

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Government Operations  
 2 Subcommittee

3 Representative Metz offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "Florida Anti-  
 8 Corruption Act of 2016."

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

11 11.40 Legislative Auditing Committee.—

12 (2) Following notification by the Auditor General, the  
 13 Department of Financial Services, ~~or~~ the Division of Bond  
 14 Finance of the State Board of Administration, the Governor or  
 15 his or her designee, or the Commissioner of Education or his or  
 16 her designee of the failure of a local governmental entity,  
 17 district school board, charter school, or charter technical

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18 career center to comply with the applicable provisions within s.  
19 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the  
20 Legislative Auditing Committee may schedule a hearing to  
21 determine if the entity should be subject to further state  
22 action. If the committee determines that the entity should be  
23 subject to further state action, the committee shall:

24 (a) In the case of a local governmental entity or district  
25 school board, direct the Department of Revenue and the  
26 Department of Financial Services to withhold any funds not  
27 pledged for bond debt service satisfaction which are payable to  
28 such entity until the entity complies with the law. The  
29 committee shall specify the date that such action must ~~shall~~  
30 begin, and the directive must be received by the Department of  
31 Revenue and the Department of Financial Services 30 days before  
32 the date of the distribution mandated by law. The Department of  
33 Revenue and the Department of Financial Services may implement  
34 ~~the provisions of~~ this paragraph.

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

36 1. A special act, notify the President of the Senate, the  
37 Speaker of the House of Representatives, the standing committees  
38 of the Senate and the House of Representatives charged with  
39 special district oversight as determined by the presiding  
40 officers of each respective chamber, the legislators who  
41 represent a portion of the geographical jurisdiction of the  
42 special district pursuant to s. 189.034(2), and the Department  
43 of Economic Opportunity that the special district has failed to

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44 comply with the law. Upon receipt of notification, the  
45 Department of Economic Opportunity shall proceed pursuant to s.  
46 189.062 or s. 189.067. If the special district remains in  
47 noncompliance after the process set forth in s. 189.034(3), or  
48 if a public hearing is not held, the Legislative Auditing  
49 Committee may request the department to proceed pursuant to s.  
50 189.067(3).

51 2. A local ordinance, notify the chair or equivalent of  
52 the local general-purpose government pursuant to s. 189.035(2)  
53 and the Department of Economic Opportunity that the special  
54 district has failed to comply with the law. Upon receipt of  
55 notification, the department shall proceed pursuant to s.  
56 189.062 or s. 189.067. If the special district remains in  
57 noncompliance after the process set forth in s. 189.034(3), or  
58 if a public hearing is not held, the Legislative Auditing  
59 Committee may request the department to proceed pursuant to s.  
60 189.067(3).

61 3. Any manner other than a special act or local ordinance,  
62 notify the Department of Economic Opportunity that the special  
63 district has failed to comply with the law. Upon receipt of  
64 notification, the department shall proceed pursuant to s.  
65 189.062 or s. 189.067(3).

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

69 Section 3. Subsection (1), paragraph (j) of subsection

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70 (2), paragraph (u) of subsection (3), and paragraph (i) of  
71 subsection (7) of section 11.45, Florida Statutes, are amended,  
72 and paragraph (x) is added to subsection (3) of that section, to  
73 read:

74 11.45 Definitions; duties; authorities; reports; rules.—

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

76 (a) "Abuse" means behavior that is deficient or improper  
77 when compared with behavior that a prudent person would consider  
78 a reasonable and necessary operational practice given the facts  
79 and circumstances. The term includes the misuse of authority or  
80 position for personal gain.

81 (b)-(a) "Audit" means a financial audit, operational audit,  
82 or performance audit.

83 (c)-(b) "County agency" means a board of county  
84 commissioners or other legislative and governing body of a  
85 county, however styled, including that of a consolidated or  
86 metropolitan government, a clerk of the circuit court, a  
87 separate or ex officio clerk of the county court, a sheriff, a  
88 property appraiser, a tax collector, a supervisor of elections,  
89 or any other officer in whom any portion of the fiscal duties of  
90 a body or officer expressly stated in this paragraph are ~~the~~  
91 above are under law separately placed by law.

92 (d)-(e) "Financial audit" means an examination of financial  
93 statements in order to express an opinion on the fairness with  
94 which they are presented in conformity with generally accepted  
95 accounting principles and an examination to determine whether

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96 operations are properly conducted in accordance with legal and  
97 regulatory requirements. Financial audits must be conducted in  
98 accordance with auditing standards generally accepted in the  
99 United States and government auditing standards as adopted by  
100 the Board of Accountancy. When applicable, the scope of  
101 financial audits must ~~shall~~ encompass the additional activities  
102 necessary to establish compliance with the Single Audit Act  
103 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other  
104 applicable federal law.

105 (e) "Fraud" means obtaining something of value through  
106 willful misrepresentation, including, but not limited to, the  
107 intentional misstatements or omissions of amounts or disclosures  
108 in financial statements to deceive users of financial  
109 statements, theft of an entity's assets, bribery, or the use of  
110 one's position for personal enrichment through the deliberate  
111 misuse or misapplication of an organization's resources.

112 (f)-(d) "Governmental entity" means a state agency, a  
113 county agency, or any other entity, however styled, that  
114 independently exercises any type of state or local governmental  
115 function.

116 (g)-(e) "Local governmental entity" means a county agency,  
117 municipality, tourist development council, county tourism  
118 promotion agency, or special district as defined in s. 189.012.  
119 The term, ~~but~~ does not include any housing authority established  
120 under chapter 421.

121 (h)-(f) "Management letter" means a statement of the

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122 auditor's comments and recommendations.

123 (i)~~(g)~~ "Operational audit" means an audit whose purpose is  
124 to evaluate management's performance in establishing and  
125 maintaining internal controls, including controls designed to  
126 prevent and detect fraud, waste, and abuse, and in administering  
127 assigned responsibilities in accordance with applicable laws,  
128 administrative rules, contracts, grant agreements, and other  
129 guidelines. Operational audits must be conducted in accordance  
130 with government auditing standards. Such audits examine internal  
131 controls that are designed and placed in operation to promote  
132 and encourage the achievement of management's control objectives  
133 in the categories of compliance, economic and efficient  
134 operations, reliability of financial records and reports, and  
135 safeguarding of assets, and identify weaknesses in those  
136 internal controls.

137 (j)~~(h)~~ "Performance audit" means an examination of a  
138 program, activity, or function of a governmental entity,  
139 conducted in accordance with applicable government auditing  
140 standards or auditing and evaluation standards of other  
141 appropriate authoritative bodies. The term includes an  
142 examination of issues related to:

- 143 1. Economy, efficiency, or effectiveness of the program.
- 144 2. Structure or design of the program to accomplish its  
145 goals and objectives.
- 146 3. Adequacy of the program to meet the needs identified by  
147 the Legislature or governing body.

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148 4. Alternative methods of providing program services or  
149 products.

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

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

154 7. Compliance of the program with appropriate policies,  
155 rules, or laws.

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

158 (k)~~(i)~~ "Political subdivision" means a separate agency or  
159 unit of local government created or established by law and  
160 includes, but is not limited to, the following and the officers  
161 thereof: authority, board, branch, bureau, city, commission,  
162 consolidated government, county, department, district,  
163 institution, metropolitan government, municipality, office,  
164 officer, public corporation, town, or village.

165 (l)~~(j)~~ "State agency" means a separate agency or unit of  
166 state government created or established by law and includes, but  
167 is not limited to, the following and the officers thereof:  
168 authority, board, branch, bureau, commission, department,  
169 division, institution, office, officer, or public corporation,  
170 as the case may be, except any such agency or unit within the  
171 legislative branch of state government other than the Florida  
172 Public Service Commission.

173 (m) "Waste" means the act of using or expending resources

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174 unreasonably, carelessly, extravagantly, or for no useful  
175 purpose.

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

177 (j) Conduct audits of local governmental entities when  
178 determined to be necessary by the Auditor General, when directed  
179 by the Legislative Auditing Committee, or when otherwise  
180 required by law. No later than 18 months after the release of  
181 the audit report, the Auditor General shall perform such  
182 appropriate followup procedures as he or she deems necessary to  
183 determine the audited entity's progress in addressing the  
184 findings and recommendations contained within the Auditor  
185 General's previous report. The Auditor General shall notify each  
186 member of the audited entity's governing body and the  
187 Legislative Auditing Committee of the results of his or her  
188 determination. For purposes of this paragraph, local  
189 governmental entities do not include water management districts.

190  
191 The Auditor General shall perform his or her duties  
192 independently but under the general policies established by the  
193 Legislative Auditing Committee. This subsection does not limit  
194 the Auditor General's discretionary authority to conduct other  
195 audits or engagements of governmental entities as authorized in  
196 subsection (3).

197 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
198 Auditor General may, pursuant to his or her own authority, or at  
199 the direction of the Legislative Auditing Committee, conduct

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200 audits or other engagements as determined appropriate by the  
201 Auditor General of:

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

203 (x) Tourist development councils and county tourism  
204 promotion agencies.

205 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

206 (i) The Auditor General shall annually transmit by July  
207 15, to the President of the Senate, the Speaker of the House of  
208 Representatives, and the Department of Financial Services, a  
209 list of all school districts, charter schools, charter technical  
210 career centers, Florida College System institutions, state  
211 universities, and local governmental entities ~~water management~~  
212 ~~districts~~ that have failed to comply with the transparency  
213 requirements as identified in the audit reports reviewed  
214 pursuant to paragraph (b) and those conducted pursuant to  
215 subsection (2).

216 Section 4. Section 20.602, Florida Statutes, is created to  
217 read:

218 20.602 Standards of conduct; officers and board members of  
219 Department of Economic Opportunity corporate entities.—

220 (1) The following officers and board members are subject  
221 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
222 112.3143(2):

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

224 1. Any corporation created under chapter 288;

225 2. Space Florida;

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226 3. CareerSource Florida, Inc., or the programs or entities  
227 created by CareerSource Florida, Inc., pursuant to s. 445.004;

228 4. The Florida Housing Finance Corporation; or

229 5. Any other corporation created by the Department of  
230 Economic Opportunity in accordance with its powers and duties  
231 under s. 20.60.

232 (b) Officers and members of the board of directors of a  
233 corporate parent or subsidiary corporation of a corporation  
234 described in paragraph (a).

235 (c) Officers and members of the board of directors of a  
236 corporation created to carry out the missions of a corporation  
237 described in paragraph (a).

238 (d) Officers and members of the board of directors of a  
239 corporation with which a corporation described in paragraph (a)  
240 is required by law to contract with to carry out its missions.

241 (2) For purposes of applying ss. 112.313(1)-(8), (10),  
242 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
243 officers and members of the board of directors specified in  
244 subsection (1), those persons shall be considered public  
245 officers or employees and the corporation shall be considered  
246 their agency.

