

By the Committee on Ethics and Elections; and Senator Klein

313-1828-00

1 A bill to be entitled
2 An act relating to elections; providing a short
3 title; amending s. 106.011, F.S.; revising
4 definitions of the terms "political committee"
5 and "political advertisement"; amending s.
6 106.021, F.S.; eliminating a provision that
7 authorizes the unrestricted expenditure of
8 funds for the purpose of jointly endorsing
9 three or more candidates; amending s. 106.03,
10 F.S.; providing additional requirements for
11 registration of political committees and
12 certification of committees of continuous
13 existence, which relate to the committee name;
14 providing penalties and applicability; amending
15 s. 106.04, F.S.; requiring committees of
16 continuous existence to update certain
17 registration information; amending s. 106.07,
18 F.S.; conforming a cross-reference; amending s.
19 106.08, F.S.; providing limits on contributions
20 to a political party; revising a provision
21 relating to restrictions on contributions to a
22 candidate by a political party; providing
23 penalties; reenacting s. 106.19(1), F.S.,
24 relating to penalties applicable to acceptance
25 of contributions in excess of the limits
26 provided by law, to incorporate the amendment
27 to s. 106.08, F.S., in a reference thereto;
28 amending s. 106.087, F.S.; eliminating a
29 provision that prohibits certain political
30 committees and committees of continuous
31 existence from making independent expenditures

1 in support of or opposition to a candidate or
2 elected public official; amending s. 106.29,
3 F.S.; requiring subordinate and executive
4 committees of a political party to adhere to
5 contribution limits for political parties;
6 providing penalties; providing for
7 severability; providing an effective date.
8

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

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11 Section 1. This act may be cited as the "Campaign
12 Finance Reform Act."

13 Section 2. Effective upon this act becoming a law,
14 subsection (1) of section 106.011, Florida Statutes, is
15 amended to read:

16 106.011 Definitions.--As used in this chapter, the
17 following terms have the following meanings unless the context
18 clearly indicates otherwise:

19 (1) "Political committee" means a combination of two
20 or more individuals, or a person other than an individual, the
21 major primary or incidental purpose of which is to support or
22 oppose any candidate, issue, or political party. For purposes
23 of this subsection, the term "major purpose" means making or
24 accepting, which accepts contributions or making makes
25 expenditures to expressly advocate the election or defeat of a
26 candidate or issue during a calendar year in an aggregate
27 amount in excess of \$500.†"Political committee" also means
28 the sponsor of a proposed constitutional amendment by
29 initiative who intends to seek the signatures of registered
30 electors. Organizations which are certified by the Department
31 of State as committees of continuous existence pursuant to s.

1 106.04, national political parties, and the state and county
2 executive committees of political parties regulated by chapter
3 103 shall not be considered political committees for the
4 purposes of this chapter. Corporations regulated by chapter
5 607 or chapter 617 or other business entities formed for
6 purposes other than to support or oppose issues or candidates
7 are not political committees if their political activities are
8 limited to contributions to candidates, political parties, or
9 political committees or expenditures in support of or
10 opposition to an issue from corporate or business funds and if
11 no contributions are received by such corporations or business
12 entities.

13 Section 3. Subsection (17) of section 106.011, Florida
14 Statutes, is amended to read:

15 106.011 Definitions.--As used in this chapter, the
16 following terms have the following meanings unless the context
17 clearly indicates otherwise:

18 (17)(a) "Political advertisement" means a paid
19 expression in any communications media prescribed in
20 subsection (13), whether radio, television, newspaper,
21 magazine, periodical, campaign literature, direct mail, or
22 display or by means other than the spoken word in direct
23 conversation, which shall support or oppose any candidate,
24 elected public official, or issue. In addition, an
25 advertisement is presumed to be a political advertisement if
26 it is a paid expression in any communications media described
27 in subsection (13), whether radio, television, newspaper,
28 magazine, periodical, campaign literature, direct mail, or
29 display or by means other than the spoken word in direct
30 conversation, which substantially mentions or shows a clearly
31 identifiable candidate for election or reelection and is

1 distributed at any point during the period following the last
2 day of qualifying for that candidacy through the ensuing
3 general election and which, when examined by a reasonable
4 person, would be understood as a communication made for the
5 purpose of influencing the results of an election on that
6 candidacy during that period and for which aggregate
7 expenditures on like advertisements exceed \$1,000.

