

1                                   A bill to be entitled  
 2           An act relating to elections; amending s. 106.08, F.S.;  
 3           prescribing requirements for making in-kind contributions  
 4           to political parties; providing an effective date.

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

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 8           Section 1. Subsection (6) of section 106.08, Florida  
 9   Statutes, is amended to read:

10           106.08 Contributions; limitations on.--

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

16           (b)1. ~~Also,~~ A political party may not accept any in-kind  
 17   contribution that fails to provide a direct benefit to the  
 18   political party. A "direct benefit" includes, but is not limited  
 19   to, fundraising or furthering the objectives of the political  
 20   party.

21           2.a. An in-kind contribution to a state political party  
 22   may be accepted only by the chairperson of the state political  
 23   party or by the chairperson's designee or designees whose name  
 24   is on file with the Secretary of State prior to the date of the  
 25   written notice required in sub-subparagraph b. An in-kind  
 26   contribution to a county political party may be accepted only by  
 27   the chairperson of the county political party or by the county  
 28   chairperson's designee or designees whose name is on file with

29 the supervisor of elections of the respective county prior to  
30 the date of the written notice required in sub-subparagraph b.

31 b. A person making an in-kind contribution to a state  
32 political party or county political party must provide prior  
33 written notice of the contribution to a person described in sub-  
34 subparagraph a. The prior written notice must be signed and  
35 dated and may be provided by an electronic or facsimile message.  
36 However, prior written notice is not required for an in-kind  
37 contribution that consists of food and beverage in an aggregate  
38 amount not exceeding \$1,500 which is consumed at a single  
39 sitting or event if such in-kind contribution is accepted in  
40 advance by a person specified in sub-subparagraph a.

41 c. A person described in sub-subparagraph a. may accept an  
42 in-kind contribution requiring prior written notice only in a  
43 writing that is signed and dated before the in-kind contribution  
44 is made. Failure to obtain the required written acceptance of an  
45 in-kind contribution to a state or county political party  
46 constitutes a refusal of the contribution.

47 d. An in-kind contribution may not be given to a state or  
48 county political party unless the in-kind contribution is made  
49 as provided in this subparagraph.

50 Section 2. This act shall take effect February 1, 2006.