

Commission on Ethics Regulatory Plan for July 1, 2025-June 30, 2026

Section 120.74, Florida Statutes, sets out the requirements for an agency regulatory plan. The requirements pertinent to the Florida Commission on Ethics are quoted below. While Section 120.74(1)(g), Florida Statutes contains additional requirements for agencies issuing licenses in accordance with Section 120.60, Florida Statutes, that portion is not quoted or addressed below as the Florida Commission on Ethics is not a licensing agency.

Section 120.74, Florida Statutes, requires:

- (1) REGULATORY PLAN.—By October 1 of each year, each agency shall prepare a regulatory plan.
 - (a) The plan must include a listing of each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency. If the Governor or the Attorney General provides a letter to the committee stating that a law affects all or most agencies, the agency may exclude the law from its plan. For each law listed by an agency under this paragraph, the plan must state:
 1. Whether the agency must adopt rules to implement the law.
 2. If rulemaking is necessary to implement the law:
 - a. Whether a notice of rule development has been published and, if so, the citation to such notice in the Florida Administrative Register.
 - b. The date by which the agency expects to publish the notice of proposed rule under s. 120.54(3)(a).
 3. If rulemaking is not necessary to implement the law, a concise written explanation of the reasons why the law may be implemented without rulemaking.
 - (b) The plan must also include a listing of each law not otherwise listed pursuant to paragraph (a) which the agency expects to implement by rulemaking before the following July 1, except emergency rulemaking. For each law listed under this paragraph, the plan must state whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.
 - (c) The plan must include any desired update to the prior year's regulatory plan or supplement published pursuant to subsection (5). If, in a prior year, a law was identified under this paragraph or under subparagraph (a)1. as a law requiring rulemaking to implement but a notice of proposed rule has not been published:
 1. The agency shall identify and again list such law, noting the applicable notice of rule development by citation to the Florida Administrative Register; or
 2. If the agency has subsequently determined that rulemaking is not necessary to implement the law, the agency shall identify such law, reference the citation to the applicable notice of rule development in the Florida Administrative Register, and provide a concise written explanation of the reason why the law may be implemented without rulemaking.

(d) The plan must include a certification executed on behalf of the agency by both the agency head, or, if the agency head is a collegial body, the presiding officer; and the individual acting as principal legal advisor to the agency head. The certification must:

1. Verify that the persons executing the certification have reviewed the plan.
2. Verify that the agency regularly reviews all of its rules and identify the period during which all rules have most recently been reviewed to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented.

(e) The plan also includes all of the following:

1. A list of the agency's existing rules scheduled for review pursuant to s. 120.5435.
2. A 5-year schedule for the review of all existing rules as of July 1, 2025.
3. A yearly schedule for the rules it will review each year during the 5-year rule review. The agency may amend this schedule, if necessary.

(f) The plan must include any desired update to the prior year's regulatory plan or supplement thereof, published pursuant to subsection (5). If, in a prior year, the agency identified a rule under this paragraph as one requiring review pursuant to s. 120.5435, but the agency has not yet completed an action described in s. 120.5435(5):

1. The agency must identify and list such rule in its regulatory plan as an untimely rule review and notify the committee of such action; or
2. If the agency subsequently determined that the rule review is not necessary, the agency must identify the rule and provide a concise written explanation of the reason why the rule does not require a rule review.

Subsection (1)(a): New laws

There was no new law enacted or amended during the previous 12 months which create or modify the duties or authority of the agency.

Subsection (1)(b): Laws not listed pursuant to paragraph (a) which the Commission expects to implement by rulemaking before July 1, 2025

Section 112.3147, F.S.

Rulemaking is intended to simplify, clarify, and update forms.

Subsection (1)(c): Updates to prior year's plan

None.

Subsection (1)(e): Rule Review pursuant to s. 120.5435

The Florida Commission on Ethics currently has 188 existing rules. Section 120.5435(2), Florida Statutes, requires the Commission to review each of its rules over the next 5 years—completing a review of at least 20 percent of its rules each year—until all of its rules have been reviewed.

