

By Representative Diaz de la Portilla

1 A bill to be entitled
2 An act relating to campaign financing; amending
3 s. 106.1405, F.S.; prohibiting the use of
4 campaign funds by candidates and their spouses
5 for salary or personal expenses; providing
6 penalties; creating the Campaign Finance Reform
7 Study Committee within the Department of State;
8 providing for appointment of members; requiring
9 the Division of Elections to provide staff
10 support for the committee; providing purpose;
11 requiring a report and providing for
12 termination of the committee upon submission
13 thereof; providing effective dates.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 106.1405, Florida Statutes, is
18 amended to read:

19 106.1405 Use of campaign funds for salary or personal
20 expenses prohibited; penalties by candidates.--

21 (1) ~~if~~ A candidate or the spouse of a candidate may
22 not intends to draw a salary from the campaign account of such
23 candidate or use funds on deposit in a campaign account of
24 such candidate to defray normal living expenses for the
25 candidate or the candidate's family, other than expenses
26 actually incurred for transportation, meals, and lodging by
27 the candidate or a family member during travel in the course
28 of the campaign, ~~the candidate shall, at the same time he or~~
29 ~~she appoints a treasurer and designates his or her campaign~~
30 ~~depository, file with the officer before whom he or she~~
31 ~~qualifies a statement that the candidate intends to use the~~

1 ~~funds for such purposes. Unless the statement of intent is~~
2 ~~filed at such time, the funds shall not be so used.~~

3 (2) Violation of this section is punishable as
4 provided in s. 106.19.

5 Section 2. (1) Campaign Finance Reform Study
6 Committee.--

7 (1) There is hereby created within the Department of
8 State the Campaign Finance Reform Study Committee, for the
9 purpose of examining the need for campaign finance reform.
10 The committee shall be composed of the following members, to
11 be appointed no later than July 31, 1997:

12 (a) Two members of the Senate, one each appointed by
13 the President of the Senate and the Minority Leader of the
14 Senate.

15 (b) Two members of the House of Representatives, one
16 each appointed by the Speaker of the House of Representatives
17 and the Minority Leader of the House of Representatives.

18 (c) The chairs of the state executive committees of
19 each major political party in this state, or designee.

20 (d) The Secretary of State, or designee.

21 (e) Two interested private citizens, one appointed by
22 the Governor from each list of three candidates submitted by
23 the President of the Senate and the Minority Leader of the
24 Senate.

25 (f) Four political science professors or scholars of
26 recognized achievement in the study of election matters, two
27 appointed by the Governor from each list of six candidates
28 submitted by the Speaker of the House of Representatives and
29 the Minority Leader of the House of Representatives.

30 (g) Two legal professors of recognized achievement in
31 the study of first amendment and election matters, one

1 appointed by the Governor from each list of three candidates
2 submitted by the President of the Senate and the Minority
3 Leader of the Senate.

4 (2) Members of the committee shall serve without
5 compensation, but shall be reimbursed for per diem and travel
6 expenses in accordance with s. 112.061, Florida Statutes.

7 (3) The Division of Elections shall provide staffing
8 for the committee. The Department of State shall be
9 responsible for administering and distributing such funds as
10 are necessary for the committee to complete its work.

11 (4) The purpose of the committee is to study Florida's
12 current system of campaign finance laws, identify any
13 problems, and develop legally defensible recommendations for
14 reforming the current system which will:

15 (a) Reduce the influence of special interest groups;

16 (b) Encourage robust and vigorous debate in political
17 campaigns; and

18 (c) Engender greater public confidence in the
19 integrity of elected public officials and the election
20 process.

21 (5) The committee shall submit a report of its
22 findings and recommendations to the President of the Senate,
23 the Speaker of the House of Representatives, and the chairs of
24 the applicable legislative committees of substance by November
25 1, 1998, after which the committee is terminated.

26 (2) This section shall take effect upon this act
27 becoming a law.

28 Section 3. Except as otherwise provided herein, this
29 act shall take effect January 1, 1998.

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HOUSE SUMMARY

Prohibits a candidate or the spouse of a candidate from using the candidate's campaign funds either to draw a salary or to defray normal living expenses, other than expenses actually incurred for transportation, meals, and lodging by the candidate or a family member during travel in the course of the campaign.

Creates the Campaign Finance Reform Study Committee within the Department of State. Provides for appointment of members. Requires the Division of Elections to provide staff support for the committee. Provides purpose. Requires a report and provides for termination of the committee upon submission thereof.