

By the Committee on Executive Business, Ethics and Elections
and Senator Bronson

313-1838-98

1 A bill to be entitled
 2 An act relating to political advertisements;
 3 amending s. 106.143, F.S.; providing
 4 requirements for use of manipulated images in
 5 political advertisements; providing an
 6 effective date.

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

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10 Section 1. Subsection (4) of section 106.143, Florida
11 Statutes, is amended to read:

12 106.143 Political advertisements circulated prior to
13 election; requirements.--

14 (4)(a) Any political advertisement, including those
 15 paid for by a political party, other than an independent
 16 expenditure, offered by or on behalf of a candidate or elected
 17 public official must be approved in advance by the candidate
 18 or elected public official. Such political advertisement must
 19 expressly state that the content of the advertisement was
 20 approved by the candidate or elected public official and must
 21 state who paid for the advertisement. The candidate or
 22 elected public official shall provide a written statement of
 23 authorization to the newspaper, radio station, television
 24 station, or other medium for each such advertisement submitted
 25 for publication, display, broadcast, or other distribution.

26 (b) Any person who makes an independent expenditure
 27 for a political advertisement shall provide a written
 28 statement that no candidate has approved the advertisement to
 29 the newspaper, radio station, television station, or other
 30 medium for each such advertisement submitted for publication,
 31 display, broadcast, or other distribution. The advertisement

1 must also contain a statement that no candidate has approved
2 the advertisement.

3 (c) Any political advertisement that includes a
4 picture in which a candidate's or elected public official's
5 physical appearance has been changed from an original
6 photographic, motion picture film, or digital image, except
7 for reproduction, cropping, contrasting, or color correction,
8 must also include a statement that the physical appearance of
9 the candidate or elected public official has been changed. In
10 addition, any candidate, elected public official, or other
11 person who pays for such a political advertisement must
12 provide a written statement to the communications medium
13 responsible for publishing, displaying, broadcasting, or
14 otherwise distributing the advertisement indicating that the
15 candidate's or elected public official's physical appearance
16 has been changed.

17 (d)~~(c)~~ This subsection does not apply to campaign
18 messages used by a candidate and his or her supporters if
19 those messages are designed to be worn by a person.

20 Section 2. This act shall take effect January 1, 1999.

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22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
23 COMMITTEE SUBSTITUTE FOR
24 SB 886

25 Deletes requirements relating to opposing candidate approval
26 for manipulated image political advertisements; amends the
27 disclaimer requirement for such advertisements; amends the
28 penalty for violations to \$1,000 per offense, instead of a
29 \$2,500, one-time penalty; makes technical changes to
30 incorporate disclaimer and filing requirements into current
31 Florida law.