annual financial audit  
75 | report of a local governmental entity; authorizing the  
76 | Department of Financial Services to request additional  
77 | information from a local governmental entity;  
78 | requiring a local governmental entity to respond to

79 | such requests within a specified timeframe; requiring  
80 | the department to notify the Legislative Auditing  
81 | Committee of noncompliance; amending s. 218.33, F.S.;  
82 | requiring local governmental entities to establish and  
83 | maintain internal controls to achieve specified  
84 | purposes; amending s. 218.39, F.S.; requiring an  
85 | audited entity to respond to audit recommendations  
86 | under specified circumstances; amending s. 218.391,  
87 | F.S.; revising the composition of an audit committee;  
88 | prohibiting an audit committee member from being an  
89 | employee, chief executive officer, or chief financial  
90 | officer of the respective governmental entity;  
91 | requiring the chair of an audit committee to sign and  
92 | execute an affidavit affirming compliance with auditor  
93 | selection procedures; prescribing procedures in the  
94 | event of noncompliance with auditor selection  
95 | procedures; amending s. 286.0114, F.S.; prohibiting a  
96 | board or commission from requiring an advance copy of  
97 | testimony or comments from a member of the public as a  
98 | precondition to be given the opportunity to be heard  
99 | at a public meeting; amending s. 288.92, F.S.;  
100 | prohibiting specified officers and board members of  
101 | Enterprise Florida, Inc., from representing a person  
102 | or entity for compensation before Enterprise Florida,  
103 | Inc., and associated entities thereof, for a specified  
104 | timeframe; amending s. 288.9604, F.S.; prohibiting a

105 director of the Florida Development Finance  
106 Corporation from representing a person or entity for  
107 compensation before the corporation for a specified  
108 timeframe; amending s. 373.536, F.S.; deleting  
109 obsolete language; requiring water management  
110 districts to maintain certain budget documents on the  
111 districts' websites for a specified period; amending  
112 s. 838.014, F.S.; revising and providing definitions;  
113 amending s. 838.015, F.S.; revising the definition of  
114 the term "bribery"; amending s. 838.016, F.S.;  
115 revising the prohibition against unlawful compensation  
116 or reward for official behavior to conform to changes  
117 made by the act; amending s. 838.022, F.S.; revising  
118 the prohibition against official misconduct to conform  
119 to changes made by the act; revising applicability of  
120 the offense to include public contractors; amending s.  
121 838.22, F.S.; revising the prohibition against bid  
122 tampering to conform to changes made by the act;  
123 revising applicability of the offense to include  
124 specified public contractors; creating s. 838.24,  
125 F.S.; authorizing the award of attorney fees to public  
126 servants and public contractors under certain  
127 conditions; amending s. 1001.42, F.S.; authorizing  
128 additional internal audits as directed by the district  
129 school board; amending s. 1002.33, F.S.; revising the  
130 responsibilities of the governing board of a charter

131 school to include the establishment and maintenance of  
132 internal controls; amending s. 1002.37, F.S.;  
133 requiring completion of an annual financial audit of  
134 the Florida Virtual School; specifying audit  
135 requirements; requiring an audit report to be  
136 submitted to the board of trustees of the Florida  
137 Virtual School and the Auditor General; removing  
138 obsolete provisions; amending s. 1010.01, F.S.;  
139 requiring each school district, Florida College System  
140 institution, and state university to establish and  
141 maintain certain internal controls; amending s.  
142 1010.30, F.S.; requiring a district school board,  
143 Florida College System institution board of trustees,  
144 or university board of trustees to respond to audit  
145 recommendations under certain circumstances; amending  
146 ss. 68.082 and 68.083, F.S.; conforming provisions to  
147 changes made by the act; amending s. 99.061, F.S.;  
148 requiring certain candidates for elected municipal  
149 office to file a full and public disclosure of  
150 financial interests; amending ss. 218.503 and  
151 1002.455, F.S.; conforming provisions and cross-  
152 references to changes made by the act; reenacting s.  
153 112.534(2)(a), F.S., relating to official misconduct,  
154 s. 117.01(4)(d), F.S., relating to appointment,  
155 application, suspension, revocation, application fee,  
156 bond, and oath and s. 921.0022(3)(d), F.S., relating

157 to the Criminal Punishment Code offense severity  
 158 ranking chart, to incorporate amendments made by the  
 159 act to s. 838.022, F.S., in references thereto;  
 160 reenacting s. 817.568(11), F.S., relating to criminal  
 161 use of personal identification information, to  
 162 incorporate the amendment made to s. 838.014, F.S., in  
 163 a reference thereto; reenacting s. 921.0022(3)(g),  
 164 F.S., relating to the Criminal Punishment Code offense  
 165 severity ranking chart, to incorporate amendments made  
 166 by the act to ss. 838.015, 838.016, and 838.22, F.S.,  
 167 in references thereto; declaring that the act fulfills  
 168 an important state interest; providing an effective  
 169 date.

170  
 171 Be It Enacted by the Legislature of the State of Florida:

172  
 173 Section 1. This act may be cited as the "Florida Anti-  
 174 Corruption Act of 2016."

175 Section 2. Subsection (2) of section 11.40, Florida  
 176 Statutes, is amended to read:

177 11.40 Legislative Auditing Committee.—

178 (2) Following notification by the Auditor General, the  
 179 Department of Financial Services, ~~or~~ the Division of Bond  
 180 Finance of the State Board of Administration, the Governor or  
 181 his or her designee, or the Commissioner of Education or his or  
 182 her designee of the failure of a local governmental entity,

183 district school board, charter school, or charter technical  
184 career center to comply with the applicable provisions within s.  
185 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the  
186 Legislative Auditing Committee may schedule a hearing to  
187 determine if the entity should be subject to further state  
188 action. If the committee determines that the entity should be  
189 subject to further state action, the committee shall:

190 (a) In the case of a local governmental entity or district  
191 school board, direct the Department of Revenue and the  
192 Department of Financial Services to withhold any funds not  
193 pledged for bond debt service satisfaction which are payable to  
194 such entity until the entity complies with the law. The  
195 committee shall specify the date that such action must ~~shall~~  
196 begin, and the directive must be received by the Department of  
197 Revenue and the Department of Financial Services 30 days before  
198 the date of the distribution mandated by law. The Department of  
199 Revenue and the Department of Financial Services may implement  
200 ~~the provisions of~~ this paragraph.

201 (b) In the case of a special district created by:

202 1. A special act, notify the President of the Senate, the  
203 Speaker of the House of Representatives, the standing committees  
204 of the Senate and the House of Representatives charged with  
205 special district oversight as determined by the presiding  
206 officers of each respective chamber, the legislators who  
207 represent a portion of the geographical jurisdiction of the  
208 special district pursuant to s. 189.034(2), and the Department



209 of Economic Opportunity that the special district has failed to  
210 comply with the law. Upon receipt of notification, the  
211 Department of Economic Opportunity shall proceed pursuant to s.  
212 189.062 or s. 189.067. If the special district remains in  
213 noncompliance after the process set forth in s. 189.034(3), or  
214 if a public hearing is not held, the Legislative Auditing  
215 Committee may request the department to proceed pursuant to s.  
216 189.067(3).

217 2. A local ordinance, notify the chair or equivalent of  
218 the local general-purpose government pursuant to s. 189.035(2)  
219 and the Department of Economic Opportunity that the special  
220 district has failed to comply with the law. Upon receipt of  
221 notification, the department shall proceed pursuant to s.  
222 189.062 or s. 189.067. If the special district remains in  
223 noncompliance after the process set forth in s. 189.034(3), or  
224 if a public hearing is not held, the Legislative Auditing  
225 Committee may request the department to proceed pursuant to s.  
226 189.067(3).

227 3. Any manner other than a special act or local ordinance,  
228 notify the Department of Economic Opportunity that the special  
229 district has failed to comply with the law. Upon receipt of  
230 notification, the department shall proceed pursuant to s.  
231 189.062 or s. 189.067(3).

232 (c) In the case of a charter school or charter technical  
233 career center, notify the appropriate sponsoring entity, which  
234 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

235 Section 3. Subsection (1), paragraph (j) of subsection  
 236 (2), paragraph (u) of subsection (3), and paragraph (i) of  
 237 subsection (7) of section 11.45, Florida Statutes, are amended,  
 238 and paragraph (x) is added to subsection (3) of that section, to  
 239 read:

240 11.45 Definitions; duties; authorities; reports; rules.—

241 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

242 (a) "Abuse" means behavior that is deficient or improper  
 243 when compared with behavior that a prudent person would consider  
 244 a reasonable and necessary operational practice given the facts  
 245 and circumstances. The term includes the misuse of authority or  
 246 position for personal gain.

247 (b)-(a) "Audit" means a financial audit, operational audit,  
 248 or performance audit.

249 (c)-(b) "County agency" means a board of county  
 250 commissioners or other legislative and governing body of a  
 251 county, however styled, including that of a consolidated or  
 252 metropolitan government, a clerk of the circuit court, a  
 253 separate or ex officio clerk of the county court, a sheriff, a  
 254 property appraiser, a tax collector, a supervisor of elections,  
 255 or any other officer in whom any portion of the fiscal duties of  
 256 a body or officer expressly stated in this paragraph are the  
 257 above are under law separately placed by law.

258 (d)-(e) "Financial audit" means an examination of financial  
 259 statements in order to express an opinion on the fairness with  
 260 which they are presented in conformity with generally accepted

261 accounting principles and an examination to determine whether  
262 operations are properly conducted in accordance with legal and  
263 regulatory requirements. Financial audits must be conducted in  
264 accordance with auditing standards generally accepted in the  
265 United States and government auditing standards as adopted by  
266 the Board of Accountancy. When applicable, the scope of  
267 financial audits must ~~shall~~ encompass the additional activities  
268 necessary to establish compliance with the Single Audit Act  
269 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other  
270 applicable federal law.

271 (e) "Fraud" means obtaining something of value through  
272 willful misrepresentation, including, but not limited to, the  
273 intentional misstatements or omissions of amounts or disclosures  
274 in financial statements to deceive users of financial  
275 statements, theft of an entity's assets, bribery, or the use of  
276 one's position for personal enrichment through the deliberate  
277 misuse or misapplication of an organization's resources.

278 (f) ~~(d)~~ "Governmental entity" means a state agency, a  
279 county agency, or any other entity, however styled, that  
280 independently exercises any type of state or local governmental  
281 function.

282 (g) ~~(e)~~ "Local governmental entity" means a county agency,  
283 municipality, tourist development council, county tourism  
284 promotion agency, or special district as defined in s. 189.012.  
285 The term, ~~but~~ does not include any housing authority established  
286 under chapter 421.

287        (h)~~(f)~~ "Management letter" means a statement of the  
288 auditor's comments and recommendations.