8 (b) ~~However,~~ "Political advertisement" does not
9 include:

10 1. ~~(a)~~ A statement by an organization, in existence
11 prior to the time during which a candidate qualifies or an
12 issue is placed on the ballot for that election, in support of
13 or opposition to a candidate or issue, in that organization's
14 newsletter, which newsletter is distributed only to the
15 members of that organization.

16 2. ~~(b)~~ Editorial endorsements by any newspaper, radio
17 or television station, or other recognized news medium.

18 3. A paid expression in any communications media which
19 mentions or shows a clearly identifiable candidate for
20 election or reelection which:

21 a. Advertises a business rather than the candidate, is
22 paid for out of funds of that business, and is similar to
23 other advertisements for that business which have mentioned or
24 shown the candidate and have been distributed regularly over a
25 period of at least 1 year before the qualifying period for
26 that candidacy; or

27 b. Is distributed or broadcast only to areas other
28 than the geographical area of the electorate for that
29 candidacy.

30 Section 4. Subsection (3) of section 106.021, Florida
31 Statutes, is amended to read:

1 106.021 Campaign treasurers; deputies; primary and
2 secondary depositories.--

3 (3) Except for independent expenditures, no
4 contribution or expenditure, including contributions or
5 expenditures of a candidate or of the candidate's family,
6 shall be directly or indirectly made or received in
7 furtherance of the candidacy of any person for nomination or
8 election to political office in the state or on behalf of any
9 political committee except through the duly appointed campaign
10 treasurer of the candidate or political committee. ~~However,~~
11 ~~expenditures may be made directly by any political committee~~
12 ~~or political party regulated by chapter 103 for obtaining~~
13 ~~time, space, or services in or by any communications medium~~
14 ~~for the purpose of jointly endorsing three or more candidates,~~
15 ~~and any such expenditure shall not be considered a~~
16 ~~contribution or expenditure to or on behalf of any such~~
17 ~~candidates for the purposes of this chapter.~~

18 Section 5. Section 106.03, Florida Statutes, is
19 amended to read:

20 106.03 Registration of political committees.--

21 (1) Each political committee which anticipates
22 receiving contributions or making expenditures during a
23 calendar year in an aggregate amount exceeding \$500 or which
24 is seeking the signatures of registered electors in support of
25 an initiative shall file a statement of organization as
26 provided in subsection (4) ~~(3)~~ within 10 days after its
27 organization or, if later, within 10 days after the date on
28 which it has information which causes the committee to
29 anticipate that it will receive contributions or make
30 expenditures in excess of \$500. If a political committee is
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1 organized within 10 days of any election, it shall immediately
2 file the statement of organization required by this section.
3 (2) The statement of organization shall include:
4 (a) The name and address of the committee;
5 (b) The names, addresses, and relationships of
6 affiliated or connected organizations;
7 (c) The area, scope, or jurisdiction of the committee;
8 (d) The name, address, ~~and position,~~ and principal
9 employer of the custodian of books and accounts;
10 (e) The name, address, ~~and position,~~ and principal
11 employer of each other principal officer ~~officers,~~ including
12 officers and members of the finance committee, if any;
13 (f) The name, address, office sought, and party
14 affiliation of:
15 1. Each candidate whom the committee is supporting;
16 2. Any other individual, if any, whom the committee is
17 supporting for nomination for election, or election, to any
18 public office whatever;
19 (g) Any issue or issues such organization is
20 supporting or opposing;
21 (h) If the committee is supporting the entire ticket
22 of any party, a statement to that effect and the name of the
23 party;
24 (i) A statement of whether the committee is a
25 continuing one;
26 (j) Plans for the disposition of residual funds which
27 will be made in the event of dissolution;
28 (k) A listing of all banks, safe-deposit boxes, or
29 other depositories used for committee funds; and
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31

1 (1) A statement of the reports required to be filed by
2 the committee with federal officials, if any, and the names,
3 addresses, and positions of such officials.

