

1 A bill to be entitled
2 An act relating to campaign finance; amending
3 s. 106.011, F.S.; redefining the terms
4 "political committee," "contribution,"
5 "expenditure," "communications media," and
6 "electioneering communication"; defining the
7 term "electioneering communications
8 organization"; amending s. 106.022, F.S.;
9 conforming a reference to an electioneering
10 communications organization; amending s.
11 106.03, F.S.; revising the registration
12 requirements for political committees and
13 electioneering communications organizations;
14 creating s. 106.0701; establishing campaign
15 finance reporting requirements for certain
16 officers and candidates soliciting
17 contributions for certain committees and
18 organizations; providing definitions; providing
19 penalties; creating s. 106.0703, F.S.;
20 establishing campaign finance reporting
21 requirements for electioneering communications
22 organizations; amending s. 106.0705, F.S.;
23 incorporating the new campaign finance
24 reporting requirements for electioneering
25 communications organizations into the
26 Department of State's electronic campaign
27 finance reporting system; amending s. 106.08,
28 F.S.; prohibiting the use of certain
29 contributions received by an electioneering
30 communications organization proximate to an
31 election; limiting contributions to certain

1 | committees of continuous existence,
2 | electioneering communications organizations,
3 | and tax-exempt organizations pursuant to 26
4 | U.S.C. s. 527 and 501(c)(4); reenacting ss.
5 | 106.07, 106.08(8), and 106.19, F.S., relating
6 | to reports, certification and filing, and
7 | penalty provisions, to incorporate the
8 | amendments made by this act to ss. 106.03 and
9 | 106.08, F.S., in references thereto; providing
10 | effective dates.

11 |
12 | Be It Enacted by the Legislature of the State of Florida:

13 |
14 | Section 1. Subsections (1), (3), (4), (13), and (18)
15 | of section 106.011, Florida Statutes, are amended, and
16 | subsection (19) is added to that section, to read:

17 | 106.011 Definitions.--As used in this chapter, the
18 | following terms have the following meanings unless the context
19 | clearly indicates otherwise:

20 | (1)(a) "Political committee" means:

21 | 1. A combination of two or more individuals, or a
22 | person other than an individual, that, in an aggregate amount
23 | in excess of \$500 during a single calendar year:

24 | a. Accepts contributions for the purpose of making
25 | contributions to any candidate, political committee, committee
26 | of continuous existence, or political party;

27 | b. Accepts contributions for the purpose of expressly
28 | advocating the election or defeat of a candidate or the
29 | passage or defeat of an issue;

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31 |

1 c. Makes expenditures that expressly advocate the
2 election or defeat of a candidate or the passage or defeat of
3 an issue; or

4 d. Makes contributions to a common fund, other than a
5 joint checking account between spouses, from which
6 contributions are made to any candidate, political committee,
7 committee of continuous existence, or political party;

8 2. The sponsor of a proposed constitutional amendment
9 by initiative who intends to seek the signatures of registered
10 electors.

11 (b) Notwithstanding paragraph (a), the following
12 entities are not considered political committees for purposes
13 of this chapter:

14 1. Organizations which are certified by the Department
15 of State as committees of continuous existence pursuant to s.
16 106.04, national political parties, and the state and county
17 executive committees of political parties regulated by chapter
18 103.

19 2. Corporations regulated by chapter 607 or chapter
20 617 or other business entities formed for purposes other than
21 to support or oppose issues or candidates, if their political
22 activities are limited to contributions to candidates,
23 political parties, or political committees or expenditures in
24 support of or opposition to an issue from corporate or
25 business funds and if no contributions are received by such
26 corporations or business entities.

