

By Representative Flanagan

1 A bill to be entitled
2 An act relating to filing of campaign
3 treasurer's reports; creating s. 106.0705,
4 F.S.; requiring campaign treasurer's reports
5 that are to be filed with the Division of
6 Elections to be filed electronically when
7 aggregate contributions or expenditures exceed
8 a specified amount; providing filing
9 requirements; providing penalties; providing
10 rulemaking authority; amending s. 106.04, F.S.,
11 relating to committees of continuous existence,
12 to conform; removing requirement for duplicate
13 copies of reports; amending s. 106.07, F.S.,
14 relating to campaign treasurer's reports;
15 removing requirement for duplicate reports;
16 revising reporting periods and requirements;
17 amending s. 106.12, F.S.; providing for a petty
18 cash fund based on the revised reporting
19 periods; amending s. 106.29, F.S., relating to
20 reports by political parties; removing
21 requirement for duplicate reports; revising
22 reporting periods and requirements, to conform;
23 amending ss. 105.08, 106.025, 106.08, and
24 106.18, F.S., relating to reporting
25 requirements applicable to candidates for
26 retention to judicial office, campaign fund
27 raisers held on behalf of a political party by
28 its state or county executive committee,
29 nonallocable, in-kind contributions by
30 candidates and political parties, and the
31

1 granting of certificates of election, to
2 conform; providing effective dates.

3

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

5

6 Section 1. Section 106.0705, Florida Statutes, is
7 created to read:

8 106.0705 Electronic filing of campaign treasurer's
9 reports.--

10 (1)(a) Each candidate who is required to file reports
11 pursuant to s. 106.07 with the division and who accepts
12 contributions or makes expenditures in an aggregate amount in
13 excess of \$10,000 for the office sought must file such reports
14 with the division by means of electronic transfer.

15 (b) Each political committee, committee of continuous
16 existence, or state executive committee that is required to
17 file reports with the division under s. 106.04, s. 106.07, or
18 s. 106.29, as applicable, and that accepts contributions or
19 makes expenditures in an aggregate amount in excess of \$10,000
20 in a calendar year must file such reports with the division by
21 means of electronic transfer.

22 (2) Reports filed pursuant to this section shall be
23 filed not later than 5 p.m. of the day designated. Reports not
24 received by 5 p.m. of the day designated are late filed and
25 are subject to the penalties under s. 106.04(8), s. 106.07(8),
26 or s. 106.29(3), as applicable.

27 (3) Each report filed pursuant to this section is
28 considered to be under oath by the person filing the report,
29 and such person is subject to the provisions of s.
30 106.04(4)(d), s. 106.07(5), or s. 106.29(2), as applicable.

31

1 (4) The division shall adopt rules pursuant to ss.
2 120.536(1) and 120.54 to administer this section and provide
3 for the reports required to be filed pursuant to this section.

4 Such rules shall, at a minimum, provide that:

5 (a) The division develop an electronic filing system
6 based on access by means of the Internet.

7 (b) The electronic filing system be accessible by
8 anyone with Internet access using standard web-browsing
9 software.

10 (c) The electronic filing system provide for direct
11 entry of campaign finance information as well as download of
12 such information from campaign finance software certified by
13 the division.

14 (d) The electronic filing system provide a method that
15 verifies the identity of the person submitting the report.

16 (e) The division provide for alternate filing
17 procedures in case of failure by the division's web server.

18 Section 2. Subsection (4) of section 106.04, Florida
19 Statutes, is amended to read:

20 106.04 Committees of continuous existence.--

21 (4)(a) Each committee of continuous existence shall
22 file an annual report with the Division of Elections during
23 the month of January. Such annual reports shall contain the
24 same information and shall be accompanied by the same
25 materials as original applications filed pursuant to
26 subsection (2). However, the charter or bylaws need not be
27 filed if the annual report is accompanied by a sworn statement
28 by the chair that no changes have been made to such charter or
29 bylaws since the last filing.

