

By Representative Andrews

1 A bill to be entitled
2 An act relating to political advertisements;
3 creating s. 106.1433, F.S.; providing
4 requirements for use of manipulated images in
5 political advertisements; providing
6 definitions; providing penalties; providing an
7 effective date.

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

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11 Section 1. Section 106.1433, Florida Statutes, is
12 created to read:

13 106.1433 Use of manipulated images in political
14 advertisements; requirements; definitions; penalties.--

15 (1) A political advertisement that includes a picture
16 of any candidate or elected public official must, if the
17 picture has been manipulated in any way, contain a statement
18 that the picture has been manipulated and that the candidate
19 or elected public official in the picture has seen the
20 manipulated picture and approved its use in that
21 advertisement. In addition, the candidate or elected public
22 official in the picture must provide a written statement of
23 authorization to the communications medium responsible for
24 publishing, displaying, broadcasting, or otherwise
25 distributing the advertisement.

26 (2) For the purposes of this section, the term:

27 (a) "Picture" means a photographic image, an image on
28 motion picture film or videotape, or a digital image.

29 (b) "Manipulated" means changed in any way from the
30 original image, but does not include any reproduction
31 resulting in a true and correct copy of the original image.

1 (3)(a) Any person who fails to include the statement
2 of manipulation and approval required in subsection (1) is
3 subject to a fine of \$2 per piece, if distributed in print
4 form, or a fine of up to \$5,000 if broadcast on television.

5 (b) Any candidate or elected public official who fails
6 to submit the statement of authorization required in
7 subsection (1) is subject to a fine of up to \$5,000.

8 (c) The Florida Elections Commission shall determine
9 and assess all fines under this section, and all fines
10 collected under this section shall be deposited in the
11 Elections Commission Trust Fund.

12 Section 2. This act shall take effect January 1, 1998.

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15 HOUSE SUMMARY

16 Requires a political advertisement that includes a
17 manipulated picture of a candidate or elected public
18 official to include a statement that the picture has been
19 manipulated and that the candidate or elected public
20 official in that picture has approved the use of the
21 picture in that political advertisement. Requires the
22 candidate or elected public official to provide a
23 statement of authorization to the communications medium
24 responsible for publishing, displaying, broadcasting, or
25 otherwise distributing the advertisement. Provides fines
26 for failure to supply the required statements.