The following is a list of the Commission's existing rules:

Chapter 34-5	Review, Investigation, and Hearing of Complaints
34-5.0001	Scope and Applicability of Chapter
34-5.0005	Time Periods
34-5.0006	Filing and Serving Documents; Facsimile Transmissions
34-5.0008	Presiding Officer
34-5.001	Staff Procedures Upon Receipt of a Complaint of Breach of Public Trust
34-5.0015	Jurisdiction of the Commission
34-5.002	Review for Sufficiency of Allegations of Breach of Public Trust and Order of Preliminary Investigation; Review of Allegations of Failure to Properly Complete Financial Disclosure Forms
34-5.0025	Withdrawal of Complaints
34-5.0028	Delegation of Authority
34-5.003	Subpoenas During Preliminary Investigation
34-5.004	Investigations
34-5.0043	Investigation of Facts and Parties Materially Related to Complaint
34-5.0045	Counsel
34-5.005	Motions to Dismiss for Lack of Jurisdiction
34-5.006	Probable Cause Determination
34-5.007	Notification of Manner of Disposition
34-5.008	Confidentiality
34-5.010	Public Hearings
34-5.011	Parties to Public Hearings
34-5.017	Disqualification of Commission Members
34-5.0171	Ex Parte Communications
34-5.020	Stipulations, Settlements, and Consent Orders
34-5.024	Action on Recommended Public Report or recommended Order by the Full Commission
34-5.025	Transmittal of Public Report
34-5.0291	Award of Attorney's Fees

Chapter 34-6	Advisory Opinions
34-6.001	General
34-6.002	Persons Who May Receive an Advisory Opinion – Standing
34-6.003	Subject Matter of Advisory Opinions
34-6.004	Form of Requests for Opinions
34-6.006	Receipt of Requests for Advisory Opinions and Withdrawal of Requests
34-6.0065	Emergency Requests for Advisory Opinions
34-6.007	Consideration and Issuance of Advisory Opinions by the Commission
34-6.009	Publication of the Name of the Person Seeking the Advisory Opinion
34-6.010	Publication of Advisory Opinion

Chapter 34-7	Ethics Training, Forms and Instructions
34-7.010	List of Forms and Instructions
34-7.025	Ethics Training Course Content

Chapter 34-8	Disclosure of Financial Interests
34-8.001	General
34-8.002	General Rules for Filing the CE Form 6 – Full and Public Disclosure of Financial Interests
34-8.003	Persons Required to File Full and Public Disclosure
34-8.004	Disclosure of Net Worth, Assets and Liabilities
34-8.005	Disclosure of Sources and Amounts of Income
34-8.006	Income Valuation
34-8.008	Final Filing Using the CE Form 6F
34-8.009	Amended Filing Using the CE Form 6X
34-8.011	Penalties for Late Filing
34-8.015	Appeal of Statutory Fines: Hearings, Unusual Circumstances
34-8.202	General Rules for Filing the CE Form 1 – Statement of Financial Interests
34-8.208	Final Filing Using the CE Form 1F
34-8.209	Amended Filing Using the CE Form 1X
34-8.210	Penalties for Late Filing
34-8.215	Appeal of Statutory Fines: Hearings, Unusual Circumstances

Chapter 34-9	Hearings Granted in Absence of Sworn
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	Complaint
34-9.001	Procedures for Public Hearings, Generally
34-9.0015	Time Periods
34-9.0016	Filing and Serving Documents; Facsimile Transmissions
34-9.0017	Presiding Officer
34-9.002	Parties to the Proceeding; Counsel; Qualified Representative
34-9.003	Contents of Petition
34-9.004	Staff Procedures Upon Receipt of Request for Hearing in Absence of Sworn Complaint
34-9.005	Written Analysis of Sufficiency of Petition
34-9.006	Commission Disposition of Petition
34-9.0065	Rules Governing the Proceedings
34-9.007	Investigations
34-9.0075	Delegation of Authority
34-9.012	Disqualification of Commission Members
34-9.0121	Ex Parte Communications
34-9.0153	Action on Recommended Order by the Full Commission
34-9.016	Final Action

Chapter 34-12	Executive Branch Lobbyist Registration
34-12.010	Purpose and Scope of Rules
34-12.015	Prohibitions
34-12.020	Definitions
34-12.030	Computation of Time
34-12.100	Lobbyist Defined
34-12.110	Exclusions for Judicial Proceedings
34-12.120	Exclusions for Administrative Proceedings as to Lobbying Activities Involving Water Management Districts
34-12.125	Exclusions for Administrative Proceedings
34-12.130	Exclusion for Officers or Employees of Agencies or Legislative or Judicial Branch Entities
34-12.140	Exclusion for Confidential Informants
34-12.150	Exclusion for Category One Purchases
34-12.160	Examples of Lobbying Activities Involving Water Management Districts
34-12.165	Examples of Lobbying Activities
34-12.170	Examples of Activities Not Constituting Lobbying Involving Water Management Districts

