



THE TRANSPARENCY PARADIGM:

**New Requirements in Financial Disclosure
Applicable to Trustees**

Presented by
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Executive Director
**Florida Ethics
Institute**

WHO FILES FINANCIAL DISCLOSURE?

Form 6

Full & Public Disclosure of
Financial Interests (5,000 +filers)

- All constitutional officers
- Art. II, s. 8(a), Fla. Const.
- Section 112.3144, F.S.
- Now includes all mayors and city commissioners as of Jan 2024

Form 1

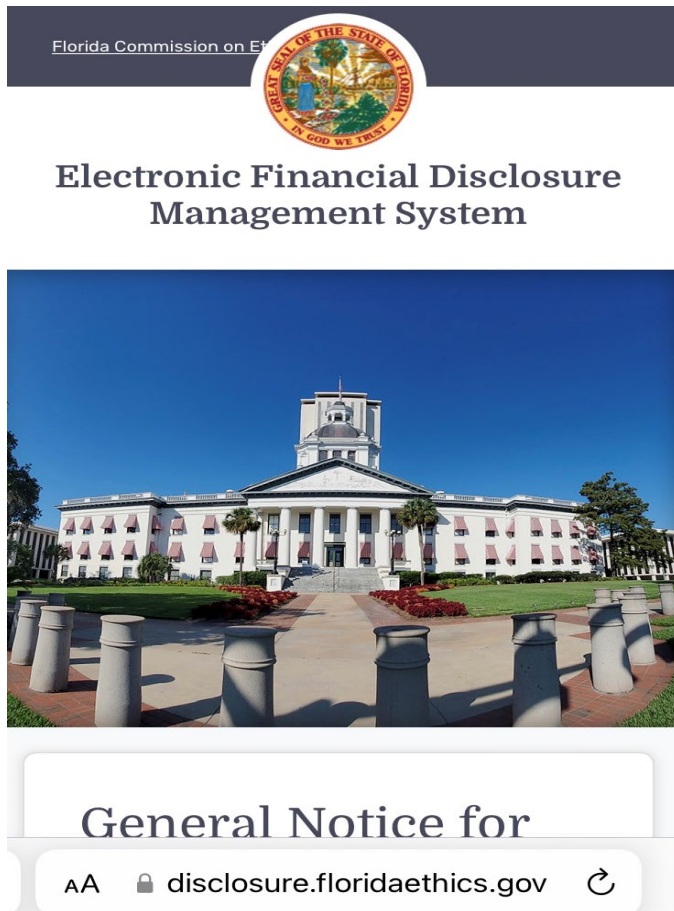
Statement of Financial Interests
(35,000+ filers)

- Local Officers (**including all pension trustees**)
- State Officers
- Specified State Employees
- Section 112.3145, F.S.

KEY FORM 1 DISCLOSURE FACTS

- Form 1 initially due within **30 days of appointment** or election to public office
- Forms are **due annually by July 1** each year
- Penalty free grace period until Sept 1
- **After Sept. 1, automatic fines of \$25/day for up to 60 days (\$1,500)**
- Fines may be waived by the Commission pursuant to an appeal indicating that “unusual circumstances” prevented timely filing
- Failure to file financial disclosure in any calendar year can result in removal from public office/employment if willful
- Final disclosure form (Form 1F) due within 60 days of leaving public office/employment
- **NO actual dollar amounts are required to be disclosed on the Form 1!**

NEW ELECTRONIC FINANCIAL DISCLOSURE MANAGEMENT SYSTEM (EFDMS)



- Launched on January 1, 2022.
- Enables the **electronic creation, submission, and publication** of financial disclosures.
- All Form 6 filers began using the EFDMS in 2023.
- **ALL Form 1 filers will use EFDMS to create and file their disclosures starting in 2024!**
- Local filers will no longer file with Supervisor of Elections
- <https://disclosure.floridaethics.gov>

EFDMS PROCESS & RESOURCES FOR FILERS

EFDMS Process


- EFDMS walks filers through each section of disclosure via Q&A process
- Affords more options for financial disclosure creation
- Filers may attach documents as needed
- Filers may enlist the assistance of an attorney or accountant to complete and submit Form 1 via EFDMS

EFDMS Resources


- EFDMS provides filers with pop-outs during process and FAQs
- Full instructions for each form available
- “How To” tutorials on the use of EFDMS now available on system’s website
- Filers may check the Commission’s website at www.ethics.state.fl.us to determine if form received

EFDMS ACCESS

Florida Commission on Ethics




Electronic Financial Disclosure Management System



Chrome, Edge, or Firefox are the recommended browsers to use in the EFDMS website. If you are not using one of these browsers, you will be able to access the site, but the pages may not display or function as designed.