27 3. Electioneering communications organizations as
28 defined in subsection (19) ~~Organizations whose activities are~~
29 ~~limited to making expenditures for electioneering~~
30 ~~communications or accepting contributions for the purpose of~~
31 ~~making electioneering communications~~; however, such

1 organizations shall be required to register with and report
2 expenditures and contributions, including contributions ~~those~~
3 received from committees of continuous existence, to the
4 Division of Elections ~~and expenditures~~ in the same manner, at
5 the same time, and subject to the same penalties, ~~and with the~~
6 ~~same filing officer~~ as a political committee supporting or
7 opposing an issue or a legislative ~~a~~ candidate, except as
8 otherwise specifically provided in this chapter ~~or issue~~
9 ~~contained in the electioneering communication. If any such~~
10 ~~organization would be required to register and report with~~
11 ~~more than one filing officer, the organization shall register~~
12 ~~and report solely with the Division of Elections.~~

13 (3) "Contribution" means:

14 (a) A gift, subscription, conveyance, deposit, loan,
15 payment, or distribution of money or anything of value,
16 including contributions in kind having an attributable
17 monetary value in any form, made for the purpose of
18 influencing the results of an election or making an
19 electioneering communication.

20 (b) A transfer of funds between political committees,
21 between committees of continuous existence, between
22 electioneering communications organizations, or between any
23 combination of these groups ~~or between a political committee~~
24 ~~and a committee of continuous existence.~~

25 (c) The payment, by any person other than a candidate
26 or political committee, of compensation for the personal
27 services of another person which are rendered to a candidate
28 or political committee without charge to the candidate or
29 committee for such services.

30 (d) The transfer of funds by a campaign treasurer or
31 deputy campaign treasurer between a primary depository and a

1 separate interest-bearing account or certificate of deposit,
2 and the term includes any interest earned on such account or
3 certificate.

4
5 Notwithstanding the foregoing meanings of "contribution," the
6 word shall not be construed to include services, including,
7 but not limited to, legal and accounting services, provided
8 without compensation by individuals volunteering a portion or
9 all of their time on behalf of a candidate or political
10 committee. This definition shall not be construed to include
11 editorial endorsements.

12 (4)(a) "Expenditure" means a purchase, payment,
13 distribution, loan, advance, transfer of funds by a campaign
14 treasurer or deputy campaign treasurer between a primary
15 depository and a separate interest-bearing account or
16 certificate of deposit, or gift of money or anything of value
17 made for the purpose of influencing the results of an election
18 or making an electioneering communication. However,
19 "expenditure" does not include a purchase, payment,
20 distribution, loan, advance, or gift of money or anything of
21 value made for the purpose of influencing the results of an
22 election when made by an organization, in existence prior to
23 the time during which a candidate qualifies or an issue is
24 placed on the ballot for that election, for the purpose of
25 printing or distributing such organization's newsletter,
26 containing a statement by such organization in support of or
27 opposition to a candidate or issue, which newsletter is
28 distributed only to members of such organization.

29 (b) As used in this chapter, an "expenditure" for an
30 electioneering communication is made when the earliest of the
31 following occurs:

1 1. A person enters into ~~executes~~ a contract for
2 applicable goods or services;
3 2. A person makes payment, in whole or in part, for
4 the production or public dissemination of applicable goods or
5 services; or
6 3. The electioneering communication is publicly
7 disseminated.
8 (13) "Communications media" means broadcasting
9 stations, newspapers, magazines, outdoor advertising
10 facilities, printers, direct mail ~~mailing companies~~,
11 advertising agencies, the Internet, and telephone companies;
12 but with respect to telephones, an expenditure shall be deemed
13 to be an expenditure for the use of communications media only
14 if made for the costs of telephones, paid telephonists, or
15 automatic telephone equipment to be used by a candidate or a
16 political committee to communicate with potential voters but
17 excluding any costs of telephones incurred by a volunteer for
18 use of telephones by such volunteer; however, with respect to
19 the Internet, an expenditure shall be deemed an expenditure
20 for use of communications media only if made for the cost of
21 creating or disseminating a message on a computer information
22 system accessible by more than one person but excluding
23 internal communications of a campaign or of any group.
24 (18)(a) "Electioneering communication" means a paid
25 expression in any communications media prescribed in
26 subsection (13) by means other than the spoken word in direct
27 conversation that:
28 1. Refers to or depicts a clearly identified candidate
29 for office or contains a clear reference indicating that an
30 issue is to be voted on at an election, without expressly
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1 advocating the election or defeat of a candidate or the
2 passage or defeat of an issue.

