

25-21.050 Acceptance of Gifts.

(1) This rule is adopted to implement Section 112.326, F.S., authorizing agencies to impose more stringent standards of conduct upon their employees than those specified in Chapter 112, Part III, F.S. The provisions of subsection (2) apply in addition to that part.

(2) A Commission employee shall not knowingly accept anything of value for which equal or greater consideration is not given from any entity listed below, its officers or employees. This prohibition shall further apply to any business entity that either directly or indirectly owns, controls, is an affiliate of or is a subsidiary of the listed entities. These include:

(a) An entity regulated by the Commission;

(b) An entity that is currently a party or has been a party in a Commission proceeding during the preceding 12 months; or

(c) A person or entity acting on behalf of a regulated entity or party.

(3) The provisions of subsection (2) shall not apply:

(a) When it is obvious from the circumstances that it is a relationship with a relative, as defined in Section 112.312(21), F.S., or a personal relationship that pre-existed the regulatory relationship and which involves reciprocity, rather than the regulatory relationship, that is the motivating factor for offering a thing of value;

(b) To incidental items with a value of \$3.00 or less, determined as provided in Section 112.3148(7), F.S.;

(c) To items that are offered to the public at large or to public or private groups, such as professional, community, religious, social, or sports organizations, of which the employee is a member and where the group is not limited to employees of the Commission. However, a Commission employee shall not accept without payment food or beverages provided at a reception or similar event that is held in conjunction with a conference or meeting when the reception or similar event is sponsored by a regulated entity, association of regulated entities, or a party.

(d) To retirement or other post-employment benefits received as a result of prior employment with a regulated entity or party to a proceeding, which benefits the employee would receive regardless of employment by the Commission.

(e) To the acceptance of assistance in circumstances endangering the employee's or another person's life or property.

(f) To employees in secretarial, clerical, maintenance, or similar positions, unless the employee serves in a secretarial position under the direct supervision of a Commissioner.

(g) To the acceptance of transportation in a regulated entity's vehicle by an employee on a field visit to a site that is remote or difficult to access in a Commission vehicle.

(4) Violation of this rule shall constitute grounds for disciplinary action for conduct unbecoming a public employee.

(5) An employee who is uncertain about accepting anything of value may request a written advisory opinion from the General Counsel and Executive Director.

Rulemaking Authority 112.326 FS. Law Implemented 112.326 FS. History—New 5-23-95.

Janet Cayson

Subject: FW: Technical Changes to 25-21 rules

From: Administrative Code <AdministrativeCode@dos.fl.gov>

Sent: Friday, June 13, 2025 4:53 PM

To: Susan Sapoznikoff <SSapozni@psc.state.fl.us>; Administrative Code <AdministrativeCode@dos.fl.gov>

Subject: RE: Technical Changes to 25-21 rules

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

This request has been completed.

Best,

Alexandra Leijon

Administrative Code and Register Director

Office of General Counsel

Department of State

Room 701I The Capitol | Tallahassee, FL

P: (850)245-6208

Alexandra.Leijon@dos.fl.gov

From: Susan Sapoznikoff <SSapozni@psc.state.fl.us>

Sent: Friday, June 13, 2025 4:49 PM

To: Administrative Code <AdministrativeCode@dos.fl.gov>

Subject: Technical Changes to 25-21 rules

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon, Ms. Leijon:

I have attached the Commission's technical change to Rule 25-21.050(1), F.A.C.

Please let me know if you also need to rule text in Word format.

Please contact me with any questions or concerns.

With best regards,

Suzie