

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 division in a form acceptable to the
25 division prior to the date of the written notice required in
26 sub-subparagraph b. An in-kind contribution to a county
27 political party may be accepted only by the chairperson of the
28 county political party or by the county chairperson's designee

29 or designees whose name is on file with the supervisor of
30 elections of the respective county prior to the date of the
31 written notice required in sub-subparagraph b.

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

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

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

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