30 (b)1. Each committee of continuous existence shall
31 file regular reports with the Division of Elections at the

1 same times and subject to the same filing conditions as are
2 established by ~~ss. s-106.07(1)~~ and (2) and 106.0705 for
3 candidates' reports.

4 2. Any committee of continuous existence failing to so
5 file a report with the Division of Elections pursuant to this
6 paragraph on the designated due date shall be subject to a
7 fine for late filing as provided by this section.

8 (c) All committees of continuous existence shall file
9 ~~the original and one copy of~~ their reports with the Division
10 of Elections. In addition, ~~a duplicate copy of~~ each report
11 shall be filed with the supervisor of elections in the county
12 in which the committee maintains its books and records, except
13 that if the filing officer to whom the committee is required
14 to report is located in the same county as the supervisor no
15 ~~such duplicate~~ report is required to be filed with the
16 supervisor. Reports shall ~~be on forms provided by the~~
17 ~~division and shall~~ contain the following information:

18 1. The full name, address, and occupation of each
19 person who has made one or more contributions to the committee
20 during the reporting period, together with the amounts and
21 dates of such contributions. For corporations, the report
22 must provide as clear a description as practicable of the
23 principal type of business conducted by the corporation.
24 However, if the contribution is \$100 or less, the occupation
25 of the contributor or principal type of business need not be
26 listed. However, for any contributions which represent the
27 payment of dues by members in a fixed amount pursuant to the
28 schedule on file with the Division of Elections, only the
29 aggregate amount of such contributions need be listed,
30 together with the number of members paying such dues and the
31 amount of the membership dues.

1 2. The name and address of each political committee or
2 committee of continuous existence from which the reporting
3 committee received, or the name and address of each political
4 committee, committee of continuous existence, or political
5 party to which it made, any transfer of funds, together with
6 the amounts and dates of all transfers.

7 3. Any other receipt of funds not listed pursuant to
8 subparagraph 1. or subparagraph 2., including the sources and
9 amounts of all such funds.

10 4. The name and address of, and office sought by, each
11 candidate to whom the committee has made a contribution during
12 the reporting period, together with the amount and date of
13 each contribution.

14 (d) The treasurer of each committee shall certify as
15 to the correctness of each report and shall bear the
16 responsibility for its accuracy and veracity. Any treasurer
17 who willfully certifies to the correctness of a report while
18 knowing that such report is incorrect, false, or incomplete
19 commits a misdemeanor of the first degree, punishable as
20 provided in s. 775.082 or s. 775.083.

21 (e) Reports filed by committees of continuous
22 existence not subject to the electronic filing provisions of
23 s. 106.0705 shall be on forms provided by the division.

24 (8)(a) Any committee of continuous existence failing
25 to file a report on the designated due date shall be subject
26 to a fine. The fine shall be \$500 per day for each late day,
27 not to exceed 25 percent of the total receipts or
28 expenditures, whichever is greater, for the period covered by
29 the late report. The fine shall be assessed by the filing
30 officer, and the moneys collected shall be deposited in the
31 Elections Commission Trust Fund. No separate fine shall be

1 assessed for failure to file a copy of any report required by
2 this section.

3 (b) Upon determining that a report is late, the filing
4 officer shall immediately notify the treasurer of the
5 committee as to the failure to file a report by the designated
6 due date and that a fine is being assessed for each late day.
7 Upon receipt of the report, the filing officer shall determine
8 the amount of fine which is due and shall notify the treasurer
9 of the committee. The filing officer shall determine the
10 amount of the fine due based upon the earliest of the
11 following:

- 12 1. When the report is actually received by such
13 officer.
- 14 2. When the report is postmarked.
- 15 3. When the certificate of mailing is dated.
- 16 4. When the receipt from an established courier
17 company is dated.