4 (3)(a) The name of the committee provided in the
5 statement of organization must include the name of the
6 corporation, labor union, professional association, political
7 committee, committee of continuous existence, or other
8 business entity whose officials, employees, agents, or
9 members, directly or indirectly, established or organized the
10 committee, if any.

11 (b) If the name of the committee provided in the
12 statement of organization does not include the name of a
13 corporation, labor union, professional association, political
14 committee, committee of continuous existence, or other
15 business entity, the name must include the economic or special
16 interest, if identifiable, principally represented by the
17 committee's organizers or intended to be advanced by the
18 committee's receipts.

19 (c) Any person who knowingly and willfully violates
20 this subsection shall be fined not less than \$1,000 and not
21 more than \$10,000 for each violation. Any officer, partner,
22 agent, attorney, or other representative of a corporation,
23 labor union, professional association, political committee,
24 committee of continuous existence, or other business entity
25 who aids, abets, advises, or participates in a violation of
26 any provision of this subsection shall be fined not less than
27 \$1,000 and not more than \$10,000 for each violation.

28 (4)(3)(a) A political committee which is organized to
29 support or oppose statewide, legislative, or multicounty
30 candidates or issues to be voted upon on a statewide or
31

1 multicounty basis shall file a statement of organization with
2 the Division of Elections.

3 (b) Except as provided in paragraph (c), a political
4 committee which is organized to support or oppose candidates
5 or issues to be voted on in a countywide election or
6 candidates or issues in any election held on less than a
7 countywide basis shall file a statement of organization with
8 the supervisor of elections of the county in which such
9 election is being held.

10 (c) A political committee which is organized to
11 support or oppose only candidates for municipal office or
12 issues to be voted on in a municipal election shall file a
13 statement of organization with the officer before whom
14 municipal candidates qualify.

15 (d) Any political committee which would be required
16 under this subsection to file a statement of organization in
17 two or more locations by reason of the committee's intention
18 to support or oppose candidates or issues at state or
19 multicounty and local levels of government need file only with
20 the Division of Elections.

21 (5)~~(4)~~ Any change in information previously submitted
22 in a statement of organization shall be reported to the agency
23 or officer with whom such committee is required to register
24 pursuant to subsection(4)~~(3)~~, within 10 days following the
25 change.

26 (6)~~(5)~~ Any committee which, after having filed one or
27 more statements of organization, disbands or determines it
28 will no longer receive contributions or make expenditures
29 during the calendar year in an aggregate amount exceeding \$500
30 shall so notify the agency or officer with whom such committee
31 is required to file the statement of organization.

1 (7)~~(6)~~ If the filing officer finds that a political
2 committee has filed its statement of organization consistent
3 with the requirements of subsections ~~subsection~~ (2) and (3),
4 it shall notify the committee in writing that it has been
5 registered as a political committee. If the filing officer
6 finds that a political committee's statement of organization
7 does not meet the requirements of subsections ~~subsection~~ (2)
8 and (3), it shall notify the committee of such finding and
9 shall state in writing the reasons for rejection of the
10 statement of organization.

11 (8)~~(7)~~ The Division of Elections shall adopt
12 ~~promulgate~~ rules to prescribe the manner in which inactive
13 committees may be dissolved and have their registration
14 canceled. Such rules shall, at a minimum, provide for:

15 (a) Notice which shall contain the facts and conduct
16 which warrant the intended action, including but not limited
17 to failure to file reports and limited activity.