289        (i)~~(g)~~ "Operational audit" means an audit whose purpose is  
290 to evaluate management's performance in establishing and  
291 maintaining internal controls, including controls designed to  
292 prevent and detect fraud, waste, and abuse, and in administering  
293 assigned responsibilities in accordance with applicable laws,  
294 administrative rules, contracts, grant agreements, and other  
295 guidelines. Operational audits must be conducted in accordance  
296 with government auditing standards. Such audits examine internal  
297 controls that are designed and placed in operation to promote  
298 and encourage the achievement of management's control objectives  
299 in the categories of compliance, economic and efficient  
300 operations, reliability of financial records and reports, and  
301 safeguarding of assets, and identify weaknesses in those  
302 internal controls.

303        (j)~~(h)~~ "Performance audit" means an examination of a  
304 program, activity, or function of a governmental entity,  
305 conducted in accordance with applicable government auditing  
306 standards or auditing and evaluation standards of other  
307 appropriate authoritative bodies. The term includes an  
308 examination of issues related to:

- 309            1. Economy, efficiency, or effectiveness of the program.
- 310            2. Structure or design of the program to accomplish its  
311 goals and objectives.
- 312            3. Adequacy of the program to meet the needs identified by

313 the Legislature or governing body.

314 4. Alternative methods of providing program services or  
315 products.

316 5. Goals, objectives, and performance measures used by the  
317 agency to monitor and report program accomplishments.

318 6. The accuracy or adequacy of public documents, reports,  
319 or requests prepared under the program by state agencies.

320 7. Compliance of the program with appropriate policies,  
321 rules, or laws.

322 8. Any other issues related to governmental entities as  
323 directed by the Legislative Auditing Committee.

324 (k)~~(i)~~ "Political subdivision" means a separate agency or  
325 unit of local government created or established by law and  
326 includes, but is not limited to, the following and the officers  
327 thereof: authority, board, branch, bureau, city, commission,  
328 consolidated government, county, department, district,  
329 institution, metropolitan government, municipality, office,  
330 officer, public corporation, town, or village.

331 (l)~~(j)~~ "State agency" means a separate agency or unit of  
332 state government created or established by law and includes, but  
333 is not limited to, the following and the officers thereof:  
334 authority, board, branch, bureau, commission, department,  
335 division, institution, office, officer, or public corporation,  
336 as the case may be, except any such agency or unit within the  
337 legislative branch of state government other than the Florida  
338 Public Service Commission.

339        (m) "Waste" means the act of using or expending resources  
340 unreasonably, carelessly, extravagantly, or for no useful  
341 purpose.

342        (2) DUTIES.—The Auditor General shall:

343        (j) Conduct audits of local governmental entities when  
344 determined to be necessary by the Auditor General, when directed  
345 by the Legislative Auditing Committee, or when otherwise  
346 required by law. No later than 18 months after the release of  
347 the audit report, the Auditor General shall perform such  
348 appropriate followup procedures as he or she deems necessary to  
349 determine the audited entity's progress in addressing the  
350 findings and recommendations contained within the Auditor  
351 General's previous report. The Auditor General shall notify each  
352 member of the audited entity's governing body and the  
353 Legislative Auditing Committee of the results of his or her  
354 determination. For purposes of this paragraph, local  
355 governmental entities do not include water management districts.

356  
357 The Auditor General shall perform his or her duties  
358 independently but under the general policies established by the  
359 Legislative Auditing Committee. This subsection does not limit  
360 the Auditor General's discretionary authority to conduct other  
361 audits or engagements of governmental entities as authorized in  
362 subsection (3).

363        (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
364 Auditor General may, pursuant to his or her own authority, or at

365 the direction of the Legislative Auditing Committee, conduct  
 366 audits or other engagements as determined appropriate by the  
 367 Auditor General of:

368 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

369 (x) Tourist development councils and county tourism  
 370 promotion agencies.

371 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

372 (i) The Auditor General shall annually transmit by July  
 373 15, to the President of the Senate, the Speaker of the House of  
 374 Representatives, and the Department of Financial Services, a  
 375 list of all school districts, charter schools, charter technical  
 376 career centers, Florida College System institutions, state  
 377 universities, and local governmental entities ~~water management~~  
 378 ~~districts~~ that have failed to comply with the transparency  
 379 requirements as identified in the audit reports reviewed  
 380 pursuant to paragraph (b) and those conducted pursuant to  
 381 subsection (2).

382 Section 4. Section 20.602, Florida Statutes, is created to  
 383 read:

384 20.602 Standards of conduct; officers and board members of  
 385 Department of Economic Opportunity corporate entities.—

386 (1) The following officers and board members are subject  
 387 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
 388 112.3143(2):

389 (a) Officers and members of the board of directors of:

390 1. Any corporation created under chapter 288;

- 391        2. Space Florida;
- 392        3. CareerSource Florida, Inc., or the programs or entities  
393 created by CareerSource Florida, Inc., pursuant to s. 445.004;
- 394        4. The Florida Housing Finance Corporation; or
- 395        5. Any other corporation created by the Department of  
396 Economic Opportunity in accordance with its powers and duties  
397 under s. 20.60.
- 398        (b) Officers and members of the board of directors of a  
399 corporate parent or subsidiary corporation of a corporation  
400 described in paragraph (a).
- 401        (c) Officers and members of the board of directors of a  
402 corporation created to carry out the missions of a corporation  
403 described in paragraph (a).
- 404        (d) Officers and members of the board of directors of a  
405 corporation with which a corporation described in paragraph (a)  
406 is required by law to contract with to carry out its missions.
- 407        (2) For purposes of applying ss. 112.313(1)-(8), (10),  
408 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
409 officers and members of the board of directors specified in  
410 subsection (1), those persons shall be considered public  
411 officers or employees and the corporation shall be considered  
412 their agency.
- 413        (3) For a period of 2 years after retirement from or  
414 termination of service, or for a period of 10 years if removed  
415 or terminated for cause or for misconduct, as defined in s.  
416 443.036(29), an officer or a member of the board of directors



417 specified in subsection (1) may not represent another person or  
 418 entity for compensation before:

419 (a) His or her corporation;

420 (b) A division, a subsidiary, or the board of directors of  
 421 a corporation created to carry out the mission of his or her  
 422 corporation; or

423 (c) A corporation with which the corporation is required  
 424 by law to contract to carry out its missions.

425 (4) This section does not supersede any additional or more  
 426 stringent standards of conduct applicable to an officer or a  
 427 member of the board of directors of an entity specified in  
 428 subsection (1) prescribed by any other provision of law.

429 Section 5. Paragraph (d) of subsection (2) of section  
 430 28.35, Florida Statutes, is amended to read:

431 28.35 Florida Clerks of Court Operations Corporation.—

432 (2) The duties of the corporation shall include the  
 433 following:

434 (d) Developing and certifying a uniform system of workload  
 435 measures and applicable workload standards for court-related  
 436 functions as developed by the corporation and clerk workload  
 437 performance in meeting the workload performance standards. These  
 438 workload measures and workload performance standards shall be  
 439 designed to facilitate an objective determination of the  
 440 performance of each clerk in accordance with minimum standards  
 441 for fiscal management, operational efficiency, and effective  
 442 collection of fines, fees, service charges, and court costs. The

443 corporation shall develop the workload measures and workload  
444 performance standards in consultation with the Legislature. When  
445 the corporation finds a clerk has not met the workload  
446 performance standards, the corporation shall identify the nature  
447 of each deficiency and any corrective action recommended and  
448 taken by the affected clerk of the court. For quarterly periods  
449 ending on the last day of March, June, September, and December  
450 of each year, the corporation shall notify the Legislature of  
451 any clerk not meeting workload performance standards and provide  
452 a copy of any corrective action plans. Such notifications shall  
453 be submitted no later than 45 days after the end of the  
454 preceding quarterly period. As used in this subsection, the  
455 term:

456 1. "Workload measures" means the measurement of the  
457 activities and frequency of the work required for the clerk to  
458 adequately perform the court-related duties of the office as  
459 defined by the membership of the Florida Clerks of Court  
460 Operations Corporation.

461 2. "Workload performance standards" means the standards  
462 developed to measure the timeliness and effectiveness of the  
463 activities that are accomplished by the clerk in the performance  
464 of the court-related duties of the office as defined by the  
465 membership of the Florida Clerks of Court Operations  
466 Corporation.

467 Section 6. Subsections (6) and (7) of section 43.16,  
468 Florida Statutes, are renumbered as subsections (7) and (8),

469 respectively, and a new subsection (6) is added to that section  
 470 to read:

471 43.16 Justice Administrative Commission; membership,  
 472 powers and duties.—

473 (6) The commission, each state attorney, each public  
 474 defender, the criminal conflict and civil regional counsel, the  
 475 capital collateral regional counsel, and the Guardian Ad Litem  
 476 Program shall establish and maintain internal controls designed  
 477 to:

- 478 (a) Prevent and detect fraud, waste, and abuse.
- 479 (b) Promote and encourage compliance with applicable laws,  
 480 rules, contracts, grant agreements, and best practices.
- 481 (c) Support economical and efficient operations.
- 482 (d) Ensure reliability of financial records and reports.
- 483 (e) Safeguard assets.

484 Section 7. Subsection (7) of section 112.313, Florida  
 485 Statutes, is amended to read:

486 112.313 Standards of conduct for public officers,  
 487 employees of agencies, and local government attorneys.—

488 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

489 (a) A ~~No~~ public officer or employee of an agency may not  
 490 ~~shall~~ have or hold any employment or contractual relationship  
 491 with any business entity or any agency that ~~which~~ is subject to  
 492 the regulation of, or is doing business with, an agency of which  
 493 he or she is an officer or employee, excluding those  
 494 organizations and their officers who, when acting in their

495 official capacity, enter into or negotiate a collective  
 496 bargaining contract with the state or any municipality, county,  
 497 or other political subdivision of the state; and ~~nor shall~~ an  
 498 officer or employee of an agency may not have or hold any  
 499 employment or contractual relationship that will create a  
 500 continuing or frequently recurring conflict between his or her  
 501 private interests and the performance of his or her public  
 502 duties or that would impede the full and faithful discharge of  
 503 his or her public duties. For purposes of this subsection, if a  
 504 public officer or employee of an agency holds a controlling  
 505 interest in a business entity or is an officer, a director, or a  
 506 member who manages such an entity, contractual relationships  
 507 held by the business entity are deemed to be held by the public  
 508 officer or employee.

509 1. When the agency referred to is a ~~that certain kind of~~  
 510 special tax district created by general or special law and is  
 511 limited specifically to constructing, maintaining, managing, and  
 512 financing improvements in the land area over which the agency  
 513 has jurisdiction, or when the agency has been organized pursuant  
 514 to chapter 298, ~~then~~ employment with, or entering into a  
 515 contractual relationship with, such a business entity by a  
 516 public officer or employee of such an agency is ~~shall not be~~  
 517 prohibited by this subsection or ~~be~~ deemed a conflict per se.  
 518 However, conduct by such officer or employee that is prohibited  
 519 by, or otherwise frustrates the intent of, this section must  
 520 ~~shall~~ be deemed a conflict of interest in violation of the

521 standards of conduct set forth by this section.

