

*Annual Report  
to the  
Florida Legislature  
For Calendar Year 2019*



*By the  
State of Florida  
Commission on Ethics*

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# *Message from the Chair*

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o preserve the public trust.

An aphorism that is often quoted, but an enigma to most. Yet that is the charge under which the nine volunteer members of Florida Commission on Ethics - supported by the twenty-four dedicated staff of the Commission - toils. The people of Florida "have the right to secure and sustain" that public trust against abuse, so says Article II, Section 8 of the Florida Constitution. And by passage of Amendment 12 to the Florida Constitution in late 2018, the people voiced their collective demand that public officers and public employees shall not abuse their positions to obtain a personal benefit.

Amendment 12 mandated that the Commission on Ethics prescribe the rules to implement this Constitutional abuse prohibition. While the Commission promulgates rules yearly regarding financial reporting, this particular rule-making was an anomaly for the Commission. The process encompassed two rule-making hearings (at the June and the July Commission meetings), hundreds of pages of submitted documents from the public, and hours of public comment and debate. This arduous process resulted in the approval by the Commission of Rule 34-18.001, Florida Administrative Code, which defines "disproportionate benefit" and specifies the requisite intent for a finding of a violation of Article II, Section 8(h)(2) of the Florida Constitution. The adopted Rule has already produced one Advisory Opinion on Abuse of Public Position, CEO 19-23.

As you will see in this Annual Report, the Commission issued twenty-five Advisory Opinions in 2019. Section 112.322(3) of the Florida Statutes allows public officers, candidates for public office and public employees to request guidance when in doubt about the applicability and interpretation of Part III, Chapter 112, Florida Statutes, or Section 8, Article II of the Florida Constitution. These requests for advisory opinions require clarity of facts and application of prior opinions. The Commission scrutinizes these opinions, often asking for more information, further analysis or changes to the draft opinions. These Advisory Opinions bind the conduct

of the requestor. The Commission is mindful of the impact and importance of these Advisory Opinions.

The Commission is also mindful of the effect of its probable cause determinations. Starting in 2017, the probable cause hearings on statutorily-required investigations of lobbying firm compensation audits began. Thirty (30) of these hearings have occurred since January 2017. The Commissioners' debate on these matters is often passionate due to the seemingly strict liability nature of Section 112.3215(8), Florida Statutes. While a request to amend the statute is not a 2019 legislative recommendation from the Commission, it may well be in the future.

Clearly, the Florida Commission on Ethics plays a vital role in preserving the public trust, but it is only able to discharge its responsibilities due to the amazing work of its staff. Led by the new Executive Director and (continuing) General Counsel, C. Christopher Anderson III, the staff professionally and assiduously manages the various tasks of the Commission. Mr. Anderson was unanimously selected by the Commission to replace retiring Executive Director Virindia Doss, and is a tremendous asset to the Commission. Ms. Doss served the Commission in various roles since 1991, becoming the Executive Director in 2011 until her retirement in July 2019. Her perspicacity, grace and wit contributed greatly to the Commission and will be missed by all.

Turning to the Commissioners, those with whom I serve and have served, they all exhibit wisdom, integrity, and humanity, and I am grateful and thankful to have crossed their paths.

In conclusion, I would like to thank the Florida Legislature for its continued support of the Commission, and urge the Legislature to continue its vigilance in protecting the public trust. To quote the ancient poet Horace, "Begin, be bold, and venture to be wise".

Respectfully submitted,



Kimberly Bonder Rezanka  
Chair, Florida Commission on Ethics

## *2019 Commission Members*

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**KIMBERLY BONDER REZANKA, *Chair***

Cocoa - Attorney (R)  
Term expires June 2019  
Appointed by Governor Rick Scott

**DAN BRADY, Ph.D., *Vice Chair***

Miami Shores - Retired Social Work and  
Community Mental Health Care Professional (D)  
Term expires June 2019  
Appointed by Governor Rick Scott

**JASON DAVID BERGER**

Palm City - Attorney (R)  
Term expires June 2020  
Appointed by Senate President Joe Negron

**ANTONIO CARVAJAL**

Tallahassee - Foundation Executive (D)  
Term expires June 2020  
Appointed by House Speaker Richard Corcoran

**GLENTON "GLEN" GILZEAN, JR.**

Orlando - Non-profit Executive (R)  
Term expires June 2021  
Appointed by Governor Ron DeSantis

**JOHN GRANT**

Tampa - Attorney (R)  
Term expires June 2021  
Appointed by Governor Ron DeSantis

**JOANNE LEZNOFF**

Fernandina Beach - Retired (R)  
Term expires June 2020  
Appointed by House Speaker Richard Corcoran

**F. SHIELDS MCMANUS**


Stuart - Attorney (D)  
Term expires June 2020  
Appointed by Senate President Joe Negron

**WILLIAM "WILLIE" N. MEGGS**

Tallahassee - Former State Attorney (D)  
Term expires June 2021  
Appointed by Governor Ron DeSantis

# *Introduction & History*

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ection 112.322(8), Florida Statutes, requires the Florida Commission on Ethics to "submit to the Legislature from time to time a report of its work and recommendations for legislation deemed necessary to improve the code of ethics and its enforcement." This report has been provided to the Legislature on an annual basis since 1974. The publication of this document is intended to inform the Legislature and the public of the Commission's work during the calendar year 2019.

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of her people to protect the public trust against abuse. In 1967, the Legislature enacted "a code of ethics setting forth standards of conduct to be observed by state officers and employees in the performance of their official duties." Chapter 67-469, Laws of Florida, declared it to be the policy of the Legislature that no state officer or employee, or member or employee of the Legislature, should have any direct or indirect business or professional interest that would "conflict with the proper discharge of his duties in the public interest." The code was amended to be applicable to officers and employees of political subdivisions of the state in 1969 (Chapter 69-335, Laws of Florida). Five years later, the Florida Commission on Ethics was statutorily created by Chapter 74-176, Laws of Florida (now Part III, Chapter 112, Florida Statutes), to "serve as guardian of the standards of conduct for the officers and employees of the state, and of a county, city, or other political subdivision of the state...."