Login

Please tell us what type of user you are:




I am a Filer

Are you a public officer or public employee with a Form 1 or a Form 6 requirement? If so, then click here to log in and file the Form 1, Form 6, or Form 2. Candidates for office who currently hold public employment or a public position that requires financial disclosure should also click here to log in.




How to Video




I am a Candidate


Are you a non-incumbent candidate who is attempting to qualify for office AND you do not currently hold a public position that requires financial disclosure? If so, then click here to log in.



How to Video




I am an Organization Coordinator




I am a CPA or Attorney who is assisting a filer

Public Search


 [Search for Financial Disclosure Filers](#)

Frequently Asked Questions

 [View Frequently Asked Questions](#)


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Login

Request Filer Registration Email

Form 6 or Form 1 Filers can select the button below to receive a registration email. Emails are sent from mail.disclosure.floridathics.gov. Please safelist this address to avoid missing any email sent by the system.

Filers who logged into the e-filing system last year must use the same username and password to log in this year.

If you need to qualify for office, you will submit your form electronically to the Commission and then print a copy to file with your qualifying officer.

Request Registration Email

[Back to User Selection](#)


Filer Login

☐ Remember Me [Forgot Username](#) [Forgot Password](#)

Login

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Public Search

 [Search for Financial Disclosure Filers](#)

EFDMS TROUBLESHOOTING & QUESTIONS



- Questions About EFDMS or Financial Disclosure Requirements?
 - **Call the Commission on Ethics** and ask to speak with Financial Disclosure staff at **(850) 488-7864**
 - Read the Commission's "E-filing Tips & Important Reminders for 2024" available on their homepage at <https://ethics.state.fl.us>
 - File your Form 1 **EARLY** and do not wait until the July 1 filing deadline!

CONFIDENTIALITY EXEMPTIONS

- **Certain filers, including current or former law enforcement personnel, are eligible to request the redaction of certain personal information from their financial disclosure filings.** *See* Section 119.071, F.S.
- By law, a **notarized confidentiality request** MUST be received by the Commission before agency staff can apply redactions. Requests cannot be submitted as a part of the electronic form.
- Local filers who previously filed with their Supervisor of Elections and were designated as confidential filers, must file a NEW notarized, written request with the Commission to be designated a "Confidential Filer" in EFDMS.
- Public records exemption request forms are available on the Commission's website and can be submitted NOW! <https://ethics.state.fl.us/Documents/Forms/PublicRecordsExemption.pdf>
- After a confidential filer's form is filed, your filer dashboard in EFDMS will id you as a Confidential Filer and confidential info is redacted by EFDMS, prior to publication of forms on the website.

REDACTION REQUEST FORM

Florida Commission on Ethics Public Records Exemption Request

Florida law provides that an agency shall treat social security numbers, bank account numbers, and debit, charge, and credit card numbers as automatically exempt from public disclosure. In addition, Florida law allows eligible persons to submit a written and notarized request that a non-employing agency maintain as exempt from public disclosure certain identification and/or location information contained in records within the agency's custody.

The person entitled to the additional exemptions must submit a written and notarized request directly to this agency to maintain the exemption to the records in our custody. § 119.071(4)(d)3., F.S. You are not required to use this form; however doing so will help us keep your information confidential. Please return this completed form or a written and notarized request to: Florida Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317.

If you or your spouse qualify; or if you are the child of someone who qualifies; you are eligible to receive additional public records exemptions. Please check the box for any of the following that apply:

Active or Former:

- ☐ Sworn or civilian law enforcement personnel, including correctional and correctional probation officers.
- ☐ Department of Children and Families personnel whose duties include investigating criminal activities.
- ☐ Department of Health personnel whose duties are to support the investigation of child abuse or neglect.
- ☐ Department of Revenue or local government personnel whose responsibilities include revenue collection and enforcement or child support enforcement.

Current or Active:

- ☐ General magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support enforcement hearing officer.
- ☐ County Tax Collector.
- ☐ Child protection team members.

