

HB 1037

2006
CS

CHAMBER ACTION

1 The Ethics & Elections Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to campaign financing; amending s.
7 106.141, F.S.; allowing unopposed legislative candidates
8 to transfer surplus campaign funds to or retain such funds
9 in a campaign account for reelection to the same office;
10 establishing limits on the transferable amount of such
11 funds; providing a prohibition from fundraising under
12 certain conditions; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Paragraph (a) of subsection (4) of section
17 106.141, Florida Statutes, is amended to read:

18 106.141 Disposition of surplus funds by candidates.--

19 (4) (a) Except as provided in paragraph (b), any candidate
20 required to dispose of funds pursuant to this section shall, at
21 the option of the candidate, dispose of such funds by any of the
22 following means, or any combination thereof:

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23 | 1. Return pro rata to each contributor the funds that have
24 | not been spent or obligated.

25 | 2. Donate the funds that have not been spent or obligated
26 | to a charitable organization or organizations that meet the
27 | qualifications of s. 501(c)(3) of the Internal Revenue Code.

28 | 3. Give not more than \$10,000 of the funds that have not
29 | been spent or obligated to the political party of which such
30 | candidate is a member, except that a candidate for the ~~Florida~~
31 | Senate may give not more than \$30,000 of such funds to the
32 | political party of which the candidate is a member.

33 | 4. Give the funds that have not been spent or obligated:

34 | a. In the case of a candidate for state office, to the
35 | state, to be deposited in either the Election Campaign Financing
36 | Trust Fund or the General Revenue Fund, as designated by the
37 | candidate; or

38 | b. In the case of a candidate for an office of a political
39 | subdivision, to such political subdivision, to be deposited in
40 | the general fund thereof.

41 | 5. With respect to an unopposed candidate for the House of
42 | Representatives or the Senate, transfer the funds to or retain
43 | the funds in a campaign account for the same office to which the
44 | candidate was elected by virtue of being unopposed, with a
45 | maximum per election of \$50,000 for a candidate for the House of
46 | Representatives and \$150,000 for a candidate for the Senate. An
47 | unopposed candidate who exercises this option is prohibited from
48 | accepting campaign contributions for one year after the date of
49 | qualifying.

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