

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 718

SPONSOR: Senator McKay

SUBJECT: Legislative Lobbying

DATE: February 11, 2000

REVISED: 02/23/00 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kassack</u>	<u>Kassack</u>	<u>RC</u>	<u>Fav/1 amendment</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill requires registered lobbyists to file statements two times per year. It requires the first lobbyist who registers to represent a principal to be the designated lobbyist. New language requires each lobbyist to file an expenditure report for that portion of a reporting period during which he or she was registered. Each principal shall also ensure that an expenditure report is filed for each period during any portion of time which the principal was represented by a registered lobbyist. The bill sets two specific reporting periods and a cap on fines. The date from which time calculations are made and the method of calculation is changed. The time frame associated with a one-time waiver request is changed as is the time frame for notice of appeal. A provision for requesting a waiver for the filing of an expenditure report for good cause is added.

This bill amends section 11.045, Florida Statutes.

II. Present Situation:

Section 11.045, F.S. requires that statements filed by all registered lobbyists be filed two times per year and after each special session. Reporting deadlines are variable depending on sine die. A principal who is represented by two or more lobbyists must appoint one as the designated lobbyist. There is currently no cap on fines for failing to timely file a report. Fines are calculated and requests for appeal run from the date the lobbyist receives notice.

III. Effect of Proposed Changes:

Reporting Requirements:

The bill requires lobbyists to file statements two times per year. Two specific reporting periods are established. New language is added to require each lobbyist to file an expenditure report for

the portion of a reporting period during which he or she was registered. The principal is also required to ensure that an expenditure report is filed for each period during any portion of which the principal was represented by a registered lobbyist.

Time-frames and Notice:

The fine for a late filed report is capped at \$5,000 and is due 30 days, rather than 20, after notice of payment due. The time runs from date of transmittal from the Lobbyist Registration Office rather than date of receipt by the lobbyist.

To receive a one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 30 days after notice is transmitted by the Lobbyist Registration Office.

To appeal a fine, the time-frame for such a request runs from date of transmittal from the Lobbyist Registration Office rather than date of receipt by the lobbyist. The time-frame for such request is advanced from 20 to 30 days.

Waivers:

A waiver from filing an expenditure report may be requested for good cause. The decision to grant such a waiver is made by the President of the Senate and the Speaker of the House of Representatives.

Suspension:

The registration of a lobbyist is suspended if a fine is not timely paid or waived.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Places a cap of \$5000 on fines assessed.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Rules and Calendar:

Revises the definition of a person who is not a lobbyist. Changes reporting requirements and time frames associated with those reporting requirements. Sets a cap on fines. Clarifies who is responsible for filing reports under varying circumstances. (WITH TITLE AMENDMENT)