247 (3) For a period of 2 years after retirement from or  
248 termination of service, or for a period of 10 years if removed  
249 or terminated for cause or for misconduct, as defined in s.  
250 443.036(29), an officer or a member of the board of directors  
251 specified in subsection (1) may not represent another person or

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252 entity for compensation before:

253 (a) His or her corporation;

254 (b) A division, a subsidiary, or the board of directors of  
255 a corporation created to carry out the mission of his or her  
256 corporation; or

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

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

263 Section 5. Paragraph (d) of subsection (2) of section  
264 28.35, Florida Statutes, is amended to read:

265 28.35 Florida Clerks of Court Operations Corporation.—

266 (2) The duties of the corporation shall include the  
267 following:

268 (d) Developing and certifying a uniform system of workload  
269 measures and applicable workload standards for court-related  
270 functions as developed by the corporation and clerk workload  
271 performance in meeting the workload performance standards. These  
272 workload measures and workload performance standards shall be  
273 designed to facilitate an objective determination of the  
274 performance of each clerk in accordance with minimum standards  
275 for fiscal management, operational efficiency, and effective  
276 collection of fines, fees, service charges, and court costs. The  
277 corporation shall develop the workload measures and workload

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278 performance standards in consultation with the Legislature. When  
279 the corporation finds a clerk has not met the workload  
280 performance standards, the corporation shall identify the nature  
281 of each deficiency and any corrective action recommended and  
282 taken by the affected clerk of the court. For quarterly periods  
283 ending on the last day of March, June, September, and December  
284 of each year, the corporation shall notify the Legislature of  
285 any clerk not meeting workload performance standards and provide  
286 a copy of any corrective action plans. Such notifications shall  
287 be submitted no later than 45 days after the end of the  
288 preceding quarterly period. As used in this subsection, the  
289 term:

290 1. "Workload measures" means the measurement of the  
291 activities and frequency of the work required for the clerk to  
292 adequately perform the court-related duties of the office as  
293 defined by the membership of the Florida Clerks of Court  
294 Operations Corporation.

295 2. "Workload performance standards" means the standards  
296 developed to measure the timeliness and effectiveness of the  
297 activities that are accomplished by the clerk in the performance  
298 of the court-related duties of the office as defined by the  
299 membership of the Florida Clerks of Court Operations  
300 Corporation.

301 Section 6. Present subsections (6) and (7) of section  
302 43.16, Florida Statutes, are redesignated as subsections (7) and

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303 (8), respectively, and a new subsection (6) is added to that  
304 section, to read:

305 43.16 Justice Administrative Commission; membership,  
306 powers and duties.—

307 (6) The commission, each state attorney, each public  
308 defender, the criminal conflict and civil regional counsel, the  
309 capital collateral regional counsel, and the Guardian Ad Litem  
310 Program shall establish and maintain internal controls designed  
311 to:

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

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

315 (c) Support economical and efficient operations.

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

317 (e) Safeguard assets.

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

320 112.313 Standards of conduct for public officers,  
321 employees of agencies, and local government attorneys.—

322 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

323 (a) A ~~Ne~~ public officer or employee of an agency may not  
324 ~~shall~~ have or hold any employment or contractual relationship  
325 with any business entity or any agency that ~~which~~ is subject to  
326 the regulation of, or is doing business with, an agency of which  
327 he or she is an officer or employee, excluding those  
328 organizations and their officers who, when acting in their

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329 official capacity, enter into or negotiate a collective  
330 bargaining contract with the state or any municipality, county,  
331 or other political subdivision of the state; and ~~nor shall~~ an  
332 officer or employee of an agency may not have or hold any  
333 employment or contractual relationship that will create a  
334 continuing or frequently recurring conflict between his or her  
335 private interests and the performance of his or her public  
336 duties or that would impede the full and faithful discharge of  
337 his or her public duties. For purposes of this subsection, if a  
338 public officer or employee of an agency holds a controlling  
339 interest in a business entity or is an officer, a director, or a  
340 member who manages such an entity, contractual relationships  
341 held by the business entity are deemed to be held by the public  
342 officer or employee.

343 1. When the agency referred to is a ~~that certain kind of~~  
344 special tax district created by general or special law and is  
345 limited specifically to constructing, maintaining, managing, and  
346 financing improvements in the land area over which the agency  
347 has jurisdiction, or when the agency has been organized pursuant  
348 to chapter 298, ~~then~~ employment with, or entering into a  
349 contractual relationship with, such a business entity by a  
350 public officer or employee of such an agency is ~~shall~~ not ~~be~~  
351 prohibited by this subsection or ~~be~~ deemed a conflict per se.  
352 However, conduct by such officer or employee that is prohibited  
353 by, or otherwise frustrates the intent of, this section must

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354 ~~shall~~ be deemed a conflict of interest in violation of the  
355 standards of conduct set forth by this section.

356 2. When the agency referred to is a legislative body and  
357 the regulatory power over the business entity resides in another  
358 agency, or when the regulatory power that ~~which~~ the legislative  
359 body exercises over the business entity or agency is strictly  
360 through the enactment of laws or ordinances, ~~then~~ employment or  
361 a contractual relationship with such a business entity by a  
362 public officer or employee of a legislative body is ~~shall~~ not ~~be~~  
363 prohibited by this subsection or ~~be~~ deemed a conflict.

364 (b) This subsection does ~~shall~~ not prohibit a public  
365 officer or employee from practicing in a particular profession  
366 or occupation when such practice by persons holding such public  
367 office or employment is required or permitted by law or  
368 ordinance.

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

371 112.3144 Full and public disclosure of financial  
372 interests.—

373 (1) In addition to officers specified in s. 8, Art. II of  
374 the State Constitution or other state law, all elected municipal  
375 officers who receive compensation are required to file a full  
376 and public disclosure of their financial interests. An officer  
377 who is required ~~by s. 8, Art. II of the State Constitution~~ to  
378 file a full and public disclosure of ~~his or her~~ financial  
379 interests for any calendar or fiscal year shall file that

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380 disclosure with the ~~Florida~~ Commission on Ethics. ~~Additionally,~~  
381 ~~beginning January 1, 2015,~~ An officer who is required to  
382 complete annual ethics training pursuant to s. 112.3142 must  
383 certify on his or her full and public disclosure of financial  
384 interests that he or she has completed the required training.

385 (2) A person who is required, ~~pursuant to s. 8, Art. II of~~  
386 ~~the State Constitution,~~ to file a full and public disclosure of  
387 financial interests and who has filed a full and public  
388 disclosure of financial interests for any calendar or fiscal  
389 year ~~is shall~~ not ~~be~~ required to file a statement of financial  
390 interests pursuant to s. 112.3145(2) and (3) for the same year  
391 or for any part thereof notwithstanding any requirement of this  
392 part. If an incumbent in an elective office has filed the full  
393 and public disclosure of financial interests to qualify for  
394 election to the same office or if a candidate for office holds  
395 another office subject to the annual filing requirement, the  
396 qualifying officer shall forward an electronic copy of the full  
397 and public disclosure of financial interests to the commission  
398 no later than July 1. The electronic copy of the full and public  
399 disclosure of financial interests satisfies the annual  
400 disclosure requirement of this section. A candidate who does not  
401 qualify until after the annual full and public disclosure of  
402 financial interests has been filed pursuant to this section  
403 shall file a copy of his or her disclosure with the officer  
404 before whom he or she qualifies.

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405 Section 9. The amendment made to s. 112.3144, Florida  
406 Statutes, by this act applies to disclosures filed for the 2016  
407 calendar year and all subsequent calendar years.

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

410 112.31455 Collection methods for unpaid automatic fines  
411 for failure to timely file disclosure of financial interests.—

412 (1) Before referring any unpaid fine accrued pursuant to  
413 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial  
414 Services, the commission shall attempt to determine whether the  
415 individual owing such a fine is a current public officer or  
416 current public employee. If so, the commission may notify the  
417 Chief Financial Officer or the governing body of the appropriate  
418 county, municipality, school district, or special district of  
419 the total amount of any fine owed to the commission by such  
420 individual.

421 (a) After receipt and verification of the notice from the  
422 commission, the Chief Financial Officer or the governing body of  
423 the county, municipality, school district, or special district  
424 shall begin withholding the lesser of 10 percent or the maximum  
425 amount allowed under federal law from any salary-related  
426 payment. The withheld payments shall be remitted to the  
427 commission until the fine is satisfied.

428 (b) The Chief Financial Officer or the governing body of  
429 the county, municipality, school district, or special district  
430 may retain an amount of each withheld payment, as provided in s.

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431 77.0305, to cover the administrative costs incurred under this  
432 section.

433 Section 11. Paragraph (c) of subsection (3) of section  
434 129.03, Florida Statutes, is amended to read:

435 129.03 Preparation and adoption of budget.—

436 (3) The county budget officer, after tentatively  
437 ascertaining the proposed fiscal policies of the board for the  
438 next fiscal year, shall prepare and present to the board a  
439 tentative budget for the next fiscal year for each of the funds  
440 provided in this chapter, including all estimated receipts,  
441 taxes to be levied, and balances expected to be brought forward  
442 and all estimated expenditures, reserves, and balances to be  
443 carried over at the end of the year.

444 (c) The board shall hold public hearings to adopt  
445 tentative and final budgets pursuant to s. 200.065. The hearings  
446 shall be primarily for the purpose of hearing requests and  
447 complaints from the public regarding the budgets and the  
448 proposed tax levies and for explaining the budget and any  
449 proposed or adopted amendments. The tentative budget must be  
450 posted on the county's official website at least 2 days before  
451 the public hearing to consider such budget and must remain on  
452 the website for at least 45 days. The final budget must be  
453 posted on the website within 30 days after adoption and must  
454 remain on the website for at least 2 years. The tentative  
455 budgets, adopted tentative budgets, and final budgets shall be  
456 filed in the office of the county auditor as a public record.

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457 Sufficient reference in words and figures to identify the  
458 particular transactions must ~~shall~~ be made in the minutes of the  
459 board to record its actions with reference to the budgets.

460 Section 12. Paragraph (f) of subsection (2) of section  
461 129.06, Florida Statutes, is amended to read:

462 129.06 Execution and amendment of budget.-

463 (2) The board at any time within a fiscal year may amend a  
464 budget for that year, and may within the first 60 days of a  
465 fiscal year amend the budget for the prior fiscal year, as  
466 follows:

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

472 1. The public hearing must be advertised at least 2 days,  
473 but not more than 5 days, before the date of the hearing. The  
474 advertisement must appear in a newspaper of paid general  
475 circulation and must identify the name of the taxing authority,  
476 the date, place, and time of the hearing, and the purpose of the  
477 hearing. The advertisement must also identify each budgetary  
478 fund to be amended, the source of the funds, the use of the  
479 funds, and the total amount of each fund's appropriations.