522 2. When the agency referred to is a legislative body and  
 523 the regulatory power over the business entity resides in another  
 524 agency, or when the regulatory power that ~~which~~ the legislative  
 525 body exercises over the business entity or agency is strictly  
 526 through the enactment of laws or ordinances, ~~then~~ employment or  
 527 a contractual relationship with such a business entity by a  
 528 public officer or employee of a legislative body is ~~shall~~ not ~~be~~  
 529 prohibited by this subsection or ~~be~~ deemed a conflict.

530 (b) This subsection does ~~shall~~ not prohibit a public  
 531 officer or employee from practicing in a particular profession  
 532 or occupation when such practice by persons holding such public  
 533 office or employment is required or permitted by law or  
 534 ordinance.

535 Section 8. Subsections (1) and (2) of section 112.3144,  
 536 Florida Statutes, are amended to read:

537 112.3144 Full and public disclosure of financial  
 538 interests.—

539 (1) In addition to officers specified in s. 8, Art. II of  
 540 the State Constitution or other state law, all elected municipal  
 541 officers who receive compensation are required to file a full  
 542 and public disclosure of their financial interests. An officer  
 543 who is required ~~by s. 8, Art. II of the State Constitution~~ to  
 544 file a full and public disclosure of ~~his or her~~ financial  
 545 interests for any calendar or fiscal year shall file that  
 546 disclosure with the ~~Florida~~ Commission on Ethics. ~~Additionally,~~

547 ~~beginning January 1, 2015,~~ An officer who is required to  
548 complete annual ethics training pursuant to s. 112.3142 must  
549 certify on his or her full and public disclosure of financial  
550 interests that he or she has completed the required training.

551 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~  
552 ~~the State Constitution,~~ to file a full and public disclosure of  
553 financial interests and who has filed a full and public  
554 disclosure of financial interests for any calendar or fiscal  
555 year is ~~shall~~ not ~~be~~ required to file a statement of financial  
556 interests pursuant to s. 112.3145(2) and (3) for the same year  
557 or for any part thereof notwithstanding any requirement of this  
558 part. If an incumbent in an elective office has filed the full  
559 and public disclosure of financial interests to qualify for  
560 election to the same office or if a candidate for office holds  
561 another office subject to the annual filing requirement, the  
562 qualifying officer shall forward an electronic copy of the full  
563 and public disclosure of financial interests to the commission  
564 no later than July 1. The electronic copy of the full and public  
565 disclosure of financial interests satisfies the annual  
566 disclosure requirement of this section. A candidate who does not  
567 qualify until after the annual full and public disclosure of  
568 financial interests has been filed pursuant to this section  
569 shall file a copy of his or her disclosure with the officer  
570 before whom he or she qualifies.

571 Section 9. The amendment made to s. 112.3144, Florida  
572 Statutes, by this act applies to disclosures filed for the 2016

573 calendar year and all subsequent calendar years.

574 Section 10. Subsection (1) of section 112.31455, Florida  
575 Statutes, is amended to read:

576 112.31455 Collection methods for unpaid automatic fines  
577 for failure to timely file disclosure of financial interests.—

578 (1) Before referring any unpaid fine accrued pursuant to  
579 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial  
580 Services, the commission shall attempt to determine whether the  
581 individual owing such a fine is a current public officer or  
582 current public employee. If so, the commission may notify the  
583 Chief Financial Officer or the governing body of the appropriate  
584 county, municipality, school district, or special district of  
585 the total amount of any fine owed to the commission by such  
586 individual.

587 (a) After receipt and verification of the notice from the  
588 commission, the Chief Financial Officer or the governing body of  
589 the county, municipality, school district, or special district  
590 shall begin withholding the lesser of 10 percent or the maximum  
591 amount allowed under federal law from any salary-related  
592 payment. The withheld payments shall be remitted to the  
593 commission until the fine is satisfied.

594 (b) The Chief Financial Officer or the governing body of  
595 the county, municipality, school district, or special district  
596 may retain an amount of each withheld payment, as provided in s.  
597 77.0305, to cover the administrative costs incurred under this  
598 section.

599 Section 11. Paragraph (c) of subsection (3) of section  
 600 129.03, Florida Statutes, is amended to read:

601 129.03 Preparation and adoption of budget.—

602 (3) The county budget officer, after tentatively  
 603 ascertaining the proposed fiscal policies of the board for the  
 604 next fiscal year, shall prepare and present to the board a  
 605 tentative budget for the next fiscal year for each of the funds  
 606 provided in this chapter, including all estimated receipts,  
 607 taxes to be levied, and balances expected to be brought forward  
 608 and all estimated expenditures, reserves, and balances to be  
 609 carried over at the end of the year.

610 (c) The board shall hold public hearings to adopt  
 611 tentative and final budgets pursuant to s. 200.065. The hearings  
 612 shall be primarily for the purpose of hearing requests and  
 613 complaints from the public regarding the budgets and the  
 614 proposed tax levies and for explaining the budget and any  
 615 proposed or adopted amendments. The tentative budget must be  
 616 posted on the county's official website at least 2 days before  
 617 the public hearing to consider such budget and must remain on  
 618 the website for at least 45 days. The final budget must be  
 619 posted on the website within 30 days after adoption and must  
 620 remain on the website for at least 2 years. The tentative  
 621 budgets, adopted tentative budgets, and final budgets shall be  
 622 filed in the office of the county auditor as a public record.  
 623 Sufficient reference in words and figures to identify the  
 624 particular transactions must ~~shall~~ be made in the minutes of the



625 board to record its actions with reference to the budgets.

626 Section 12. Paragraph (f) of subsection (2) of section  
627 129.06, Florida Statutes, is amended to read:

628 129.06 Execution and amendment of budget.—

629 (2) The board at any time within a fiscal year may amend a  
630 budget for that year, and may within the first 60 days of a  
631 fiscal year amend the budget for the prior fiscal year, as  
632 follows:

633 (f) Unless otherwise prohibited by law, if an amendment to  
634 a budget is required for a purpose not specifically authorized  
635 in paragraphs (a)-(e), the amendment may be authorized by  
636 resolution or ordinance of the board of county commissioners  
637 adopted following a public hearing.

638 1. The public hearing must be advertised at least 2 days,  
639 but not more than 5 days, before the date of the hearing. The  
640 advertisement must appear in a newspaper of paid general  
641 circulation and must identify the name of the taxing authority,  
642 the date, place, and time of the hearing, and the purpose of the  
643 hearing. The advertisement must also identify each budgetary  
644 fund to be amended, the source of the funds, the use of the  
645 funds, and the total amount of each fund's appropriations.

646 2. If the board amends the budget pursuant to this  
647 paragraph, the adopted amendment must be posted on the county's  
648 official website within 5 days after adoption and must remain on  
649 the website for at least 2 years.

650 Section 13. Subsections (3) and (5) of section 166.241,

651 Florida Statutes, are amended to read:

652 166.241 Fiscal years, budgets, and budget amendments.—

653 (3) The tentative budget must be posted on the  
654 municipality's official website at least 2 days before the  
655 budget hearing, held pursuant to s. 200.065 or other law, to  
656 consider such budget, and must remain on the website for at  
657 least 45 days. The final adopted budget must be posted on the  
658 municipality's official website within 30 days after adoption  
659 and must remain on the website for at least 2 years. If the  
660 municipality does not operate an official website, the  
661 municipality must, within a reasonable period of time as  
662 established by the county or counties in which the municipality  
663 is located, transmit the tentative budget and final budget to  
664 the manager or administrator of such county or counties who  
665 shall post the budgets on the county's website.

666 (5) If the governing body of a municipality amends the  
667 budget pursuant to paragraph (4)(c), the adopted amendment must  
668 be posted on the official website of the municipality within 5  
669 days after adoption and must remain on the website for at least  
670 2 years. If the municipality does not operate an official  
671 website, the municipality must, within a reasonable period of  
672 time as established by the county or counties in which the  
673 municipality is located, transmit the adopted amendment to the  
674 manager or administrator of such county or counties who shall  
675 post the adopted amendment on the county's website.

676 Section 14. Subsections (4) and (7) of section 189.016,

677 Florida Statutes, are amended to read:

678 189.016 Reports; budgets; audits.—

679 (4) The tentative budget must be posted on the special  
 680 district's official website at least 2 days before the budget  
 681 hearing, held pursuant to s. 200.065 or other law, to consider  
 682 such budget, and must remain on the website for at least 45  
 683 days. The final adopted budget must be posted on the special  
 684 district's official website within 30 days after adoption and  
 685 must remain on the website for at least 2 years. If the special  
 686 district does not operate an official website, the special  
 687 district must, within a reasonable period of time as established  
 688 by the local general-purpose government or governments in which  
 689 the special district is located or the local governing authority  
 690 to which the district is dependent, transmit the tentative  
 691 budget or final budget to the manager or administrator of the  
 692 local general-purpose government or the local governing  
 693 authority. The manager or administrator shall post the tentative  
 694 budget or final budget on the website of the local general-  
 695 purpose government or governing authority. This subsection and  
 696 subsection (3) do not apply to water management districts as  
 697 defined in s. 373.019.

698 (7) If the governing body of a special district amends the  
 699 budget pursuant to paragraph (6)(c), the adopted amendment must  
 700 be posted on the official website of the special district within  
 701 5 days after adoption and must remain on the website for at  
 702 least 2 years. If the special district does not operate an

703 official website, the special district must, within a reasonable  
 704 period of time as established by the local general-purpose  
 705 government or governments in which the special district is  
 706 located or the local governing authority to which the district  
 707 is dependent, transmit the adopted amendment to the manager or  
 708 administrator of the local general-purpose government or  
 709 governing authority. The manager or administrator shall post the  
 710 adopted amendment on the website of the local general-purpose  
 711 government or governing authority.

712 Section 15. Subsections (1) through (5) of section  
 713 215.425, Florida Statutes, are renumbered as subsections (2)  
 714 through (6), respectively, present subsection (2) and paragraph  
 715 (a) of present subsection (4) of that section are amended, and a  
 716 new subsection (1) and subsections (7) through (13) are added to  
 717 that section, to read:

718 215.425 Extra compensation claims prohibited; bonuses;  
 719 severance pay.—

720 (1) As used in this section, the term "public funds" means  
 721 any taxes, tuition, grants, fines, fees, or other charges or any  
 722 other type of revenue collected by the state or any county,  
 723 municipality, special district, school district, Florida College  
 724 System institution, state university, or other separate unit of  
 725 government created pursuant to law, including any office,  
 726 department, agency, division, subdivision, political  
 727 subdivision, board, bureau, or commission of such entities.