In late 1975 and 1976, Governor Reubin Askew led an initiative petition drive to amend the Constitution to provide more stringent requirements relating to ethics in government and to require certain public officials and candidates to file full and public disclosure of their financial interests and their campaign finances. The voters in Florida overwhelmingly approved this measure in the 1976 General Election, and the "Sunshine Amendment," Article II, Section 8, Florida Constitution, became part of the Constitution on January 4, 1977. The Amendment declares: "A public office is a public trust. The

people shall have the right to secure and sustain that trust against abuse." The Constitution provides for investigations of complaints concerning breaches of the public trust and provides that the Florida Commission on Ethics be the independent commission to conduct these investigations.

The "Code of Ethics for Public Officers and Employees" adopted by the Legislature is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people in their government. The Code is intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service. Criminal penalties which initially applied to violations of the Code were eliminated in 1974 in favor of administrative enforcement.

Duties statutorily assigned to the Commission on Ethics include investigating sworn complaints alleging violations of the ethics laws, making penalty recommendations for violations, maintaining a financial disclosure notification system totaling 39,433 reporting officials and employees this past year, and issuing advisory opinions regarding Part III of Chapter 112, Florida Statutes, and Article II, Section 8, Florida Constitution. The Commission also is charged with administering the Executive Branch Lobbyist Registration System and Trust Fund, which provides for registration of all persons wishing to lobby the Governor, Cabinet, and executive branch agencies. In addition, the Commission will be administering "Amendment 12" to the State Constitution adopted by the voters in 2018.

# *Organization*

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The Commission on Ethics is an appointive body consisting of nine members, none of whom may hold any public employment or be employed to lobby state or local government. Five of the members are appointed by the Governor and confirmed by the Senate. No more than three of the Governor's appointees may be of the same political party, and one must be a former city or county official. The Speaker of the House of Representatives and the President of the Senate each make two appointments to the Commission. The two appointments must be persons with different political party affiliations. The appointees of the President and Speaker are not subject to Senate confirmation. Any member of the Commission may be removed for cause by a majority vote of the Governor, the President of the Senate, the Speaker of the House, and the Chief Justice of the Florida Supreme Court.

Members of the Commission on Ethics serve two-year terms and may not serve more than two full terms in succession; however, members whose terms have expired continue to serve until they are replaced. A chair and vice-chair are selected by the members for one-year terms. Members of the Commission do not receive a salary but do receive reimbursement for travel and per diem expenses while on official Commission business.

## *Ethics Commission Staff*

Legal, investigative, and administrative functions of the Commission are performed by staff, consisting of 23.5 full-time equivalent positions.

C. Christopher Anderson, III, Executive Director and General Counsel

Kerrie J. Stillman, Deputy Executive Director



## *Legal Section*

Under the supervision of the Executive Director and the General Counsel, the legal section drafts opinions, orders, rules, and proposed legislation for consideration by the Commission, teaches, and responds to inquiries about the ethics laws. The legal staff also represents the Commission in litigation, and attempts to make collections on automatic fines imposed for failing to timely file financial disclosure.

Commission staff does not prosecute complaints. Those services are provided by Assistant Attorneys General Melody Hadley and Elizabeth Miller, who have been assigned by the Attorney General to act as full-time Advocates for the Commission.

### *Legal Staff*

Grayden Schafer, Senior Attorney

Caroline Klancke, Senior Attorney

Steven Zuilkowski, Attorney

Vacant, Attorney

## *Investigative Section*

The investigative staff, also supervised by the Executive Director, conducts investigations of alleged violations of the ethics laws and writes narrative investigative reports.

### *Investigative Staff*

Robert G. Malone, Senior Investigator

A. Keith Powell, Senior Investigator

Tom W. Reaves, Investigator

Harry B. Jackson, Investigator

K. Travis Wade, Investigator

Ronald D. Moalli, Investigator

Kathleen Mann, Investigator

Vacant, Investigator

## *Complaints*

Under the supervision of the Deputy Executive Director, the Complaint Coordinator serves as the liaison between the Commission and the Complainant and Respondent and, as the official Clerk of the Commission, is responsible for maintaining the complaint tracking system and files.

Millie Fulford, Complaint Coordinator

## *Financial Disclosure Section*

The Program Administrator, under the supervision of the Executive Director, responds to questions about the disclosure laws, compiles a list of the persons statewide who are required to file either Form 1 or Form 6 financial disclosure, tracks late filers and automatic fines, and liaises with agency Financial Disclosure coordinators. Some 39,433 reporting officials and employees were notified of their filing requirements in 2019 by the Commission and by the Supervisors of Elections.

### *Financial Disclosure Staff*

Kimberly Holmes, Program Administrator

Emily Prine, Program Specialist

Staci France, Executive Secretary

## *Administrative and Clerical Section*

Under the supervision of the Executive Director, the administrative section provides administrative and clerical support services to the Commissioners and staff.

### *Administrative and Clerical Staff*

Lynn Blais, Chief Administrator

Diana Westberry, Office Manager

Victoria Kaiser, Assistant to the Executive Director

Zachary Turner, Clerk (half-time)

Brian Lenberg, Clerk (half-time)

## *Executive Branch Lobbyist Registration*

The Commission is charged with administering the Executive Branch Lobby Registration Act and oversees the registration and compensation report filings of executive branch lobbyists.

### *Lobbyist Registration Staff*

Karen Murphy-Bunton, Registrar

Vacant, Administrative Assistant (half-time)

# Fiscal Report

The following chart reflects revenues, expenditures, and changes in fund balances for the fiscal year ending June 30, 2019.