18
19 Such fine shall be paid to the filing officer within 20 days
20 after receipt of the notice of payment due, unless appeal is
21 made to the Florida Elections Commission pursuant to paragraph
22 (c). An officer or member of a committee shall not be
23 personally liable for such fine.

24 (c) Any treasurer of a committee may appeal or dispute
25 the fine, based upon unusual circumstances surrounding the
26 failure to file on the designated due date, and may request
27 and shall be entitled to a hearing before the Florida
28 Elections Commission, which shall have the authority to waive
29 the fine in whole or in part. Any such request shall be made
30 within 20 days after receipt of the notice of payment due. In
31 such case, the treasurer of the committee shall, within the

1 20-day period, notify the filing officer in writing of his or
2 her intention to bring the matter before the commission.

3 (d) The filing officer shall notify the Florida
4 Elections Commission of the repeated late filing by a
5 committee of continuous existence, the failure of a committee
6 of continuous existence to file a report after notice, or the
7 failure to pay the fine imposed.

8 Section 3. Subsections (1), (2), and (3) of section
9 106.07, Florida Statutes, are amended to read:

10 106.07 Reports; certification and filing.--

11 (1) Each campaign treasurer designated by a candidate
12 or political committee pursuant to s. 106.021 shall file
13 regular reports of all contributions received, and all
14 expenditures made, by or on behalf of such candidate or
15 political committee in accordance with the deadlines and
16 requirements set forth below:-

17 (a) Reports shall be filed on the 10th day following
18 the end of each calendar quarter from the time the campaign
19 treasurer is appointed, except that, if the 10th day following
20 the end of a calendar quarter occurs on a Saturday, Sunday, or
21 legal holiday, the report shall be filed on the next following
22 day which is not a Saturday, Sunday, or legal holiday.
23 Quarterly reports shall include all contributions received and
24 expenditures made during the calendar quarter which have not
25 otherwise been reported pursuant to this section.

26 (b) ~~(a)~~ Except as provided in paragraph (c) ~~(b)~~,
27 following the last day of qualifying for office, the reports
28 shall be filed on the 32nd, 18th, and 4th days immediately
29 preceding the first primary and on the 18th and 4th days
30 immediately preceding the second primary and general election,
31 for a candidate who is opposed in seeking nomination or

1 election to any office, for a political committee, or for a
2 committee of continuous existence.

3 (c)~~(b)~~ Following the last day of qualifying for
4 office, any statewide candidate who has requested to receive
5 contributions from the Election Campaign Financing Trust Fund
6 or any statewide candidate in a race with a candidate who has
7 requested to receive contributions from the trust fund shall
8 file reports on the 4th, 11th, 18th, 25th, and 32nd days prior
9 to the first primary and general elections, and on the 4th,
10 11th, 18th, and 25th days prior to the second primary.

11 (d)~~(c)~~ Following the last day of qualifying for
12 office, any unopposed candidate need only file a report within
13 90 days after the date such candidate became unopposed. Such
14 report shall contain all previously unreported contributions
15 and expenditures as required by this section and shall reflect
16 disposition of funds as required by s. 106.141.

17 (e)~~(d)~~1. When a special election is called to fill a
18 vacancy in office, all political committees and committees of
19 continuous existence making contributions or expenditures to
20 influence the results of such special election shall file
21 campaign treasurers' reports with the filing officer on the
22 dates set by the Department of State pursuant to s. 100.111.

23 2. When an election is called for an issue to appear
24 on the ballot at a time when no candidates are scheduled to
25 appear on the ballot, all political committees making
26 contributions or expenditures in support of or in opposition
27 to such issue shall file reports on the 18th and 4th days
28 prior to such election.

29 (f) Except for quarterly reports and final reports by
30 unopposed candidates, the reporting period for each report
31 required to be filed on a specified date under this section

1 shall, for the first report, be from the opening of the
2 campaign account and, for each subsequent report, from the day
3 of the filing deadline for the immediately preceding reporting
4 period through the end of the day immediately preceding the
5 filing deadline of the period of the report to be filed. Each
6 such report shall include any contributions received or
7 expenditures made during any previous reporting period which
8 have not been reported.