34-12.175	Examples of Activities Not Constituting Lobbying
34-12.180	Engendering "Goodwill"
34-12.190	Indirect Expenditures
34-12.200	Registration Requirements
34-12.210	Effective Date of Registration
34-12.330	Annual Renewals
34-12.340	Cancellation of Registration
34-12.400	Compensation Reporting Requirements
34-12.405	Penalties for Late Filing
34-12.407	Appeal of Statutory Fines: Hearings, Unusual Circumstances
34-12.420	Notification of Compensation Reporting Deadlines
34-12.500	Agency Responsibilities
34-12.600	Advisory Opinion Requests
34-12.610	Form of Requests for Opinions
34-12.620	Receipt of Requests for Opinions; Commission Staff Action
34-12.630	Consideration and Issuance of Opinions by Commission; Reconsideration of Opinions
34-12.640	Effect of an Advisory Opinion
34-12.650	Publication of Advisory Opinions
34-12.660	Records Retention and Inspection
34-12.700	Complaint Proceedings, Generally
34-12.705	Parties
34-12.710	Counsel
34-12.715	Staff Procedures Upon Receipt of a Complaint
34-12.720	Review for Sufficiency of Allegations and Order of Preliminary Investigation
34-12.725	Withdrawal of Complaints
34-12.728	Delegation of Authority
34-12.730	Subpoenas During Preliminary Investigation
34-12.735	Investigations
34-12.740	Motions to Dismiss for Lack of Jurisdiction
34-12.745	Advocate's Recommendation
34-12.750	Probable Cause Hearing
34-12.755	Notification of Probable Cause Determination
34-12.760	Confidentiality

Chapter 34-13	Gifts and Honoraria
34-13.100	Purpose
34-13.120	Persons Who Are Subject to the Law
34-13.130	General Statement of the Law Regarding Gifts, Things of Value, Honoraria, and Honorarium

	Event Related Expenses
34-13.140	General Considerations for Reporting Individuals and Procurement Employees
34-13.150	General Considerations for Public Officers and Employees Who Are Not Reporting Individuals or Procurement Employees
34-13.160	General Considerations for Lobbyists, Their Partners, Firms, Employers, and Principals, and Political Committees, and Vendors
34-13.200	Donor and "Donee" Defined
34-13.210	General Definition of "Gift."
34-13.212	Specific Examples of What May Constitute a Gift
34-13.214	Specific Examples of What Does Not Constitute a Gift
34-13.220	Honorarium Defined
34-13.230	Honorarium Event Defined
34-13.240	Lobbyist Defined
34-13.250	Procurement Employee Defined
34-13.260	Relative Defined
34-13.270	Reporting Individual Defined
34-13.300	Prohibition Against Soliciting Gifts
34-13.310	Prohibitions Against Accepting and Giving Gifts
34-13.320	Exceptions to Prohibitions in Section 112.3148, F.S., Against Accepting and Giving Gifts
34-13.400	Quarterly Gift Disclosure for Reporting Individuals and Procurement Employees
34-13.410	Annual Gift Disclosures for Reporting Individuals and Procurement Employees
34-13.420	Quarterly Gift Disclosure for Lobbyists and Others
34-13.430	Annual Gift Statements by Governmental Entities and Direct Support Organizations
34-13.500	Gift Valuation
34-13.510	Valuation of Gifts Provided by Multiple Donors
34-13.610	Prohibition Against Soliciting Honoraria
34-13.620	Prohibition Against Accepting Honoraria and Honoraria Event Related Expenses
34-13.630	Prohibition Against Providing Honoraria and Honoraria Event Related Expenses
34-13.710	Disclosures by Reporting Individuals and Procurement Employees

34-13.720	Statements Required of Persons Paying Honorarium Event Related Expenses
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Chapter 34-15	Review, Investigation and Hearing of Complaints Alleging Violation of S. 11.062(2), F.S.
34-15.001	Scope and Applicability of Chapter
34-15.0015	Time Periods
34-15.0016	Filing and Serving Documents; Facsimile Transmissions
34-15.0017	Presiding Officer
34-15.002	Staff Procedures Upon Receipt of a Complaint
34-15.0035	Delegation of Authority
34-15.004	Subpoenas During Preliminary Investigation
34-15.005	Investigations
34-15.006	Counsel
34-15.007	Probable Cause Determination
34-15.008	Notification of Manner of Disposition
34-15.010	Procedures for Public Hearings, Generally
34-15.013	Notice of Public Hearing
34-15.017	Disqualification of Commission Members
34-15.0171	Ex Parte Communications
34-15.0181	Subpoenas for Discovery; Discovery
34-15.020	Stipulations, Settlements, and Consent Orders
34-15.024	Action on Recommended Final Order by the Full Commission
34-15.025	Transmittal of Final Order

Chapter 34-16	Commission Meetings – Public Comment
34-16.001	Scope and Applicability of Chapter
34-16.002	Amount of Time for Individual Members of the Public to Address the Commission
34-16.003	Procedure for Group Representative to Address the Commission
34-16.004	Procedure for Informing Commission of Individual's Desire to be Heard or to Indicate Designation of a Representative Speaker
34-16.005	Designation for Specified Time Period for Public Comment