480 2. If the board amends the budget pursuant to this  
481 paragraph, the adopted amendment must be posted on the county's

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482 official website within 5 days after adoption and must remain on  
483 the website for at least 2 years.

484 Section 13. Subsections (3) and (5) of section 166.241,  
485 Florida Statutes, are amended to read:

486 166.241 Fiscal years, budgets, and budget amendments.—

487 (3) The tentative budget must be posted on the  
488 municipality's official website at least 2 days before the  
489 budget hearing, held pursuant to s. 200.065 or other law, to  
490 consider such budget, and must remain on the website for at  
491 least 45 days. The final adopted budget must be posted on the  
492 municipality's official website within 30 days after adoption  
493 and must remain on the website for at least 2 years. If the  
494 municipality does not operate an official website, the  
495 municipality must, within a reasonable period of time as  
496 established by the county or counties in which the municipality  
497 is located, transmit the tentative budget and final budget to  
498 the manager or administrator of such county or counties who  
499 shall post the budgets on the county's website.

500 (5) If the governing body of a municipality amends the  
501 budget pursuant to paragraph (4) (c), the adopted amendment must  
502 be posted on the official website of the municipality within 5  
503 days after adoption and must remain on the website for at least  
504 2 years. If the municipality does not operate an official  
505 website, the municipality must, within a reasonable period of  
506 time as established by the county or counties in which the  
507 municipality is located, transmit the adopted amendment to the

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508 manager or administrator of such county or counties who shall  
509 post the adopted amendment on the county's website.

510 Section 14. Subsections (4) and (7) of section 189.016,  
511 Florida Statutes, are amended to read:

512 189.016 Reports; budgets; audits.—

513 (4) The tentative budget must be posted on the special  
514 district's official website at least 2 days before the budget  
515 hearing, held pursuant to s. 200.065 or other law, to consider  
516 such budget, and must remain on the website for at least 45  
517 days. The final adopted budget must be posted on the special  
518 district's official website within 30 days after adoption and  
519 must remain on the website for at least 2 years. If the special  
520 district does not operate an official website, the special  
521 district must, within a reasonable period of time as established  
522 by the local general-purpose government or governments in which  
523 the special district is located or the local governing authority  
524 to which the district is dependent, transmit the tentative  
525 budget or final budget to the manager or administrator of the  
526 local general-purpose government or the local governing  
527 authority. The manager or administrator shall post the tentative  
528 budget or final budget on the website of the local general-  
529 purpose government or governing authority. This subsection and  
530 subsection (3) do not apply to water management districts as  
531 defined in s. 373.019.

532 (7) If the governing body of a special district amends the  
533 budget pursuant to paragraph (6)(c), the adopted amendment must

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534 be posted on the official website of the special district within  
535 5 days after adoption and must remain on the website for at  
536 least 2 years. If the special district does not operate an  
537 official website, the special district must, within a reasonable  
538 period of time as established by the local general-purpose  
539 government or governments in which the special district is  
540 located or the local governing authority to which the district  
541 is dependent, transmit the adopted amendment to the manager or  
542 administrator of the local general-purpose government or  
543 governing authority. The manager or administrator shall post the  
544 adopted amendment on the website of the local general-purpose  
545 government or governing authority.

546 Section 15. Present subsections (1) through (5) of section  
547 215.425, Florida Statutes, are renumbered as subsections (2)  
548 through (6), respectively, present subsection (2) and paragraph  
549 (a) of present subsection (4) of that section are amended, and a  
550 new subsection (1) and subsections (7) through (13) are added to  
551 that section, to read:

552 215.425 Extra compensation claims prohibited; bonuses;  
553 severance pay.—

554 (1) As used in this section, the term "public funds" means  
555 any taxes, tuition, grants, fines, fees, or other charges or any  
556 other type of revenue collected by the state or any county,  
557 municipality, special district, school district, Florida College  
558 System institution, state university, or other separate unit of  
559 government created pursuant to law, including any office,

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560 department, agency, division, subdivision, political  
561 subdivision, board, bureau, or commission of such entities.

562 (3)-(2) Notwithstanding subsection (2), if the payment and  
563 receipt does not otherwise violate part III of chapter 112, the  
564 following funds may be used to provide extra compensation or  
565 severance pay in excess of the amount specified in subparagraph  
566 (5) (a)1.:

567 (a) Revenues received by state universities through or  
568 from faculty practice plans; health services support  
569 organizations; hospitals with which state universities are  
570 affiliated; direct-support organizations; or federal, auxiliary,  
571 or private sources, except for tuition.

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

576 (c) Revenues that are received by a hospital licensed  
577 under chapter 395 which has entered into a Medicaid provider  
578 contract and that:

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

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

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

584 4. Are not appropriated by the Legislature or by any  
585 county, municipality, special district, school district, Florida

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586 College System institution, state university, or other separate  
587 unit of government created pursuant to law, including any  
588 office, department, agency, division, subdivision, political  
589 subdivision, board, bureau, commission, authority, or  
590 institution of such entities, except for revenues otherwise  
591 authorized to be used pursuant to subparagraphs 2. and 3. This  
592 section does not apply to:

593 ~~(a) a bonus or severance pay that is paid wholly from~~  
594 ~~nontax revenues and nonstate appropriated funds, the payment and~~  
595 ~~receipt of which does not otherwise violate part III of chapter~~  
596 ~~112, and which is paid to an officer, agent, employee, or~~  
597 ~~contractor of a public hospital that is operated by a county or~~  
598 ~~a special district; or~~

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

601 (e) Revenues or fees received by a seaport or airport from  
602 sources other than through the levy of a tax, or funds  
603 appropriated by any county or municipality or the Legislature.

604 (5) (a) (4) (a) On or after July 1, 2011, A unit of  
605 government, on or after July 1, 2011, or a state university, on  
606 or after July 1, 2012, that is a party to enters into a contract  
607 or employment agreement, or renewal or renegotiation of an  
608 existing contract or employment agreement, that contains a  
609 provision for severance pay with an officer, agent, employee, or  
610 contractor must include the following provisions in the  
611 contract:

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612 1. A requirement that severance pay paid from public funds  
613 ~~provided~~ may not exceed an amount greater than 20 weeks of  
614 compensation.

615 2. A prohibition of provision of severance pay paid from  
616 public funds when the officer, agent, employee, or contractor  
617 has been fired for misconduct, as defined in s. 443.036(29), by  
618 the unit of government.

619 (7) Upon discovery or notification that a unit of  
620 government has provided prohibited compensation to any officer,  
621 agent, employee, or contractor in violation of this section,  
622 such unit of government shall investigate and take all necessary  
623 action to recover the prohibited compensation.

624 (a) If the violation was unintentional, the unit of  
625 government shall recover the prohibited compensation from the  
626 individual receiving the prohibited compensation through normal  
627 recovery methods for overpayments.

628 (b) If the violation was willful, the unit of government  
629 shall recover the prohibited compensation from either the  
630 individual receiving the prohibited compensation or the  
631 individual or individuals responsible for approving the  
632 prohibited compensation. Each individual determined to have  
633 willfully violated this section is jointly and severally liable  
634 for repayment of the prohibited compensation.

635 (8) A person who willfully violates this section commits a  
636 misdemeanor of the first degree, punishable as provided in s.  
637 775.082 or s. 775.083.

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638       (9) An officer who exercises the powers and duties of a  
639 state or county officer and willfully violates this section is  
640 subject to the Governor's power under s. 7(a), Art. IV of the  
641 State Constitution. An officer who exercises powers and duties  
642 other than those of a state or county officer and willfully  
643 violates this section is subject to the suspension and removal  
644 procedures under s. 112.51.

645       (10) (a) A person who reports a violation of this section  
646 is eligible for a reward of at least \$500, or the lesser of 10  
647 percent of the funds recovered or \$10,000 per incident of a  
648 prohibited compensation payment recovered by the unit of  
649 government, depending upon the extent to which the person  
650 substantially contributed to the discovery, notification, and  
651 recovery of such prohibited payment.

652       (b) In the event that the recovery of the prohibited  
653 compensation is based primarily on disclosures of specific  
654 information, other than information provided by such person,  
655 relating to allegations or transactions in a criminal, civil, or  
656 administrative hearing; in a legislative, administrative,  
657 inspector general, or other government report; in an auditor  
658 general report, hearing, audit, or investigation; or from the  
659 news media, such person is not eligible for a reward, or for an  
660 award of a portion of the proceeds or payment of attorney fees  
661 and costs pursuant to s. 68.085.

662       (c) If it is determined that the person who reported a  
663 violation of this section was involved in the authorization,

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664 approval, or receipt of the prohibited compensation or is  
665 convicted of criminal conduct arising from his or her role in  
666 the authorization, approval, or receipt of the prohibited  
667 compensation, such person is not eligible for a reward, or for  
668 an award of a portion of the proceeds or payment of attorney  
669 fees and costs pursuant to s. 68.085.

670 (11) An employee who is discharged, demoted, suspended,  
671 threatened, harassed, or in any manner discriminated against in  
672 the terms and conditions of employment by his or her employer  
673 because of lawful acts done by the employee on behalf of the  
674 employee or others in furtherance of an action under this  
675 section, including investigation for initiation of, testimony  
676 for, or assistance in an action filed or to be filed under this  
677 section, has a cause of action under s. 112.3187.

678 (12) If the unit of government fails to recover prohibited  
679 compensation for a willful violation of this section upon  
680 discovery and notification of such prohibited payment within 90  
681 days, a cause of action may be brought to:

682 (a) Recover state funds in accordance with ss. 68.082 and  
683 68.083.

684 (b) Recover other funds by the Department of Legal Affairs  
685 using the procedures set forth in ss. 68.082 and 68.083, except  
686 that venue shall lie in the circuit court of the county in which  
687 the unit of government is located.

688 (c) Recover other funds by a person using the procedures  
689 set forth in ss. 68.082 and 68.083, except that venue shall lie

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690 in the circuit court of the county in which the unit of  
691 government is located.

692 (13) Subsections (7)-(12) apply prospectively to contracts  
693 or employment agreements, or the renewal or renegotiation of an  
694 existing contract or employment agreement, effective on or after  
695 October 1, 2016.

696 Section 16. Section 215.86, Florida Statutes, is amended  
697 to read:

698 215.86 Management systems and controls.—Each state agency  
699 and the judicial branch as defined in s. 216.011 shall establish  
700 and maintain management systems and internal controls designed  
701 to:

702 (1) Prevent and detect fraud, waste, and abuse. ~~that~~

703 (2) Promote and encourage compliance with applicable laws,  
704 rules, contracts, grant agreements, and best practices.†

705 (3) Support economical and ~~economic,~~ efficient, and  
706 effective operations.†

707 (4) Ensure reliability of financial records and reports.†

708 (5) Safeguard and ~~safeguarding of~~ assets. ~~Accounting~~  
709 systems and procedures shall be designed to fulfill the  
710 requirements of generally accepted accounting principles.