728 (3)~~(2)~~ Notwithstanding subsection (2), if the payment and

729 receipt do not otherwise violate part III of chapter 112, the  
 730 following funds may be used to provide extra compensation or  
 731 severance pay in excess of the amount specified in subparagraph  
 732 (5) (a)1.:

733 (a) Revenues received by state universities through or  
 734 from faculty practice plans; health services support  
 735 organizations; hospitals with which state universities are  
 736 affiliated; direct-support organizations; or federal, auxiliary,  
 737 or private sources, except for tuition.

738 (b) Revenues received by Florida College System  
 739 institutions through or from faculty practice plans; health  
 740 services support organizations; direct-support organizations; or  
 741 federal, auxiliary, or private sources, except for tuition.

742 (c) Revenues that are received by a hospital licensed  
 743 under chapter 395 which has entered into a Medicaid provider  
 744 contract and that:

745 1. Are not derived from the levy of an ad valorem tax;

746 2. Are not derived from patient services paid through the  
 747 Medicaid or Medicare program;

748 3. Are derived from patient services pursuant to contracts  
 749 with private insurers or private managed care entities; or

750 4. Are not appropriated by the Legislature or by any  
 751 county, municipality, special district, school district, Florida  
 752 College System institution, state university, or other separate  
 753 unit of government created pursuant to law, including any  
 754 office, department, agency, division, subdivision, political

755 subdivision, board, bureau, commission, authority, or  
756 institution of such entities, except for revenues otherwise  
757 authorized to be used pursuant to subparagraphs 2. and 3. This  
758 section does not apply to:

759 ~~(a) A bonus or severance pay that is paid wholly from~~  
760 ~~nontax revenues and nonstate appropriated funds, the payment and~~  
761 ~~receipt of which does not otherwise violate part III of chapter~~  
762 ~~112, and which is paid to an officer, agent, employee, or~~  
763 ~~contractor of a public hospital that is operated by a county or~~  
764 ~~a special district; or~~

765 (d) (b) A clothing and maintenance allowance given to  
766 plainclothes deputies pursuant to s. 30.49.

767 (e) Revenues or fees received by a seaport or airport from  
768 sources other than through the levy of a tax or funds  
769 appropriated by any county or municipality or the Legislature.

770 (5) (4) (a) On or after July 1, 2011, A unit of government,  
771 on or after July 1, 2011, or a state university, on or after  
772 July 1, 2012, that is a party to enters into a contract or  
773 employment agreement, or renewal or renegotiation of an existing  
774 contract or employment agreement, that contains a provision for  
775 severance pay with an officer, agent, employee, or contractor  
776 must include the following provisions in the contract:

777 1. A requirement that severance pay paid from public funds  
778 provided may not exceed an amount greater than 20 weeks of  
779 compensation.

780 2. A prohibition of provision of severance pay paid from

781 public funds when the officer, agent, employee, or contractor  
782 has been fired for misconduct, as defined in s. 443.036(29), by  
783 the unit of government.

784 (7) Upon discovery or notification that a unit of  
785 government has provided prohibited compensation to any officer,  
786 agent, employee, or contractor in violation of this section,  
787 such unit of government shall investigate and take all necessary  
788 action to recover the prohibited compensation.

789 (a) If the violation was unintentional, the unit of  
790 government shall recover the prohibited compensation from the  
791 individual receiving the prohibited compensation through normal  
792 recovery methods for overpayments.

793 (b) If the violation was willful, the unit of government  
794 shall recover the prohibited compensation from either the  
795 individual receiving the prohibited compensation or the  
796 individual or individuals responsible for approving the  
797 prohibited compensation. Each individual determined to have  
798 willfully violated this section is jointly and severally liable  
799 for repayment of the prohibited compensation.

800 (8) A person who willfully violates this section commits a  
801 misdemeanor of the first degree, punishable as provided in s.  
802 775.082 or s. 775.083.

803 (9) An officer who exercises the powers and duties of a  
804 state or county officer and willfully violates this section is  
805 subject to the Governor's power under s. 7(a), Art. IV of the  
806 State Constitution. An officer who exercises powers and duties

807 other than those of a state or county officer and willfully  
808 violates this section is subject to the suspension and removal  
809 procedures under s. 112.51.

810 (10) (a) A person who reports a violation of this section  
811 is eligible for a reward of at least \$500, or the lesser of 10  
812 percent of the funds recovered or \$10,000 per incident of a  
813 prohibited compensation payment recovered by the unit of  
814 government, depending upon the extent to which the person  
815 substantially contributed to the discovery, notification, and  
816 recovery of such prohibited payment.

817 (b) In the event that the recovery of the prohibited  
818 compensation is based primarily on disclosures of specific  
819 information, other than information provided by such person,  
820 relating to allegations or transactions in a criminal, civil, or  
821 administrative hearing; in a legislative, administrative,  
822 inspector general, or other government report; in an auditor  
823 general report, hearing, audit, or investigation; or from the  
824 news media, such person is not eligible for a reward or for an  
825 award of a portion of the proceeds or payment of attorney fees  
826 and costs pursuant to s. 68.085.

827 (c) If it is determined that the person who reported a  
828 violation of this section was involved in the authorization,  
829 approval, or receipt of the prohibited compensation, or if that  
830 person is convicted of criminal conduct arising from his or her  
831 role in the authorization, approval, or receipt of the  
832 prohibited compensation, such person is not eligible for a



833 reward or for an award of a portion of the proceeds or payment  
834 of attorney fees and costs pursuant to s. 68.085.

835 (11) An employee who is discharged, demoted, suspended,  
836 threatened, harassed, or in any manner discriminated against  
837 with respect to the terms and conditions of employment by his or  
838 her employer because of the employee's lawful acts on his or her  
839 own behalf, or on behalf of others, in furtherance of an action  
840 under this section, including investigation for initiation of,  
841 testimony for, or assistance in an action filed or to be filed  
842 under this section, has a cause of action under s. 112.3187.

843 (12) If the unit of government fails to recover prohibited  
844 compensation for a willful violation of this section within 90  
845 days after discovery and notification of such prohibited  
846 payment, a cause of action may be brought to recover:

847 (a) State funds in accordance with ss. 68.082 and 68.083.

848 (b) Other funds by the Department of Legal Affairs using  
849 the procedures set forth in ss. 68.082 and 68.083, except that  
850 venue shall be the circuit court of the county in which the unit  
851 of government is located.

852 (c) Other funds by a person using the procedures set forth  
853 in ss. 68.082 and 68.083, except that venue shall be the circuit  
854 court of the county in which the unit of government is located.

855 (13) Subsections (7)-(12) apply prospectively to contracts  
856 or employment agreements, or the renewal or renegotiation of an  
857 existing contract or employment agreement, effective on or after  
858 October 1, 2016.

859 Section 16. Section 215.86, Florida Statutes, is amended  
 860 to read:

861 215.86 Management systems and controls.—Each state agency  
 862 and the judicial branch as defined in s. 216.011 shall establish  
 863 and maintain management systems and internal controls designed  
 864 to:

- 865 (1) Prevent and detect fraud, waste, and abuse. ~~that~~
- 866 (2) Promote and encourage compliance with applicable laws,  
 867 rules, contracts, grant agreements, and best practices.†
- 868 (3) Support economical and ~~economic,~~ efficient, and  
 869 effective operations.†
- 870 (4) Ensure reliability of financial records and reports.†
- 871 (5) Safeguard and ~~safeguarding of~~ assets. ~~Accounting~~  
 872 ~~systems and procedures shall be designed to fulfill the~~  
 873 ~~requirements of generally accepted accounting principles.~~

874 Section 17. Paragraph (a) of subsection (2) of section  
 875 215.97, Florida Statutes, is amended to read:

876 215.97 Florida Single Audit Act.—

877 (2) Definitions; as used in this section, the term:

878 (a) "Audit threshold" means the threshold amount used to  
 879 determine when a state single audit or project-specific audit of  
 880 a nonstate entity shall be conducted in accordance with this  
 881 section. Each nonstate entity that expends a total amount of  
 882 state financial assistance equal to or in excess of \$750,000  
 883 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be  
 884 required to have a state single audit, or a project-specific

885 | audit, for such fiscal year in accordance with the requirements  
 886 | of this section. ~~Every 2 years the Auditor General,~~ After  
 887 | consulting with the Executive Office of the Governor, the  
 888 | Department of Financial Services, and all state awarding  
 889 | agencies, the Auditor General shall periodically review the  
 890 | threshold amount for requiring audits under this section and may  
 891 | recommend any appropriate statutory change to revise the  
 892 | threshold amount in the annual report submitted pursuant to s.  
 893 | 11.45(7)(h) to the Legislature ~~may adjust such threshold amount~~  
 894 | ~~consistent with the purposes of this section.~~

895 |       Section 18. Subsection (11) of section 215.985, Florida  
 896 | Statutes, is amended to read:

897 |       215.985 Transparency in government spending.—

898 |       (11) Each water management district shall provide a  
 899 | monthly financial statement in the form and manner prescribed by  
 900 | the Department of Financial Services to the district's ~~its~~  
 901 | governing board and make such monthly financial statement  
 902 | available for public access on its website.

903 |       Section 19. Paragraph (d) of subsection (1) and subsection  
 904 | (2) of section 218.32, Florida Statutes, are amended to read:

905 |       218.32 Annual financial reports; local governmental  
 906 | entities.—

907 |       (1)

908 |       (d) Each local governmental entity that is required to  
 909 | provide for an audit under s. 218.39(1) must submit a copy of  
 910 | the audit report and annual financial report to the department

911 within 45 days after the completion of the audit report but no  
912 later than 9 months after the end of the fiscal year. In  
913 conducting an audit of a local governmental entity pursuant to  
914 s. 218.39, an independent certified public accountant shall  
915 determine whether the entity's annual financial report is in  
916 agreement with the audited financial statements. The  
917 accountant's audit report must be supported by the same level of  
918 detail as required for the annual financial report. If the  
919 accountant's audit report is not in agreement with the annual  
920 financial report, the accountant shall specify and explain the  
921 significant differences that exist between the annual financial  
922 report and the audit report.

923 (2) The department shall annually by December 1 file a  
924 verified report with the Governor, the Legislature, the Auditor  
925 General, and the Special District Accountability Program of the  
926 Department of Economic Opportunity showing the revenues, both  
927 locally derived and derived from intergovernmental transfers,  
928 and the expenditures of each local governmental entity, regional  
929 planning council, local government finance commission, and  
930 municipal power corporation that is required to submit an annual  
931 financial report. In preparing the verified report, the  
932 department may request additional information from the local  
933 governmental entity. The information requested must be provided  
934 to the department within 45 days after the request. If the local  
935 governmental entity does not comply with the request, the  
936 department shall notify the Legislative Auditing Committee,

937 which may take action pursuant to s. 11.40(2). The report must  
938 include, but is not limited to:

939 (a) The total revenues and expenditures of each local  
940 governmental entity that is a component unit included in the  
941 annual financial report of the reporting entity.