3 2. For communications referring to or depicting a
4 clearly identified candidate for office, is targeted to the
5 relevant electorate. A communication is considered targeted if
6 1,000 or more persons in the geographic area the candidate
7 would represent if elected will receive the communication.

8 3. ~~For communications referring to or depicting a~~
9 ~~clearly identified candidate for office, is published after~~
10 ~~the end of the candidate qualifying period for the office~~
11 ~~sought by the candidate.~~

12 4. For communications containing a clear reference
13 indicating that an issue is to be voted on at an election, is
14 published after the issue is designated a ballot position or
15 120 days before the date of the election on the issue,
16 whichever occurs first.

17 (b) The term "electioneering communication" does not
18 include:

19 1. A statement or depiction by an organization, in
20 existence prior to the time during which a candidate named or
21 depicted qualifies or an issue identified is placed on the
22 ballot for that election, made in that organization's
23 newsletter, which newsletter is distributed only to members of
24 that organization.

25 2. An editorial endorsement, news story, commentary,
26 or editorial by any newspaper, radio, television station, or
27 other recognized news medium.

28 3. A communication that constitutes a public debate or
29 forum that includes at least two opposing candidates for an
30 office or one advocate and one opponent of an issue, or that
31 solely promotes such a debate or forum and is made by or on

1 behalf of the person sponsoring the debate or forum, provided
2 that:

3 a. The staging organization is either:

4 (I) A charitable organization that does not make other
5 electioneering communications and does not otherwise support
6 or oppose any political candidate or political party; or

7 (II) A newspaper, radio station, television station,
8 or other recognized news medium; and

9 b. The staging organization does not structure the
10 debate to promote or advance one candidate or issue position
11 over another.

12 (c) For purposes of this chapter, an expenditure made
13 for, or in furtherance of, an electioneering communication
14 shall not be considered a contribution to or on behalf of any
15 candidate.

16 (d) For purposes of this chapter, an electioneering
17 communication shall not constitute an independent expenditure
18 nor be subject to the limitations applicable to independent
19 expenditures.

20 (19) "Electioneering communications organization"
21 means any group, other than a political party, political
22 committee, or committee of continuous existence, whose
23 activities are limited to making expenditures for
24 electioneering communications or accepting contributions for
25 the purpose of making electioneering communications.

26 Section 2. Subsection (1) of section 106.022, Florida
27 Statutes, is amended to read:

28 106.022 Appointment of a registered agent; duties.--

29 (1) Each political committee, committee of continuous
30 existence, or electioneering communications organization
31 ~~entity~~ shall have and continuously maintain in this state a

1 registered office and a registered agent and must file with
2 the division a statement of appointment for the registered
3 office and registered agent. The statement of appointment
4 must:

5 (a) Provide the name of the registered agent and the
6 street address and phone number for the registered office;

7 (b) Identify the entity for whom the registered agent
8 serves;

9 (c) Designate the address the registered agent wishes
10 to use to receive mail;

11 (d) Include the entity's undertaking to inform the
12 division of any change in such designated address;

13 (e) Provide for the registered agent's acceptance of
14 the appointment, which must confirm that the registered agent
15 is familiar with and accepts the obligations of the position
16 as set forth in this section; and

17 (f) Contain the signature of the registered agent and
18 the entity engaging the registered agent.

19 Section 3. Section 106.03, Florida Statutes, is
20 amended to read:

21 106.03 Registration of political committees.--

22 (1)(a) Each political committee that ~~which~~ anticipates
23 receiving contributions or making expenditures during a
24 calendar year in an aggregate amount exceeding \$500 or that
25 ~~which~~ is seeking the signatures of registered electors in
26 support of an initiative shall file a statement of
27 organization as provided in subsection (3) within 10 days
28 after its organization or, if later, within 10 days after the
29 date on which it has information that ~~which~~ causes the
30 committee to anticipate that it will receive contributions or
31 make expenditures in excess of \$500. If a political committee

1 is organized within 10 days of any election, it shall
2 immediately file the statement of organization required by
3 this section.