## BUDGET AND ACTUAL - GENERAL REVENUE FUNDS For The Fiscal Year Ending June 30, 2019 (Amounts in dollars)

	<u>Budget</u>	<u>Actual</u>	<u>Variance- Favorable (Unfavorable)</u>
<b>Revenues:</b>			
Released General Revenue Appropriations	\$2,742,458	\$2,742,458	\$0
Fines*	0	54,763	\$54,763
Miscellaneous Receipts	0	0	\$0
<b>Total Revenues</b>	<b><u>2,742,458</u></b>	<b><u>2,797,221</u></b>	<b><u>54,763</u></b>
<b>Expenditures:</b>			
Salaries and Related Benefits	1,902,652	1,841,084	61,568
Other Personal Services	391,730	356,975	34,755
Expenses	258,325	217,540	40,785
Operating Capital Outlay	0	0	0
Ethics Commission Lump Sum	7,408	0	7,408
Transfers to Administrative Hearings	79,020	79,020	0
Risk management insurance	3,323	3,323	0
Legislative Carryforward **	1,651,001	0	1,651,001
Nonoperating***	100,000	534	99,466
<b>Total Expenditures</b>	<b><u>4,393,459</u></b>	<b><u>2,498,476</u></b>	<b><u>1,894,983</u></b>
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures	(1,651,001)	298,745	<u>\$1,949,746</u>
<b>Budgetary Fund Balance, June 30, 2019</b>		<b><u>298,745</u></b>	
<b>Adjustment for Fines*</b>		<b>(54,763)</b>	
<b>Adjustment for Nonoperating***</b>		<b>(100,000)</b>	
<b>Adjustments for Carryforward Expenditures**</b>			
<b>Adjusted Budgetary Fund Balance, June 30, 2018</b>		<b><u>\$143,982</u></b>	

## EXECUTIVE BRANCH LOBBYIST REGISTRATION SUMMARY

FEES REVENUES: \$ 293,175  
FINES: \$ 2,300

\* Fines are recorded as Collection to General Revenue. They are not a revenue in the state's accounting system and are not an available resource to the fund.

\*\* Legislative Carryforward is prior years' unspent budget carried forward to the current year. It is treated as a current appropriation.

\*\*\* Nonoperating Budget is budget set up to refund fines and is not an available resource to the fund.

# Operations

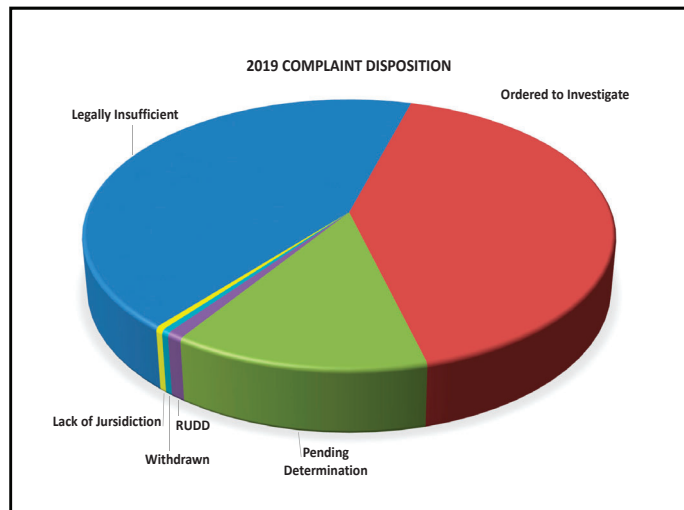
The major operational functions of the Commission on Ethics are the investigation of complaints and referrals,\* management of the Executive Branch Lobbyist Registration Act, issuance of advisory opinions, provision of public information and education, and financial disclosure administration. Below is a profile of the Commission's workload.

## Complaints

Total number of complaints and referrals filed in 2019..... 231

<b>POSITION</b>	<b>NUMBER OF COMPLAINTS</b>	<b>PERCENT OF TOTAL</b>
State Elected	14	6.1%
State Appointed	1	0.4%
State Employee	17	7.4%
District Elected	8	3.5%
District Appointed	5	2.2%
District Employee	4	1.7%
County Elected	27	11.7%
County Appointed	2	0.9%
County Employee	26	11.3%
Municipal Elected	84	36.4%
Municipal Appointed	18	7.8%
Municipal Employee	12	5.2%
Candidate	3	1.3%
Lobbyist	9	3.9%
Other	1	0.4%
<b>TOTAL</b>	<b>231</b>	<b>100.0%</b>

Of the 231 complaints and referrals received in 2019, 100 were dismissed for lack of legal sufficiency; 1 was dismissed for lack of jurisdiction, 2 were dismissed because the public interest would not be served by proceeding further ("Rudd Amendment"); 1 was withdrawn, 96 were ordered to be investigated; and 31 were pending a legal sufficiency determination.

