

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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The Committee on Governmental Operations offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

Section 1. Subsection (5) of section 106.08, Florida Statutes, is amended to read:

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election. In addition to any other violation of this paragraph that may apply to a person, whether an individual, corporation, partnership, or other business entity, it is a violation of this paragraph for any corporation, partnership, or other business entity to:

1. Give money or any bonus, award, or thing of value to an employee for the purpose of effecting a contribution in support of or in opposition to any candidate, issue, political party, political committee, or committee of continuous existence;

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1 2. Give money or any bonus, award, or thing of value
2 to an employee for the purpose of reimbursing the employee, in
3 whole or in part, for making a contribution in support of or
4 in opposition to any candidate, issue, political party,
5 political committee, or committee of continuous existence; or

6 3. By bribery, menace, threat, or other corruption,
7 including the possibility of termination of employment, either
8 directly or indirectly mandate that an employee make a
9 contribution in support of or in opposition to any candidate,
10 issue, political party, political committee, or committee of
11 continuous existence;

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13 and the corporation, partnership, or other business entity so
14 doing shall be the party subject to the penalties provided in
15 subsections (7) and (8) for the contribution made by an
16 employee in violation of this paragraph.

17 (b) Candidates, political committees, and political
18 parties may not solicit contributions from or make
19 contributions to any religious, charitable, civic, or other
20 causes or organizations established primarily for the public
21 good. However, it is not a violation of this paragraph
22 ~~subsection~~ for a candidate, political committee, or political
23 party executive committee to make gifts of money in lieu of
24 flowers in memory of a deceased person or for a candidate to
25 continue membership in, or make regular donations from
26 personal or business funds to, religious, political party,
27 civic, or charitable groups of which the candidate is a member
28 or to which the candidate has been a regular donor for more
29 than 6 months. A candidate may purchase, with campaign funds,
30 tickets, admission to events, or advertisements from
31 religious, civic, political party, or charitable groups.

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1 Section 2. Paragraph (a) of subsection (1) of section
2 106.021, Florida Statutes, is amended to read:
3 106.021 Campaign treasurers; deputies; primary and
4 secondary depositories.--
5 (1)(a) Each candidate for nomination or election to
6 office and each political committee shall appoint a campaign
7 treasurer. Each person who seeks to qualify for nomination or
8 election to, or retention in, office shall appoint a campaign
9 treasurer and designate a primary campaign depository prior to
10 qualifying for office. Any person who seeks to qualify for
11 election or nomination to any office by means of the
12 petitioning process shall appoint a treasurer and designate a
13 primary depository on or before the date he or she obtains the
14 petitions. Each candidate shall at the same time he or she
15 designates a campaign depository and appoints a treasurer also
16 designate the office for which he or she is a candidate. If
17 the candidate is running for an office which will be grouped
18 on the ballot with two or more similar offices to be filled at
19 the same election, the candidate must indicate for which group
20 or district office he or she is running. Nothing in this
21 subsection shall prohibit a candidate, at a later date, from
22 changing the designation of the office for which he or she is
23 a candidate. However, if a candidate changes the designated
24 office for which he or she is a candidate, the candidate must
25 notify all contributors in writing of the intent to seek a
26 different office and offer to return pro rata, upon their
27 request, those contributions given in support of the original
28 office sought. This notification shall be given within 15 days
29 after the filing of the change of designation and shall
30 include a standard form developed by the Division of Elections
31 for requesting the return of contributions. The notice

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1 requirement shall not apply to any change in a numerical
2 designation resulting solely from redistricting. If, within
3 30 days after being notified by the candidate of the intent to
4 seek a different office, the contributor notifies the
5 candidate in writing that the contributor wishes his or her
6 contribution to be returned, the candidate shall return the
7 contribution, on a pro rata basis, calculated as of the date
8 the change of designation is filed. Any contributions not
9 requested to be returned within the 30-day period may be used
10 by the candidate for the newly designated office. No person
11 shall accept any contribution or make any expenditure with a
12 view to bringing about his or her nomination, election, or
13 retention in public office, or authorize another to accept
14 such contributions or make such expenditure on the person's
15 behalf, unless such person has appointed a campaign treasurer
16 and designated a primary campaign depository. For the purposes
17 of this section, a designation of a primary campaign
18 depository is deemed to be completed when it is postmarked to
19 or filed with, whichever is earlier, the officer before whom
20 the candidate is required to qualify.A candidate for an
21 office voted upon statewide may appoint not more than 15
22 deputy campaign treasurers, and any other candidate or
23 political committee may appoint not more than 3 deputy
24 campaign treasurers. The names and addresses of the campaign
25 treasurer and deputy campaign treasurers so appointed shall be
26 filed with the officer before whom such candidate is required
27 to qualify or with whom such political committee is required
28 to register pursuant to s. 106.03. Each candidate who
29 qualifies with the Department of State for an office not voted
30 upon statewide shall, at the same time, file a copy of the
31 name and address of the campaign treasurer with the supervisor

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1 of elections in the county in which the candidate resides.

2 Section 3. This act shall take effect July 1 of the
3 year in which enacted.

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

7 And the title is amended as follows:

8 remove from the title of the bill: everything before the
9 enacting clause

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11 and insert in lieu thereof:

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A bill to be entitled

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An act relating to elections; amending s.

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106.08, F.S.; prohibiting corporations,

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partnerships, or other business entities from

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coercing employees through specified acts to

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make a contribution in support of or in

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opposition to any candidate, issue, political

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party, political committee, or committee of

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continuous existence; prohibiting such business

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entities from giving anything of value to an

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employee to effect a campaign contribution or

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to reimburse an employee for making a campaign

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contribution; providing penalties; amending s.

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106.021, F.S.; providing when designation of a

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campaign depository is deemed completed;

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providing an effective date.

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