9
10 ~~(e)~~ The filing officer shall provide each candidate with a
11 schedule designating the beginning and end of reporting
12 periods as well as the corresponding ~~designated~~ due dates
13 designated in this subsection.

14 (2)(a) All reports required of a candidate by this
15 section shall be filed with the officer before whom the
16 candidate is required by law to qualify. ~~All candidates who~~
17 ~~file with the Department of State shall file the original and~~
18 ~~one copy of their reports.~~ In addition, a copy of each report
19 for candidates for other than statewide office who qualify
20 with the Department of State shall be filed with the
21 supervisor of elections in the county where the candidate
22 resides. Reports shall be filed not later than 5 p.m. of the
23 day designated; however, any report postmarked by the United
24 States Postal Service no later than midnight of the day
25 designated shall be deemed to have been filed in a timely
26 manner. A certificate of mailing obtained from and dated by
27 the United States Postal Service at the time of mailing, or a
28 receipt from an established courier company, which bears a
29 date on or before the date on which the report is due, shall
30 be proof of mailing in a timely manner. Reports shall contain
31 information of all previously unreported contributions

1 received and expenditures made as of the preceding Friday,
2 except that the report filed on the Friday immediately
3 preceding the election shall contain information of all
4 previously unreported contributions received and expenditures
5 made as of the day preceding that designated due date. All
6 such reports shall be open to public inspection.

7 (b)1. Any report which is deemed to be incomplete by
8 the officer with whom the candidate qualifies shall be
9 accepted on a conditional basis, and the campaign treasurer
10 shall be notified by registered mail as to why the report is
11 incomplete and be given 3 days from receipt of such notice to
12 file an addendum to the report providing all information
13 necessary to complete the report in compliance with this
14 section. Failure to file a complete report after such notice
15 constitutes a violation of this chapter.

16 2. In lieu of the notice by registered mail as
17 required in subparagraph 1., the qualifying officer may notify
18 the campaign treasurer by telephone that the report is
19 incomplete and request the information necessary to complete
20 the report. If, however, such information is not received by
21 the qualifying officer within 3 days of the telephone request
22 therefor, notice shall be sent by registered mail as provided
23 in subparagraph 1.

24 (3) Reports required of a political committee shall be
25 filed with the agency or officer before whom such committee
26 registers pursuant to s. 106.03(3) and shall be subject to the
27 same filing conditions as established for candidates' reports.
28 ~~Only committees that file with the Department of State shall~~
29 ~~file the original and one copy of their reports.~~Incomplete
30 reports by political committees shall be treated in the manner
31

1 provided for incomplete reports by candidates in subsection
2 (2).

3 (5) The candidate and his or her campaign treasurer,
4 in the case of a candidate, or the political committee chair
5 and campaign treasurer of the committee, in the case of a
6 political committee, shall certify as to the correctness of
7 each report; and each person so certifying shall bear the
8 responsibility for the accuracy and veracity of each report.
9 Any campaign treasurer, candidate, or political committee
10 chair who willfully certifies the correctness of any report
11 while knowing that such report is incorrect, false, or
12 incomplete commits a misdemeanor of the first degree,
13 punishable as provided in s. 775.082 or s. 775.083.

14 (8)(a) Any candidate or political committee failing to
15 file a report on the designated due date shall be subject to a
16 fine as provided in paragraph (b) for each late day, and, in
17 the case of a candidate, such fine shall be paid only from
18 personal funds of the candidate. The fine shall be assessed
19 by the filing officer and the moneys collected shall be
20 deposited:

21 1. In the Elections Commission Trust Fund, in the case
22 of a candidate for state office or a political committee that
23 registers with the Division of Elections; or

24 2. In the general revenue fund of the political
25 subdivision, in the case of a candidate for an office of a
26 political subdivision or a political committee that registers
27 with an officer of a political subdivision.

