

By Representative Byrd

1                                   A bill to be entitled  
 2           An act relating to reporting requirements of  
 3           committees of continuous existence; amending s.  
 4           106.04, F.S.; requiring membership dues of  
 5           committees of continuous existence to be  
 6           reported in the same manner as regular  
 7           contributions; removing a requirement for  
 8           committees of continuous existence to provide  
 9           their membership lists, upon request, to the  
 10          Division of Elections of the Department of  
 11          State for its inspection; providing penalties;  
 12          providing an effective date.

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

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 16           Section 1. Subsection (2) and paragraph (c) of  
 17 subsection (4) of section 106.04, Florida Statutes, are  
 18 amended to read:

19           106.04 Committees of continuous existence.--

20           (2) Any group, organization, association, or other  
 21 entity may seek certification from the Department of State as  
 22 a committee of continuous existence by filing an application  
 23 with the Division of Elections on a form provided by the  
 24 division. Such application shall provide the information  
 25 required of political committees by s. 106.03(2). Each  
 26 application shall be accompanied by the name and street  
 27 address of the principal officer of the applying entity as of  
 28 the date of the application; a copy of the charter or bylaws  
 29 of the organization; a copy of the dues or assessment schedule  
 30 of the organization, or formula by which dues or assessments  
 31 are levied; and a complete financial statement or annual audit

1 summarizing all income received, and all expenses incurred, by  
2 the organization during the 12 months preceding the date of  
3 application. ~~A membership list shall be made available for~~  
4 ~~inspection if deemed necessary by the division.~~

5 (4)

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

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

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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          Section 2. This act shall take effect upon becoming a  
22 law.

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HOUSE SUMMARY

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26          Requires the membership dues of committees of continuous  
27 existence to be reported in the same manner as regular  
28 contributions. Removes a requirement for committees of  
29 continuous existence to provide their membership lists,  
upon request, to the Division of Elections of the  
Department of State for its inspection.

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