Chapter 34-17	Review, Investigation and Hearing of Referrals
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34-17.001	Scope and Applicability of Chapter
34-17.002	Time Periods
34-17.003	Filing and Serving Documents; Facsimile Transmissions
34-17.004	Staff Procedures upon Receipt of a Referral
34-17.005	Review for Sufficiency of Allegations of Breach of Public Trust and Order of Preliminary Investigation
34-17.006	Delegation of Authority
34-17.007	Subpoenas During Preliminary Investigation
34-17.008	Investigations
34-17.009	Counsel
34-17.010	Probable Cause Determination
34-17.011	Notification of Manner of Disposition
34-17.012	Confidentiality
34-17.013	Public Hearings
34-17.014	Parties to Public Hearings
34-17.015	Disqualification of Commission Members
34-17.016	Ex Parte Communications
34-17.017	Stipulations, Settlements and Consent Orders
34-17.018	Action on Recommended Public Report or Recommended Order by the Full Commission
34-17.019	Transmittal of Public Report

Chapter 34-18	Abuse of Position to Obtain Disproportionate Benefit
34-18.001	Scope and Applicability of Chapter

The Commission intends to review each of its 188 rules according to the following 5-year schedule:

- July 1, 2025 – June 30, 2026 – Chapter 34-5 and Chapter 34-17 (**44 rules total**)
- July 1, 2026 – June 30, 2027 – Chapter 34-15 and Chapter 34-18, and a portion of Chapter 34-12 (specifically Rules 34-12.00 through and including 34-12.210), (**39 rules total**)
- July 1, 2027 – June 30, 2028 – Chapter 34-9 and the remaining portion of Chapter 34-12 (specifically Rules 34-12.330 through and including Rule 34-12.760) (**44 rules total**)
- July 1, 2028 – June 30, 2029 – Chapter 34-6 and Chapter 34-13 (**39 rules total**)
- July 1, 2029 – June 30, 2030 – Chapter 34-7, Chapter 34-8, and Chapter 34-16 (**22 rules total**)

The Commission proposes to adhere to the following yearly schedule for the rules that it will review each year during the 5-year rule review:

- Between July 1 and December 31 – Commission attorneys will review the rule chapters noted in the 5-year schedule and evaluate whether each rule meets the criteria described in Section 120.5435(4), Florida Statutes.
- By December 31 – Commission attorneys will present their recommendations concerning the rule chapters under review to the Commission during the public session of a Commission meeting, and receive input from the Commission.
- By January 1 – As required by Section 120.5435(5), Florida Statutes, the Commission will prepare a report summarizing its intended actions for each rule under review and submit it to the President of the Senate, the Speaker of the House of Representatives, and the Joint Administrative Procedures Committee (JAPC).
- By April 1 – The Commission shall take one of the actions described in Section 120.5435(6), Florida Statutes, for each rule under review (i.e., make no change, make a technical change, make a substantive change by publishing a notice of rule development in the Florida Administrative Register, or repeal the rule by publishing the required notice in the Florida Administrative Register). The Commission will notify JAPC of its intended action for each rule in accordance with the requirements in Section 120.5435(6).
- By June 30 – The Commission will have completed its rule review in accordance with the requirements described in Section 120.5435(8), Florida Statutes (i.e., filing a certified copy of the reviewed rule and the JAPC certification with the Department of State if no changes or only technical changes are made, or filing an appropriate rulemaking notice under Section 120.54, Florida Statutes, for each reviewed rule requiring a substantive change or repeal).

Subsection (1)(f): Update to prior year's plan regarding rule review pursuant to s. 120.5435

Because the period from July 1, 2025—June 30, 2026, will be the first year in which the Florida Commission on Ethics is reviewing its rules pursuant to Section 120.5435, there is no update to the prior year's plan in this regard.

CERTIFICATION

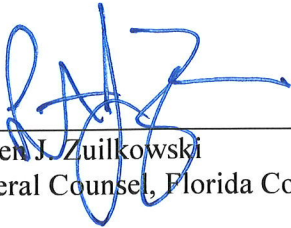
I verify that I have reviewed the Commission on Ethics Regulatory Plan for July 1, 2025-June 30, 2026, and that the Commission regularly reviews all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented. The period during which all rules have most recently been reviewed is July 31, 2024, through July 31, 2025.



Luis M. Fusté
Chair, Florida Commission on Ethics

9/12/25

Date



Steven J. Zuilkowski
General Counsel, Florida Commission on Ethics

9/12/25

Date