28
29 No separate fine shall be assessed for failure to file a copy
30 of any report required by this section.

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1 (b) Upon determining that a report is late, the filing
2 officer shall immediately notify the candidate or chair of the
3 political committee as to the failure to file a report by the
4 designated due date and that a fine is being assessed for each
5 late day. The fine shall be \$50 per day for the first 3 days
6 late and, thereafter, \$500 per day for each late day, not to
7 exceed 25 percent of the total receipts or expenditures,
8 whichever is greater, for the period covered by the late
9 report. However, for the reports immediately preceding each
10 primary and general election, the fine shall be \$500 per day
11 for each late day, not to exceed 25 percent of the total
12 receipts or expenditures, whichever if greater, for the period
13 covered by the late report. Upon receipt of the report, the
14 filing officer shall determine the amount of the fine which is
15 due and shall notify the candidate or chair. The filing
16 officer shall determine the amount of the fine due based upon
17 the earliest of the following:

- 18 1. When the report is actually received by such
19 officer.
- 20 2. When the report is postmarked.
- 21 3. When the certificate of mailing is dated.
- 22 4. When the receipt from an established courier
23 company is dated.

24
25 Such fine shall be paid to the filing officer within 20 days
26 after receipt of the notice of payment due, unless appeal is
27 made to the Florida Elections Commission pursuant to paragraph
28 (c). In the case of a candidate, such fine shall not be an
29 allowable campaign expenditure and shall be paid only from
30 personal funds of the candidate. An officer or member of a
31

1 political committee shall not be personally liable for such
2 fine.

3 (c) Any candidate or chair of a political committee
4 may appeal or dispute the fine, based upon unusual
5 circumstances surrounding the failure to file on the
6 designated due date, and may request and shall be entitled to
7 a hearing before the Florida Elections Commission, which shall
8 have the authority to waive the fine in whole or in part. Any
9 such request shall be made within 20 days after receipt of the
10 notice of payment due. In such case, the candidate or chair
11 of the political committee shall, within the 20-day period,
12 notify the filing officer in writing of his or her intention
13 to bring the matter before the commission.

14 (d) The appropriate filing officer shall notify the
15 Florida Elections Commission of the repeated late filing by a
16 candidate or political committee, the failure of a candidate
17 or political committee to file a report after notice, or the
18 failure to pay the fine imposed.

19 Section 4. Effective January 1, 2001, subsection (1)
20 of section 106.07, Florida Statutes, as amended by this act,
21 is amended to read:

22 106.07 Reports; certification and filing.--

23 (1) Each campaign treasurer designated by a candidate
24 or political committee pursuant to s. 106.021 shall file
25 regular reports of all contributions received, and all
26 expenditures made, by or on behalf of such candidate or
27 political committee in accordance with the deadlines and
28 requirements set forth below:

29 (a) From the time the campaign treasurer is appointed
30 through the last day of qualifying for office, reports shall
31 be filed on the 15th day of each month ~~10th day following the~~

1 ~~end of each calendar quarter from the time the campaign~~
2 ~~treasurer is appointed, except that, if the 15th day of the~~
3 ~~month 10th day following the end of a calendar quarter~~ occurs
4 on a Saturday, Sunday, or legal holiday, the report shall be
5 filed on the next following day which is not a Saturday,
6 Sunday, or legal holiday. Such Quarterly reports shall
7 include all contributions received and expenditures made
8 during the reporting period ~~calendar quarter~~ which have not
9 otherwise been reported pursuant to this section.