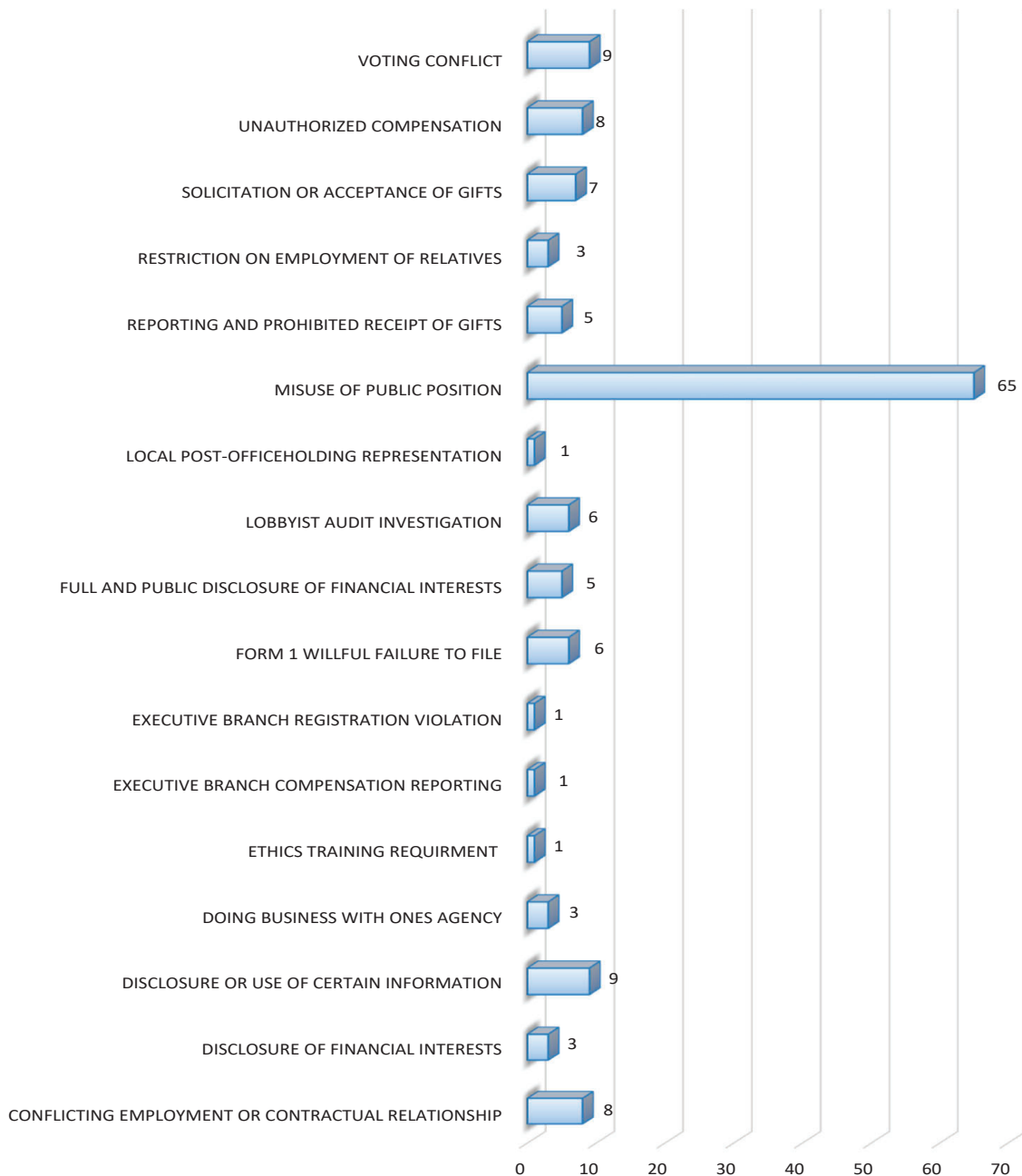


\* The Commission may accept referrals from the Governor, State Attorneys, U.S. Attorneys, and the Florida Department of Law Enforcement.

# Allegations

Of the 231 complaints and referrals received in 2019, 96 had been ordered to be investigated as of December 31, 2019. A breakdown of the allegations made in complaints found sufficient for investigation is illustrated below. Many complaints contained allegations concerning more than one area of law.

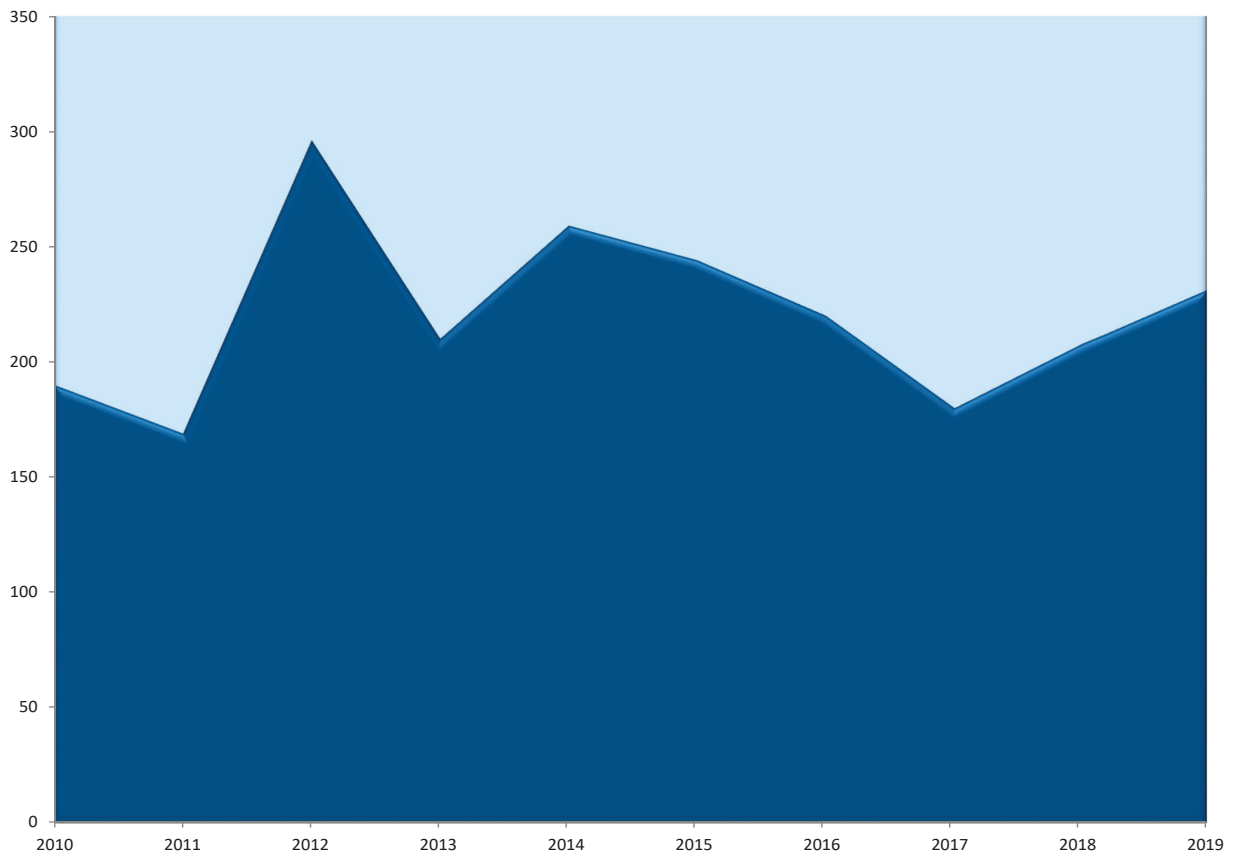
## 2019 Complaint Allegations



## Ten Year History of Complaints

2019 .....	231
2018 .....	211
2017.....	180
2016 .....	220
2015 .....	244
2014.....	259
2013.....	210
2012 .....	296
2011.....	169
2010 .....	190

### *Complaint History*



## Actions Taken on Complaints in 2019

The Commission took action during its eight regularly-scheduled meetings on complaints, referrals, statutorily-mandated investigations concerning lobbyist compensation reports, determination as to whether late-filed disclosure was "willful," and petitions for costs and attorney fees. The following is a summary of action taken in 2019.