711 Section 17. Paragraph (a) of subsection (2) of section  
712 215.97, Florida Statutes, is amended to read:

713 215.97 Florida Single Audit Act.—

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

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715 (a) "Audit threshold" means the threshold amount used to  
716 determine when a state single audit or project-specific audit of  
717 a nonstate entity shall be conducted in accordance with this  
718 section. Each nonstate entity that expends a total amount of  
719 state financial assistance equal to or in excess of \$750,000  
720 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be  
721 required to have a state single audit~~,~~ or a project-specific  
722 audit~~,~~ for such fiscal year in accordance with the requirements  
723 of this section. ~~Every 2 years the Auditor General,~~ After  
724 consulting with the Executive Office of the Governor, the  
725 Department of Financial Services, and all state awarding  
726 agencies, the Auditor General shall periodically review the  
727 threshold amount for requiring audits under this section and may  
728 recommend any appropriate statutory change to revise the  
729 threshold amount in the annual report submitted pursuant to s.  
730 11.45(7)(h) to the Legislature ~~may adjust such threshold amount~~  
731 ~~consistent with the purposes of this section.~~

732 Section 18. Subsection (11) of section 215.985, Florida  
733 Statutes, is amended to read:

734 215.985 Transparency in government spending.—

735 (11) Each water management district shall provide a  
736 monthly financial statement in the form and manner prescribed by  
737 the Department of Financial Services to the district's its  
738 governing board and make such monthly financial statement  
739 available for public access on its website.

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

742 218.32 Annual financial reports; local governmental  
743 entities.—

744 (1)

745 (d) Each local governmental entity that is required to  
746 provide for an audit under s. 218.39(1) must submit a copy of  
747 the audit report and annual financial report to the department  
748 within 45 days after the completion of the audit report but no  
749 later than 9 months after the end of the fiscal year. In  
750 conducting an audit of a local governmental entity pursuant to  
751 s. 218.39, an independent certified public accountant shall  
752 determine whether the entity's annual financial report is in  
753 agreement with the audited financial statements. The  
754 accountant's audit report must be supported by the same level of  
755 detail as required for the annual financial report. If the  
756 accountant's audit report is not in agreement with the annual  
757 financial report, the accountant shall specify and explain the  
758 significant differences that exist between the annual financial  
759 report and the audit report.

760 (2) The department shall annually by December 1 file a  
761 verified report with the Governor, the Legislature, the Auditor  
762 General, and the Special District Accountability Program of the  
763 Department of Economic Opportunity showing the revenues, both  
764 locally derived and derived from intergovernmental transfers,  
765 and the expenditures of each local governmental entity, regional

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766 planning council, local government finance commission, and  
767 municipal power corporation that is required to submit an annual  
768 financial report. In preparing the verified report, the  
769 department may request additional information from the local  
770 governmental entity. The information requested must be provided  
771 to the department within 45 days after the request. If the local  
772 governmental entity does not comply with the request, the  
773 department shall notify the Legislative Auditing Committee,  
774 which may take action pursuant to s. 11.40(2). The report must  
775 include, but is not limited to:

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

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

784 Section 20. Present subsection (3) of section 218.33,  
785 Florida Statutes, is redesignated as subsection (4), and a new  
786 subsection (3) is added to that section, to read:

787 218.33 Local governmental entities; establishment of  
788 uniform fiscal years and accounting practices and procedures.—

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

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

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

794 (c) Support economical and efficient operations.

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

796 (e) Safeguard assets.

797 Section 21. Present subsections (8) through (12) of  
798 section 218.39, Florida Statutes, are redesignated as  
799 subsections (9) through (13), respectively, and a new subsection  
800 (8) is added to that section, to read:

801 218.39 Annual financial audit reports.—

802 (8) If the audit report includes a recommendation that was  
803 included in the preceding financial audit report but remains  
804 unaddressed, the governing body of the audited entity, within 60  
805 days after the delivery of the audit report to the governing  
806 body, shall indicate during a regularly scheduled public meeting  
807 whether it intends to take corrective action, the intended  
808 corrective action, and the timeframe for the corrective action.  
809 If the governing body indicates that it does not intend to take  
810 corrective action, it shall explain its decision at the public  
811 meeting.

812 Section 22. Subsection (2) of section 218.391, Florida  
813 Statutes, is amended, and subsection (9) is added to that  
814 section, to read:

815 218.391 Auditor selection procedures.—

816 (2) The governing body of a ~~charter~~ county, municipality,  
817 special district, district school board, charter school, or

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818 charter technical career center shall establish an audit  
819 committee.

820 (a) The audit committee for a county ~~Each noncharter~~  
821 ~~county shall establish an audit committee that,~~ at a minimum,  
822 shall consist of each of the county officers elected pursuant to  
823 the county charter or s. 1(d), Art. VIII of the State  
824 Constitution, or their respective designees ~~a designee,~~ and one  
825 member of the board of county commissioners or its designee.

826 (b) The audit committee for a municipality, special  
827 district, district school board, charter school, or charter  
828 technical career center shall consist of at least three members.  
829 One member of the audit committee must be a member of the  
830 governing body of an entity specified in this paragraph, who  
831 shall also serve as the chair of the committee.

832 (c) An employee, chief executive officer, or chief  
833 financial officer of the county, municipality, special district,  
834 district school board, charter school, or charter technical  
835 career center may not serve as a member of an audit committee  
836 established under this subsection.

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

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843       (9) An audit report submitted pursuant to s. 218.39 must  
844 include an affidavit executed by the chair of the audit  
845 committee affirming that the committee complied with the  
846 requirements of subsections (3)-(6) in selecting an auditor. If  
847 the Auditor General determines that an entity failed to comply  
848 with the requirements of subsections (3)-(6) in selecting an  
849 auditor, the entity shall select a replacement auditor in  
850 accordance with this section to conduct audits for subsequent  
851 fiscal years if the original audit was performed under a  
852 multiyear contract. If the replacement of an auditor would  
853 preclude the entity from timely completing the annual financial  
854 audit required by s. 218.39, the entity shall replace an auditor  
855 in accordance with this section for the subsequent annual  
856 financial audit. A multiyear contract between an entity or an  
857 auditor may not prohibit or restrict an entity from complying  
858 with this subsection.

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

861       286.0114 Public meetings; reasonable opportunity to be  
862 heard; attorney fees.-

863       (2) Members of the public shall be given a reasonable  
864 opportunity to be heard on a proposition before a board or  
865 commission. The opportunity to be heard need not occur at the  
866 same meeting at which the board or commission takes official  
867 action on the proposition if the opportunity occurs at a meeting  
868 that is during the decisionmaking process and is within

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869 reasonable proximity in time before the meeting at which the  
870 board or commission takes the official action. A board or  
871 commission may not require a member of the public to provide an  
872 advance written copy of his or her testimony or comments as a  
873 precondition of being given the opportunity to be heard at a  
874 meeting. This section does not prohibit a board or commission  
875 from maintaining orderly conduct or proper decorum in a public  
876 meeting. The opportunity to be heard is subject to rules or  
877 policies adopted by the board or commission, as provided in  
878 subsection (4).

879 Section 24. Paragraph (b) of subsection (2) of section  
880 288.92, Florida Statutes, is amended to read:

881 288.92 Divisions of Enterprise Florida, Inc.—

882 (2)

883 (b)1. The following officers and board members are subject  
884 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
885 112.3143(2):

886 a. Officers and members of the board of directors of the  
887 divisions of Enterprise Florida, Inc.

888 b. Officers and members of the board of directors of  
889 subsidiaries of Enterprise Florida, Inc.

890 c. Officers and members of the board of directors of  
891 corporations created to carry out the missions of Enterprise  
892 Florida, Inc.

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893 d. Officers and members of the board of directors of  
894 corporations with which a division is required by law to  
895 contract to carry out its missions.

896 2. For a period of 2 years after retirement from or  
897 termination of service to a division, or for a period of 10  
898 years if removed or terminated for cause or for misconduct, as  
899 defined in s. 443.036(29), the officers and board members  
900 specified in subparagraph 1. may not represent another person or  
901 entity for compensation before:

902 a. Enterprise Florida, Inc.;

903 b. A division, a subsidiary, or the board of directors of  
904 corporations created to carry out the missions of Enterprise  
905 Florida, Inc.; or

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

908 ~~3.2.~~ For purposes of applying ss. 112.313(1)-(8), (10),  
909 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
910 officers and members of the board of directors specified in  
911 subparagraph 1., those persons shall be considered public  
912 officers or employees and the corporation shall be considered  
913 their agency.

914 ~~4.3.~~ It is not a violation of s. 112.3143(2) or (4) for  
915 the officers or members of the board of directors of the Florida  
916 Tourism Industry Marketing Corporation to:

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917 a. Vote on the 4-year marketing plan required under s.  
918 288.923 or vote on any individual component of or amendment to  
919 the plan.

920 b. Participate in the establishment or calculation of  
921 payments related to the private match requirements of s.  
922 288.904(3). The officer or member must file an annual disclosure  
923 describing the nature of his or her interests or the interests  
924 of his or her principals, including corporate parents and  
925 subsidiaries of his or her principal, in the private match  
926 requirements. This annual disclosure requirement satisfies the  
927 disclosure requirement of s. 112.3143(4). This disclosure must  
928 be placed ~~either~~ on the Florida Tourism Industry Marketing  
929 Corporation's website or included in the minutes of each meeting  
930 of the Florida Tourism Industry Marketing Corporation's board of  
931 directors at which the private match requirements are discussed  
932 or voted upon.

933 Section 25. Paragraph (a) of subsection (3) of section  
934 288.9604, Florida Statutes, is amended to read:

935 288.9604 Creation of the authority.—

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

941 2. Directors are subject to ss. 112.313(1)-(8), (10),  
942 (12), and (15); 112.3135; and 112.3143(2). For purposes of

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943 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
944 112.3143(2) to activities of directors, directors shall be  
945 considered public officers and the corporation shall be  
946 considered their agency.

947 3. A director of the corporation may not represent another  
948 person or entity for compensation before the corporation for a  
949 period of 2 years following his or her service on the board of  
950 directors.

