

Bill No. CS for SB 366

Amendment No. \_\_\_\_

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Saunders moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 1, lines 19 and 20, delete those lines		
15			
16	and insert:		
17	Section 1. Section 103.121, Florida Statutes, is		
18	amended to read:		
19	103.121 Powers and duties of executive committees.--		
20	(1)(a) Each state and county executive committee of a		
21	political party shall have the power and duty:		
22	1. To adopt a constitution by two-thirds vote of the		
23	full committee.		
24	2. To adopt such bylaws as it may deem necessary by		
25	majority vote of the full committee.		
26	3. To conduct its meetings according to generally		
27	accepted parliamentary practice.		
28	4. To make party nomination when required by law.		
29	5. To conduct campaigns for party nominees.		
30	6. To raise and expend party funds. Such funds may		
31	not be expended or committed to be expended except after		

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1 written authorization by the chair of the state or county  
2 executive committee.

3           (b) ~~Except as otherwise provided in subsection (5),~~  
4 The county executive committee shall receive payment of  
5 assessments upon candidates to be voted for in a single county  
6 except state senators and members of the House of  
7 Representatives and representatives to the Congress of the  
8 United States; and the state executive committees shall  
9 receive all other assessments authorized. All party  
10 assessments shall be 2 percent of the annual salary of the  
11 office sought by the respective candidate. All such committee  
12 assessments shall be remitted to the state executive committee  
13 of the appropriate party and distributed in accordance with  
14 subsection (5)~~(6)~~.

15           (2) The state executive committee shall by resolution  
16 recommend candidates for presidential electors and deliver a  
17 certified copy thereof to the Governor prior to September 1 of  
18 each presidential election year.

19           (3) The chair and treasurer of an executive committee  
20 of any political party shall be accountable for the funds of  
21 such committee and jointly liable for their proper expenditure  
22 for authorized purposes only. The chair and treasurer of the  
23 state executive committee of any political party shall furnish  
24 adequate bond, but not less than \$10,000, conditioned upon the  
25 faithful performance by such party officers of their duties  
26 and for the faithful accounting for party funds which shall  
27 come into their hands; and the chair and treasurer of a county  
28 executive committee of a political party shall furnish  
29 adequate bond, but not less than \$5,000, conditioned as  
30 aforesaid. A bond for the chair and treasurer of the state  
31 executive committee of a political party shall be filed with

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1 the Department of State. A bond for the chair and treasurer  
2 of a county executive committee shall be filed with the  
3 supervisor of elections. The funds of each such state  
4 executive committee shall be publicly audited at the end of  
5 each calendar year and a copy of such audit furnished to the  
6 Department of State for its examination prior to April 1 of  
7 the ensuing year. When filed with the Department of State,  
8 copies of such audit shall be public documents. The treasurer  
9 of each county executive committee shall maintain adequate  
10 records evidencing receipt and disbursement of all party funds  
11 received by him or her, and such records shall be publicly  
12 audited at the end of each calendar year and a copy of such  
13 audit filed with the supervisor of elections and the state  
14 executive committee prior to April 1 of the ensuing year.

15 (4) Any chair or treasurer of a state or county  
16 executive committee of any political party who knowingly  
17 misappropriates, or makes an unlawful expenditure of, or a  
18 false or improper accounting for, the funds of such committee  
19 is guilty of a felony of the third degree, punishable as  
20 provided in s. 775.082, s. 775.083, or s. 775.084.

21 ~~(5)(a) The central committee or other equivalent~~  
22 ~~governing body of each state executive committee shall adopt a~~  
23 ~~rule which governs the time and manner in which the respective~~  
24 ~~county executive committees of such party may endorse,~~  
25 ~~certify, screen, or otherwise recommend one or more candidates~~  
26 ~~for such party's nomination for election. Upon adoption, such~~  
27 ~~rule shall provide the exclusive method by which a county~~  
28 ~~committee may so endorse, certify, screen, or otherwise~~  
29 ~~recommend. No later than the date on which qualifying for~~  
30 ~~public office begins pursuant to s. 99.061, the chair of each~~  
31 ~~county executive committee shall notify in writing the~~

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1 ~~supervisor of elections of his or her county whether the~~  
2 ~~county executive committee has endorsed or intends to endorse,~~  
3 ~~certify, screen, or otherwise recommend candidates for~~  
4 ~~nomination pursuant to party rule. A copy of such~~  
5 ~~notification shall be provided to the Secretary of State and~~  
6 ~~to the chair of the appropriate state executive committee.~~  
7 ~~Any county executive committee that endorses or intends to~~  
8 ~~endorse, certify, screen, or otherwise recommend one or more~~  
9 ~~candidates for nomination shall forfeit all party assessments~~  
10 ~~which would otherwise be returned to the county executive~~  
11 ~~committee; and such assessments shall be remitted instead to~~  
12 ~~the state executive committee of such party, the provisions of~~  
13 ~~paragraph (1)(b) to the contrary notwithstanding. No such~~  
14 ~~funds so remitted to the state executive committee shall be~~  
15 ~~paid, returned, or otherwise disbursed to the county executive~~  
16 ~~committee under any circumstances. Any county executive~~  
17 ~~committee that is in violation of any party rule after~~  
18 ~~receiving the party assessment shall remit such party~~  
19 ~~assessment to the state executive committee.~~

20 ~~(b) Any state executive committee that endorses or~~  
21 ~~intends to endorse, certify, screen, or otherwise recommend~~  
22 ~~one or more candidates for nomination shall forfeit all party~~  
23 ~~assessments which would otherwise be returned to the state~~  
24 ~~executive committee; and such assessments shall be remitted~~  
25 ~~instead to the General Revenue Fund of the state. Any state~~  
26 ~~executive committee that is in violation of this section after~~  
27 ~~receiving the party assessment shall remit such party~~  
28 ~~assessment to the General Revenue Fund of the state.~~

29 ~~(5)(6)~~ The state chair of each state executive  
30 committee shall return the 2-percent committee assessment for  
31 county candidates to the appropriate county executive

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1 committees only upon receipt of a written statement that such  
 2 county executive committee chooses not to endorse, certify,  
 3 screen, or otherwise recommend one or more candidates for such  
 4 party's nomination for election and upon the state chair's  
 5 determination that the county executive committee is in  
 6 compliance with all Florida statutes and all state party  
 7 rules, bylaws, constitutions, and requirements.

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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 1, lines 3-5, delete those lines

13

14 and insert:

15 amending s. 103.121, F.S.; deleting a provision  
 16 which limits political party endorsements or  
 17 recommendations of primary candidates; deleting  
 18 or revising cross references, to conform;  
 19 amending s. 106.071,

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