18 (b) Adequate opportunity to respond.

19 (c) Appeal of the decision to the Florida Elections
20 Commission. Such appeals shall be exempt from the
21 confidentiality provisions of s. 106.25.

22 Section 6. Subsections (2) and (5) of section 106.04,
23 Florida Statutes, are amended to read:

24 106.04 Committees of continuous existence.--

25 (2) Any group, organization, association, or other
26 entity may seek certification from the Department of State as
27 a committee of continuous existence by filing an application
28 with the Division of Elections on a form provided by the
29 division. Such application shall provide the information
30 required of political committees by s. 106.03(2) and (3), and
31 any change in such information shall be reported pursuant to

1 s. 106.03(5). Each application shall be accompanied by the
2 name and street address of the principal officer of the
3 applying entity as of the date of the application; a copy of
4 the charter or bylaws of the organization; a copy of the dues
5 or assessment schedule of the organization, or formula by
6 which dues or assessments are levied; and a complete financial
7 statement or annual audit summarizing all income received, and
8 all expenses incurred, by the organization during the 12
9 months preceding the date of application. A membership list
10 shall be made available for inspection if deemed necessary by
11 the division.

12 ~~(5) No committee of continuous existence shall~~
13 ~~contribute to any candidate or political committee an amount~~
14 ~~in excess of the limits contained in s. 106.08(1) or~~
15 ~~participate in any other activity which is prohibited by this~~
16 ~~chapter. If any violation occurs, it shall be punishable as~~
17 ~~provided in this chapter for the given offense.~~ No funds of a
18 committee of continuous existence shall be expended on behalf
19 of a candidate, except by means of a contribution made through
20 the duly appointed campaign treasurer of a candidate. No such
21 committee shall make expenditures in support of, or in
22 opposition to, an issue unless such committee first registers
23 as a political committee pursuant to this chapter and
24 undertakes all the practices and procedures required thereof;
25 provided such committee may make contributions in a total
26 amount not to exceed 25 percent of its aggregate income, as
27 reflected in the annual report filed for the previous year, to
28 one or more political committees registered pursuant to s.
29 106.03 and formed to support or oppose issues.

30 Section 7. Any political committee or committee of
31 continuous existence organized before January 1, 2001, shall

1 have until April 1, 2001, to amend its name, if necessary, to
2 comply with the requirements of subsection (3) of section
3 106.03, Florida Statutes, as created by this act, or
4 subsection (2) of section 106.04, Florida Statutes, as amended
5 by this act, as applicable.

6 Section 8. Subsection (3) of section 106.07, Florida
7 Statutes, is amended to read:

8 106.07 Reports; certification and filing.--

9 (3) Reports required of a political committee shall be
10 filed with the agency or officer before whom such committee
11 registers pursuant to s. 106.03(4)~~(3)~~and shall be subject to
12 the same filing conditions as established for candidates'
13 reports. Only committees that file with the Department of
14 State shall file the original and one copy of their reports.
15 Incomplete reports by political committees shall be treated in
16 the manner provided for incomplete reports by candidates in
17 subsection (2).

18 Section 9. Section 106.08, Florida Statutes, is
19 amended to read:

20 106.08 Contributions; limitations on.--

21 (1)(a) Except for political parties, no person,
22 political committee, or committee of continuous existence may,
23 in any election, make contributions in excess of \$500 to any
24 candidate for election to or retention in office or to any
25 political committee supporting or opposing one or more
26 candidates. Candidates for the offices of Governor and
27 Lieutenant Governor on the same ticket are considered a single
28 candidate for the purpose of this section.

29 (b)1. The contribution limits provided in this
30 subsection do not apply to contributions made by a state or
31 county executive committee of a political party regulated by

1 chapter 103 or to amounts contributed by a candidate to his or
2 her own campaign.