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

954 373.536 District budget and hearing thereon.—

955 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

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

961 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
962 APPROVAL.—

963 (d) Each district shall, by August 1 of each year, submit  
964 for review a tentative budget and a description of any  
965 significant changes from the preliminary budget submitted to the  
966 Legislature pursuant to s. 373.535 to the Governor, the  
967 President of the Senate, the Speaker of the House of  
968 Representatives, the chairs of all legislative committees and

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969 subcommittees having substantive or fiscal jurisdiction over  
970 water management districts, as determined by the President of  
971 the Senate or the Speaker of the House of Representatives, as  
972 applicable, the secretary of the department, and the governing  
973 body of each county in which the district has jurisdiction or  
974 derives any funds for the operations of the district. The  
975 tentative budget must be posted on the district's official  
976 website at least 2 days before budget hearings held pursuant to  
977 s. 200.065 or other law and must remain on the website for at  
978 least 45 days.

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

981 (d) The final adopted budget must be posted on the water  
982 management district's official website within 30 days after  
983 adoption and must remain on the website for at least 2 years.

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

988 838.014 Definitions.—As used in this chapter, the term:

989 (4) "Governmental entity" means an agency or entity of the  
990 state, a county, municipality, or special district or any other  
991 public entity created or authorized by law ~~"Corruptly" or "with~~  
992 ~~corrupt intent" means acting knowingly and dishonestly for a~~  
993 ~~wrongful purpose.~~

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

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

998 (b) Any officer or employee of a person, as defined in s.  
999 1.01(3), who has entered into a contract with a governmental  
1000 entity.

1001 (7)~~(6)~~ "Public servant" means:

1002 (a) Any officer or employee of a governmental state,  
1003 county, municipal, or special district agency or entity, ~~+~~  
1004 including

1005 ~~(b)~~ any executive, legislative, or judicial branch officer  
1006 or employee;

1007 (b)~~(e)~~ Any person, except a witness, who acts as a general  
1008 or special magistrate, receiver, auditor, arbitrator, umpire,  
1009 referee, consultant, or hearing officer while performing a  
1010 governmental function; or

1011 (c)~~(d)~~ A candidate for election or appointment to any of  
1012 the officer positions listed in this subsection, or an  
1013 individual who has been elected to, but has yet to officially  
1014 assume the responsibilities of, public office.

1015 Section 28. Subsection (1) of section 838.015, Florida  
1016 Statutes, is amended to read:

1017 838.015 Bribery.—

1018 (1) "Bribery" means ~~corruptly~~ to knowingly and  
1019 intentionally give, offer, or promise to any public servant, or,

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1020 if a public servant, ~~corruptly~~ to knowingly and intentionally  
1021 request, solicit, accept, or agree to accept for himself or  
1022 herself or another, any pecuniary or other benefit not  
1023 authorized by law with an intent or purpose to influence the  
1024 performance of any act or omission which the person believes to  
1025 be, or the public servant represents as being, within the  
1026 official discretion of a public servant, in violation of a  
1027 public duty, or in performance of a public duty.

1028 Section 29. Subsections (1) and (2) of section 838.016,  
1029 Florida Statutes, are amended to read:

1030 838.016 Unlawful compensation or reward for official  
1031 behavior.—

1032 (1) It is unlawful for any person ~~corruptly~~ to knowingly  
1033 and intentionally give, offer, or promise to any public servant,  
1034 or, if a public servant, ~~corruptly~~ to knowingly and  
1035 intentionally request, solicit, accept, or agree to accept, any  
1036 pecuniary or other benefit not authorized by law, for the past,  
1037 present, or future performance, nonperformance, or violation of  
1038 any act or omission which the person believes to have been, or  
1039 the public servant represents as having been, either within the  
1040 official discretion of the public servant, in violation of a  
1041 public duty, or in performance of a public duty. This section  
1042 does not ~~Nothing herein shall be construed to~~ preclude a public  
1043 servant from accepting rewards for services performed in  
1044 apprehending any criminal.

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1045 (2) It is unlawful for any person ~~corruptly~~ to knowingly  
1046 and intentionally give, offer, or promise to any public servant,  
1047 or, if a public servant, ~~corruptly~~ to knowingly and  
1048 intentionally request, solicit, accept, or agree to accept, any  
1049 pecuniary or other benefit not authorized by law for the past,  
1050 present, or future exertion of any influence upon or with any  
1051 other public servant regarding any act or omission which the  
1052 person believes to have been, or which is represented to him or  
1053 her as having been, either within the official discretion of the  
1054 other public servant, in violation of a public duty, or in  
1055 performance of a public duty.

1056 Section 30. Subsection (1) of section 838.022, Florida  
1057 Statutes, is amended, and subsection (2) of that section is  
1058 republished, to read:

1059 838.022 Official misconduct.—

1060 (1) It is unlawful for a public servant or public  
1061 contractor, ~~with corrupt intent~~ to knowingly and intentionally  
1062 obtain a benefit for any person or to cause unlawful harm to  
1063 another, by ~~to~~:

1064 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to  
1065 falsify, any official record or official document;

1066 (b) Concealing, covering up, destroying, mutilating, or  
1067 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any  
1068 official record or official document, except as authorized by  
1069 law or contract, or causing ~~cause~~ another person to perform such  
1070 an act; or

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1071 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~  
1072 ~~or prevent~~ the communication of information relating to the  
1073 commission of a felony that directly involves or affects the  
1074 government ~~public agency or public~~ entity served by the public  
1075 servant or public contractor.

1076 (2) For the purposes of this section:

1077 (a) The term "public servant" does not include a candidate  
1078 who does not otherwise qualify as a public servant.

1079 (b) An official record or official document includes only  
1080 public records.

1081 Section 31. Section 838.22, Florida Statutes, is amended  
1082 to read:

1083 838.22 Bid tampering.—

1084 (1) It is unlawful for a public servant or a public  
1085 contractor who has contracted with a governmental entity to  
1086 assist in a competitive procurement, ~~with corrupt intent to~~  
1087 knowingly and intentionally influence or attempt to influence  
1088 the competitive solicitation ~~bidding process~~ undertaken by any  
1089 governmental ~~state, county, municipal, or special district~~  
1090 ~~agency, or any other public entity,~~ for the procurement of  
1091 commodities or services, by ~~to~~:

1092 (a) Disclosing, except as authorized by law, ~~Disclose~~  
1093 material information concerning a vendor's response, any  
1094 evaluation results, ~~bid~~ or other aspects of the competitive  
1095 solicitation ~~bidding process~~ when such information is not  
1096 publicly disclosed.

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1097 (b) Altering or amending ~~Alter or amend~~ a submitted  
1098 response bid, documents or other materials supporting a  
1099 submitted response bid, or any evaluation bid results relating  
1100 to the competitive solicitation for the purpose of intentionally  
1101 providing a competitive advantage to any person who submits a  
1102 response bid.

1103 (2) It is unlawful for a public servant or a public  
1104 contractor who has contracted with a governmental entity to  
1105 assist in a competitive procurement, ~~with corrupt intent~~ to  
1106 knowingly and intentionally obtain a benefit for any person or  
1107 to cause unlawful harm to another, ~~to circumvent by~~  
1108 circumventing a competitive solicitation bidding process  
1109 required by law or rule through the use of ~~by using~~ a sole-  
1110 source contract for commodities or services.

1111 (3) It is unlawful for any person to knowingly agree,  
1112 conspire, combine, or confederate, directly or indirectly, with  
1113 a public servant or a public contractor who has contracted with  
1114 a governmental entity to assist in a competitive procurement to  
1115 violate subsection (1) or subsection (2).

1116 (4) It is unlawful for any person to knowingly enter into  
1117 a contract for commodities or services which was secured by a  
1118 public servant or a public contractor who has contracted with a  
1119 governmental entity to assist in a competitive procurement  
1120 acting in violation of subsection (1) or subsection (2).

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1121 (5) Any person who violates this section commits a felony  
1122 of the second degree, punishable as provided in s. 775.082, s.  
1123 775.083, or s. 775.084.

1124 Section 32. Section 838.24, Florida Statutes, is created  
1125 to read:

1126 838.24 Attorney Fees.—Public servants and public  
1127 contractors prosecuted for a violation under this act may  
1128 recover attorney fees in the same manner as provided by common  
1129 law for public officers and employees with respect to the  
1130 enforcement of public corruption laws.

1131 Section 33. Paragraph (1) of subsection (12) of section  
1132 1001.42, Florida Statutes, is amended to read:

1133 1001.42 Powers and duties of district school board.—The  
1134 district school board, acting as a board, shall exercise all  
1135 powers and perform all duties listed below:

1136 (12) FINANCE.—Take steps to assure students adequate  
1137 educational facilities through the financial procedure  
1138 authorized in chapters 1010 and 1011 and as prescribed below:

1139 (1) *Internal auditor.*—May employ an internal auditor to  
1140 perform ongoing financial verification of the financial records  
1141 of the school district and such other audits and reviews as the  
1142 district school board directs for the purpose of determining:

1143 1. The adequacy of internal controls designed to prevent  
1144 and detect fraud, waste, and abuse.

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1145 2. Compliance with applicable laws, rules, contracts,  
1146 grant agreements, district school board-approved policies, and  
1147 best practices.

1148 3. The efficiency of operations.

1149 4. The reliability of financial records and reports.

1150 5. The safeguarding of assets.

1151  
1152 The internal auditor shall report directly to the district  
1153 school board or its designee.

1154 Section 34. Paragraph (j) of subsection (9) of section  
1155 1002.33, Florida Statutes, is amended to read:

1156 1002.33 Charter schools.—

1157 (9) CHARTER SCHOOL REQUIREMENTS.—

1158 (j) The governing body of the charter school shall be  
1159 responsible for:

1160 1. Establishing and maintaining internal controls designed  
1161 to:

1162 a. Prevent and detect fraud, waste, and abuse.

1163 b. Promote and encourage compliance with applicable laws,  
1164 rules, contracts, grant agreements, and best practices.

1165 c. Support economical and efficient operations.

1166 d. Ensure reliability of financial records and reports.

1167 e. Safeguard assets.

1168 ~~2.1.~~ Ensuring that the charter school has retained the  
1169 services of a certified public accountant or auditor for the

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1170 annual financial audit, pursuant to s. 1002.345(2), who shall  
1171 submit the report to the governing body.

1172 ~~3.2.~~ Reviewing and approving the audit report, including  
1173 audit findings and recommendations for the financial recovery  
1174 plan.

1175 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including  
1176 monitoring a corrective action plan.

1177 b. Monitoring a financial recovery plan in order to ensure  
1178 compliance.

1179 ~~5.4.~~ Participating in governance training approved by the  
1180 department which must include government in the sunshine,  
1181 conflicts of interest, ethics, and financial responsibility.

