

1 A bill to be entitled
 2 An act relating to campaign financing; amending s.
 3 106.141, F.S.; allowing unopposed legislative candidates
 4 to transfer surplus campaign funds to or retain such funds
 5 in a campaign account for reelection to the same office;
 6 establishing limits on the transferable amount of such
 7 funds; providing a prohibition from fundraising under
 8 certain conditions; amending s. 106.07, F.S.; deleting
 9 certain filing requirements for candidates for other than
 10 statewide office; providing an effective date.

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

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 14 Section 1. Paragraph (a) of subsection (4) of section
 15 106.141, Florida Statutes, is amended to read:

16 106.141 Disposition of surplus funds by candidates.--

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

21 1. Return pro rata to each contributor the funds that have
 22 not been spent or obligated.

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

26 3. Give not more than \$10,000 of the funds that have not
 27 been spent or obligated to the political party of which such

28 | candidate is a member, except that a candidate for the ~~Florida~~
29 | Senate may give not more than \$30,000 of such funds to the
30 | political party of which the candidate is a member.

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

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

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

39 | 5. With respect to an unopposed candidate for the House of
40 | Representatives or the Senate, transfer the funds to or retain
41 | the funds in a campaign account for the same office to which the
42 | candidate was elected by virtue of being unopposed, with a
43 | maximum per election of \$50,000 for a candidate for the House of
44 | Representatives and \$150,000 for a candidate for the Senate. An
45 | unopposed candidate for the House of Representatives who
46 | exercises this option is prohibited from accepting campaign
47 | contributions for the same office for 1 year after the date of
48 | qualifying for the election in which such option is exercised.
49 | An unopposed candidate for the Senate who exercises this option
50 | is prohibited from accepting campaign contributions for the same
51 | office for 2 years after the date of qualifying for the election
52 | in which such option is exercised.

53 | Section 2. Paragraph (a) of subsection (2) of section
54 | 106.07, Florida Statutes, is amended to read:

55 | 106.07 Reports; certification and filing.--
56 | (2) (a) All reports required of a candidate by this section
57 | shall be filed with the officer before whom the candidate is
58 | required by law to qualify. All candidates who file with the
59 | Department of State shall file their reports pursuant to s.
60 | 106.0705. ~~In addition, a copy of each report for candidates for~~
61 | ~~other than statewide office who qualify with the Department of~~
62 | ~~State shall be filed with the supervisor of elections in the~~
63 | ~~county where the candidate resides.~~ Except as provided in s.
64 | 106.0705, reports shall be filed not later than 5 p.m. of the
65 | day designated; however, any report postmarked by the United
66 | States Postal Service no later than midnight of the day
67 | designated shall be deemed to have been filed in a timely
68 | manner. Any report received by the filing officer within 5 days
69 | after the designated due date that was delivered by the United
70 | States Postal Service shall be deemed timely filed unless it has
71 | a postmark that indicates that the report was mailed after the
72 | designated due date. A certificate of mailing obtained from and
73 | dated by the United States Postal Service at the time of
74 | mailing, or a receipt from an established courier company, which
75 | bears a date on or before the date on which the report is due,
76 | shall be proof of mailing in a timely manner. Reports shall
77 | contain information of all previously unreported contributions
78 | received and expenditures made as of the preceding Friday,
79 | except that the report filed on the Friday immediately preceding
80 | the election shall contain information of all previously
81 | unreported contributions received and expenditures made as of

82 | the day preceding that designated due date. All such reports
83 | shall be open to public inspection.

84 | Section 3. This act shall take effect July 1, 2006.