942 (b) The amount of outstanding long-term debt by each local  
943 governmental entity. For purposes of this paragraph, the term  
944 "long-term debt" means any agreement or series of agreements to  
945 pay money, which, at inception, contemplate terms of payment  
946 exceeding 1 year in duration.

947 Section 20. Subsection (3) of section 218.33, Florida  
948 Statutes, is renumbered as subsection (4), and a new subsection  
949 (3) is added to that section to read:

950 218.33 Local governmental entities; establishment of  
951 uniform fiscal years and accounting practices and procedures.—

952 (3) Each local governmental entity shall establish and  
953 maintain internal controls designed to:

954 (a) Prevent and detect fraud, waste, and abuse.

955 (b) Promote and encourage compliance with applicable laws,  
956 rules, contracts, grant agreements, and best practices.

957 (c) Support economical and efficient operations.

958 (d) Ensure reliability of financial records and reports.

959 (e) Safeguard assets.

960 Section 21. Subsections (8) through (12) of section  
961 218.39, Florida Statutes, are renumbered as subsections (9)  
962 through (13), respectively, and a new subsection (8) is added to

963 that section to read:

964 218.39 Annual financial audit reports.—

965 (8) If the audit report includes a recommendation that was  
 966 included in the preceding financial audit report but remains  
 967 unaddressed, the governing body of the audited entity, within 60  
 968 days after the delivery of the audit report to the governing  
 969 body, shall indicate during a regularly scheduled public meeting  
 970 whether it intends to take corrective action, the intended  
 971 corrective action, and the timeframe for the corrective action.  
 972 If the governing body indicates that it does not intend to take  
 973 corrective action, it shall explain its decision at the public  
 974 meeting.

975 Section 22. Subsection (2) of section 218.391, Florida  
 976 Statutes, is amended, and subsection (9) is added to that  
 977 section, to read:

978 218.391 Auditor selection procedures.—

979 (2) The governing body of a ~~charter~~ county, municipality,  
 980 special district, district school board, charter school, or  
 981 charter technical career center shall establish an audit  
 982 committee.

983 (a) The audit committee for a county ~~Each noncharter~~  
 984 ~~county shall establish an audit committee that,~~ at a minimum,  
 985 shall consist of each of the county officers elected pursuant to  
 986 the county charter or s. 1(d), Art. VIII of the State  
 987 Constitution, ~~or their respective designees a designee,~~ and one  
 988 member of the board of county commissioners or its designee.

989 (b) The audit committee for a municipality, special  
 990 district, district school board, charter school, or charter  
 991 technical career center shall consist of at least three members.  
 992 One member of the audit committee must be a member of the  
 993 governing body of an entity specified in this paragraph, who  
 994 shall also serve as the chair of the committee.

995 (c) An employee, chief executive officer, or chief  
 996 financial officer of the county, municipality, special district,  
 997 district school board, charter school, or charter technical  
 998 career center may not serve as a member of an audit committee  
 999 established under this subsection.

1000 (d) The primary purpose of the audit committee is to  
 1001 assist the governing body in selecting an auditor to conduct the  
 1002 annual financial audit required in s. 218.39; however, the audit  
 1003 committee may serve other audit oversight purposes as determined  
 1004 by the entity's governing body. The public may ~~shall~~ not be  
 1005 excluded from the proceedings under this section.

1006 (9) An audit report submitted pursuant to s. 218.39 must  
 1007 include an affidavit executed by the chair of the audit  
 1008 committee affirming that the committee complied with the  
 1009 requirements of subsections (3)-(6) in selecting an auditor. If  
 1010 the Auditor General determines that an entity failed to comply  
 1011 with the requirements of subsections (3)-(6) in selecting an  
 1012 auditor, the entity shall select a replacement auditor in  
 1013 accordance with this section to conduct audits for subsequent  
 1014 fiscal years if the original audit was performed under a

1015 multiyear contract. If the replacement of an auditor would  
1016 preclude the entity from timely completing the annual financial  
1017 audit required by s. 218.39, the entity shall replace an auditor  
1018 in accordance with this section for the subsequent annual  
1019 financial audit. A multiyear contract between an entity or an  
1020 auditor may not prohibit or restrict an entity from complying  
1021 with this subsection.

1022 Section 23. Subsection (2) of section 286.0114, Florida  
1023 Statutes, is amended to read:

1024 286.0114 Public meetings; reasonable opportunity to be  
1025 heard; attorney fees.—

1026 (2) Members of the public shall be given a reasonable  
1027 opportunity to be heard on a proposition before a board or  
1028 commission. The opportunity to be heard need not occur at the  
1029 same meeting at which the board or commission takes official  
1030 action on the proposition if the opportunity occurs at a meeting  
1031 that is during the decisionmaking process and is within  
1032 reasonable proximity in time before the meeting at which the  
1033 board or commission takes the official action. A board or  
1034 commission may not require a member of the public to provide an  
1035 advance written copy of his or her testimony or comments as a  
1036 precondition of being given the opportunity to be heard at a  
1037 meeting. This section does not prohibit a board or commission  
1038 from maintaining orderly conduct or proper decorum in a public  
1039 meeting. The opportunity to be heard is subject to rules or  
1040 policies adopted by the board or commission, as provided in



1041 subsection (4).

1042 Section 24. Paragraph (b) of subsection (2) of section

1043 288.92, Florida Statutes, is amended to read:

1044 288.92 Divisions of Enterprise Florida, Inc.—

1045 (2)

1046 (b)1. The following officers and board members are subject

1047 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and

1048 112.3143(2):

1049 a. Officers and members of the board of directors of the

1050 divisions of Enterprise Florida, Inc.

1051 b. Officers and members of the board of directors of

1052 subsidiaries of Enterprise Florida, Inc.

1053 c. Officers and members of the board of directors of

1054 corporations created to carry out the missions of Enterprise

1055 Florida, Inc.

1056 d. Officers and members of the board of directors of

1057 corporations with which a division is required by law to

1058 contract to carry out its missions.

1059 2. For a period of 2 years after retirement from or

1060 termination of service to a division, or for a period of 10

1061 years if removed or terminated for cause or for misconduct, as

1062 defined in s. 443.036(29), the officers and board members

1063 specified in subparagraph 1. may not represent another person or

1064 entity for compensation before:

1065 a. Enterprise Florida, Inc.;

1066 b. A division, a subsidiary, or the board of directors of

1067 corporations created to carry out the missions of Enterprise  
 1068 Florida, Inc.; or

1069 c. A division with which Enterprise Florida, Inc., is  
 1070 required by law to contract to carry out its missions.

1071 ~~3.2.~~ For purposes of applying ss. 112.313(1)-(8), (10),  
 1072 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
 1073 officers and members of the board of directors specified in  
 1074 subparagraph 1., those persons shall be considered public  
 1075 officers or employees and the corporation shall be considered  
 1076 their agency.

1077 ~~4.3.~~ It is not a violation of s. 112.3143(2) or (4) for  
 1078 the officers or members of the board of directors of the Florida  
 1079 Tourism Industry Marketing Corporation to:

1080 a. Vote on the 4-year marketing plan required under s.  
 1081 288.923 or vote on any individual component of or amendment to  
 1082 the plan.

1083 b. Participate in the establishment or calculation of  
 1084 payments related to the private match requirements of s.  
 1085 288.904(3). The officer or member must file an annual disclosure  
 1086 describing the nature of his or her interests or the interests  
 1087 of his or her principals, including corporate parents and  
 1088 subsidiaries of his or her principal, in the private match  
 1089 requirements. This annual disclosure requirement satisfies the  
 1090 disclosure requirement of s. 112.3143(4). This disclosure must  
 1091 be placed ~~either~~ on the Florida Tourism Industry Marketing  
 1092 Corporation's website or included in the minutes of each meeting

1093 of the Florida Tourism Industry Marketing Corporation's board of  
 1094 directors at which the private match requirements are discussed  
 1095 or voted upon.

1096 Section 25. Paragraph (a) of subsection (3) of section  
 1097 288.9604, Florida Statutes, is amended to read:

1098 288.9604 Creation of the authority.—

1099 (3) (a) 1. A director may not receive compensation for his  
 1100 or her services, but is entitled to necessary expenses,  
 1101 including travel expenses, incurred in the discharge of his or  
 1102 her duties. Each director shall hold office until his or her  
 1103 successor has been appointed.

1104 2. Directors are subject to ss. 112.313(1)-(8), (10),  
 1105 (12), and (15); 112.3135; and 112.3143(2). For purposes of  
 1106 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
 1107 112.3143(2) to activities of directors, directors shall be  
 1108 considered public officers and the corporation shall be  
 1109 considered their agency.

1110 3. A director of the corporation may not represent another  
 1111 person or entity for compensation before the corporation for a  
 1112 period of 2 years following his or her service on the board of  
 1113 directors.

1114 Section 26. Paragraph (e) of subsection (4), paragraph (d)  
 1115 of subsection (5), and paragraph (d) of subsection (6) of  
 1116 section 373.536, Florida Statutes, are amended to read:

1117 373.536 District budget and hearing thereon.—

1118 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1119           (e) ~~By September 1, 2012,~~ Each district shall provide a  
 1120 monthly financial statement in the form and manner prescribed by  
 1121 the Department of Financial Services to the district's governing  
 1122 board and make such monthly financial statement available for  
 1123 public access on its website.

1124           (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
 1125 APPROVAL.—

1126           (d) Each district shall, by August 1 of each year, submit  
 1127 for review a tentative budget and a description of any  
 1128 significant changes from the preliminary budget submitted to the  
 1129 Legislature pursuant to s. 373.535 to the Governor, the  
 1130 President of the Senate, the Speaker of the House of  
 1131 Representatives, the chairs of all legislative committees and  
 1132 subcommittees having substantive or fiscal jurisdiction over  
 1133 water management districts, as determined by the President of  
 1134 the Senate or the Speaker of the House of Representatives, as  
 1135 applicable, the secretary of the department, and the governing  
 1136 body of each county in which the district has jurisdiction or  
 1137 derives any funds for the operations of the district. The  
 1138 tentative budget must be posted on the district's official  
 1139 website at least 2 days before budget hearings held pursuant to  
 1140 s. 200.065 or other law and must remain on the website for at  
 1141 least 45 days.

1142           (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
 1143 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1144           (d) The final adopted budget must be posted on the water

1145 management district's official website within 30 days after  
 1146 adoption and must remain on the website for at least 2 years.

