

Amendment No. ____ (for drafter's use only)

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
|---|---------------|----------------|--------------|
| 1 | | . | |
| 2 | | . | |
| 3 | | . | |
| 4 | | . | |

ORIGINAL STAMP BELOW

Representative(s) Brown offered the following:

Substitute Amendment for Amendment (200563) (with title amendment)

On page 20, between lines 26 and 27,

insert: Section 21. Subsection (3) of s. 106.021, Florida Statutes, is amended to read:

106.021 Campaign treasurers; deputies; primary and secondary depositories.--

(1)(a) Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to, or retention in, office shall appoint a campaign treasurer and designate a primary campaign depository prior to qualifying for office. Any person who seeks to qualify for election or nomination to any office by means of the petitioning process shall appoint a treasurer and designate a primary depository on or before the date he or she obtains the petitions. Each candidate shall at the same time he or she designates a campaign depository and appoints a treasurer also

Amendment No. ____ (for drafter's use only)

1 designate the office for which he or she is a candidate. If
2 the candidate is running for an office which will be grouped
3 on the ballot with two or more similar offices to be filled at
4 the same election, the candidate must indicate for which group
5 or district office he or she is running. Nothing in this
6 subsection shall prohibit a candidate, at a later date, from
7 changing the designation of the office for which he or she is
8 a candidate. However, if a candidate changes the designated
9 office for which he or she is a candidate, the candidate must
10 notify all contributors in writing of the intent to seek a
11 different office and offer to return pro rata, upon their
12 request, those contributions given in support of the original
13 office sought. This notification shall be given within 15 days
14 after the filing of the change of designation and shall
15 include a standard form developed by the Division of Elections
16 for requesting the return of contributions. The notice
17 requirement shall not apply to any change in a numerical
18 designation resulting solely from redistricting. If, within
19 30 days after being notified by the candidate of the intent to
20 seek a different office, the contributor notifies the
21 candidate in writing that the contributor wishes his or her
22 contribution to be returned, the candidate shall return the
23 contribution, on a pro rata basis, calculated as of the date
24 the change of designation is filed. Any contributions not
25 requested to be returned within the 30-day period may be used
26 by the candidate for the newly designated office. No person
27 shall accept any contribution or make any expenditure with a
28 view to bringing about his or her nomination, election, or
29 retention in public office, or authorize another to accept
30 such contributions or make such expenditure on the person's
31 behalf, unless such person has appointed a campaign treasurer

Amendment No. ____ (for drafter's use only)

1 and designated a primary campaign depository. A candidate for
2 an office voted upon statewide may appoint not more than 15
3 deputy campaign treasurers, and any other candidate or
4 political committee may appoint not more than 3 deputy
5 campaign treasurers. The names and addresses of the campaign
6 treasurer and deputy campaign treasurers so appointed shall be
7 filed with the officer before whom such candidate is required
8 to qualify or with whom such political committee is required
9 to register pursuant to s. 106.03. Each candidate who
10 qualifies with the Department of State for an office not voted
11 upon statewide shall, at the same time, file a copy of the
12 name and address of the campaign treasurer with the supervisor
13 of elections in the county in which the candidate resides.

14 (b) Except as provided in paragraph (d), each
15 candidate and each political committee shall also designate
16 one primary campaign depository for the purpose of depositing
17 all contributions received, and disbursing all expenditures
18 made, by the candidate or political committee. The candidate
19 or political committee may also designate one secondary
20 depository in each county in which an election is held in
21 which the candidate or committee participates. Secondary
22 depositories shall be for the sole purpose of depositing
23 contributions and forwarding the deposits to the primary
24 campaign depository. Any bank, savings and loan association,
25 or credit union authorized to transact business in this state
26 may be designated as a campaign depository. The candidate or
27 political committee shall file the name and address of each
28 primary and secondary depository so designated at the same
29 time that, and with the same officer with whom, the candidate
30 or committee files the name of his, her, or its campaign
31 treasurer pursuant to paragraph (a). In addition, the campaign

Amendment No. ____ (for drafter's use only)

