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MEMORANDUM

TO: All Interested Persons
FROM: Kerrie Stillman, Executive Director
SUBJECT: Legislative Recommendations for 2026
DATE: September 18, 2025

Whistle Blower-like Protection for Ethics Complainants

The Commission believes that the threat of adverse employment or personnel actions in retaliation for a person's filing of an ethics complaint discourages the filing of valid complaints. Thus, the Commission seeks the enactment of protections or remedies, akin to those in the "Whistle-blower's Act," Sections 112.3187-112.31895, Florida Statutes, for the benefit of ethics complainants.

Include "current and former foster parents and foster children" in the definition of relative in Section 112.312(21), F.S.

In the Code of Ethics, Section 112.313(21), F.S. defines relative for purposes of Florida's gift law. Although the statutory definition of relative is broad and includes persons sharing the same legal residence, as well as those who are engaged to be married, the term "relative" as currently defined does not include the current and former foster children and foster parents of a Reporting Individual or Procurement Employee (RIPE). Individuals subject to the prohibitions and reporting requirements found in Section 112.3148, F.S. may accept any gift in any amount from a "relative" and there are no reporting requirements for gifts from relatives. However, a RIPE, subject to the gifts law, would be required to report any gifts valued at more than \$100 that they receive from a current or former foster parent or foster child that does not have the same legal residence as the RIPE. Foster parents do not necessarily adopt the children they foster, but these foster parents and foster children may maintain a familial relationship throughout their lives, even after their legal

relationship ends. The Commission recommends the Legislature amend the statute to include current and former foster parents and foster children in the definition of relative.

First-Time Fine Waiver for Financial Disclosure

Pursuant to Section 112.3215(5)(d)4., Florida Statutes, a fine is not assessed against a lobbying firm *the first time* it fails to file a timely compensation report. We believe a similar provision regarding fines for those who have failed to timely file their financial disclosure forms should be introduced, with the caveat that this first-time fine waiver is only applicable if the reporting individual filed his or her form prior to accruing the maximum \$1,500 fine. This would increase efficiency by reducing the number of fine appeals Commission staff have to process. It would also comport with the Commission's ultimate goal of achieving a filing by the filer at issue.

Public Records Exemptions for Members and Staff of the Commission

The Commission and its staff process ethics complaints that can result in harsh penalties for Respondents, up to and including removal from their public positions, and fines of up to \$20,000. Aside from this, Commission staff often receive hostile communications from members of the public, as well as ethics Complainants who are upset about the outcome of complaints they have filed. Because of this, we believe Commission Members, as well as Commission staff, should receive a public records exemption for information such as their home addresses and phone numbers, similar to other public records exemptions available to other public officers and employees.