

By the Committee on Election Reform and 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   that has been manipulated in any way must contain a statement  
17   that the picture has been manipulated and that the candidate  
18   or elected public official using the picture has seen the  
19   manipulated picture and approved its use in that  
20   advertisement. In addition, any person or organization using a  
21   political advertisement that includes a manipulated picture of  
22   a candidate or elected public official must provide a written  
23   statement to the communications medium responsible for  
24   publishing, displaying, broadcasting, or otherwise  
25   distributing the advertisement, indicating that the candidate  
26   or elected public official in the picture has authorized its  
27   use in that advertisement.

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

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

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

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

10       (b) Any person or organization that fails to submit  
11 the statement of authorization to the communications medium as  
12 required in subsection (1) is subject to a fine of up to  
13 \$5,000.

14       (c) The Florida Elections Commission shall determine  
15 and assess all fines under this section, and all fines  
16 collected under this section shall be deposited in the  
17 Elections Commission Trust Fund.

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

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