Current or Former:

- ☐ Department of Financial Services nonsworn investigative personnel whose duties include investigating criminal activities, workers' compensation coverage requirements and compliance, or state regulatory requirement violations.
- ☐ Supreme Court Justice, or judge of district court of appeal, circuit court, or county court.
- ☐ State attorney, assistant state attorney, statewide prosecutor, or assistant statewide prosecutor.
- ☐ Public defender, assistant public defender, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel.
- ☐ Human resource, labor relations, or employee relations director, assistant director, manager, or assistant manager of any local government agency or water management district whose duties include hiring/firing employees, labor contract negotiation, administration, or other personnel-related duties.
- ☐ Code Enforcement Officer.
- ☐ Guardian ad litem, as defined in s. 39.820, F.S.
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- ☐ Juvenile probation officer, juvenile probation supervisor, detention superintendent, assistant detention superintendent, juvenile justice detention officers I and II, juvenile justice detention officer supervisor, juvenile justice residential officer, juvenile justice

residential officer supervisors I and II, juvenile justice counselor, juvenile justice counselor supervisor, human services counselor administrator, senior human services counselor administrator, rehabilitation therapist, or social services counselor of the Department of Juvenile Justice.

- ☐ Department of Business and Professional Regulation investigator or inspector.
- ☐ Department of Health personnel involved in determining or adjudicating eligibility for social security disability benefits, investigating or prosecuting complaints filed against health care practitioners, or inspecting health care practitioners or health care facilities licensed by the Department of Health.
- ☐ Impaired practitioner consultant retained by an agency, or employees of such a consultant.
- ☐ Certified emergency medical technician or paramedic.
- ☐ Personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating activities that could lead to criminal prosecution or administrative discipline.
- ☐ U.S. Attorney or Assistant U.S. Attorney, U.S. Courts of Appeal judge, U.S. district judge, or U.S. magistrate.*
- ☐ Victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence (if applicable, must attach official verification that crime occurred; exemption applies only to individual victim of specified crime, not to the spouse or child of the victim).**
- ☐ Certified firefighter.
- ☐ Nonsworn investigative personnel of the Office of Financial Regulation whose duties include investigating fraud, theft, criminal activities related to fraud or theft, and violations of state regulatory requirements.
- ☐ Child Advocacy Center Directors, managers, supervisors, and clinical employees.
- ☐ County addiction treatment facility directors, managers, supervisors, nurses, and clinical employees.
- ☐ Public guardians, and those employees of public guardians with fiduciary responsibilities.
- ☐ Staff and domestic violence advocates of domestic violence centers certified by the Department of Children and Families under Chapter 39, F.S.

☐ Yes, I qualify ☐ Yes, my spouse qualifies ☐ Yes, my parent qualifies

Printed Name: _____ Phone Number: _____

The residence address(es) you wish us to maintain as confidential _____

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE _____

STATE OF FLORIDA

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of

☐ physical presence or ☐ online notarization, this _____ day of

_____, 20____ by _____

(Signature of Notary Public--State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

*-- If this category is selected, person also certifies, by signing this form, that he or she has made reasonable efforts to protect such information from being accessible through other means available to the public.

** -- Exemption valid for 5 years from date of request.

ADDITIONAL FORM 1 FILING INFORMATION

- If applicable, file your Request for Confidentiality form as soon as possible to ensure that the EFDMS system identifies you as a confidential filer eligible for redaction of personal information.
- Download the full instructions for the Form 1 available on the EFDMS website now!
- Plan to file your Form 1 early and well in advance of the July 1 filing deadline.
- Once you click “Publish” on your Form 1 “Statement of Financial Interests” it will be automatically published on the EFDMS website where it will be searchable by the public, free of charge, absent a Public Records Request.
- Filers may amend a filing through the EFDMS via the Form 1X “Amendment to Statement of Financial Interests.”
- If amended prior to Sept 1 in the year filed, the amendment will be treated as part of the original filing.

NEW REQUIREMENTS IN FORM 1 DISCLOSURE METHODS

- In prior years, the Form 1 has contained two methods of calculating reportable interests:
 - The Dollar Value Threshold Methodology
 - ~~Percentage Threshold Methodology~~
- **In 2024, and thereafter, the ONLY manner of calculating reportable interests on the Form 1 will be the Dollar Value Threshold Methodology.** *See* s.112.3145(3), F.S.
- Under the Dollar Value Threshold Method filers disclose interests exceeding certain statutorily identified dollar value thresholds.
- **However, NO actual dollar values are required to be disclosed on the Form 1!**


Completing The Form 1 Using The Dollar Value Method: **Primary Sources of Income**

- Requires disclosure of your principal sources of income during the previous calendar year.
- **Identify each source of gross income over \$2,500.**
- "Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable.
- **Must disclose each source's name, address, and description of business.**
- Do NOT disclose public salary or public positions!
- Do NOT disclose income of spouse.
- BUT if there is joint income from property jointly owned (such as interest or dividends from a bank account or stocks) that > \$2,500 than must disclose.
- Do NOT have to disclose child support but DO disclose alimony.