10 (b) ~~Except as provided in paragraph (c),~~ Following the
11 last day of qualifying for office, the reports shall be filed
12 on the Friday of each week preceding the general election
13 ~~32nd, 18th, and 4th days immediately preceding the first~~
14 ~~primary and on the 18th and 4th days immediately preceding the~~
15 ~~second primary and general election, for a candidate who is~~
16 ~~opposed in seeking nomination or election to any office, for a~~
17 ~~political committee, or for a committee of continuous~~
18 ~~existence.~~

19 (c) ~~Following the last day of qualifying for office,~~
20 ~~any statewide candidate who has requested to receive~~
21 ~~contributions from the Election Campaign Financing Trust Fund~~
22 ~~or any statewide candidate in a race with a candidate who has~~
23 ~~requested to receive contributions from the trust fund shall~~
24 ~~file reports on the 4th, 11th, 18th, 25th, and 32nd days prior~~
25 ~~to the first primary and general elections, and on the 4th,~~
26 ~~11th, 18th, and 25th days prior to the second primary.~~

27 (c)(d) Notwithstanding paragraph (b), following the
28 last day of qualifying for office, any unopposed candidate
29 need only file a report within 90 days after the date such
30 candidate became unopposed. Such report shall contain all
31 previously unreported contributions and expenditures as

1 required by this section and shall reflect disposition of
2 funds as required by s. 106.141.

3 (d)~~(e)~~1. When a special election is called to fill a
4 vacancy in office, all political committees and committees of
5 continuous existence making contributions or expenditures to
6 influence the results of such special election shall file
7 campaign treasurers' reports with the filing officer on the
8 dates set by the Department of State pursuant to s. 100.111.

9 2. When an election is called for an issue to appear
10 on the ballot at a time when no candidates are scheduled to
11 appear on the ballot, all political committees making
12 contributions or expenditures in support of or in opposition
13 to such issue shall file reports on the 18th and 4th days
14 prior to such election.

15 (e)~~(f)~~ Except for ~~quarterly reports and~~ final reports
16 by unopposed candidates, the reporting period for each report
17 required to be filed on a specified date under this section
18 shall, for the first report, be from the opening of the
19 campaign account and, for each subsequent report, from the day
20 of the filing deadline for the immediately preceding reporting
21 period through the end of the day immediately preceding the
22 filing deadline of the period of the report to be filed. Each
23 such report shall include any contributions received or
24 expenditures made during any previous reporting period which
25 have not been reported.

26
27 The filing officer shall provide each candidate with a
28 schedule designating the beginning and end of reporting
29 periods as well as the corresponding due dates designated in
30 this subsection.

31

1 Section 5. Effective January 1, 2001, subsection (1)
2 of section 106.12, Florida Statutes, is amended to read:

3 106.12 Petty cash funds allowed.--

4 (1) Each campaign treasurer designated pursuant to s.
5 106.021(1) for a candidate or political committee is
6 authorized to withdraw from the primary campaign account,
7 until the close of the last day for qualifying for office, the
8 amount of ~~\$200~~\$500 per monthly ~~calendar quarter~~ reporting
9 period for the purpose of providing a petty cash fund for the
10 candidate or political committee.

11 Section 6. Subsection (1) of section 106.29, Florida
12 Statutes, is amended to read:

13 106.29 Reports by political parties; restrictions on
14 contributions and expenditures; penalties.--

15 (1) The state executive committee and each county
16 executive committee of each political party regulated by
17 chapter 103 shall file regular reports of all contributions
18 received and all expenditures made by such committee. Such
19 reports shall contain the same information as do reports
20 required of candidates by s. 106.07 and shall be filed on the
21 10th day following the end of each calendar quarter, except
22 that, during the period from the last day for candidate
23 qualifying until the general election, such reports shall be
24 filed on the Friday immediately preceding the first primary
25 election, the second primary election, and the general
26 election and shall cover all contributions received and
27 expenditures made through the end of the day preceding the day
28 of the filing deadline and all contributions received and
29 expenditures made during any previous reporting period which
30 have not been reported. ~~Each state executive committee shall~~
31 ~~file the original and one copy of its reports with the~~

1 ~~Division of Elections.~~ Each county executive committee shall
2 file its reports with the supervisor of elections in the
3 county in which such committee exists. Any state or county
4 executive committee failing to file a report on the designated
5 due date shall be subject to a fine as provided in subsection
6 (3). No separate fine shall be assessed for failure to file a
7 copy of any report required by this section.