Complaints & Mandatory Willfulness Investigations.....	216
Dismissed for lack of legal sufficiency .....	112
Dismissed as public interest not served by further proceedings* .....	2
Dismissed for lack of jurisdiction .....	12
Dismissed for time barred .....	1
Dismissed for death .....	2
Advocate motion to dismiss .....	1
Probable cause hearings held .....	62
No probable cause - dismissed.....	36
Probable cause .....	24
Probable cause - no further action .....	8
Stipulations .....	22
Violation .....	20
Rejected .....	2
Public hearings at the Division of Administrative Hearings.....	2
Violation .....	2
Costs and attorney's fees petitions .....	3
Awarded .....	1
Insufficient petition - dismissed .....	2
Statutorily-Required Investigation of Lobbying Firm Compensation Audits .....	7
Probable cause .....	1
No probable cause.....	6
<b>TOTAL NUMBER OF ACTIONS TAKEN ON COMPLAINTS .....</b>	<b>226</b>

\* Pursuant to Section 112.324(12), F.S. ("Rudd Amendment") the Commission may dismiss any complaint or referral at any stage of disposition should it determine that the public interest would not be served by proceeding further.



## *Executive Branch Lobbyist Registration*

A person who is a "lobbyist" as defined in Section 112.3215(1)(h), F.S., may not lobby an Executive branch agency until he or she has registered as a lobbyist with the Commission. Executive branch lobbyist registration may be made by electronic means via the Lobbyist Registration and Compensation Reporting system located at [www.floridalobbyist.gov](http://www.floridalobbyist.gov). Lobbyist registrants are required to pay an annual registration fee of \$25.00 for each principal represented, which is deposited into the Executive Branch Lobbyist Registration Trust Fund. The fee is payable on a calendar year basis and there is no charge if a lobbyist amends his or her registration to lobby additional agencies on behalf of the same principal.

Executive branch lobbying firms are required to electronically file quarterly compensation reports disclosing compensation received from their principals. Penalties for failure to file these quarterly reports by the deadline are automatic and accrue at \$50 for each day late, with a maximum penalty of \$5,000.

Each lobbying firm is entitled to receive a one-time fine waiver if the report is filed within 30 days after the firm is notified of the failure to file. Otherwise, the lobbying firm is assessed a fine at the time the delinquent report is filed. If an appeal is filed within 30 days after the lobbying firm is noticed of the assessed fine, the Commission has the authority to waive the assessed fines in whole or in part for good cause, based on "unusual circumstances."

### *2019 Summary of Activity*

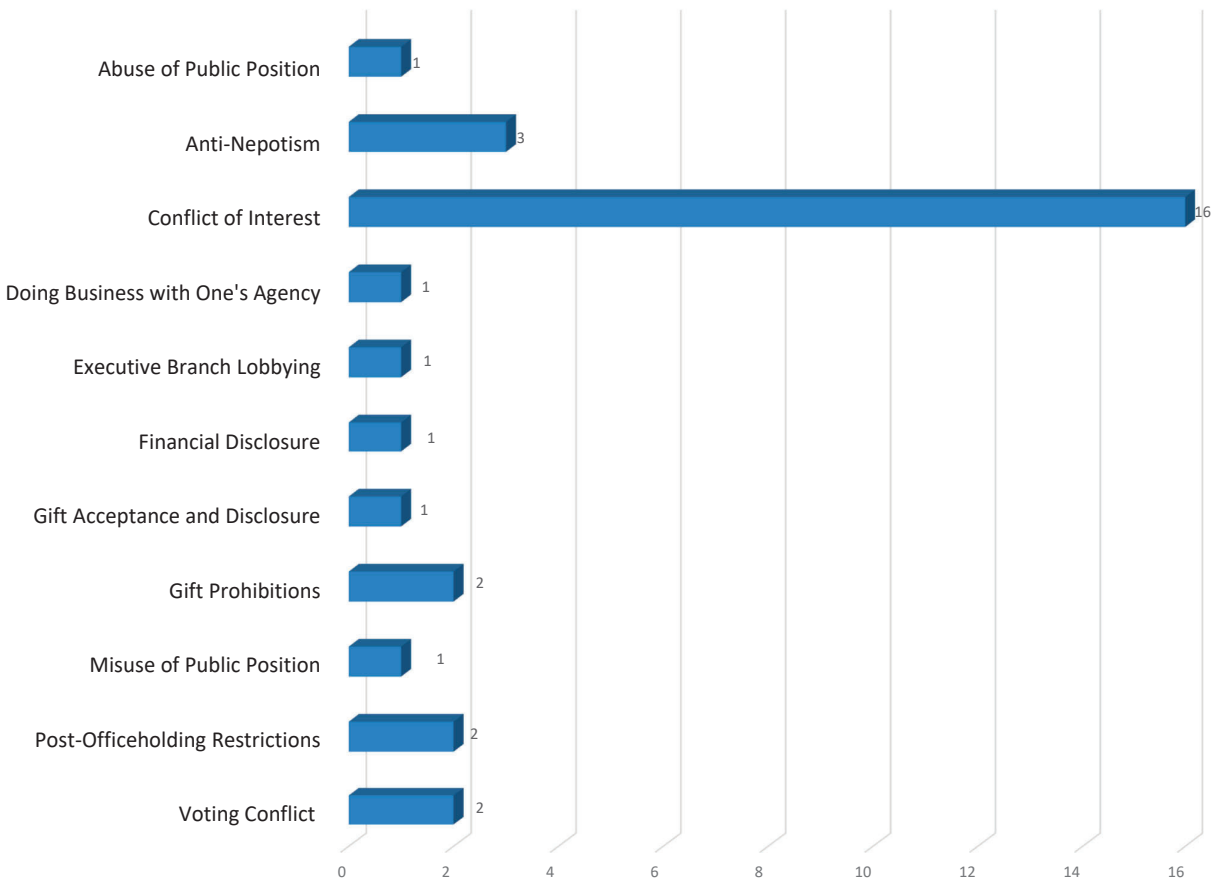
Total number of registered executive branch lobbyists .....	1,603
Total number of executive branch lobbying firms .....	363
Total number of principals represented by the lobbyists .....	11,974
Percent <i>increase</i> in number of principals from 2018 to 2019.....	11%
Total number of firms delinquent in filing their compensation reports	
October - December 2018 .....	15
<i>(Filing deadline for fourth quarter 2018 was February 14, 2019)</i>	
January - March 2019.....	9
March - May 2019 .....	18
July - September 2019 .....	12
Total number of firms assessed a fine in 2019	
Fourth quarter 2018 .....	12
<i>(Filing deadline for fourth quarter 2018 was February 14, 2019)</i>	
First quarter 2019 .....	5
Second quarter 2019.....	9
Third quarter 2019.....	8
Number of appeals considered by the Commission in 2019 .....	0