4 (b) Each electioneering communications organization
5 that anticipates receiving contributions or making
6 expenditures shall file a statement of organization as
7 provided in subsection (3) by expedited delivery within 24
8 hours after its organization or, if later, within 24 hours
9 after the date on which it has information that causes the
10 organization to anticipate that it will receive contributions
11 or make expenditures for an electioneering communication.

12 (2) The statement of organization shall include:

13 (a) The name and street address of the committee;

14 (b) The names, street addresses, and relationships of
15 affiliated or connected organizations;

16 (c) The area, scope, or jurisdiction of the committee;

17 (d) The name, street address, and position of the
18 custodian of books and accounts;

19 (e) The name, street address, and position of other
20 principal officers, including officers and members of the
21 finance committee, if any;

22 (f) The name, address, office sought, and party
23 affiliation of:

24 1. Each candidate whom the committee is supporting;

25 2. Any other individual, if any, whom the committee is
26 supporting for nomination for election, or election, to any
27 public office whatever;

28 (g) Any issue or issues such organization is
29 supporting or opposing;

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1 (h) If the committee is supporting the entire ticket
2 of any party, a statement to that effect and the name of the
3 party;

4 (i) A statement of whether the committee is a
5 continuing one;

6 (j) Plans for the disposition of residual funds which
7 will be made in the event of dissolution;

8 (k) A listing of all banks, safe-deposit boxes, or
9 other depositories used for committee funds; and

10 (l) A statement of the reports required to be filed by
11 the committee with federal officials, if any, and the names,
12 addresses, and positions of such officials.

13 (3)(a) A political committee which is organized to
14 support or oppose statewide, legislative, or multicounty
15 candidates or issues to be voted upon on a statewide or
16 multicounty basis shall file a statement of organization with
17 the Division of Elections.

18 (b) Except as provided in paragraph (c), a political
19 committee which is organized to support or oppose candidates
20 or issues to be voted on in a countywide election or
21 candidates or issues in any election held on less than a
22 countywide basis shall file a statement of organization with
23 the supervisor of elections of the county in which such
24 election is being held.

25 (c) A political committee which is organized to
26 support or oppose only candidates for municipal office or
27 issues to be voted on in a municipal election shall file a
28 statement of organization with the officer before whom
29 municipal candidates qualify.

30 (d) Any political committee which would be required
31 under this subsection to file a statement of organization in

1 two or more locations by reason of the committee's intention
2 to support or oppose candidates or issues at state or
3 multicounty and local levels of government need file only with
4 the Division of Elections.

5 (4) Any change in information previously submitted in
6 a statement of organization shall be reported to the agency or
7 officer with whom such committee is required to register
8 pursuant to subsection (3), within 10 days following the
9 change.

10 (5) Any committee which, after having filed one or
11 more statements of organization, disbands or determines it
12 will no longer receive contributions or make expenditures
13 during the calendar year in an aggregate amount exceeding \$500
14 shall so notify the agency or officer with whom such committee
15 is required to file the statement of organization.

16 (6) If the filing officer finds that a political
17 committee has filed its statement of organization consistent
18 with the requirements of subsection (2), it shall notify the
19 committee in writing that it has been registered as a
20 political committee. If the filing officer finds that a
21 political committee's statement of organization does not meet
22 the requirements of subsection (2), it shall notify the
23 committee of such finding and shall state in writing the
24 reasons for rejection of the statement of organization.

25 (7) The Division of Elections shall promulgate rules
26 to prescribe the manner in which inactive committees may be
27 dissolved and have their registration canceled. Such rules
28 shall, at a minimum, provide for:

29 (a) Notice which shall contain the facts and conduct
30 which warrant the intended action, including but not limited
31 to failure to file reports and limited activity.

1 (b) Adequate opportunity to respond.

2 (c) Appeal of the decision to the Florida Elections
3 Commission. Such appeals shall be exempt from the
4 confidentiality provisions of s. 106.25.