Dollar Value Method: Secondary Sources of Income

- NOT income from second jobs—that income should be disclosed as “Primary Sources of Income”
- Requires disclosure of major customers and clients of your businesses IF:
 1. You owned > 5% of the business AND
 2. You received >\$5,000 gross income from the business
- IF your interests and income exceeded both thresholds than must identify the name and address of each client/customer that contributed >10% of the business’s gross income.

How to Disclose: Secondary Sources of Income

BUSINESS ENTITY	MAJOR SOURCES OF BUSINESS INCOME	ADDRESS	PRINCIPAL BUSINESS ACTIVITY OF SOURCE	ACTIONS
<input type="text" value="Please enter business name"/>	<input type="text" value="Please enter business source"/>	<input type="text" value="Please enter business address"/>	<input type="text" value="Please enter business activity"/>	
				+ Add Item

- “Secondary sources of income” are the major clients/customers of businesses of which you own more than 5 percent.
- “Major clients/customers” supply more than 10% of your business’s gross income that year.
- Business name; Client name and address; Client business and description

Dollar Value Method: **Real Property**

- **List the location or description of all real property in Florida in which you owned > 5% of the property's value.**
- NOT required to disclose real property located outside of Florida.
- **NOT required to list your private residence(s).**
- You **SHOULD** list any vacation homes if you derive income from them.
- Value of the property may be determined by the most recently assessed value for tax purposes or more accurate fair market value.

Dollar Value Method: Intangible Personal Property

- **Identify any intangible personal property that was worth >\$10,000 during the previous year.**
- Examples: bank accounts, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you, Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and cash on hand worth >\$10,000.
- Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Thus, the \$10,000 threshold should be applied to the individual product and only those assets >\$10,000 must be listed.
- **Identify the type of intangible personal property and the business entity to which it relates.**

Dollar Value Method: **Liabilities**

- **Identify creditors you owed >\$10,000 at any time during the previous calendar year.**
- List the creditor's name and address.
- Do NOT have to disclose:
 - Credit card debt and retail installment accounts,
 - taxes owed (unless reduced to a judgment),
 - Indebtedness on a life insurance policy owed to the company of issuance, or
 - Contingent liabilities (meaning a liability that will become an actual liability only when one or more future events occur or fail to occur).

Dollar Value Method: Interests In Specified Businesses

- **You must disclose ownership interest >5% in “specified businesses.”**
- These are businesses of a type specified in the instructions. NOT every business is a specified business.
- Examples of “specified businesses”: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, and utility companies.

Add Business Interest

Please enter your business interests:

Name of business entity

Address of business entity

Principal business activity

Position held with entity

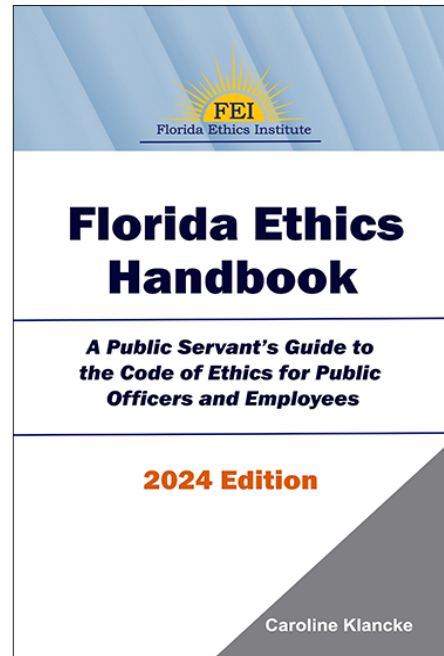
I own more than 5% interest in the business

Nature of my ownership interest

FINANCIAL DISCLOSURE RESOURCES & ASSISTANCE FOR FILERS

- Need assistance with EFDMS? (access, registration, login/password, filer dashboard, etc.): Call the Commission on Ethics at **(850) 488-7864** and ask to speak with a **Financial Disclosure Department** staff.
- Have Fact-Specific Questions Regarding Your Form 1 Filing?: Call the Commission on Ethics at **(850) 488-7864** and ask to speak with the **Attorney of the Day**.
- FAQs for Financial Disclosure and Login available on EFDMS system!
- E-filing Tips & Important Reminders for 2024 available on www.ethics.state.fl.us.

THANK YOU!



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