3 2. Notwithstanding the limits provided in this
4 subsection, an unemancipated child under the age of 18 years
5 of age may not make a contribution in excess of \$100 to any
6 candidate or to any political committee supporting one or more
7 candidates.

8 (c) The contribution limits of this subsection apply
9 to each election. For purposes of this subsection, the first
10 primary, second primary, and general election are separate
11 elections so long as the candidate is not an unopposed
12 candidate as defined in s. 106.011(15). However, for the
13 purpose of contribution limits with respect to candidates for
14 retention as a justice or judge, there is only one election,
15 which is the general election. With respect to candidates in a
16 circuit holding an election for circuit judge or in a county
17 holding an election for county court judge, there are only two
18 elections, which are the first primary election and general
19 election.

20 (2) A person, political committee, or committee of
21 continuous existence may not make contributions to the state
22 and county executive committees of a political party,
23 including any subordinate committee of a state or county
24 executive committee of a political party, which contributions,
25 including in-kind contributions, in the aggregate in any
26 calendar year exceed \$5,000.

27 (3)(2)(a) A candidate may not accept contributions
28 from national, state, ~~including any subordinate committee of a~~
29 ~~national, state, or county committee of a political party,~~ and
30 county executive committees of a political party, including
31 any subordinate committee of a national, state, or county

1 executive committee of a political party,which contributions,
2 including in-kind contributions,in the aggregate exceed
3 \$50,000, no more than \$25,000 of which may be accepted prior
4 to the 28-day period immediately preceding the date of the
5 general election.

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

16 (4)(3)(a) Any contribution received by a candidate
17 with opposition in an election or by the campaign treasurer or
18 a deputy campaign treasurer of such a candidate on the day of
19 that election or less than 5 days prior to the day of that
20 election must be returned by him or her to the person or
21 committee contributing it and may not be used or expended by
22 or on behalf of the candidate.

23 (b) Except as otherwise provided in paragraph (c), any
24 contribution received by a candidate or by the campaign
25 treasurer or a deputy campaign treasurer of a candidate after
26 the date at which the candidate withdraws his or her
27 candidacy, or after the date the candidate is defeated,
28 becomes unopposed, or is elected to office must be returned to
29 the person or committee contributing it and may not be used or
30 expended by or on behalf of the candidate.

31

1 (c) With respect to any campaign for an office in
2 which an independent or minor party candidate has filed as
3 required in s. 99.0955 or s. 99.096, but whose qualification
4 is pending a determination by the Department of State or
5 supervisor of elections as to whether or not the required
6 number of petition signatures was obtained:

7 1. The department or supervisor shall, no later than 3
8 days after that determination has been made, notify in writing
9 all other candidates for that office of that determination.

10 2. Any contribution received by a candidate or the
11 campaign treasurer or deputy campaign treasurer of a candidate
12 after the candidate has been notified in writing by the
13 department or supervisor that he or she has become unopposed
14 as a result of an independent or minor party candidate failing
15 to obtain the required number of petition signatures shall be
16 returned to the person, political committee, or committee of
17 continuous existence contributing it and shall not be used or
18 expended by or on behalf of the candidate.

19 (5)~~(4)~~ Any contribution received by the chair,
20 campaign treasurer, or deputy campaign treasurer of a
21 political committee supporting or opposing a candidate with
22 opposition in an election or supporting or opposing an issue
23 on the ballot in an election on the day of that election or
24 less than 5 days prior to the day of that election may not be
25 obligated or expended by the committee until after the date of
26 the election.

27 (6)~~(5)~~ A person may not make any contribution through
28 or in the name of another, directly or indirectly, in any
29 election. Candidates, political committees, and political
30 parties may not solicit contributions from or make
31 contributions to any religious, charitable, civic, or other

1 causes or organizations established primarily for the public
2 good. However, it is not a violation of this subsection for a
3 candidate, political committee, or political party executive
4 committee to make gifts of money in lieu of flowers in memory
5 of a deceased person or for a candidate to continue membership
6 in, or make regular donations from personal or business funds
7 to, religious, political party, civic, or charitable groups of
8 which the candidate is a member or to which the candidate has
9 been a regular donor for more than 6 months. A candidate may
10 purchase, with campaign funds, tickets, admission to events,
11 or advertisements from religious, civic, political party, or
12 charitable groups.