5 Section 4. Section 106.0701, Florida Statutes, is
6 created to read:

7 106.0701 Statewide and legislative officer's and
8 candidate's solicitation of contributions; reporting
9 requirements.--

10 (1) The Governor, the Lieutenant Governor, a member of
11 the Cabinet, a state legislator, or a candidate for any of
12 these offices that solicits or causes to be solicited a
13 contribution for a committee of continuous existence,
14 electioneering communications organization, organization
15 exempt from taxation under 26 U.S.C. s. 527 other than a
16 political party or the campaign depository of the solicitor,
17 or an organization exempt from taxation under 26 U.S.C. s.
18 501(c)(4) shall, within 48 hours of such solicitation, file a
19 statement with the division pursuant to s. 106.0705. The
20 statement shall contain the following information:

21 (a) The name, street address, and office held or
22 sought of the officer or candidate making or causing the
23 solicitation to be made.

24 (b) The date the solicitation was made.

25 (c) The name, street address, and type of organization
26 for whom the solicitation was made.

27 (d) A description of the relationship between the
28 officer or candidate and the organization for whom the
29 solicitation was made.

30 (2) If an officer or candidate has not been issued a
31 secure sign-on to the division's electronic reporting system

1 pursuant to s. 106.0705, the officer or candidate making the
2 solicitation or causing the solicitation to be made shall,
3 within 24 hours of the solicitation, request one from the
4 division and file a report of the solicitation within 48 hours
5 after receiving the sign-on.

6 (3) For purposes of this section, "solicits or causes
7 to be solicited a contribution for a committee of continuous
8 existence, electioneering communications organization,
9 organization exempt from taxation under 26 U.S.C. s. 527 other
10 than a political party or the campaign depository of the
11 solicitor, or an organization exempt from taxation under 26
12 U.S.C. s. 501(c)(4)" means to expressly seek, ask, petition,
13 beseech, or request, directly or indirectly, that a gift,
14 subscription, conveyance, deposit, loan, payment, or
15 distribution of money or anything of value, including
16 contributions in kind having an attributable monetary value in
17 any form, be given, directly or indirectly, to the committee
18 or organization; however, the term does not include a general
19 appeal to support the committee or organization if the appeal
20 fails to expressly seek, ask, petition, beseech, or request
21 that something with a monetary value be given to the committee
22 or organization.

23 (4) Any officer or employee who fails to timely file a
24 solicitation report required by this section shall be subject
25 to the penalties for late-filed campaign finance reports
26 pursuant to s. 106.07(8).

27 Section 5. Section 106.0703, Florida Statutes, is
28 created to read:

29 106.0703 Electioneering communications organizations;
30 additional reporting requirements.--

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1 (1) In addition to the reporting requirements in s.
2 106.07, an electioneering communications organization shall,
3 within 2 days after receiving its initial password or secure
4 sign-on from the Department of State allowing confidential
5 access to the department's electronic campaign finance filing
6 system, electronically file the periodic campaign finance
7 reports that would have been required pursuant to s. 106.07
8 for reportable activities that occurred since the date of the
9 last general election.

10 (2) In addition to the reporting requirements in s.
11 106.07, an electioneering communications organization shall
12 electronically file a supplemental report of each contribution
13 of \$5,000 or more received by the organization within 2 days
14 after receipt. The supplemental report must include the
15 information required in s. 106.07(4)(a)1.-5. The
16 electioneering communications organization shall not include
17 each contribution reported pursuant to this subsection on the
18 quarterly or periodic campaign finance report pursuant to s.
19 106.07 for the reporting period in which the contribution was
20 received.

21 Section 6. Section 106.0705, Florida Statutes, is
22 amended to read:

23 106.0705 Electronic filing of campaign treasurer's
24 reports.--

25 (1) As used in this section, "electronic filing
26 system" means an Internet system for recording and reporting
27 campaign finance activity by reporting period.

28 (2)(a) Each candidate who is required to file reports
29 pursuant to s. 106.07 with the division must file such reports
30 with the division by means of the division's electronic filing
31 system.

