

By Senator King

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A bill to be entitled

An act relating to elections; amending s.
106.08, F.S.; prescribing requirements for
making in-kind contributions to political
parties; providing an effective date.

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

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

106.08 Contributions; limitations on.--

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

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

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

1 respective county prior to the date of the written notice
2 required in sub-subparagraph b.

3 b. A person making an in-kind contribution to a state
4 political party or county political party must provide prior
5 written notice of the contribution to a person described in
6 sub-subparagraph a. The prior written notice must be signed
7 and dated and may be provided by an electronic or facsimile
8 message. However, prior written notice is not required for an
9 in-kind contribution that consists of food and beverage in an
10 aggregate amount not exceeding \$1,500 which is consumed at a
11 single sitting or event if such in-kind contribution is
12 accepted in advance by a person specified in sub-subparagraph
13 a.

14 c. A person described in sub-subparagraph a. may
15 accept an in-kind contribution requiring prior written notice
16 only in a writing that is signed and dated before the in-kind
17 contribution is made. Failure to obtain the required written
18 acceptance of an in-kind contribution to a state or county
19 political party constitutes a refusal of the contribution.

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

23 Section 2. This act shall take effect February 1,
24 2006.

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27 SENATE SUMMARY

28 Requires prior notice of an in-kind contribution to a
29 political party. Authorizes the chairperson of a
30 political party, or his or her designee, to accept or
31 reject the contribution.