1 A bill to be entitled 2 An act relating to elections; amending s. 3 106.08, F.S.; prescribing requirements for 4 making in-kind contributions to political 5 parties; requiring that state and county б executive committees file with the Division of 7 Elections copies of prior written acceptance of 8 such contributions with the Division of 9 Elections; amending s. 106.29, F.S.; requiring that copies of prior written acceptance of 10 in-kind contributions be filed in addition to 11 the reports of contributions and expenditures; 12 13 providing an effective date. 14 Be It Enacted by the Legislature of the State of Florida: 15 16 Section 1. Subsection (6) of section 106.08, Florida 17 18 Statutes, is amended to read: 106.08 Contributions; limitations on.--19 (6)(a) A political party may not accept any 20 contribution that which has been specifically designated for 21 22 the partial or exclusive use of a particular candidate. Any 23 contribution so designated must be returned to the contributor 24 and may not be used or expended by or on behalf of the candidate. 25 (b)1. Also A political party may not accept any 26 in-kind contribution that fails to provide a direct benefit to 27 28 the political party. A "direct benefit" includes, but is not 29 limited to, fundraising or furthering the objectives of the political party. 30 31

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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 division in a form acceptable to the division 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 respective county prior to the date of the written notice required in sub-subparagraph b. b. A person making an in-kind contribution to a state political party or county political party must provide prior written notice of the contribution to a person described in sub-subparagraph a. The prior written notice must be signed and dated and may be provided by an electronic or facsimile messade. However, prior written notice is not required for an in-kind contribution that consists of food and beverage in an aggregate amount not exceeding \$1,500 which is consumed at a single sitting or event if such in-kind contribution is accepted in advance by a person specified in sub-subparagraph a. c. A person described in sub-subparagraph a. may accept an in-kind contribution requiring prior written notice only in a writing that is signed and dated before the in-kind contribution is made. Failure to obtain the required written acceptance of an in-kind contribution to a state or county political party constitutes a refusal of the contribution. d. A copy of each prior written acceptance required under sub-subparagraph c. must be filed with the division at the time the regular reports of contributions and expenditures	1	2.a. An in-kind contribution to a state political
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6 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 respective county prior to the date of the written notice required in sub-subparagraph b. 12 b. A person making an in-kind contribution to a state political party or county political party must provide prior written notice of the contribution to a person described in sub-subparagraph a. The prior written notice must be signed and dated and may be provided by an electronic or facsimile 17 message. However, prior written notice is not required for an in-kind contribution that consists of food and beverage in an acqueredate amount not exceeding \$1,500 which is consumed at a single sitting or event if such in-kind contribution is accepted in advance by a person specified in sub-subparagraph a. 23 c. A person described in sub-subparagraph a. may accept an in-kind contribution requiring prior written notice only in a writing that is signed and dated before the in-kind contribution is made. Failure to obtain the required written acceptance of an in-kind contribution to a state or county political party constitutes a refusal of the contribution.	4	whose name is on file with the division in a form acceptable
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19 aggregate amount not exceeding \$1,500 which is consumed at a 20 single sitting or event if such in-kind contribution is 21 accepted in advance by a person specified in sub-subparagraph 22 a. 23 <u>C. A person described in sub-subparagraph a. may</u> 24 accept an in-kind contribution requiring prior written notice 25 only in a writing that is signed and dated before the in-kind 26 contribution is made. Failure to obtain the required written 27 acceptance of an in-kind contribution to a state or county 28 political party constitutes a refusal of the contribution. 29 d. A copy of each prior written acceptance required 30 under sub-subparagraph c. must be filed with the division at	17	message. However, prior written notice is not required for an
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28 political party constitutes a refusal of the contribution. 29 <u>d. A copy of each prior written acceptance required</u> 30 <u>under sub-subparagraph c. must be filed with the division at</u>	26	contribution is made. Failure to obtain the required written
<ul> <li><u>d. A copy of each prior written acceptance required</u></li> <li><u>under sub-subparagraph c. must be filed with the division at</u></li> </ul>	27	acceptance of an in-kind contribution to a state or county
30 <u>under sub-subparagraph c. must be filed with the division at</u>	28	political party constitutes a refusal of the contribution.
	29	d. A copy of each prior written acceptance required
31 the time the regular reports of contributions and expenditures	30	under sub-subparagraph c. must be filed with the division at
	31	the time the regular reports of contributions and expenditures

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required under s. 106.29 are filed by the state executive 1 2 committee and county executive committee. 3 e. An in-kind contribution may not be given to a state 4 or county political party unless the in-kind contribution is made as provided in this subparagraph. 5 6 Section 2. Subsection (1) of section 106.29, Florida 7 Statutes, is amended to read: 8 106.29 Reports by political parties; restrictions on 9 contributions and expenditures; penalties .--(1) The state executive committee and each county 10 executive committee of each political party regulated by 11 chapter 103 shall file regular reports of all contributions 12 13 received and all expenditures made by such committee. Such 14 reports shall contain the same information as do reports required of candidates by s. 106.07 and shall be filed on the 15 10th day following the end of each calendar quarter, except 16 that, during the period from the last day for candidate 17 18 qualifying until the general election, such reports shall be 19 filed on the Friday immediately preceding both the primary election and the general election. In addition to the reports 20 filed under this section, the state executive committee and 21 22 each county executive committee shall file a copy of each 23 prior written acceptance of an in-kind contribution given by 24 the committee during the preceding calendar quarter as required under s. 106.08(6). Each state executive committee 25 shall file the original and one copy of its reports with the 26 Division of Elections. Each county executive committee shall 27 28 file its reports with the supervisor of elections in the 29 county in which such committee exists. Any state or county 30 executive committee failing to file a report on the designated 31 due date shall be subject to a fine as provided in subsection

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SB 8-B First Engrossed 1 (3). No separate fine shall be assessed for failure to file a copy of any report required by this section. Section 3. This act shall take effect February 1, 2006. б 

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