1147 Section 27. Subsection (7) of section 838.014, Florida  
 1148 Statutes, is renumbered as subsection (8), present subsections  
 1149 (4) and (6) are amended, and a new subsection (6) is added to  
 1150 that section, to read:

1151 838.014 Definitions.—As used in this chapter, the term:

1152 (4) "Governmental entity" means an agency or entity of the  
 1153 state; a county, municipality, or special district; or any other  
 1154 public entity created or authorized by law ~~"Corruptly" or "with~~  
 1155 ~~corrupt intent" means acting knowingly and dishonestly for a~~  
 1156 ~~wrongful purpose.~~

1157 (6) "Public contractor" means, for purposes of ss. 838.022  
 1158 and 838.22 only:

1159 (a) Any person, as defined in s. 1.01(3), who has entered  
 1160 into a contract with a governmental entity; or

1161 (b) Any officer or employee of a person, as defined in s.  
 1162 1.01(3), who has entered into a contract with a governmental  
 1163 entity.

1164 ~~(7)(6)~~ "Public servant" means:

1165 (a) Any officer or employee of a governmental state,  
 1166 ~~county, municipal, or special district agency or entity,~~  
 1167 including

1168 ~~(b)~~ any executive, legislative, or judicial branch officer  
 1169 or employee;

1170 ~~(b)(c)~~ Any person, except a witness, who acts as a general

1171 or special magistrate, receiver, auditor, arbitrator, umpire,  
 1172 referee, consultant, or hearing officer while performing a  
 1173 governmental function; or

1174 (c)~~(d)~~ A candidate for election or appointment to any of  
 1175 the officer positions listed in this subsection, or an  
 1176 individual who has been elected to, but has yet to officially  
 1177 assume the responsibilities of, public office.

1178 Section 28. Subsection (1) of section 838.015, Florida  
 1179 Statutes, is amended to read:

1180 838.015 Bribery.—

1181 (1) "Bribery" means ~~corruptly~~ to knowingly and  
 1182 intentionally give, offer, or promise to any public servant, or,  
 1183 if a public servant, ~~corruptly~~ to knowingly and intentionally  
 1184 request, solicit, accept, or agree to accept for himself or  
 1185 herself or another, any pecuniary or other benefit not  
 1186 authorized by law with an intent or purpose to influence the  
 1187 performance of any act or omission which the person believes to  
 1188 be, or the public servant represents as being, within the  
 1189 official discretion of a public servant, in violation of a  
 1190 public duty, or in performance of a public duty.

1191 Section 29. Subsections (1) and (2) of section 838.016,  
 1192 Florida Statutes, are amended to read:

1193 838.016 Unlawful compensation or reward for official  
 1194 behavior.—

1195 (1) It is unlawful for any person ~~corruptly~~ to knowingly  
 1196 and intentionally give, offer, or promise to any public servant,

1197 or, if a public servant, ~~corruptly~~ to knowingly and  
 1198 intentionally request, solicit, accept, or agree to accept, any  
 1199 pecuniary or other benefit not authorized by law, for the past,  
 1200 present, or future performance, nonperformance, or violation of  
 1201 any act or omission which the person believes to have been, or  
 1202 the public servant represents as having been, either within the  
 1203 official discretion of the public servant, in violation of a  
 1204 public duty, or in performance of a public duty. This section  
 1205 does not ~~Nothing herein shall be construed to~~ preclude a public  
 1206 servant from accepting rewards for services performed in  
 1207 apprehending any criminal.

1208 (2) It is unlawful for any person ~~corruptly~~ to knowingly  
 1209 and intentionally give, offer, or promise to any public servant,  
 1210 or, if a public servant, ~~corruptly~~ to knowingly and  
 1211 intentionally request, solicit, accept, or agree to accept, any  
 1212 pecuniary or other benefit not authorized by law for the past,  
 1213 present, or future exertion of any influence upon or with any  
 1214 other public servant regarding any act or omission which the  
 1215 person believes to have been, or which is represented to him or  
 1216 her as having been, either within the official discretion of the  
 1217 other public servant, in violation of a public duty, or in  
 1218 performance of a public duty.

1219 Section 30. Subsection (1) of section 838.022, Florida  
 1220 Statutes, is amended, and subsection (2) of that section is  
 1221 republished, to read:

1222 838.022 Official misconduct.—

1223 (1) It is unlawful for a public servant or public  
 1224 contractor, ~~with corrupt intent~~ to knowingly and intentionally  
 1225 obtain a benefit for any person or to cause unlawful harm to  
 1226 another ~~by, to~~:

1227 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to  
 1228 falsify, any official record or official document;

1229 (b) Concealing, covering up, destroying, mutilating, or  
 1230 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any  
 1231 official record or official document, except as authorized by  
 1232 law or contract, or causing ~~cause~~ another person to perform such  
 1233 an act; or

1234 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~  
 1235 ~~or prevent~~ the communication of information relating to the  
 1236 commission of a felony that directly involves or affects the  
 1237 governmental ~~public agency or public~~ entity served by the public  
 1238 servant or public contractor.

1239 (2) For the purposes of this section:

1240 (a) The term "public servant" does not include a candidate  
 1241 who does not otherwise qualify as a public servant.

1242 (b) An official record or official document includes only  
 1243 public records.

1244 Section 31. Section 838.22, Florida Statutes, is amended  
 1245 to read:

1246 838.22 Bid tampering.—

1247 (1) It is unlawful for a public servant or a public  
 1248 contractor who has contracted with a governmental entity to



1249 assist in a competitive procurement, ~~with corrupt intent~~ to  
 1250 knowingly and intentionally influence or attempt to influence  
 1251 the competitive solicitation ~~bidding process~~ undertaken by any  
 1252 governmental state, county, municipal, or special district  
 1253 agency, or any other public entity, for the procurement of  
 1254 commodities or services by, ~~to:~~

1255 (a) Disclosing, except as authorized by law, ~~Disclose~~  
 1256 material information concerning a vendor's response, any  
 1257 evaluation results, ~~bid~~ or other aspects of the competitive  
 1258 solicitation ~~bidding process~~ when such information is not  
 1259 publicly disclosed.

1260 (b) Altering or amending ~~Alter or amend~~ a submitted  
 1261 response bid, documents or other materials supporting a  
 1262 submitted response bid, or any evaluation bid results relating  
 1263 to the competitive solicitation for the purpose of intentionally  
 1264 providing a competitive advantage to any person who submits a  
 1265 response bid.

1266 (2) It is unlawful for a public servant or a public  
 1267 contractor who has contracted with a governmental entity to  
 1268 assist in a competitive procurement, ~~with corrupt intent~~ to  
 1269 knowingly and intentionally obtain a benefit for any person or  
 1270 to cause unlawful harm to another by circumventing, ~~to~~  
 1271 ~~circumvent~~ a competitive solicitation ~~bidding~~ process required  
 1272 by law or rule through the use of ~~by using~~ a sole-source  
 1273 contract for commodities or services.

1274 (3) It is unlawful for any person to knowingly agree,

1275 | conspire, combine, or confederate, directly or indirectly, with  
 1276 | a public servant or a public contractor who has contracted with  
 1277 | a governmental entity to assist in a competitive procurement to  
 1278 | violate subsection (1) or subsection (2).

1279 | (4) It is unlawful for any person to knowingly enter into  
 1280 | a contract for commodities or services which was secured by a  
 1281 | public servant or a public contractor who has contracted with a  
 1282 | governmental entity to assist in a competitive procurement  
 1283 | acting in violation of subsection (1) or subsection (2).

1284 | (5) Any person who violates this section commits a felony  
 1285 | of the second degree, punishable as provided in s. 775.082, s.  
 1286 | 775.083, or s. 775.084.

1287 | Section 32. Section 838.24, Florida Statutes, is created  
 1288 | to read:

1289 | 838.24 Attorney fees.—Public servants and public  
 1290 | contractors prosecuted for a violation under this act may  
 1291 | recover attorney fees in the same manner as provided by common  
 1292 | law for public officers and employees with respect to the  
 1293 | enforcement of public corruption laws.

1294 | Section 33. Paragraph (1) of subsection (12) of section  
 1295 | 1001.42, Florida Statutes, is amended to read:

1296 | 1001.42 Powers and duties of district school board.—The  
 1297 | district school board, acting as a board, shall exercise all  
 1298 | powers and perform all duties listed below:

1299 | (12) FINANCE.—Take steps to assure students adequate  
 1300 | educational facilities through the financial procedure

1301 authorized in chapters 1010 and 1011 and as prescribed below:

1302 (1) *Internal auditor.*—May employ an internal auditor to  
 1303 perform ongoing financial verification of the financial records  
 1304 of the school district and such other audits and reviews as the  
 1305 district school board directs for the purpose of determining:

1306 1. The adequacy of internal controls designed to prevent  
 1307 and detect fraud, waste, and abuse.

1308 2. Compliance with applicable laws, rules, contracts,  
 1309 grant agreements, district school board-approved policies, and  
 1310 best practices.

1311 3. The efficiency of operations.

1312 4. The reliability of financial records and reports.

1313 5. The safeguarding of assets.

1314

1315 The internal auditor shall report directly to the district  
 1316 school board or its designee.

1317 Section 34. Paragraph (j) of subsection (9) of section  
 1318 1002.33, Florida Statutes, is amended to read:

1319 1002.33 Charter schools.—

1320 (9) CHARTER SCHOOL REQUIREMENTS.—

1321 (j) The governing body of the charter school shall be  
 1322 responsible for:

1323 1. Establishing and maintaining internal controls designed  
 1324 to:

1325 a. Prevent and detect fraud, waste, and abuse.

1326 b. Promote and encourage compliance with applicable laws,

1327 rules, contracts, grant agreements, and best practices.  
 1328 c. Support economical and efficient operations.  
 1329 d. Ensure reliability of financial records and reports.  
 1330 e. Safeguard assets.  
 1331 ~~2.1.~~ Ensuring that the charter school has retained the  
 1332 services of a certified public accountant or auditor for the  
 1333 annual financial audit, pursuant to s. 1002.345(2), who shall  
 1334 submit the report to the governing body.  
 1335 ~~3.2.~~ Reviewing and approving the audit report, including  
 1336 audit findings and recommendations for the financial recovery  
 1337 plan.  
 1338 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including  
 1339 monitoring a corrective action plan.  
 1340 b. Monitoring a financial recovery plan in order to ensure  
 1341 compliance.  
 1342 ~~5.4.~~ Participating in governance training approved by the  
 1343 department which must include government in the sunshine,  
 1344 conflicts of interest, ethics, and financial responsibility.  
 1345 Section 35. Subsections (6) through (10) of section  
 1346 1002.37, Florida Statutes, are renumbered as subsections (7)  
 1347 through (11), respectively, a new subsection (6) is added to  
 1348 that section, and present subsections (6) and (11) of that  
 1349 section are amended, to read:  
 1350 1002.37 The Florida Virtual School.—  
 1351 (6) The Florida Virtual School shall have an annual  
 1352 financial audit of its accounts and records conducted by an

1353 independent auditor who is a certified public accountant  
1354 licensed under chapter 473. The independent auditor shall  
1355 conduct the audit in accordance with rules adopted by the  
1356 Auditor General pursuant to s. 11.45 and, upon completion of the  
1357 audit, shall prepare an audit report in accordance with such  
1358 rules. The audit report must include a written statement of the  
1359 board of trustees describing corrective action to be taken in  
1360 response to each of the recommendations of the independent  
1361 auditor included in the audit report. The independent auditor  
1362 shall submit the audit report to the board of trustees and the  
1363 Auditor General no later than 9 months after the end of the  
1364 preceding fiscal year.