1 (b) Each political committee, committee of continuous
2 existence, electioneering communications organization, or
3 state executive committee that is required to file reports
4 with the division under s. 106.04, s. 106.07, s. 106.0703, or
5 s. 106.29, as applicable, must file such reports with the
6 division by means of the division's electronic filing system.

7 (c) Each person or organization that is required to
8 file reports with the division under s. 106.071 must file such
9 reports with the division by means of the division's
10 electronic filing system.

11 (3) Reports filed pursuant to this section shall be
12 completed and filed through the electronic filing system not
13 later than midnight of the day designated. Reports not filed
14 by midnight of the day designated are late filed and are
15 subject to the penalties under s. 106.04(8), s. 106.07(8), or
16 s. 106.29(3), as applicable.

17 (4) Each report filed pursuant to this section is
18 considered to be under oath by the candidate and treasurer or
19 the chair and treasurer, whichever is applicable, and such
20 persons are subject to the provisions of s. 106.04(4)(d), s.
21 106.07(5), or s. 106.29(2), as applicable. Persons given a
22 secure sign-on to the electronic filing system are responsible
23 for protecting such from disclosure and are responsible for
24 all filings using such credentials, unless they have notified
25 the division that their credentials have been compromised.

26 (5) The electronic filing system developed by the
27 division must:

28 (a) Be based on access by means of the Internet.

29 (b) Be accessible by anyone with Internet access using
30 standard web-browsing software.

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1 (c) Provide for direct entry of campaign finance
2 information as well as upload of such information from
3 campaign finance software certified by the division.

4 (d) Provide a method that prevents unauthorized access
5 to electronic filing system functions.

6 (6) The division shall adopt rules pursuant to ss.
7 120.536(1) and 120.54 to administer this section and provide
8 for the reports required to be filed pursuant to this section.
9 Such rules shall, at a minimum, provide:

10 (a) Alternate filing procedures in case the division's
11 electronic filing system is not operable.

12 (b) For the issuance of an electronic receipt to the
13 person submitting the report indicating and verifying that the
14 report has been filed.

15 (7) Notwithstanding anything in law to the contrary,
16 any report required to have been filed under this section for
17 the period ended March 31, 2005, shall be deemed to have been
18 timely filed if the report is filed under this section on or
19 before June 1, 2005.

20 Section 7. Effective upon this act becoming a law,
21 subsections (5) and (7) of section 106.08, Florida Statutes,
22 are amended to read:

23 106.08 Contributions; limitations on.--

24 (5)(a) A person may not make any contribution through
25 or in the name of another, directly or indirectly, in any
26 election.

27 (b) Candidates, political committees, and political
28 parties may not solicit contributions from any religious,
29 charitable, civic, or other causes or organizations
30 established primarily for the public good.
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1 (c) Candidates, political committees, and political
2 parties may not make contributions, in exchange for political
3 support, to any religious, charitable, civic, or other cause
4 or organization established primarily for the public good. It
5 is not a violation of this paragraph for:

6 1. A candidate, political committee, or political
7 party executive committee to make gifts of money in lieu of
8 flowers in memory of a deceased person;

9 2. A candidate to continue membership in, or make
10 regular donations from personal or business funds to,
11 religious, political party, civic, or charitable groups of
12 which the candidate is a member or to which the candidate has
13 been a regular donor for more than 6 months; or

14 3. A candidate to purchase, with campaign funds,
15 tickets, admission to events, or advertisements from
16 religious, civic, political party, or charitable groups.

17 (d)1. Committees of continuous existence,
18 electioneering communications organizations, organizations
19 exempt from taxation under 26 U.S.C. s. 527 other than a
20 political party, and organizations exempt from taxation under
21 26 U.S.C. s. 501(c)(4) shall not, in any election, accept
22 contributions in excess of \$500 from an individual or group
23 if, during the current election period ending on the date of
24 the next general election, the committee or organization
25 directly or indirectly through one or more intermediaries:

26 a. Reimburses or pays for any expenses of the
27 Governor, the Lieutenant Governor, a member of the Cabinet, a
28 state legislator, a candidate for any of these offices, an
29 employee or agent of the officer or candidate, or a member of
30 the officer's or candidate's immediate family.