13 (7)~~(6)~~ A political party may not accept any
14 contribution which has been specifically designated for the
15 partial or exclusive use of a particular candidate. Any
16 contribution so designated must be returned to the contributor
17 and may not be used or expended by or on behalf of the
18 candidate.

19 (8)~~(7)~~(a) Any person who knowingly and willfully makes
20 no more than one contribution in violation of subsection (1),
21 subsection (2), or subsection~~(6)~~(5), or any person who
22 knowingly and willfully fails or refuses to return any
23 contribution as required in subsection~~(4)~~(3), commits a
24 misdemeanor of the first degree, punishable as provided in s.
25 775.082 or s. 775.083. If any corporation, partnership, or
26 other business entity or any political party, political
27 committee, or committee of continuous existence is convicted
28 of knowingly and willfully violating any provision punishable
29 under this paragraph, it shall be fined not less than \$1,000
30 and not more than \$10,000. If it is a domestic entity, it may
31 be ordered dissolved by a court of competent jurisdiction; if

1 | it is a foreign or nonresident business entity, its right to
2 | do business in this state may be forfeited. Any officer,
3 | partner, agent, attorney, or other representative of a
4 | corporation, partnership, or other business entity or of a
5 | political party, political committee, or committee of
6 | continuous existence who aids, abets, advises, or participates
7 | in a violation of any provision punishable under this
8 | paragraph commits a misdemeanor of the first degree,
9 | punishable as provided in s. 775.082 or s. 775.083.

10 | (b) Any person who knowingly and willfully makes two
11 | or more contributions in violation of subsection (1),
12 | subsection (2), or subsection(6), or any combination thereof,
13 | ~~(5)~~ commits a felony of the third degree, punishable as
14 | provided in s. 775.082, s. 775.083, or s. 775.084. If any
15 | corporation, partnership, or other business entity or any
16 | political party, political committee, or committee of
17 | continuous existence is convicted of knowingly and willfully
18 | violating any provision punishable under this paragraph, it
19 | shall be fined not less than \$10,000 and not more than
20 | \$50,000. If it is a domestic entity, it may be ordered
21 | dissolved by a court of competent jurisdiction; if it is a
22 | foreign or nonresident business entity, its right to do
23 | business in this state may be forfeited. Any officer,
24 | partner, agent, attorney, or other representative of a
25 | corporation, partnership, or other business entity, or of a
26 | political committee, committee of continuous existence, or
27 | political party who aids, abets, advises, or participates in a
28 | violation of any provision punishable under this paragraph
29 | commits a felony of the third degree, punishable as provided
30 | in s. 775.082, s. 775.083, or s. 775.084.

31 |

1 (9)~~(8)~~ Except when otherwise provided in subsection
2 ~~(8)~~~~(7)~~, any person who knowingly and willfully violates any
3 provision of this section shall, in addition to any other
4 penalty prescribed by this chapter, pay to the state a sum
5 equal to twice the amount contributed in violation of this
6 chapter. Each campaign treasurer shall pay all amounts
7 contributed in violation of this section to the state for
8 deposit in the General Revenue Fund.

9 (10)~~(9)~~ This section does not apply to the transfer of
10 funds between a primary campaign depository and a savings
11 account or certificate of deposit or to any interest earned on
12 such account or certificate.