1365 (7)~~(6)~~ The board of trustees shall annually submit to the  
1366 Governor, the Legislature, the Commissioner of Education, and  
1367 the State Board of Education the audit report prepared pursuant  
1368 to subsection (6) and a complete and detailed report setting  
1369 forth:

1370 (a) The operations and accomplishments of the Florida  
1371 Virtual School within the state and those occurring outside the  
1372 state as Florida Virtual School Global.

1373 (b) The marketing and operational plan for the Florida  
1374 Virtual School and Florida Virtual School Global, including  
1375 recommendations regarding methods for improving the delivery of  
1376 education through the Internet and other distance learning  
1377 technology.

1378 (c) The assets and liabilities of the Florida Virtual

1379 School and Florida Virtual School Global at the end of the  
1380 fiscal year.

1381 ~~(d) A copy of an annual financial audit of the accounts~~  
1382 ~~and records of the Florida Virtual School and Florida Virtual~~  
1383 ~~School Global, conducted by an independent certified public~~  
1384 ~~accountant and performed in accordance with rules adopted by the~~  
1385 ~~Auditor General.~~

1386 (d)~~(e)~~ Recommendations regarding the unit cost of  
1387 providing services to students through the Florida Virtual  
1388 School and Florida Virtual School Global. In order to most  
1389 effectively develop public policy regarding any future funding  
1390 of the Florida Virtual School, it is imperative that the cost of  
1391 the program is accurately identified. The identified cost of the  
1392 program must be based on reliable data.

1393 (e)~~(f)~~ Recommendations regarding an accountability  
1394 mechanism to assess the effectiveness of the services provided  
1395 by the Florida Virtual School and Florida Virtual School Global.

1396 ~~(11) The Auditor General shall conduct an operational~~  
1397 ~~audit of the Florida Virtual School, including Florida Virtual~~  
1398 ~~School Global. The scope of the audit shall include, but not be~~  
1399 ~~limited to, the administration of responsibilities relating to~~  
1400 ~~personnel; procurement and contracting; revenue production;~~  
1401 ~~school funds, including internal funds; student enrollment~~  
1402 ~~records; franchise agreements; information technology~~  
1403 ~~utilization, assets, and security; performance measures and~~  
1404 ~~standards; and accountability. The final report on the audit~~

1405 ~~shall be submitted to the President of the Senate and the~~  
 1406 ~~Speaker of the House of Representatives no later than January~~  
 1407 ~~31, 2014.~~

1408 Section 36. Subsection (5) is added to section 1010.01,  
 1409 Florida Statutes, to read:

1410 1010.01 Uniform records and accounts.—

1411 (5) Each school district, Florida College System  
 1412 institution, and state university shall establish and maintain  
 1413 internal controls designed to:

1414 (a) Prevent and detect fraud, waste, and abuse.

1415 (b) Promote and encourage compliance with applicable laws,  
 1416 rules, contracts, grant agreements, and best practices.

1417 (c) Support economical and efficient operations.

1418 (d) Ensure reliability of financial records and reports.

1419 (e) Safeguard assets.

1420 Section 37. Subsection (2) of section 1010.30, Florida  
 1421 Statutes, is amended to read:

1422 1010.30 Audits required.—

1423 (2) If a school district, Florida College System  
 1424 institution, or university audit report includes a  
 1425 recommendation that was included in the preceding financial  
 1426 audit report but remains unaddressed, ~~an audit contains a~~  
 1427 ~~significant finding,~~ the district school board, the Florida  
 1428 College System institution board of trustees, or the university  
 1429 board of trustees, within 60 days after the delivery of the  
 1430 audit report to the school district, Florida College System

1431 institution, or university, shall indicate ~~conduct an audit~~  
 1432 ~~overview~~ during a regularly scheduled public meeting whether it  
 1433 intends to take corrective action, the intended corrective  
 1434 action, and the timeframe for the corrective action. If the  
 1435 district school board, Florida College System institution board  
 1436 of trustees, or university board of trustees indicates that it  
 1437 does not intend to take corrective action, it shall explain its  
 1438 decision at the public meeting.

1439 Section 38. Subsection (2) of section 68.082, Florida  
 1440 Statutes, is amended to read:

1441 68.082 False claims against the state; definitions;  
 1442 liability.—

1443 (2) Any person who:

1444 (a) Knowingly presents or causes to be presented a false  
 1445 or fraudulent claim for payment or approval;

1446 (b) Knowingly authorizes, approves, or receives payment of  
 1447 prohibited compensation in violation of s. 215.425;

1448 (c) ~~(b)~~ Knowingly makes, uses, or causes to be made or used  
 1449 a false record or statement material to a false or fraudulent  
 1450 claim;

1451 (d) ~~(e)~~ Conspires to commit a violation of this subsection;

1452 (e) ~~(d)~~ Has possession, custody, or control of property or  
 1453 money used or to be used by the state and knowingly delivers or  
 1454 causes to be delivered less than all of that money or property;

1455 (f) ~~(e)~~ Is authorized to make or deliver a document  
 1456 certifying receipt of property used or to be used by the state



1457 and, intending to defraud the state, makes or delivers the  
 1458 receipt without knowing that the information on the receipt is  
 1459 true;

1460 (g)~~(f)~~ Knowingly buys or receives, as a pledge of an  
 1461 obligation or a debt, public property from an officer or  
 1462 employee of the state who may not sell or pledge the property;  
 1463 or

1464 (h)~~(g)~~ Knowingly makes, uses, or causes to be made or used  
 1465 a false record or statement material to an obligation to pay or  
 1466 transmit money or property to the state, or knowingly conceals  
 1467 or knowingly and improperly avoids or decreases an obligation to  
 1468 pay or transmit money or property to the state

1469  
 1470 is liable to the state for a civil penalty of not less than  
 1471 \$5,500 and not more than \$11,000 and for treble the amount of  
 1472 damages the state sustains because of the act of that person.

1473 Section 39. Subsection (1) of section 68.083, Florida  
 1474 Statutes, is amended to read:

1475 68.083 Civil actions for false claims.—

1476 (1) The department may diligently investigate a violation  
 1477 under s. 68.082. If the department finds that a person has  
 1478 violated or is violating s. 68.082, the department may bring a  
 1479 civil action under the Florida False Claims Act against the  
 1480 person. The Department of Financial Services may bring a civil  
 1481 action under this section if the action arises from an  
 1482 investigation by that department and the Department of Legal

1483 Affairs has not filed an action under this act. For a violation  
1484 of s. 68.082 regarding prohibited compensation paid from state  
1485 funds, the Department of Financial Services may bring a civil  
1486 action under this section if the action arises from an  
1487 investigation by that department concerning a violation of s.  
1488 215.425 by the state and the Department of Legal Affairs has not  
1489 filed an action under this act.

1490 Section 40. Subsection (5) of section 99.061, Florida  
1491 Statutes, is amended to read:

1492 99.061 Method of qualifying for nomination or election to  
1493 federal, state, county, or district office.—

1494 (5) At the time of qualifying for office, each candidate  
1495 for an elected municipal office for which compensation is  
1496 provided or a constitutional office shall file a full and public  
1497 disclosure of financial interests pursuant to s. 8, Art. II of  
1498 the State Constitution, which must be verified under oath or  
1499 affirmation pursuant to s. 92.525(1)(a), and a candidate for any  
1500 other office, ~~including local elective office,~~ shall file a  
1501 statement of financial interests pursuant to s. 112.3145.

1502 Section 41. Subsection (3) of section 218.503, Florida  
1503 Statutes, is amended to read:

1504 218.503 Determination of financial emergency.—

1505 (3) Upon notification that one or more of the conditions  
1506 in subsection (1) have occurred or will occur if action is not  
1507 taken to assist the local governmental entity or district school  
1508 board, the Governor or his or her designee shall contact the

1509 local governmental entity or the Commissioner of Education or  
1510 his or her designee shall contact the district school board, as  
1511 appropriate, to determine what actions have been taken by the  
1512 local governmental entity or the district school board to  
1513 resolve or prevent the condition. The information requested must  
1514 be provided within 45 days after the date of the request. If the  
1515 local governmental entity or the district school board does not  
1516 comply with the request, the Governor or his or her designee or  
1517 the Commissioner of Education or his or her designee shall  
1518 notify ~~the members of~~ the Legislative Auditing Committee, which  
1519 ~~who~~ may take action pursuant to s. 11.40(2) ~~11.40~~. The Governor  
1520 or the Commissioner of Education, as appropriate, shall  
1521 determine whether the local governmental entity or the district  
1522 school board needs state assistance to resolve or prevent the  
1523 condition. If state assistance is needed, the local governmental  
1524 entity or district school board is considered to be in a state  
1525 of financial emergency. The Governor or the Commissioner of  
1526 Education, as appropriate, has the authority to implement  
1527 measures as set forth in ss. 218.50-218.504 to assist the local  
1528 governmental entity or district school board in resolving the  
1529 financial emergency. Such measures may include, but are not  
1530 limited to:

1531 (a) Requiring approval of the local governmental entity's  
1532 budget by the Governor or approval of the district school  
1533 board's budget by the Commissioner of Education.

1534 (b) Authorizing a state loan to a local governmental

1535 entity and providing for repayment of same.

1536 (c) Prohibiting a local governmental entity or district  
 1537 school board from issuing bonds, notes, certificates of  
 1538 indebtedness, or any other form of debt until such time as it is  
 1539 no longer subject to this section.

1540 (d) Making such inspections and reviews of records,  
 1541 information, reports, and assets of the local governmental  
 1542 entity or district school board as are needed. The appropriate  
 1543 local officials shall cooperate in such inspections and reviews.

1544 (e) Consulting with officials and auditors of the local  
 1545 governmental entity or the district school board and the  
 1546 appropriate state officials regarding any steps necessary to  
 1547 bring the books of account, accounting systems, financial  
 1548 procedures, and reports into compliance with state requirements.

1549 (f) Providing technical assistance to the local  
 1550 governmental entity or the district school board.

1551 (g)1. Establishing a financial emergency board to oversee  
 1552 the activities of the local governmental entity or the district  
 1553 school board. If a financial emergency board is established for  
 1554 a local governmental entity, the Governor shall appoint board  
 1555 members and select a chair. If a financial emergency board is  
 1556 established for a district school board, the State Board of  
 1557 Education shall appoint board members and select a chair. The  
 1558 financial emergency board shall adopt such rules as are  
 1559 necessary for conducting board business. The board may:

1560 a. Make such reviews of records, reports, and assets of

1561 the local governmental entity or the district school board as  
 1562 are needed.