31

1 b. Is, in whole or in part, established, organized,
2 operated, or controlled by the Governor, the Lieutenant
3 Governor, a member of the Cabinet, a state legislator, a
4 candidate for any of these offices, an employee or agent of
5 the officer or candidate, or a member of the officer's or
6 candidate's immediate family, provided the committee or
7 organization directly or indirectly makes or has made a
8 contribution to, or an expenditure for the benefit of, the
9 officer's or candidate's campaign for publicly-elected office.

10 c. Knowingly receives contributions solicited by,
11 caused to be solicited by, or accepted on behalf of the
12 committee or organization by the Governor, the Lieutenant
13 Governor, a member of the Cabinet, a state legislator, a
14 candidate for any of these offices, an employee or agent of
15 the officer or candidate, or a member of the officer's or
16 candidate's immediate family, provided the committee or
17 organization directly or indirectly makes or has made a
18 contribution to, or an expenditure for the benefit of, the
19 officer's or candidate's campaign for publicly-elected office
20 in an amount exceeding \$500 in the aggregate in any election.

21 2. For purposes of this paragraph, "immediate family"
22 means the spouse, parent, child, grandparent, or sibling of
23 the officer or candidate.

24 3. Notwithstanding the limits provided in this
25 paragraph, a committee or organization that is subject to the
26 \$500 contribution limit in subparagraph 1. shall not accept a
27 contribution in excess of \$100 from an unemancipated child
28 under the age of 18.

29 4. The contribution limits of this paragraph apply to
30 each election. For purposes of this paragraph, the primary
31 election and the general election are separate elections so

1 long as the candidate that the committee or organization
2 supports or opposes, or who is referred to or depicted in the
3 committee's or organization's electioneering communications,
4 is not an unopposed candidate as defined in s. 106.011(15).
5 However, for the purpose of contribution limits with respect
6 to committees and organizations supporting or opposing only
7 candidates for retention as a justice or judge, or referring
8 to or depicting only candidates for retention as a justice or
9 judge in the committee's or organization's electioneering
10 communications, there is only one election, which is the
11 general election.

12 (7)(a) Any person who knowingly and willfully makes,
13 solicits, or accepts no more than one contribution in
14 violation of subsection (1) or subsection (5), or any person
15 who knowingly and willfully fails or refuses to return any
16 contribution as required in subsection (3), commits a
17 misdemeanor of the first degree, punishable as provided in s.
18 775.082 or s. 775.083. If any corporation, partnership, or
19 other business entity or any political party, political
20 committee, or committee of continuous existence is convicted
21 of knowingly and willfully violating any provision punishable
22 under this paragraph, it shall be fined not less than \$1,000
23 and not more than \$10,000. If it is a domestic entity, it may
24 be ordered dissolved by a court of competent jurisdiction; if
25 it is a foreign or nonresident business entity, its right to
26 do business in this state may be forfeited. Any officer,
27 partner, agent, attorney, or other representative of a
28 corporation, partnership, or other business entity or of a
29 political party, political committee, or committee of
30 continuous existence who aids, abets, advises, or participates
31 in a violation of any provision punishable under this

1 paragraph commits a misdemeanor of the first degree,
2 punishable as provided in s. 775.082 or s. 775.083.

3 (b) Any person who knowingly and willfully makes,
4 solicits, or accepts two or more contributions in violation of
5 subsection (1) or subsection (5) commits a felony of the third
6 degree, punishable as provided in s. 775.082, s. 775.083, or
7 s. 775.084. If any corporation, partnership, or other
8 business entity or any political party, political committee,
9 or committee of continuous existence is convicted of knowingly
10 and willfully violating any provision punishable under this
11 paragraph, it shall be fined not less than \$10,000 and not
12 more than \$50,000. If it is a domestic entity, it may be
13 ordered dissolved by a court of competent jurisdiction; if it
14 is a foreign or nonresident business entity, its right to do
15 business in this state may be forfeited. Any officer,
16 partner, agent, attorney, or other representative of a
17 corporation, partnership, or other business entity, or of a
18 political committee, committee of continuous existence, or
19 political party who aids, abets, advises, or participates in a
20 violation of any provision punishable under this paragraph
21 commits a felony of the third degree, punishable as provided
22 in s. 775.082, s. 775.083, or s. 775.084.