1182 Section 35. Present subsections (6) through (10) of  
1183 section 1002.37, Florida Statutes, are redesignated as  
1184 subsections (7) through (11), respectively, a new subsection (6)  
1185 is added to that section, and present subsections (6) and (11)  
1186 of that section are amended, to read:

1187 1002.37 The Florida Virtual School.—

1188 (6) The Florida Virtual School shall have an annual  
1189 financial audit of its accounts and records conducted by an  
1190 independent auditor who is a certified public accountant  
1191 licensed under chapter 473. The independent auditor shall  
1192 conduct the audit in accordance with rules adopted by the  
1193 Auditor General pursuant to s. 11.45 and, upon completion of the  
1194 audit, shall prepare an audit report in accordance with such  
1195 rules. The audit report must include a written statement of the

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1196 board of trustees describing corrective action to be taken in  
1197 response to each of the recommendations of the independent  
1198 auditor included in the audit report. The independent auditor  
1199 shall submit the audit report to the board of trustees and the  
1200 Auditor General no later than 9 months after the end of the  
1201 preceding fiscal year.

1202 ~~(7)~~(6) The board of trustees shall annually submit to the  
1203 Governor, the Legislature, the Commissioner of Education, and  
1204 the State Board of Education the audit report prepared pursuant  
1205 to subsection (6) and a complete and detailed report setting  
1206 forth:

1207 (a) The operations and accomplishments of the Florida  
1208 Virtual School within the state and those occurring outside the  
1209 state as Florida Virtual School Global.

1210 (b) The marketing and operational plan for the Florida  
1211 Virtual School and Florida Virtual School Global, including  
1212 recommendations regarding methods for improving the delivery of  
1213 education through the Internet and other distance learning  
1214 technology.

1215 (c) The assets and liabilities of the Florida Virtual  
1216 School and Florida Virtual School Global at the end of the  
1217 fiscal year.

1218 ~~(d) A copy of an annual financial audit of the accounts~~  
1219 ~~and records of the Florida Virtual School and Florida Virtual~~  
1220 ~~School Global, conducted by an independent certified public~~

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1221 ~~accountant and performed in accordance with rules adopted by the~~  
1222 ~~Auditor General.~~

1223 ~~(e)~~ Recommendations regarding the unit cost of providing  
1224 services to students through the Florida Virtual School and  
1225 Florida Virtual School Global. In order to most effectively  
1226 develop public policy regarding any future funding of the  
1227 Florida Virtual School, it is imperative that the cost of the  
1228 program is accurately identified. The identified cost of the  
1229 program must be based on reliable data.

1230 ~~(e)~~ ~~(f)~~ Recommendations regarding an accountability  
1231 mechanism to assess the effectiveness of the services provided  
1232 by the Florida Virtual School and Florida Virtual School Global.

1233 ~~(11) The Auditor General shall conduct an operational~~  
1234 ~~audit of the Florida Virtual School, including Florida Virtual~~  
1235 ~~School Global. The scope of the audit shall include, but not be~~  
1236 ~~limited to, the administration of responsibilities relating to~~  
1237 ~~personnel; procurement and contracting; revenue production;~~  
1238 ~~school funds, including internal funds; student enrollment~~  
1239 ~~records; franchise agreements; information technology~~  
1240 ~~utilization, assets, and security; performance measures and~~  
1241 ~~standards; and accountability. The final report on the audit~~  
1242 ~~shall be submitted to the President of the Senate and the~~  
1243 ~~Speaker of the House of Representatives no later than January~~  
1244 ~~31, 2014.~~

1245 Section 36. Subsection (5) is added to section 1010.01,  
1246 Florida Statutes, to read:

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1247 1010.01 Uniform records and accounts.—

1248 (5) Each school district, Florida College System  
1249 institution, and state university shall establish and maintain  
1250 internal controls designed to:

1251 (a) Prevent and detect fraud, waste, and abuse.

1252 (b) Promote and encourage compliance with applicable laws,  
1253 rules, contracts, grant agreements, and best practices.

1254 (c) Support economical and efficient operations.

1255 (d) Ensure reliability of financial records and reports.

1256 (e) Safeguard assets.

1257 Section 37. Subsection (2) of section 1010.30, Florida  
1258 Statutes, is amended to read:

1259 1010.30 Audits required.—

1260 (2) If a school district, Florida College System  
1261 institution, or university audit report includes a  
1262 recommendation that was included in the preceding financial  
1263 audit report but remains unaddressed, ~~an audit contains a~~  
1264 ~~significant finding,~~ the district school board, the Florida  
1265 College System institution board of trustees, or the university  
1266 board of trustees, within 60 days after the delivery of the  
1267 audit report to the school district, Florida College System  
1268 institution, or university, shall indicate ~~conduct an audit~~  
1269 ~~overview~~ during a regularly scheduled public meeting whether it  
1270 intends to take corrective action, the intended corrective  
1271 action, and the timeframe for the corrective action. If the  
1272 district school board, Florida College System institution board

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1273 of trustees, or university board of trustees indicates that it  
1274 does not intend to take corrective action, it shall explain its  
1275 decision at the public meeting.

1276 Section 38. Subsection (2) of section 68.082, Florida  
1277 Statutes, is amended to read:

1278 68.082 False claims against the state; definitions;  
1279 liability.—

1280 (2) Any person who:

1281 (a) Knowingly presents or causes to be presented a false  
1282 or fraudulent claim for payment or approval;

1283 (b) Knowingly authorizes, approves, or receives payment of  
1284 prohibited compensation in violation of s. 215.425;

1285 (c)~~(b)~~ Knowingly makes, uses, or causes to be made or used  
1286 a false record or statement material to a false or fraudulent  
1287 claim;

1288 (d)~~(e)~~ Conspires to commit a violation of this subsection;

1289 (e)~~(d)~~ Has possession, custody, or control of property or  
1290 money used or to be used by the state and knowingly delivers or  
1291 causes to be delivered less than all of that money or property;

1292 (f)~~(e)~~ Is authorized to make or deliver a document  
1293 certifying receipt of property used or to be used by the state  
1294 and, intending to defraud the state, makes or delivers the  
1295 receipt without knowing that the information on the receipt is  
1296 true;

1297 (g)~~(f)~~ Knowingly buys or receives, as a pledge of an  
1298 obligation or a debt, public property from an officer or

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1299 employee of the state who may not sell or pledge the property;

1300 or

1301 ~~(h)(g)~~ Knowingly makes, uses, or causes to be made or used  
1302 a false record or statement material to an obligation to pay or  
1303 transmit money or property to the state, or knowingly conceals  
1304 or knowingly and improperly avoids or decreases an obligation to  
1305 pay or transmit money or property to the state

1306

1307 is liable to the state for a civil penalty of not less than  
1308 \$5,500 and not more than \$11,000 and for treble the amount of  
1309 damages the state sustains because of the act of that person.

1310 Section 39. Subsection (1) of section 68.083, Florida  
1311 Statutes, is amended to read:

1312 68.083 Civil actions for false claims.—

1313 (1) The department may diligently investigate a violation  
1314 under s. 68.082. If the department finds that a person has  
1315 violated or is violating s. 68.082, the department may bring a  
1316 civil action under the Florida False Claims Act against the  
1317 person. The Department of Financial Services may bring a civil  
1318 action under this section if the action arises from an  
1319 investigation by that department and the Department of Legal  
1320 Affairs has not filed an action under this act. For a violation  
1321 of s. 68.082 regarding prohibited compensation paid from state  
1322 funds, the Department of Financial Services may bring a civil  
1323 action under this section if the action arises from an  
1324 investigation by that department concerning a violation of s.

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1325 215.425 by the state and the Department of Legal Affairs has not  
1326 filed an action under this act.

1327 Section 40. Subsection (5) of section 99.061, Florida  
1328 Statutes, is amended to read:

1329 99.061 Method of qualifying for nomination or election to  
1330 federal, state, county, or district office.-

1331 (5) At the time of qualifying for office, each candidate  
1332 for an elected municipal office for which compensation is  
1333 provided or a constitutional office shall file a full and public  
1334 disclosure of financial interests pursuant to s. 8, Art. II of  
1335 the State Constitution, which must be verified under oath or  
1336 affirmation pursuant to s. 92.525(1)(a), and a candidate for any  
1337 other office, ~~including local elective office,~~ shall file a  
1338 statement of financial interests pursuant to s. 112.3145.

1339 Section 41. Subsection (3) of section 218.503, Florida  
1340 Statutes, is amended to read:

1341 218.503 Determination of financial emergency.-

1342 (3) Upon notification that one or more of the conditions  
1343 in subsection (1) have occurred or will occur if action is not  
1344 taken to assist the local governmental entity or district school  
1345 board, the Governor or his or her designee shall contact the  
1346 local governmental entity or the Commissioner of Education or  
1347 his or her designee shall contact the district school board, as  
1348 appropriate, to determine what actions have been taken by the  
1349 local governmental entity or the district school board to  
1350 resolve or prevent the condition. The information requested must

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1351 be provided within 45 days after the date of the request. If the  
1352 local governmental entity or the district school board does not  
1353 comply with the request, the Governor or his or her designee or  
1354 the Commissioner of Education or his or her designee shall  
1355 notify ~~the members of~~ the Legislative Auditing Committee, which  
1356 ~~who~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The  
1357 Governor or the Commissioner of Education, as appropriate, shall  
1358 determine whether the local governmental entity or the district  
1359 school board needs state assistance to resolve or prevent the  
1360 condition. If state assistance is needed, the local governmental  
1361 entity or district school board is considered to be in a state  
1362 of financial emergency. The Governor or the Commissioner of  
1363 Education, as appropriate, has the authority to implement  
1364 measures as set forth in ss. 218.50-218.504 to assist the local  
1365 governmental entity or district school board in resolving the  
1366 financial emergency. Such measures may include, but are not  
1367 limited to:

1368 (a) Requiring approval of the local governmental entity's  
1369 budget by the Governor or approval of the district school  
1370 board's budget by the Commissioner of Education.

1371 (b) Authorizing a state loan to a local governmental  
1372 entity and providing for repayment of same.

1373 (c) Prohibiting a local governmental entity or district  
1374 school board from issuing bonds, notes, certificates of  
1375 indebtedness, or any other form of debt until such time as it is  
1376 no longer subject to this section.

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1377 (d) Making such inspections and reviews of records,  
1378 information, reports, and assets of the local governmental  
1379 entity or district school board as are needed. The appropriate  
1380 local officials shall cooperate in such inspections and reviews.

1381 (e) Consulting with officials and auditors of the local  
1382 governmental entity or the district school board and the  
1383 appropriate state officials regarding any steps necessary to  
1384 bring the books of account, accounting systems, financial  
1385 procedures, and reports into compliance with state requirements.

1386 (f) Providing technical assistance to the local  
1387 governmental entity or the district school board.