1 treasurer or a deputy campaign treasurer may deposit any funds
2 which are in the primary campaign depository and which are not
3 then currently needed for the disbursement of expenditures
4 into a separate interest-bearing account in any bank, savings
5 and loan association, or credit union authorized to transact
6 business in this state. The separate interest-bearing account
7 shall be designated "... (name of candidate or committee)...
8 separate interest-bearing campaign account." In lieu thereof,
9 the campaign treasurer or deputy campaign treasurer may
10 purchase a certificate of deposit with such unneeded funds in
11 such bank, savings and loan association, or credit union. The
12 separate interest-bearing account or certificate of deposit
13 shall be separate from any personal or other account or
14 certificate of deposit. Any withdrawal of the principal or
15 earned interest or any part thereof shall only be made from
16 the separate interest-bearing account or certificate of
17 deposit for the purpose of transferring funds to the primary
18 account and shall be reported as a contribution.

19 (c) Any campaign treasurer or deputy treasurer
20 appointed pursuant to this section shall be a registered voter
21 in this state and shall, before such appointment may become
22 effective, have accepted appointment to such position in
23 writing and filed such acceptance with the officer before whom
24 the candidate is required to qualify or with the officer with
25 whom the political committee is required to file reports. An
26 individual may be appointed and serve as campaign treasurer of
27 a candidate and a political committee or two or more
28 candidates and political committees. A candidate may appoint
29 herself or himself as campaign treasurer.

30 (d) Any political committee which deposits all
31 contributions received in a national depository from which the

Amendment No. ____ (for drafter's use only)

1 political committee receives funds to contribute to state and
2 local candidates shall not be required to designate a campaign
3 depository in the state.

4 (2) A candidate or political committee may remove his,
5 her, or its campaign treasurer or any deputy treasurer. In
6 case of the death, resignation, or removal of a campaign
7 treasurer before compliance with all obligations of a campaign
8 treasurer under this chapter, the candidate or political
9 committee shall appoint a successor and certify the name and
10 address of the successor in the manner provided in the case of
11 an original appointment. No resignation shall be effective
12 until it has been submitted to the candidate or committee in
13 writing and a copy thereof has been filed with the officer
14 before whom the candidate is required to qualify or the
15 officer with whom the political committee is required to file
16 reports. No treasurer or deputy treasurer shall be deemed
17 removed by a candidate or political committee until written
18 notice of such removal has been given to such treasurer or
19 deputy treasurer and has been filed with the officer before
20 whom such candidate is required to qualify or with the officer
21 with whom such committee is required to file reports.

22 (3) (a) Except for independent expenditures, no
23 contribution or expenditure, including contributions or
24 expenditures of a candidate or of the candidate's family,
25 shall be directly or indirectly made or received in
26 furtherance of the candidacy of any person for nomination or
27 election to political office in the state or on behalf of any
28 political committee except through the duly appointed campaign
29 treasurer of the candidate or political committee. However,
30 expenditures may be made directly by any political committee
31 or political party regulated by chapter 103 for obtaining

Amendment No. ____ (for drafter's use only)

1 time, space, or services in or by any communications medium
2 for the purpose of jointly endorsing three or more candidates,
3 and any such expenditure shall not be considered a
4 contribution or expenditure to or on behalf of any such
5 candidates for the purposes of this chapter.

6 (b) A joint endorsement made pursuant to this
7 subsection shall only refer to, mention, or name the
8 candidates being jointly endorsed. A person who pays for a
9 joint endorsement which refers to, mentions, or names any
10 person or persons other than the candidates being endorsed
11 commits a willful violation of this subsection and shall be
12 assessed a civil fine of three times the limitations on
13 contributions set forth in s. 106.08.

14
15

16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 On page 4, line 6,
19 remove from the title of the bill: remove all of said line

20

21 and insert in lieu thereof:

22 election; providing exceptions; amending s.
23 106.021, F.S., relating to campaign treasurers;
24 deputies, primary and secondary depositories;
25 proving penalties; creating s.

26
27
28
29
30
31