8 (2) The chair and treasurer of each state or county
9 executive committee shall certify as to the correctness of
10 each report filed by them on behalf of such committee. Any
11 committee chair or treasurer who certifies the correctness of
12 any report while knowing that such report is incorrect, false,
13 or incomplete commits a felony of the third degree, punishable
14 as provided in s. 775.082, s. 775.083, or s. 775.084.

15 (3)(a) Any state or county executive committee failing
16 to file a report on the designated due date shall be subject
17 to a fine as provided in paragraph (b) for each late day. The
18 fine shall be assessed by the filing officer, and the moneys
19 collected shall be deposited in the Elections Commission Trust
20 Fund.

21 (b) Upon determining that a report is late, the filing
22 officer shall immediately notify the chair of the executive
23 committee as to the failure to file a report by the designated
24 due date and that a fine is being assessed for each late day.
25 The fine shall be \$1,000 for a state executive committee, and
26 \$50 for a county executive committee, per day for each late
27 day, not to exceed 25 percent of the total receipts or
28 expenditures, whichever is greater, for the period covered by
29 the late report. However, if an executive committee fails to
30 file a report on the Friday immediately preceding the general
31 election, the fine shall be \$10,000 per day for each day a

1 state executive committee is late and \$500 per day for each
2 day a county executive committee is late. Upon receipt of the
3 report, the filing officer shall determine the amount of the
4 fine which is due and shall notify the chair. The filing
5 officer shall determine the amount of the fine due based upon
6 the earliest of the following:

7 1. When the report is actually received by such
8 officer.

9 2. When the report is postmarked.

10 3. When the certificate of mailing is dated.

11 4. When the receipt from an established courier
12 company is dated.

13

14 Such fine shall be paid to the filing officer within 20 days
15 after receipt of the notice of payment due, unless appeal is
16 made to the Florida Elections Commission pursuant to paragraph
17 (c). An officer or member of an executive committee shall not
18 be personally liable for such fine.

19 (c) The chair of an executive committee may appeal or
20 dispute the fine, based upon unusual circumstances surrounding
21 the failure to file on the designated due date, and may
22 request and shall be entitled to a hearing before the Florida
23 Elections Commission, which shall have the authority to waive
24 the fine in whole or in part. Any such request shall be made
25 within 20 days after receipt of the notice of payment due. In
26 such case, the chair of the executive committee shall, within
27 the 20-day period, notify the filing officer in writing of his
28 or her intention to bring the matter before the commission.

29 (d) The appropriate filing officer shall notify the
30 Florida Elections Commission of the repeated late filing by an
31 executive committee, the failure of an executive committee to

1 file a report after notice, or the failure to pay the fine
2 imposed.

3 Section 7. Effective January 1, 2001, subsection (1)
4 of section 106.29, Florida Statutes, as amended by this act,
5 is amended to read:

6 106.29 Reports by political parties; restrictions on
7 contributions and expenditures; penalties.--

8 (1) The state executive committee and each county
9 executive committee of each political party regulated by
10 chapter 103 shall file regular reports of all contributions
11 received and all expenditures made by such committee. Such
12 reports shall contain the same information as do reports
13 required of candidates by s. 106.07 and shall be filed at the
14 same times and subject to the same filing conditions as are
15 established by ss. 106.07(1) and (2) and 106.0705 for
16 candidates' reports on the 10th day following the end of each
17 calendar quarter, except that, during the period from the last
18 day for candidate qualifying until the general election, such
19 reports shall be filed on the Friday immediately preceding the
20 first primary election, the second primary election, and the
21 general election and shall cover all contributions received
22 and expenditures made through the end of the day preceding the
23 day of the filing deadline and all contributions received and
24 expenditures made during any previous reporting period which
25 have not been reported. Each county executive committee shall
26 file its reports with the supervisor of elections in the
27 county in which such committee exists. Any state or county
28 executive committee failing to file a report on the designated
29 due date shall be subject to a fine as provided in subsection
30 (3). No separate fine shall be assessed for failure to file a
31 copy of any report required by this section.

