

By Senator Crist

20-775-98

1 A bill to be entitled
2 An act relating to political campaigns;
3 amending s. 106.15, F.S.; prohibiting the use
4 of state-owned aircraft by any person for
5 campaign purposes; providing a penalty;
6 amending s. 921.0012, F.S.; establishing
7 violations under offense level 4 of the felony
8 sentencing guidelines; providing an effective
9 date.

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

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13 Section 1. Section 106.15, Florida Statutes, is
14 amended to read:

15 106.15 Certain acts prohibited.--

16 (1) No person shall pay money or give anything of
17 value for the privilege of speaking at a political meeting in
18 the furtherance of his or her candidacy, nor shall anyone
19 speaking for such a person pay money or give anything of value
20 for such privilege.

21 (2) No candidate, in the furtherance of his or her
22 candidacy for nomination or election to public office in any
23 election, shall use any state-owned ~~aircraft or~~ motor vehicle,
24 as provided in chapter 287, solely for the purpose of
25 furthering his or her candidacy. However, in the event a
26 candidate uses any state-owned ~~aircraft or~~ motor vehicle to
27 conduct official state business and while on such trip
28 performs any function in the furtherance of his or her
29 candidacy for nomination or election to public office in any
30 election, the candidate shall prorate the expenses incurred
31 and reimburse the appropriate agency for any trip not

1 exclusively for state business ~~and shall pay either a prorated~~
2 ~~share of all fixed and variable expenses related to the~~
3 ~~ownership, operation, and use of such aircraft or one-half of~~
4 ~~the total fixed and variable expenses related to the~~
5 ~~ownership, operation, and use of such aircraft, whichever is~~
6 ~~greater.~~ The reimbursement shall be made from the campaign
7 account of the candidate.

8 (3) A person may not use any state-owned aircraft to
9 further any candidacy for public office.

10 ~~(4)(3)~~ No candidate shall, in the furtherance of his
11 or her candidacy for nomination or election to public office
12 in any election, use the services of any officer or employee
13 of the state during working hours.

14 ~~(5)(4)~~ No person shall make and no person shall
15 solicit or knowingly accept any political contribution in a
16 building owned by a governmental entity. For purposes of this
17 subsection, "accept" means to receive a contribution by
18 personal hand delivery from a contributor or the contributor's
19 agent. This subsection shall not apply when a
20 government-owned building or any portion thereof is rented for
21 the specific purpose of holding a campaign fund raiser.

22 (6)(5) Any person who violates subsection (3) is
23 guilty of a felony of the third degree, punishable as provided
24 in s. 775.082 or s. 775.083. ~~Any person who violates any other~~
25 ~~provisions violating the provisions~~ of this section is guilty
26 of ~~commits~~ a misdemeanor of the first degree, punishable as
27 provided in s. 775.082 or s. 775.083.

28 Section 2. Paragraph (d) of subsection (3) of section
29 921.0012, Florida Statutes, is amended to read:

30 921.0012 Sentencing guidelines offense levels; offense
31 severity ranking chart.--

1	(3)	OFFENSE SEVERITY RANKING CHART	
2	Florida	Felony	
3	Statute	Degree	Description
4			
5			
6			(d) LEVEL 4
7	<u>106.15(3)</u>	<u>3rd</u>	<u>Use of state-owned aircraft for</u>
8			<u>campaigning.</u>
9	316.1935(2)	3rd	Fleeing or attempting to elude
10			law enforcement officer resulting
11			in high-speed pursuit.
12	784.07(2)(b)	3rd	Battery of law enforcement
13			officer, firefighter, intake
14			officer, etc.
15	784.075	3rd	Battery on detention or
16			commitment facility staff.
17	784.08(2)(c)	3rd	Battery on a person 65 years of
18			age or older.
19	784.081(3)	3rd	Battery on specified official or
20			employee.
21	784.082(3)	3rd	Battery by detained person on
22			visitor or other detainee.
23	787.03(1)	3rd	Interference with custody;
24			wrongly takes child from
25			appointed guardian.
26	787.04(2)	3rd	Take, entice, or remove child
27			beyond state limits with criminal
28			intent pending custody
29			proceedings.
30			
31			

1	787.04(3)	3rd	Carrying child beyond state lines
2			with criminal intent to avoid
3			producing child at custody
4			hearing or delivering to
5			designated person.
6	790.115(1)	3rd	Exhibiting firearm or weapon
7			within 1,000 feet of a school.
8	790.115(2)(b)	3rd	Possessing electric weapon or
9			device, destructive device, or
10			other weapon on school property.
11	790.115(2)(c)	3rd	Possessing firearm on school
12			property.
13	810.02(4)(a)	3rd	Burglary, or attempted burglary,
14			of an unoccupied structure;
15			unarmed; no assault or battery.
16	810.02(4)(b)	3rd	Burglary, or attempted burglary,
17			of an unoccupied conveyance;
18			unarmed; no assault or battery.
19	810.06	3rd	Burglary; possession of tools.
20	810.08(2)(c)	3rd	Trespass on property, armed with
21			firearm or dangerous weapon.
22	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000
23			or more but less than \$20,000.
24	812.014		
25	(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will,
26			firearm, motor vehicle,
27			livestock, etc.
28	817.563(1)	3rd	Sell or deliver substance other
29			than controlled substance agreed
30			upon, excluding s. 893.03(5)
31			drugs.

1	828.125(1)	2nd	Kill, maim, or cause great bodily
2			harm or permanent breeding
3			disability to any registered
4			horse or cattle.
5	837.02(1)	3rd	Perjury in official proceedings.
6	837.021(1)	3rd	Make contradictory statements in
7			official proceedings.
8	843.025	3rd	Deprive law enforcement,
9			correctional, or correctional
10			probation officer of means of
11			protection or communication.
12	843.15(1)(a)	3rd	Failure to appear while on bail
13			for felony (bond estreatment or
14			bond jumping).
15	874.05(1)	3rd	Encouraging or recruiting another
16			to join a criminal street gang.
17	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s.
18			893.03(1)(a), (b), or (d), or
19			(2)(a) or (b) drugs).
20	914.14(2)	3rd	Witnesses accepting bribes.
21	914.22(1)	3rd	Force, threaten, etc., witness,
22			victim, or informant.
23	914.23(2)	3rd	Retaliation against a witness,
24			victim, or informant, no bodily
25			injury.
26	918.12	3rd	Tampering with jurors.

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28 Section 3. This act shall take effect July 1, 1998.
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SENATE SUMMARY

Prohibits the use of state-owned aircraft by any person for campaign purposes. Provides a penalty. Establishes violation under offense level 4 of the felony sentencing guidelines for a person guilty of using state-owned aircraft for campaign purposes.