

AUG 10 2026

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

COMMISSION ON ETHICS

CONFIDENTIAL

In re RANDALL FINE,

Respondent.

Complaint No. 22-079

PUBLIC REPORT AND ORDER DISMISSING CERTAIN
ALLEGATIONS IN COMPLAINT

On Friday, August 28, 2026, the Commission on Ethics met in public session and considered certain allegations in this complaint for dismissal under Section 112.324(12), Florida Statutes.¹ The Commission's review was limited to the question of the propriety of continuing Commission processes in the context of this particular complaint.

The Commission voted to dismiss certain allegations in the complaint under Section 112.324(12) based on the following analysis:

1. This complaint was filed by Jennifer Jenkins of Satellite Beach, Florida.
2. The Respondent, Randall Fine, formerly served as a member of the Florida House of Representatives, during which time the conduct alleged in this complaint occurred. The Respondent is currently a member of the Florida Senate.

¹ Section 112.324(12), Florida Statutes, provides:

Notwithstanding the provisions of subsections (1)-(8), the commission may, at its discretion, dismiss any complaint or referral at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the commission shall issue a public report stating with particularity its reasons for the dismissal.

3. Based on the allegations in the complaint, a preliminary investigation was ordered to determine whether the Respondent had violated Article II, Section 8(h)(2), Florida Constitution (Abuse of Position to Obtain a Disproportionate Benefit) and Section 112.313(6), Florida Statutes (Misuse of Public Position). Following the preliminary investigation, on April 26, 2023, the Commission found there was probable cause to believe, as to all of the allegations in the complaint, that the Respondent had violated both Article II, Section 8(h)(2), Florida Constitution, and Section 112.313(6), Florida Statutes, and ordered a public hearing.

4. After the preliminary investigation was ordered and probable cause was found, a statutory amendment to Section 112.324(1)(a), Florida Statutes, became effective which states the Commission on Ethics may only investigate those allegations in a complaint that are "based upon personal knowledge or information other than hearsay." See Chapter 2024-253, Laws of Florida (amending Section 112.324(1)(a), Florida Statutes, to require an allegation to be "based upon personal knowledge or information other than hearsay" to be sufficient for investigation).

5. Considering this change in the law, we find under Section 112.324(12) that the public interest would not be served by our proceeding further on certain allegations in the complaint. We decline to proceed further on these allegations because it cannot be determined from the complaint whether they were based on personal information or information other than hearsay, as is now required by Section 112.324(1)(a) for a matter to proceed. The allegations which do not meet this standard, and will therefore be dismissed, are the following:

- That the Respondent "encouraged" a City Councilmember for the City of West Melbourne to write a social media post critical of both the Complainant—a member of the School Board for Brevard County—and her participation in a City-sponsored fundraiser for the Special Olympics. The complaint does not indicate the basis for this allegation, and there is nothing in the complaint indicating it was based on the Complainant's personal knowledge or information other than hearsay.

- That the Respondent told a City Councilmember not to take the City Attorney's advice to release records in response to a public records request, and that the City Attorney should be fired for providing such advice. The complaint states this allegation was based on statements made by the City Councilmember to the City Attorney and to "multiple media agencies," as well as a statement made by the Councilmember in a local newspaper. Such statements by the City Councilmember are hearsay, and there is no indication in the complaint that the Complainant has personal knowledge or information other than hearsay to support this claim.
- That the Respondent hired a private investigator to surveil the Complainant and posted falsehoods about the investigator's findings on a website. The complaint states these allegations were based on statements made by a City Councilmember. The Complainant does not indicate in the complaint that she has personal knowledge of these allegations and does not provide information other than hearsay to support them.

Accordingly, these allegations are hereby dismissed under Section 112.324(12), with the issuance of this public report.

6. The remaining allegations in the complaint, which are described below, appear to meet the current requirements in Section 112.324(1)(a). For this reason, any public hearing regarding this complaint will be confined to whether these remaining allegations provide a basis for finding the Respondent violated Article II, Section 8(h)(2), Florida Constitution, and Section 112.313(6), Florida Statutes. The allegations which will be the subject of the public hearing are:

- That the Respondent left comments concerning the Complainant on a City Councilmember's social media post that were disparaging and false, including a link to a website containing false allegations about the Complainant. Pages 8 and 9 of the complaint includes the Respondent's comments in question, and, therefore, this allegation appears to be based on the Complainant's personal knowledge. The Respondent's comments also appear to qualify for the hearsay exception for admissions found in Section 90.803(18), Florida Statutes.²
- That the Respondent informed a City Councilmember as well as the Mayor of West Melbourne that he would act to veto or reduce legislative funding for a City project and/or

² Rule 34-5.002(2)(a)2. of the Florida Administrative Code states an allegation in an ethics complaint will be considered to be based on information other than hearsay so long as the evidence supporting the allegation is hearsay that is, or likely would be, admissible under Sections 90.801 through 90.805, Florida Statutes. See also Florida Elections Commission v. Valliere, 45 So. 3d 506 (Fla. 4th DCA 2010).

the Special Olympics due to the Complainant's participation in a City fundraiser. Pages 10, 11, and 13 of the complaint include the Respondent's texts containing the comments in question, and, therefore, this allegation appears to be based on the Complainant's personal knowledge. The Respondent's comments in the texts also appear to qualify for the hearsay exception for admissions found in Section 90.803(18), Florida Statutes.

- That the Respondent failed to respond to a public records request from the Complainant asking for communications between himself and a City Councilmember, as well as for communications between himself and the Mayor of Melbourne. Because this allegation concerns a records request brought by the Complainant, it appears to be based on her personal knowledge.

Therefore, the Commission on Ethics orders a public hearing only as to whether the Respondent violated Article II, Section 8(h)(2), Florida Constitution, and Section 112.313(6), Florida Statutes, as to the allegations set forth in paragraph 6, above. A formal notice of hearing of the matters on which probable cause has been found will be prepared and sent to the Respondent and to the Advocate. The allegations set forth in paragraph 5, above, are dismissed and will not be the subject of any public hearing in this matter.

Under Commission Rule 34-5.020, F.A.C., the Commission may resolve a complaint proceeding through a stipulation, settlement, or consent order entered into by the Respondent and the Commission's Advocate and approved by the Commission. If the Respondent wishes to pursue a settlement of this case, he should contact the Commission's Advocate at (850) 414-3300 to discuss the terms of a possible settlement.

ORDERED by the State of Florida Commission on Ethics meeting in public session on August 28, 2026.

Date Rendered

Jon M. Philipson
Chair, Florida Commission on Ethics

JMP/gps

cc: Mr. Richard Coates, Attorney for Respondent
Ms. Jennifer Jenkins, Complainant