1388 (g)1. Establishing a financial emergency board to oversee  
1389 the activities of the local governmental entity or the district  
1390 school board. If a financial emergency board is established for  
1391 a local governmental entity, the Governor shall appoint board  
1392 members and select a chair. If a financial emergency board is  
1393 established for a district school board, the State Board of  
1394 Education shall appoint board members and select a chair. The  
1395 financial emergency board shall adopt such rules as are  
1396 necessary for conducting board business. The board may:

1397 a. Make such reviews of records, reports, and assets of  
1398 the local governmental entity or the district school board as  
1399 are needed.

1400 b. Consult with officials and auditors of the local  
1401 governmental entity or the district school board and the  
1402 appropriate state officials regarding any steps necessary to

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1403 bring the books of account, accounting systems, financial  
1404 procedures, and reports of the local governmental entity or the  
1405 district school board into compliance with state requirements.

1406 c. Review the operations, management, efficiency,  
1407 productivity, and financing of functions and operations of the  
1408 local governmental entity or the district school board.

1409 d. Consult with other governmental entities for the  
1410 consolidation of all administrative direction and support  
1411 services, including, but not limited to, services for asset  
1412 sales, economic and community development, building inspections,  
1413 parks and recreation, facilities management, engineering and  
1414 construction, insurance coverage, risk management, planning and  
1415 zoning, information systems, fleet management, and purchasing.

1416 2. The recommendations and reports made by the financial  
1417 emergency board must be submitted to the Governor for local  
1418 governmental entities or to the Commissioner of Education and  
1419 the State Board of Education for district school boards for  
1420 appropriate action.

1421 (h) Requiring and approving a plan, to be prepared by  
1422 officials of the local governmental entity or the district  
1423 school board in consultation with the appropriate state  
1424 officials, prescribing actions that will cause the local  
1425 governmental entity or district school board to no longer be  
1426 subject to this section. The plan must include, but need not be  
1427 limited to:

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1428 1. Provision for payment in full of obligations outlined  
1429 in subsection (1), designated as priority items, which are  
1430 currently due or will come due.

1431 2. Establishment of priority budgeting or zero-based  
1432 budgeting in order to eliminate items that are not affordable.

1433 3. The prohibition of a level of operations which can be  
1434 sustained only with nonrecurring revenues.

1435 4. Provisions implementing the consolidation, sourcing, or  
1436 discontinuance of all administrative direction and support  
1437 services, including, but not limited to, services for asset  
1438 sales, economic and community development, building inspections,  
1439 parks and recreation, facilities management, engineering and  
1440 construction, insurance coverage, risk management, planning and  
1441 zoning, information systems, fleet management, and purchasing.

1442 Section 42. Subsection (2) of section 1002.455, Florida  
1443 Statutes, is amended to read:

1444 1002.455 Student eligibility for K-12 virtual  
1445 instruction.—

1446 (2) A student is eligible to participate in virtual  
1447 instruction if:

1448 (a) The student spent the prior school year in attendance  
1449 at a public school in the state and was enrolled and reported by  
1450 the school district for funding during October and February for  
1451 purposes of the Florida Education Finance Program surveys;

1452 (b) The student is a dependent child of a member of the  
1453 United States Armed Forces who was transferred within the last

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1454 12 months to this state from another state or from a foreign  
1455 country pursuant to a permanent change of station order;

1456 (c) The student was enrolled during the prior school year  
1457 in a virtual instruction program under s. 1002.45 or a full-time  
1458 Florida Virtual School program under s. 1002.37(9)(a) ~~s.~~  
1459 ~~1002.37(8)(a)~~;

1460 (d) The student has a sibling who is currently enrolled in  
1461 a virtual instruction program and the sibling was enrolled in  
1462 that program at the end of the prior school year;

1463 (e) The student is eligible to enter kindergarten or first  
1464 grade; or

1465 (f) The student is eligible to enter grades 2 through 5  
1466 and is enrolled full-time in a school district virtual  
1467 instruction program, virtual charter school, or the Florida  
1468 Virtual School.

1469 Section 43. For the purpose of incorporating the amendment  
1470 made by this act to section 838.022, Florida Statutes, in a  
1471 reference thereto, paragraph (a) of subsection (2) of section  
1472 112.534, Florida Statutes, is reenacted to read:

1473 112.534 Failure to comply; official misconduct.—

1474 (2)(a) All the provisions of s. 838.022 shall apply to  
1475 this part.

1476 Section 44. For the purpose of incorporating the amendment  
1477 made by this act to section 838.022, Florida Statutes, in a  
1478 reference thereto, paragraph (d) of subsection (4) of section  
1479 117.01, Florida Statutes, is reenacted to read:

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1480 117.01 Appointment, application, suspension, revocation,  
1481 application fee, bond, and oath.—

1482 (4) The Governor may suspend a notary public for any of  
1483 the grounds provided in s. 7, Art. IV of the State Constitution.  
1484 Grounds constituting malfeasance, misfeasance, or neglect of  
1485 duty include, but are not limited to, the following:

1486 (d) Official misconduct as defined in s. 838.022.

1487 Section 45. For the purpose of incorporating the amendment  
1488 made by this act to section 838.014, Florida Statutes, in a  
1489 reference thereto, subsection (11) of section 817.568, Florida  
1490 Statutes, is reenacted to read:

1491 817.568 Criminal use of personal identification  
1492 information.—

1493 (11) A person who willfully and without authorization  
1494 fraudulently uses personal identification information concerning  
1495 an individual who is 60 years of age or older; a disabled adult  
1496 as defined in s. 825.101; a public servant as defined in s.  
1497 838.014; a veteran as defined in s. 1.01; a first responder as  
1498 defined in s. 125.01045; an individual who is employed by the  
1499 State of Florida; or an individual who is employed by the  
1500 Federal Government without first obtaining the consent of that  
1501 individual commits a felony of the second degree, punishable as  
1502 provided in s. 775.082, s. 775.083, or s. 775.084.

1503 Section 46. For the purpose of incorporating the amendment  
1504 made by this act to sections 838.015, 838.016, and 838.22,  
1505 Florida Statutes, in references thereto, paragraph (g) of

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1506 subsection (3) of section 921.0022, Florida Statutes, is  
 1507 reenacted to read:

1508 921.0022 Criminal Punishment Code; offense severity  
 1509 ranking chart.—

1510 (3) OFFENSE SEVERITY RANKING CHART

1511 (g) LEVEL 7

1512

Florida	Felony	Description
Statute	Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious

1513

1514

1515

1516

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 593 (2016)

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1517			bodily injury.
	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1518			
	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1519			
	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1520			
	456.065(2)	3rd	Practicing a health care profession without a license.
1521			
	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1522			
	458.327(1)	3rd	Practicing medicine without a license.
1523			

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 593 (2016)

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1524	459.013(1)	3rd	Practicing osteopathic medicine without a license.
1525	460.411(1)	3rd	Practicing chiropractic medicine without a license.
1526	461.012(1)	3rd	Practicing podiatric medicine without a license.
1527	462.17	3rd	Practicing naturopathy without a license.
1528	463.015(1)	3rd	Practicing optometry without a license.
1529	464.016(1)	3rd	Practicing nursing without a license.
1530	465.015(2)	3rd	Practicing pharmacy without a license.
1531	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
	467.201	3rd	Practicing midwifery without a license.

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1532	468.366	3rd	Delivering respiratory care services without a license.
1533	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1534	483.901 (9)	3rd	Practicing medical physics without a license.
1535	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1536	484.053	3rd	Dispensing hearing aids without a license.
1537	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.
1538	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding

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1539			\$300 but less than \$20,000 by a money services business.
	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1540	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1541	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1542	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1543	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or

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1544			conceal a sexual predator.
1545	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1546	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1547	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1548	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great

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1549			bodily harm or disfigurement.
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1550			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1551			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1552			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1553			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1554			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1555			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1556			
	784.081 (1)	1st	Aggravated battery on specified official or employee.

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1557	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1558	784.083 (1)	1st	Aggravated battery on code inspector.
1559	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1560	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.
1561	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
1562	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
1563			

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1564	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1565	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1566	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1567	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1568	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial

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			authority to a victim younger than 18 years of age.
1569	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1570	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1571	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1572	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.
1573	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

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			sex offense.
1574	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
1575	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1576	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1577	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1578	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
1579	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.

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1580	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1581	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1582	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1583	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1584	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1585	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1586	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1587			

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1588	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1589	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1590	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1591	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1592	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.
1593	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
	825.102 (3) (b)	2nd	Neglecting an elderly person or

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1594			disabled adult causing great bodily harm, disability, or disfigurement.
1595	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.
1596	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1597	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1598	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1599	838.015	2nd	Bribery.
1600	838.016	2nd	Unlawful compensation or reward for official behavior.

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1601	838.021(3)(a)	2nd	Unlawful harm to a public servant.
1602	838.22	2nd	Bid tampering.
1603	843.0855(2)	3rd	Impersonation of a public officer or employee.
1604	843.0855(3)	3rd	Unlawful simulation of legal process.
1605	843.0855(4)	3rd	Intimidation of a public officer or employee.
1606	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1607	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1608	872.06	2nd	Abuse of a dead human body.
	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or

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1609	874.10	1st,PBL	subsequent offense. Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1610	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 care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1611	893.13(1)(e)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 property used for religious services or

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			a specified business site.
1612	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).
1613	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1614	893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1615	893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1616	893.135(1)(c)2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1617	893.135(1)(c)2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.

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1618	893.135(1)(c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1619	893.135(1)(c)3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1620	893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1621	893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1622	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1623	893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1624	893.135(1)(h)1.a.	1st	Trafficking in gamma-

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1625			hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1626	893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1627	893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1628	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1629	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1630	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

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1631	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1632	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1633	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
1634	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1635	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
	944.607(9)	3rd	Sexual offender; failure to

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1636			comply with reporting requirements.
1637	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1638	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1639	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1640	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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1641

985.4815(13)                    3rd      Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

1642

1643                    Section 47. For the purpose of incorporating the amendment  
1644 made by this act to section 838.022, Florida Statutes, in a  
1645 reference thereto, paragraph (d) of subsection (3) of section  
1646 921.0022, Florida Statutes, is reenacted to read:

1647                    921.0022 Criminal Punishment Code; offense severity  
1648 ranking chart.—

1649                    (3) OFFENSE SEVERITY RANKING CHART

1650                    (d) LEVEL 4

1651

Florida	Felony	
Statute	Degree	Description

1652

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.
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1653

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1654	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
1655	499.0051(2)	3rd	Failure to authenticate pedigree papers.
1656	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1657	517.07(1)	3rd	Failure to register securities.
1658	517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
1659	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
1660	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
1661	784.075	3rd	Battery on detention or commitment facility staff.
	784.078	3rd	Battery of facility employee by

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			throwing, tossing, or expelling certain fluids or materials.
1662	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
1663	784.081 (3)	3rd	Battery on specified official or employee.
1664	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
1665	784.083 (3)	3rd	Battery on code inspector.
1666	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1667	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1668	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody

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			proceedings.
1669	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
1670	787.07	3rd	Human smuggling.
1671	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
1672	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
1673	790.115(2)(c)	3rd	Possessing firearm on school property.
1674	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
1675	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied

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			structure; unarmed; no assault or battery.
1676	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
1677	810.06	3rd	Burglary; possession of tools.
1678	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
1679	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1680	812.014(2)(c)4.- 10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
1681	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1682	817.563(1)	3rd	Sell or deliver substance other

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			than controlled substance agreed upon, excluding s. 893.03(5) drugs.
1683	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1684	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
1685	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
1686	837.02 (1)	3rd	Perjury in official proceedings.
1687	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1688	838.022	3rd	Official misconduct.
1689	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.

