

By Senator Campbell

32-1191-04

1                                   A bill to be entitled  
 2           An act relating to contributions made in  
 3           support of an initiative petition; amending s.  
 4           106.08, F.S., and reenacting subsection (7)  
 5           thereof, relating to penalties; prohibiting a  
 6           person, political committee, or committee of  
 7           continuous existence from making contributions  
 8           in excess of \$500 to any political committee  
 9           seeking signatures of registered electors in  
 10          support of a constitutional amendment proposed  
 11          by initiative; providing penalties; providing  
 12          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. Paragraph (a) of subsection (1) of section  
 17 106.08, Florida Statutes, is amended, and subsection (7) of  
 18 that section is reenacted, to read:

19           106.08 Contributions; limitations on.--

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

30           (7)(a) Any person who knowingly and willfully makes no  
 31 more than one contribution in violation of subsection (1) or

1 subsection (5), or any person who knowingly and willfully  
2 fails or refuses to return any contribution as required in  
3 subsection (3), commits a misdemeanor of the first degree,  
4 punishable as provided in s. 775.082 or s. 775.083. If any  
5 corporation, partnership, or other business entity or any  
6 political party, political committee, or committee of  
7 continuous existence is convicted of knowingly and willfully  
8 violating any provision punishable under this paragraph, it  
9 shall be fined not less than \$1,000 and not more than \$10,000.  
10 If it is a domestic entity, it may be ordered dissolved by a  
11 court of competent jurisdiction; if it is a foreign or  
12 nonresident business entity, its right to do business in this  
13 state may be forfeited. Any officer, partner, agent,  
14 attorney, or other representative of a corporation,  
15 partnership, or other business entity or of a political party,  
16 political committee, or committee of continuous existence who  
17 aids, abets, advises, or participates in a violation of any  
18 provision punishable under this paragraph commits a  
19 misdemeanor of the first degree, punishable as provided in s.  
20 775.082 or s. 775.083.

21 (b) Any person who knowingly and willfully makes two  
22 or more contributions in violation of subsection (1) or  
23 subsection (5) commits a felony of the third degree,  
24 punishable as provided in s. 775.082, s. 775.083, or s.  
25 775.084. If any corporation, partnership, or other business  
26 entity or any political party, political committee, or  
27 committee of continuous existence is convicted of knowingly  
28 and willfully violating any provision punishable under this  
29 paragraph, it shall be fined not less than \$10,000 and not  
30 more than \$50,000. If it is a domestic entity, it may be  
31 ordered dissolved by a court of competent jurisdiction; if it

1 is a foreign or nonresident business entity, its right to do  
2 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 committee, committee of continuous existence, or  
6 political party who aids, abets, advises, or participates in a  
7 violation of any provision punishable under this paragraph  
8 commits a felony of the third degree, punishable as provided  
9 in s. 775.082, s. 775.083, or s. 775.084.

10 Section 2. This act shall take effect July 1, 2004.

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13 SENATE SUMMARY

14 Prohibits a person, political committee, or committee of  
15 continuous existence from making contributions in excess  
16 of \$500 to any political committee that is seeking  
17 signatures of registered voters in support of a  
18 constitutional amendment proposed by initiative. Provides  
19 penalties. (See bill for details.)  
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