## Advisory Opinions

The Commission issues advisory opinions to public officers, candidates, and public employees who are in doubt about the applicability of the standards of conduct or disclosure laws to themselves or to anyone they have the power to hire or terminate. During 2019, the Commission on Ethics issued twenty five advisory opinions, bringing the total issued since 1974 to 2,667

Twenty two of the opinions rendered in 2019 were in response to requests by local officers, employees, or local government attorneys, and another three opinions were issued regarding state level officers or employees.

The bar graph illustrates the number of instances in which a provision of the ethics code was addressed in a formal opinion of the Commission in 2019. A number of opinions addressed more than one aspect of the ethics laws.



All Commission advisory opinions, from 1974 to present, can be accessed and researched without cost on our website: <http://www.ethics.state.fl.us>.

## *Training & Education*

Pursuant to Section 112.3142, Florida Statutes, Florida's Constitutional officers (including the Governor, Lieutenant Governor, Attorney General, Chief Financial Officer, Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools) and elected municipal officers are required to complete four hours of ethics training each calendar year.\*

The training must include:

- Article II, Section 8 of the Florida Constitution
- Part III, Chapter 112, Florida Statutes (Code of Ethics)
- Public Records
- Public Meetings (Sunshine Law)

The Commission has a training page on its website that features the latest administrative rules and ethics opinions on the mandatory training requirements. From that page, individuals can access free training audio and video of the Commission's staff, as well as a listing of live training opportunities conducted by staff at various locations around the state.

A comprehensive online training course on ethics, sunshine law, and public records is available through a partnership with The John Scott Dailey Florida Institute of Government at Florida State University. The institute also offers a four hour video course from our successful multi-day ethics conference held in 2014.

In 2019, 327 individuals registered for and completed the Florida Institute of Government online training courses: 90 individuals completed all or part of the comprehensive 12-hour online course, and 237 completed the 4-hour video-based course. All 327 registrants were local officials and employees. A total of 5,689 public officers and employees have completed the course since its inception.

\* And CRA members, beginning in 2020.

## *Speaking Engagements*

A vital part of the Commission's mission is to educate public officers and employees regarding the standards of conduct and financial disclosure requirements of the Code of Ethics. As personnel and resources are available, members of the Commission's staff conduct training for public officials throughout the state. Commission staff presented educational programs to the following groups and organizations during 2019:

- City of Tallahassee
- Judges of Compensation Claims
- Continuing Education Workshop for Florida Tax Collectors
- Duties and Responsibilities of Florida Tax Collectors
- Florida Public Pension Trustees Association (FPPTA)
- Florida Clerks of Court & Comptrollers Winter Conference
- Association of Government Accountants' 2019 Conference
- Florida Bar
- Florida Association of Property Appraisers' 2019 Pre-Legislative Conference
- Property Appraisers Association of Florida 2019 Mid-Winter Conference
- Board of Trustees of Florida Agricultural and Mechanical University
- Sunshine Law, Public Records, & Ethics Seminar sponsored by The Florida Bar & the Bar's City, County, & Local Government Law Section
- General Counsels' Monthly Luncheon
- Florida Counties Foundation's Legislative Day Workshop
- 2019 Certification Exam Review Course sponsored by the City, County, & Local Government Law Section of The Florida Bar
- Hernando County
- Police and Firefighters' Pension Trustee's School
- Department of Financial Services
- Florida Association of County Attorneys
- Monroe County and the State Attorney of the 16th Judicial Circuit
- Florida Association of Counties

- Association of Florida Conservation Districts
- City of Madeira Beach
- Florida School Board Attorneys Association's Annual Conference
- 2019 Florida Tax Collector Association's Fall Education Forum
- Florida Atlantic University Trustees
- Tenth Judicial Circuit Public Defender's Office
- Broward School Board and School Administrators
- Florida Association of Counties' Conference

## *Financial Disclosure*

The Florida Commission on Ethics is required by statute to compile an annual mailing list of elected and appointed officials and employees subject to filing annual financial disclosure.

Section 112.3144, Florida Statutes, applies to persons subject to the annual filing of full and public disclosure under Section 8, Article II of the State Constitution or other state law. These individuals file Commission on Ethics Form 6, Full and Public Disclosure of Financial Interests.

Section 112.3145, Florida Statutes, applies to local officers, state officers, and specified state employees subject to the annual filing of a more limited statement of financial interests. These individuals file Commission on Ethics Form 1, Statement of Financial Interests.

The deadline for filing disclosure is July 1 of each year. A grace period is provided until September 1 of each year. The Commission on Ethics and Supervisors of Elections are required to certify after that time the names of, and positions held by, persons who fail to file by the end of the grace period.

Those who did not file their annual disclosure form (either Form 6 or Form 1) by September 1, 2019, were subject to automatic fines of \$25 for each late day, up to a maximum of \$1,500. Modeled after the automatic fine system in place for campaign finance reports, the law allows the Ethics Commission to hear appeals and to waive fines under limited circumstances. Information on the following pages reflects compliance rates and disposition of appeals.