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1690	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
1691	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1692	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1693	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1694	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
1695	874.05(1)(a)	3rd	Encouraging or recruiting another to join a criminal gang.
1696			

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1697 893.13(2)(a)1. 2nd Purchase of cocaine (or other  
1698 s. 893.03(1)(a), (b), or (d),  
(2)(a), (2)(b), or (2)(c)4.  
drugs).

1698 914.14(2) 3rd Witnesses accepting bribes.

1699 914.22(1) 3rd Force, threaten, etc., witness,  
victim, or informant.

1700 914.23(2) 3rd Retaliation against a witness,  
victim, or informant, no bodily  
injury.

1701 918.12 3rd Tampering with jurors.

1702 934.215 3rd Use of two-way communications  
device to facilitate commission  
of a crime.

1703 Section 48. The Legislature finds that a proper and  
1704 legitimate state purpose is served when internal controls are  
1705 established to prevent and detect fraud, waste, and abuse and to  
1706 safeguard and account for government funds and property.  
1707 Therefore, the Legislature determines and declares that this act  
1708 fulfills an important state interest.

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1709 Section 49. This act shall take effect October 1, 2016.

1710 -----

1711  
1712 **T I T L E A M E N D M E N T**

1713 Remove everything before the enacting clause and insert:

1714 A bill to be entitled

1715 An act relating to government accountability; providing a short  
1716 title; amending s. 11.40, F.S.; specifying that the Governor,  
1717 the Commissioner of Education, or the designee of the Governor  
1718 or of the Commissioner of Education may notify the Legislative  
1719 Auditing Committee of an entity's failure to comply with certain  
1720 auditing and financial reporting requirements; amending s.  
1721 11.45, F.S.; defining the terms "abuse," "fraud," and "waste";  
1722 revising the definition of the term "local governmental entity";  
1723 excluding water management districts from certain audit  
1724 requirements; removing a cross-reference; authorizing the  
1725 Auditor General to conduct audits of tourist development  
1726 councils and county tourism promotion agencies; revising  
1727 reporting requirements applicable to the Auditor General;  
1728 creating s. 20.602, F.S.; specifying the applicability of  
1729 certain provisions of the Code of Ethics for Public Officers and  
1730 Employees to officers and board members of corporate entities  
1731 associated with the Department of Economic Opportunity;  
1732 prohibiting such officers and board members from representing a  
1733 person or an entity for compensation before certain bodies for a  
1734 specified timeframe; providing for construction; amending s.

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1735 28.35, F.S.; revising reporting requirements applicable to the  
1736 Florida Clerks of Court Operations Corporation; amending s.  
1737 43.16, F.S.; revising the responsibilities of the Justice  
1738 Administrative Commission, each state attorney, each public  
1739 defender, a criminal conflict and civil regional counsel, a  
1740 capital collateral regional counsel, and the Guardian Ad Litem  
1741 Program, to include the establishment and maintenance of certain  
1742 internal controls; amending s. 112.313, F.S.; specifying that  
1743 prohibitions on conflicting employment or contractual  
1744 relationships for public officers or employees of an agency  
1745 apply to contractual relationships held by certain business  
1746 entities; making technical changes; amending s. 112.3144, F.S.;  
1747 requiring elected municipal officers who receive compensation to  
1748 file a full and public disclosure of financial interests, rather  
1749 than a statement of financial interests; providing for  
1750 applicability; amending s. 112.31455, F.S.; revising provisions  
1751 governing collection methods for unpaid automatic fines for  
1752 failure to timely file disclosure of financial interests to  
1753 include school districts; amending ss. 129.03, 129.06, 166.241,  
1754 and 189.016, F.S.; requiring counties, municipalities, and  
1755 special districts to maintain certain budget documents on the  
1756 entities' websites for a specified period; amending s. 215.425,  
1757 F.S.; defining the term "public funds"; revising exceptions to  
1758 the prohibition on extra compensation claims; requiring certain  
1759 contracts to which a unit of government or state university is a  
1760 party during a specified period to contain certain prohibitions

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 593 (2016)

Amendment No.

1761 on severance pay; requiring a unit of government to investigate  
1762 and take necessary action to recover prohibited compensation;  
1763 specifying methods of recovery for unintentional and willful  
1764 violations; providing a penalty; specifying applicability of  
1765 procedures regarding suspension and removal of an officer who  
1766 commits a willful violation; establishing eligibility criteria  
1767 and amounts for rewards; specifying circumstances under which an  
1768 employee has a cause of action under the Whistle-blower's Act;  
1769 establishing causes of action if a unit of government fails to  
1770 recover prohibited compensation within a certain timeframe;  
1771 providing for applicability; amending s. 215.86, F.S.; revising  
1772 the purposes for which management systems and internal controls  
1773 must be established and maintained by each state agency and the  
1774 judicial branch; amending s. 215.97, F.S.; revising the  
1775 definition of the term "audit threshold"; amending s. 215.985,  
1776 F.S.; revising the requirements for a monthly financial  
1777 statement provided by a water management district; amending s.  
1778 218.32, F.S.; revising the requirements of the annual financial  
1779 audit report of a local governmental entity; authorizing the  
1780 Department of Financial Services to request additional  
1781 information from a local governmental entity; requiring a local  
1782 governmental entity to respond to such requests within a  
1783 specified timeframe; requiring the department to notify the  
1784 Legislative Auditing Committee of noncompliance; amending s.  
1785 218.33, F.S.; requiring local governmental entities to establish  
1786 and maintain internal controls to achieve specified purposes;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 593 (2016)

Amendment No.

1787 amending s. 218.39, F.S.; requiring an audited entity to respond  
1788 to audit recommendations under specified circumstances; amending  
1789 s. 218.391, F.S.; revising the composition of an audit  
1790 committee; prohibiting an audit committee member from being an  
1791 employee, chief executive officer, or chief financial officer of  
1792 the respective governmental entity; requiring the chair of an  
1793 audit committee to sign and execute an affidavit affirming  
1794 compliance with auditor selection procedures; prescribing  
1795 procedures in the event of noncompliance with auditor selection  
1796 procedures; amending s. 286.0114, F.S.; prohibiting a board or  
1797 commission from requiring an advance copy of testimony or  
1798 comments from a member of the public as a precondition to be  
1799 given the opportunity to be heard at a public meeting; amending  
1800 s. 288.92, F.S.; prohibiting specified officers and board  
1801 members of Enterprise Florida, Inc., from representing a person  
1802 or entity for compensation before Enterprise Florida, Inc., and  
1803 associated entities thereof, for a specified timeframe; amending  
1804 s. 288.9604, F.S.; prohibiting a director of the Florida  
1805 Development Finance Corporation from representing a person or  
1806 entity for compensation before the corporation for a specified  
1807 timeframe; amending s. 373.536, F.S.; deleting obsolete  
1808 language; requiring water management districts to maintain  
1809 certain budget documents on the districts' websites for a  
1810 specified period; amending s. 838.014, F.S.; revising and  
1811 providing definitions; amending s. 838.015, F.S.; revising the  
1812 definition of the term "bribery"; revising requirements for

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 593 (2016)

Amendment No.

1813 prosecution; amending s. 838.016, F.S.; revising the prohibition  
1814 against unlawful compensation or reward for official behavior to  
1815 conform to changes made by the act; amending s. 838.022, F.S.;  
1816 revising the prohibition against official misconduct to conform  
1817 to changes made by the act; revising applicability of the  
1818 offense to include public contractors; amending s. 838.22, F.S.;  
1819 revising the prohibition against bid tampering to conform to  
1820 changes made by the act; revising applicability of the offense  
1821 to include specified public contractors; creating s. 838.24,  
1822 F.S.; authorizing the award of attorney fees to public servants  
1823 and public contractors under certain conditions; amending s.  
1824 1001.42, F.S.; authorizing additional internal audits as  
1825 directed by the district school board; amending s. 1002.33,  
1826 F.S.; revising the responsibilities of the governing board of a  
1827 charter school to include the establishment and maintenance of  
1828 internal controls; amending s. 1002.37, F.S.; requiring  
1829 completion of an annual financial audit of the Florida Virtual  
1830 School; specifying audit requirements; requiring an audit report  
1831 to be submitted to the board of trustees of the Florida Virtual  
1832 School and the Auditor General; removing obsolete provisions;  
1833 amending s. 1010.01, F.S.; requiring each school district,  
1834 Florida College System institution, and state university to  
1835 establish and maintain certain internal controls; amending s.  
1836 1010.30, F.S.; requiring a district school board, Florida  
1837 College System institution board of trustees, or university  
1838 board of trustees to respond to audit recommendations under

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 593 (2016)

Amendment No.

1839 certain circumstances; amending ss. 68.082 and 68.083, F.S.;

1840 conforming provisions and cross-references to changes made by

1841 the act; amending s. 99.061, F.S.; requiring candidates for

1842 elected municipal office for which compensation is provided to

1843 file a full and public disclosure of financial interests;

1844 amending ss. 218.503 and 1002.455, F.S.; conforming provisions

1845 and cross-references to changes made by the act; reenacting s.

1846 112.534(2)(a), F.S., relating to official misconduct, s.

1847 117.01(4)(d), F.S., relating to appointment, application,

1848 suspension, revocation, application fee, bond, and oath, and s.

1849 921.0022(3)(d), F.S., relating to the Criminal Punishment Code

1850 offense severity ranking chart, to incorporate amendments made

1851 by the act to s. 838.022, F.S., in references thereto;

1852 reenacting s. 817.568(11), F.S., relating to criminal use of

1853 personal identification information, to incorporate the

1854 amendment made by the act to s. 838.014, F.S., in a reference

1855 thereto; reenacting s. 921.0022(3)(g), F.S., relating to the

1856 Criminal Punishment Code offense severity ranking chart, to

1857 incorporate the amendments made by the act to ss. 838.015,

1858 838.016, and 838.22, F.S., in references thereto; declaring that

1859 the act fulfills an important state interest; providing an

1860 effective date.

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