13 Section 10. For the purpose of incorporating the
14 amendment to section 106.08, Florida Statutes, in a reference
15 thereto, subsection (1) of section 106.19, Florida Statutes,
16 is reenacted to read:

17 106.19 Violations by candidates, persons connected
18 with campaigns, and political committees.--

19 (1) Any candidate; campaign manager, campaign
20 treasurer, or deputy treasurer of any candidate; committee
21 chair, vice chair, campaign treasurer, deputy treasurer, or
22 other officer of any political committee; agent or person
23 acting on behalf of any candidate or political committee; or
24 other person who knowingly and willfully:

25 (a) Accepts a contribution in excess of the limits
26 prescribed by s. 106.08;

27 (b) Fails to report any contribution required to be
28 reported by this chapter;

29 (c) Falsely reports or deliberately fails to include
30 any information required by this chapter; or
31

1 (d) Makes or authorizes any expenditure in violation
2 of s. 106.11(3) or any other expenditure prohibited by this
3 chapter;

4
5 is guilty of a misdemeanor of the first degree, punishable as
6 provided in s. 775.082 or s. 775.083.

7 Section 11. Section 106.087, Florida Statutes, is
8 amended to read:

9 106.087 Independent expenditures; contribution limits;
10 restrictions on political parties, ~~political committees, and~~
11 ~~committees of continuous existence.--~~

12 (1)~~(a)~~ As a condition of receiving a rebate of filing
13 fees and party assessment funds pursuant to s. 99.061(2), s.
14 99.092(1), s. 99.103, or s. 103.121(1)(b), the chair or
15 treasurer of a state or county executive committee shall take
16 and subscribe to an oath or affirmation in writing. During the
17 qualifying period for state candidates and prior to
18 distribution of such funds, a printed copy of the oath or
19 affirmation shall be filed with the Secretary of State and
20 shall be substantially in the following form:

21
22 State of Florida

23 County of....

24 Before me, an officer authorized to administer oaths,
25 personally appeared ...(name)..., to me well known, who, being
26 sworn, says that he or she is the ...(title)... of the
27 ...(name of party)... ...(state or specified county)...
28 executive committee; that the executive committee has not
29 made, either directly or indirectly, an independent
30 expenditure in support of or opposition to a candidate or
31 elected public official in the prior 6 months; that the

1 ~~official. However, expenditures may be made for the sole~~
2 ~~purpose of jointly endorsing three or more candidates.~~

3 ~~(b) Any political committee or committee of continuous~~
4 ~~existence that violates this subsection is liable for a civil~~
5 ~~fine of up to \$5,000 to be determined by the Florida Elections~~
6 ~~Commission or the entire amount of the expenditures, whichever~~
7 ~~is greater.~~

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

10 106.29 Reports by political parties; restrictions on
11 contributions and expenditures; penalties.--

12 (6)(a) The national, state, and county executive
13 committees of a political party, including any subordinate
14 committee of a national, state, or county executive committee
15 of a political party, may not contribute to any candidate any
16 amount in excess of the limits contained in s. 106.08(3)(2),
17 ~~and all contributions required to be reported under s.~~
18 ~~106.08(2) by the national executive committee of a political~~
19 ~~party shall be reported by the state executive committee of~~
20 ~~that political party.~~

21 (b) A violation of the contribution limits contained
22 in s. 106.08(3)(2) is a misdemeanor of the first degree,
23 punishable as provided in s. 775.082 or s. 775.083. A civil
24 penalty equal to three times the amount in excess of the
25 limits contained in s. 106.08(3)(2) shall be assessed against
26 any executive committee found in violation thereof.

27 Section 13. If any provision of this act or the
28 application thereof to any person or circumstance is held
29 invalid, the invalidity shall not affect other provisions or
30 applications of the act which can be given effect without the
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1 invalid provision or application, and to this end the
2 provisions of this act are declared severable.

3 Section 14. Except as otherwise provided in this act,
4 this act shall take effect January 1, 2001.

5

6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 SB 1512

8

9 The committee substitute differs from the original bill in
10 that it adopts a new definition of "political committee,"
11 which is effective upon becoming law.

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