## *Compliance*

There was more than a 99% overall compliance with the annual reporting requirement in 2019. On the local level, 30 counties reported 100% compliance in 2019. The following table reflects on a county-by-county basis the number of officials and employees subject to disclosure, the number delinquent, and the percentages of compliance. Also provided is a chart which outlines filing compliance from 1988 to present.

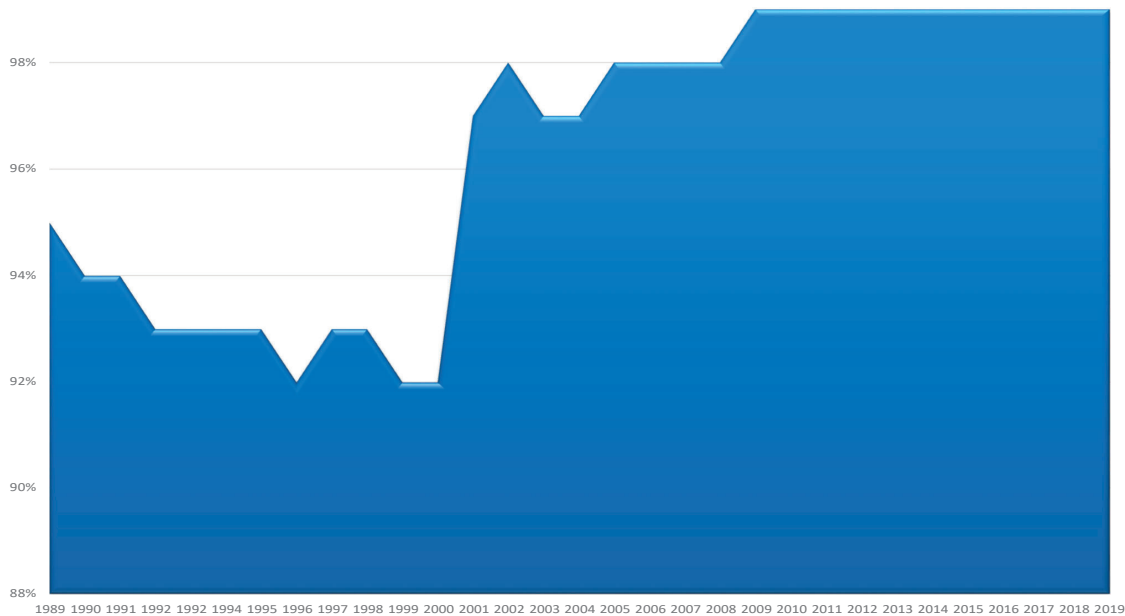
2019 Financial Disclosure Compliance Figures				
County	Delinquent Filers	Timely Filers	Total Filers	Compliance Rate
Alachua	2	315	317	99.4%
Baker	0	46	46	100.0%
Bay	1	274	275	99.6%
Bradford	0	66	66	100.0%
Brevard	10	839	849	98.8%
Broward	44	2339	2383	98.2%
Calhoun	0	33	33	100.0%
Charlotte	1	145	146	99.3%
Citrus	3	120	123	97.6%
Clay	1	214	215	99.5%
Collier	0	365	365	100.0%
Columbia	0	95	95	100.0%
Miami-Dade	76	2273	2349	96.8%
Desoto	0	64	64	100.0%
Dixie	0	35	35	100.0%
Duval	2	375	377	99.5%
Escambia	2	157	159	98.7%
Flagler	1	178	179	99.4%
Franklin	1	70	71	98.6%
Gadsden	2	103	105	98.1%
Gilchrist	0	44	44	100.0%
Glades	1	43	44	97.7%
Gulf	0	62	62	100.0%
Hamilton	0	56	56	100.0%
Hardee	0	63	63	100.0%
Hendry	0	95	95	100.0%
Hernando	0	102	102	100.0%
Highlands	1	151	152	99.3%
Hillsborough	16	1561	1577	99.0%
Holmes	0	75	75	100.0%
Indian River	0	249	249	100.0%
Jackson	1	170	171	99.4%
Jefferson	0	44	44	100.0%
Lafayette	0	19	19	100.0%
Lake	10	463	473	97.9%
Lee	6	963	969	99.4%
Leon	2	236	238	99.2%
Levy	2	124	126	98.4%
Liberty	0	24	24	100.0%
Madison	0	81	81	100.0%

2019 Financial Disclosure Compliance Figures				
County	Delinquent Filers	Timely Filers	Total Filers	Compliance Rate
Manatee	0	565	565	100.0%
Marion	0	227	227	100.0%
Martin	0	207	207	100.0%
Monroe	0	218	218	100.0%
Nassau	0	179	179	100.0%
Okaloosa	6	338	344	98.3%
Okeechobee	0	74	74	100.0%
Orange	11	918	929	98.8%
Osceola	2	252	254	99.2%
Palm Beach	52	1609	1661	96.9%
Pasco	5	444	449	98.9%
Pinellas	6	1206	1212	99.5%
Polk	10	637	647	98.5%
Putnam	0	141	141	100.0%
Saint Johns	0	318	318	100.0%
Saint Lucie	7	259	266	97.4%
Santa Rosa	1	204	205	99.5%
Sarasota	1	397	398	99.7%
Seminole	3	486	489	99.4%
Sumter	0	158	158	100.0%
Suwannee	0	55	55	100.0%
Taylor	1	57	58	98.3%
Union	3	38	41	92.7%
Volusia	6	635	641	99.1%
Wakulla	1	69	70	98.6%
Walton	0	132	132	100.0%
Washington	1	68	69	98.6%
TOTAL-FORM 1 LOCAL	301	22622	22923	98.7%
TOTAL-FORM 1 STATE	94	13739	13833	99.3%
TOTAL-FORM 6 (NOT JUDGES)	17	1399	1416	98.8%
TOTAL-NON-JUDICIAL FILERS	412	37760	38172	99.0%
TOTAL-JUDGES (ACTIVE)	0	1068	1068	100.0%
TOTAL-JUDGES (SENIOR)	0	193	193	100.0%
OVERALL TOTAL	412	39021	39433	99.0%