1563       b. Consult with officials and auditors of the local  
 1564 governmental entity or the district school board and the  
 1565 appropriate state officials regarding any steps necessary to  
 1566 bring the books of account, accounting systems, financial  
 1567 procedures, and reports of the local governmental entity or the  
 1568 district school board into compliance with state requirements.

1569       c. Review the operations, management, efficiency,  
 1570 productivity, and financing of functions and operations of the  
 1571 local governmental entity or the district school board.

1572       d. Consult with other governmental entities for the  
 1573 consolidation of all administrative direction and support  
 1574 services, including, but not limited to, services for asset  
 1575 sales, economic and community development, building inspections,  
 1576 parks and recreation, facilities management, engineering and  
 1577 construction, insurance coverage, risk management, planning and  
 1578 zoning, information systems, fleet management, and purchasing.

1579       2. The recommendations and reports made by the financial  
 1580 emergency board must be submitted to the Governor for local  
 1581 governmental entities or to the Commissioner of Education and  
 1582 the State Board of Education for district school boards for  
 1583 appropriate action.

1584       (h) Requiring and approving a plan, to be prepared by  
 1585 officials of the local governmental entity or the district  
 1586 school board in consultation with the appropriate state

1587 officials, prescribing actions that will cause the local  
 1588 governmental entity or district school board to no longer be  
 1589 subject to this section. The plan must include, but need not be  
 1590 limited to:

1591 1. Provision for payment in full of obligations outlined  
 1592 in subsection (1), designated as priority items, which are  
 1593 currently due or will come due.

1594 2. Establishment of priority budgeting or zero-based  
 1595 budgeting in order to eliminate items that are not affordable.

1596 3. The prohibition of a level of operations which can be  
 1597 sustained only with nonrecurring revenues.

1598 4. Provisions implementing the consolidation, sourcing, or  
 1599 discontinuance of all administrative direction and support  
 1600 services, including, but not limited to, services for asset  
 1601 sales, economic and community development, building inspections,  
 1602 parks and recreation, facilities management, engineering and  
 1603 construction, insurance coverage, risk management, planning and  
 1604 zoning, information systems, fleet management, and purchasing.

1605 Section 42. Paragraph (c) of subsection (2) of section  
 1606 1002.455, Florida Statutes, is amended to read:

1607 1002.455 Student eligibility for K-12 virtual  
 1608 instruction.—

1609 (2) A student is eligible to participate in virtual  
 1610 instruction if:

1611 (c) The student was enrolled during the prior school year  
 1612 in a virtual instruction program under s. 1002.45 or a full-time

1613 Florida Virtual School program under s. 1002.37(9)(a)  
 1614 ~~1002.37(8)(a)~~;

1615 Section 43. For the purpose of incorporating the amendment  
 1616 made by this act to section 838.022, Florida Statutes, in a  
 1617 reference thereto, paragraph (a) of subsection (2) of section  
 1618 112.534, Florida Statutes, is reenacted to read:

1619 112.534 Failure to comply; official misconduct.—

1620 (2)(a) All the provisions of s. 838.022 shall apply to  
 1621 this part.

1622 Section 44. For the purpose of incorporating the amendment  
 1623 made by this act to section 838.022, Florida Statutes, in a  
 1624 reference thereto, paragraph (d) of subsection (4) of section  
 1625 117.01, Florida Statutes, is reenacted to read:

1626 117.01 Appointment, application, suspension, revocation,  
 1627 application fee, bond, and oath.—

1628 (4) The Governor may suspend a notary public for any of  
 1629 the grounds provided in s. 7, Art. IV of the State Constitution.  
 1630 Grounds constituting malfeasance, misfeasance, or neglect of  
 1631 duty include, but are not limited to, the following:

1632 (d) Official misconduct as defined in s. 838.022.

1633 Section 45. For the purpose of incorporating the amendment  
 1634 made by this act to section 838.014, Florida Statutes, in a  
 1635 reference thereto, subsection (11) of section 817.568, Florida  
 1636 Statutes, is reenacted to read:

1637 817.568 Criminal use of personal identification  
 1638 information.—

1639 (11) A person who willfully and without authorization  
 1640 fraudulently uses personal identification information concerning  
 1641 an individual who is 60 years of age or older; a disabled adult  
 1642 as defined in s. 825.101; a public servant as defined in s.  
 1643 838.014; a veteran as defined in s. 1.01; a first responder as  
 1644 defined in s. 125.01045; an individual who is employed by the  
 1645 State of Florida; or an individual who is employed by the  
 1646 Federal Government without first obtaining the consent of that  
 1647 individual commits a felony of the second degree, punishable as  
 1648 provided in s. 775.082, s. 775.083, or s. 775.084.

1649 Section 46. For the purpose of incorporating the amendment  
 1650 made by this act to sections 838.015, 838.016, and 838.22,  
 1651 Florida Statutes, in references thereto, paragraph (g) of  
 1652 subsection (3) of section 921.0022, Florida Statutes, is  
 1653 reenacted to read:

1654 921.0022 Criminal Punishment Code; offense severity  
 1655 ranking chart.—

1656 (3) OFFENSE SEVERITY RANKING CHART

1657 (g) LEVEL 7

1658

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.

1659

1660



CS/HB 593

2016

1661	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1662	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1663	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1664	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1665	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than

CS/HB 593

2016

1666			\$50,000.
1667	456.065 (2)	3rd	Practicing a health care profession without a license.
1668	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1669	458.327 (1)	3rd	Practicing medicine without a license.
1670	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1671	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1672	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1673	462.17	3rd	Practicing naturopathy without a license.
	463.015 (1)	3rd	Practicing optometry without a

1674			license.
	464.016 (1)	3rd	Practicing nursing without a license.
1675			
	465.015 (2)	3rd	Practicing pharmacy without a license.
1676			
	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1677			
	467.201	3rd	Practicing midwifery without a license.
1678			
	468.366	3rd	Delivering respiratory care services without a license.
1679			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1680			
	483.901 (9)	3rd	Practicing medical physics without a license.
1681			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.

CS/HB 593

2016

1682	484.053	3rd	Dispensing hearing aids without a license.
1683	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1684	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1685	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1686	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

1687	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1688	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1689	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1690	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1691	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1692			

CS/HB 593

2016

1693	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1694	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1695	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1696	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1697	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1698	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
	784.048 (7)	3rd	Aggravated stalking; violation of court order.

CS/HB 593

2016

1699	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1700	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1701	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1702	784.081 (1)	1st	Aggravated battery on specified official or employee.
1703	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1704	784.083 (1)	1st	Aggravated battery on code inspector.
1705	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1706	787.06 (3) (e) 2.	1st	Human trafficking using

			coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1707	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1708	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1709	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1710	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1711	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1712	790.166(4)	2nd	Possessing, displaying, or



CS/HB 593

2016

1713	790.23	1st,PBL	threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony. Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1714	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1715	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1716	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1717	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18

CS/HB 593

2016

1718			years of age.
	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1719			
	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1720			
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1721			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1722			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1723			
	810.02 (3) (d)	2nd	Burglary of occupied

1724			conveyance; unarmed; no assault or battery.
	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1725			
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1726			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1727			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1728			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1729			

CS/HB 593

2016

1730	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1731	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1732	812.131(2)(a)	2nd	Robbery by sudden snatching.
1733	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1734	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
1735	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1736	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.

1737	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1738	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1739	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1740	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1741	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1742			

CS/HB 593

2016

1743	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1744	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1745	838.015	2nd	Bribery.
1746	838.016	2nd	Unlawful compensation or reward for official behavior.
1747	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1748	838.22	2nd	Bid tampering.
1749	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1750	843.0855 (3)	3rd	Unlawful simulation of legal process.
	843.0855 (4)	3rd	Intimidation of a public officer or employee.

CS/HB 593

2016

1751	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1752	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1753	872.06	2nd	Abuse of a dead human body.
1754	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1755	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1756	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child

1757	893.13(1)(e)1.	1st	care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center. Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
1758	893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
1759	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1760	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200



1761			grams.
	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1762			
	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1763			
	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1764			
	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1765			
	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1766			
	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1767			

CS/HB 593

2016

1768	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1769	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1770	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1771	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1772	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1773	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	893.1351 (2)	2nd	Possession of place for

			trafficking in or manufacturing of controlled substance.
1774	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1775	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1776	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1777	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1778	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.

1779	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1780	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1781	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1782	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1783	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1784	944.607 (13)	3rd	Sexual offender; failure to

1785	985.4815(10)	3rd	report and reregister; failure to respond to address verification; providing false registration information.
1786	985.4815(12)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1787	985.4815(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1788			
1789			Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1790			
1791			Section 47. For the purpose of incorporating the amendment
1792			made by this act to section 838.022, Florida Statutes, in a
1793			reference thereto, paragraph (d) of subsection (3) of section
1794			921.0022, Florida Statutes, is reenacted to read:
			921.0022 Criminal Punishment Code; offense severity
			ranking chart.—

CS/HB 593

2016

1795	(3)	OFFENSE SEVERITY RANKING CHART	
1796	(d)	LEVEL 4	
1797			
	Florida	Felony	
	Statute	Degree	Description
1798			
	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1799			
	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
1800			
	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
1801			
	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1802			
	517.07 (1)	3rd	Failure to register securities.
1803			
	517.12 (1)	3rd	Failure of dealer, associated

			person, or issuer of securities to register.
1804	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1805	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1806	784.075	3rd	Battery on detention or commitment facility staff.
1807	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1808	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
1809	784.081 (3)	3rd	Battery on specified official or employee.
1810	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
1811	784.083 (3)	3rd	Battery on code inspector.

1812	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1813	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1814	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
1815	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
1816	787.07	3rd	Human smuggling.
1817	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
1818			



CS/HB 593

2016

1819	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
1820	790.115 (2) (c)	3rd	Possessing firearm on school property.
1821	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
1822	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
1823	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1824	810.06	3rd	Burglary; possession of tools.
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.

CS/HB 593

2016

1825	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1826	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
1827	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1828	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1829	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1830	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
1831	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any

1832			registered horse or cattle.
	837.02 (1)	3rd	Perjury in official proceedings.
1833			
	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1834			
	838.022	3rd	Official misconduct.
1835			
	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1836			
	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
1837			
	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1838			
	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

CS/HB 593

2016

1839	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1840	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1841	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
1842	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
1843	914.14(2)	3rd	Witnesses accepting bribes.
1844	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
1845	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.

1846

918.12 3rd Tampering with jurors.

1847

934.215 3rd Use of two-way communications  
device to facilitate commission  
of a crime.

1848

1849

1850 Section 48. The Legislature finds that a proper and  
1851 legitimate state purpose is served when internal controls are  
1852 established to prevent and detect fraud, waste, and abuse and to  
1853 safeguard and account for government funds and property.  
1854 Therefore, the Legislature determines and declares that this act  
1855 fulfills an important state interest.

1856

Section 49. This act shall take effect October 1, 2016.