1 Section 8. Subsection (2) of section 105.08, Florida
2 Statutes, is amended to read:
3 105.08 Campaign contribution and expense; reporting.--
4 (2) Notwithstanding any other provision of this
5 chapter or chapter 106, a candidate for retention as a justice
6 or a judge who has not received any contribution or made any
7 expenditure may file a sworn statement at the time of
8 qualifying that he or she does not anticipate receiving
9 contributions or making expenditures in connection with the
10 candidacy for retention to office. Such candidate shall file
11 a final report pursuant to s. 106.141, within 90 days
12 following the general election for which the candidate's name
13 appeared on the ballot for retention. Any such candidate for
14 retention to judicial office who, after filing a statement
15 pursuant to this subsection, receives any contribution or
16 makes any expenditure in connection with the candidacy for
17 retention shall immediately file a statement to that effect
18 with the qualifying officer and shall begin filing reports as
19 an opposed candidate pursuant to s. 106.07 or s. 106.0705.
20 Section 9. Subsection (2) of section 106.025, Florida
21 Statutes, is amended to read:
22 106.025 Campaign fund raisers.--
23 (2) This section shall not apply to any campaign fund
24 raiser held on behalf of a political party by the state or
25 county executive committee of such party, provided that the
26 proceeds of such campaign fund raiser are reported pursuant to
27 s. 106.29 or s. 106.0705.
28 Section 10. Paragraph (b) of subsection (2) of section
29 106.08, Florida Statutes, is amended to read:
30 106.08 Contributions; limitations on.--
31 (2)

1 (b) Polling services, research services, costs for
2 campaign staff, professional consulting services, and
3 telephone calls are not contributions to be counted toward the
4 contribution limits of paragraph (a). Any item not expressly
5 identified in this paragraph as nonallocable is a contribution
6 in an amount equal to the fair market value of the item and
7 must be counted as allocable toward the \$50,000 contribution
8 limits of paragraph (a). Nonallocable, in-kind contributions
9 must be reported by the candidate under s. 106.07 or s.
10 106.0705 and by the political party under s. 106.29 or s.
11 106.0705.

12 Section 11. Subsection (3) of section 106.18, Florida
13 Statutes, is amended to read:

14 106.18 When a candidate's name to be omitted from
15 ballot.--

16 (3) No certificate of election shall be granted to any
17 candidate until all preelection reports required by s. 106.07
18 or s. 106.0705 have been filed in accordance with the
19 provisions of such section. However, no candidate shall be
20 prevented from receiving a certificate of election for failure
21 to file any copy of a report required by this chapter.

22 Section 12. Except as otherwise provided herein, this
23 act shall take effect upon becoming a law.
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HOUSE SUMMARY

Requires campaign treasurer's reports that are to be filed with the Division of Elections to be filed electronically when aggregate contributions or expenditures exceed \$10,000. Provides filing requirements under such system and provides penalties related thereto. Requires the Division of Elections to adopt rules to develop the system as an Internet-based one that offers direct input and download and verifies the identity of the person submitting a report. Removes requirements for duplicate copies of reports, to conform.

Requires all campaign treasurer's reports to cover contributions received or expenditures made from the first day of the reporting period through the day immediately preceding the filing deadline for that reporting period and all contributions received and expenditures made during any previous reporting period which have not been reported.

Revises schedules for submitting campaign treasurer's reports, effective for offices sought after the 2000 general election. Provides for a petty cash fund in the amount of \$200 per monthly reporting period, to conform.