FINANCIAL DISCLOSURE FILING COMPLIANCE (1989 - 2019)			
Year	# of Individuals Required to File	# of Form 1 & 6 Delinquent Filers	Overall Compliance Rate
1989	33,541	1,815	95%
1990	34,828	2,091	94%
1991	35,845	2,120	94%
1992	37,631	2,564	93%
1992	37,863	2,576	93%
1994	38,711	2,810	93%
1995	39,165	2,791	93%
1996	40,529	3,188	92%
1997	41,345	3,030	93%
1998	41,996	3,116	93%
1999	42,185	3,278	92%
2000	40,471	3,368	92%
2001	30,025	1,043	97%
2002	27,206	911	98%
2003	34,298	878	97%
2004	35,984	1,124	97%
2005	36,504	723	98%
2006	35,725	724	98%
2007	35,659	691	98%
2008	36,092	767	98%
2009	37,077	353	99%
2010	36,961	340	99%
2011	37,686	361	99%
2012	37,306	356	99%
2013	37,890	309	99%
2014	38,181	249	99%
2015	38,613	291	99%
2016	38,824	289	99%
2017	38,909	314	99%
2018	39,402	326	99%
2019	39,433	412	99%

Financial Disclosure Compliance History



### **Summary of Local Level Form 1 Compliance**

- Total compliance rate for Form 1 Statement of Financial Interests was 98.7%. As in previous years, disclosure staff sent reminder postcards to delinquent filers immediately prior to the start of the statutory fining period. Commission staff also telephones filers to remind them to file. These reminders are not required by statute, but are part of the Commission's efforts to encourage compliance.
- Of the 22,923 individuals required to file, 301 were delinquent.
- 30 counties reported 100% compliance in 2019.

### **Summary of State Level Form 1 Compliance**

- The Form 1 compliance rate was 99.3%. Postcard and telephone reminders also were used with these filers.
- Of the 13,833 individuals required to file, only 94 were delinquent.

### **Summary of Full Disclosure (Form 6) Compliance**

- Form 6 Full and Public Disclosure of Financial Interests compliance rate for elected constitutional officers and employees other than judges was 98.8%. Postcard and telephone reminders also were used with these filers.
- There were only 17 delinquencies out of a total of 1416 individuals (excluding judges) required to file Form 6.

### **Summary of 2019 Overall Compliance**

- Of the 38,172 non-judicial financial disclosure filers, only 412 (less than 1%) failed to file on time.

## *Financial Disclosure Fine Appeals*

Individuals delinquent in filing the annual financial disclosure form, (those who did not file by the end of the September 1 grace period provided by law), are fined \$25 per day for each day late, up to a statutory maximum of \$1,500.

Individuals may opt to pay the assessed fine or may appeal the assessed fine. Under the law, the Commission has the authority to waive or reduce an assessed fine if an appeal is filed reflecting that "unusual circumstances" caused the failure to file the form on time.

For fines where there is no appeal and no payment, a Default Final Order is rendered and the cases are either transmitted to private collection agencies for collection, or the Commission attempts to make collections.

The following reflects the Commission's actions taken on appeals of assessed fines at its eight regularly scheduled meetings held during calendar year 2019. (The fines for late filings in 2019 recently have been assessed and will be reported in 2020).

<b>Financial Disclosure Appeals 2019 Actions of Commission on Ethics</b>					
<b>COMMISSION MEETING</b>	<b>WAIVED</b>	<b>REDUCED</b>	<b>DENIED</b>	<b>DEFAULT ORDERS APPROVED</b>	<b>UNCOLLECTIBLE</b>
January 25, 2019	3	0	2	0	0
March 8, 2019	4	0	0	0	1
April 12, 2019	9	0	0	0	0
June 7, 2019	42	0	2	0	0
July 26, 2019	19	0	0	92	0
September 13, 2019	6	0	0	0	1
October 25, 2019	4	0	5	0	0
December 16, 2019	8	0	2	5	0

# *2019 Legislative Recommendations*

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## Conflicts of Interest

The law prohibits an official from having a contractual relationship with a company doing business with the official's own agency. So City Councilman A cannot contract with Business B, if Business B is doing business with his City. But if Councilman A creates "A, Inc.," that corporation can do business with Business B without violating the law, even if "A, Inc.," is solely owned by Councilman A. The Commission has seen this as thwarting the underlying goal of the law, which is to prevent officials from having relationships with companies doing business with their agencies.

## Voting Conflicts Law

Under current law, local elected officials can participate in the discussion of a measure in which they have a conflict without revealing the existence of that conflict until the vote is actually taken. This means the official can make every effort to persuade his or her colleagues without telling them ( and the public) about the conflict. Appointed officials, in contrast, must declare their conflict before participating in the discussion of the measure. Elected officials should have to adhere to the same standard

State officers only have to abstain if the measure helps or hurts them personally. Unlike local officials, they don't have to abstain when the measure benefits their employer, relative, etc.

The Commission has expressed that the voting conflict standard should be the same for everyone, whether the official is appointed or elected and whether the official is a state or local official; and that the exemption from using the Commission's conflict disclosure form applicable only to Legislators be eliminated.

## Enhanced Financial Disclosure for Local Elected Officials

Elected municipal officials are very important and administer vast amounts of public resources. For these, and other reasons, their disclosure should be on par with that of county officials and others who file Form 6, rather than Form 1. The Commission believes the enhanced disclosure should be applied to all elected municipal officials regardless of the population of the municipality.

### Representing Clients Before One's Own Board

The Commission has opinions as early as 1977 and even since 2014 interpreting Section 112.313(7), Florida Statutes, to say, in essence, that if a person serves on a board, he cannot represent clients before that board, and neither can other members of his professional firm. This interpretation is similar to the Rules of Professional Conduct of the Florida Bar, which impute the conflict of one lawyer to all lawyers in the firm. The Commission views this as an important public protection, and opposes any relaxation of this standard.