23 Section 8. Subsection (4) of section 106.08, Florida
24 Statutes, is amended, subsections (5) and (7) of that section,
25 as amended by this act, are amended, and subsection (8) of
26 that section is reenacted, to read:

27 106.08 Contributions; limitations on.--

28 (4)(a) Any contribution received by the chair,
29 campaign treasurer, or deputy campaign treasurer of a
30 political committee supporting or opposing a candidate with
31 opposition in an election or supporting or opposing an issue

1 on the ballot in an election on the day of that election or
2 less than 5 days prior to the day of that election may not be
3 obligated or expended by the committee until after the date of
4 the election.

5 (b) Any contribution received by an electioneering
6 communications organization on the day of an election or less
7 than 10 days prior to the day of that election may not be
8 obligated or expended by the organization until after the date
9 of the election, and may not be expended to pay for any
10 obligation arising prior to the election.

11 (5)(a) A person may not make any contribution through
12 or in the name of another, directly or indirectly, in any
13 election.

14 (b) Candidates, political committees, and political
15 parties may not solicit contributions from any religious,
16 charitable, civic, or other causes or organizations
17 established primarily for the public good.

18 (c) Candidates, political committees, and political
19 parties may not make contributions, in exchange for political
20 support, to any religious, charitable, civic, or other cause
21 or organization established primarily for the public good. It
22 is not a violation of this paragraph for:

23 1. A candidate, political committee, or political
24 party executive committee to make gifts of money in lieu of
25 flowers in memory of a deceased person;

26 2. A candidate to continue membership in, or make
27 regular donations from personal or business funds to,
28 religious, political party, civic, or charitable groups of
29 which the candidate is a member or to which the candidate has
30 been a regular donor for more than 6 months; or
31

1 3. A candidate to purchase, with campaign funds,
2 tickets, admission to events, or advertisements from
3 religious, civic, political party, or charitable groups.

4 (d)1. Committees of continuous existence,
5 electioneering communications organizations, organizations
6 exempt from taxation under 26 U.S.C. s. 527 other than a
7 political party, and organizations exempt from taxation under
8 26 U.S.C. s. 501(c)(4) shall not, in any election, accept
9 contributions in excess of \$500 from an individual or group
10 if, during the current election period ending on the date of
11 the next general election, the committee or organization
12 directly or indirectly through one or more intermediaries:

13 a. Reimburses or pays for any expenses of the
14 Governor, the Lieutenant Governor, a member of the Cabinet, a
15 state legislator, a candidate for any of these offices, an
16 employee or agent of the officer or candidate, or a member of
17 the officer's or candidate's immediate family.

18 b. Is, in whole or in part, established, organized,
19 operated, or controlled by the Governor, the Lieutenant
20 Governor, a member of the Cabinet, a state legislator, a
21 candidate for any of these offices, an employee or agent of
22 the officer or candidate, or a member of the officer's or
23 candidate's immediate family, provided the committee or
24 organization directly or indirectly makes or has made a
25 contribution to, or an expenditure for the benefit of, the
26 officer's or candidate's campaign for publicly-elected office.

27 c. Knowingly receives contributions solicited by,
28 caused to be solicited by, or accepted on behalf of the
29 committee or organization by the Governor, the Lieutenant
30 Governor, a member of the Cabinet, a state legislator, a
31 candidate for any of these offices, an employee or agent of

1 the officer or candidate, or a member of the officer's or
2 candidate's immediate family, provided the committee or
3 organization directly or indirectly makes or has made a
4 contribution to, or an expenditure for the benefit of, the
5 officer's or candidate's campaign for publicly-elected office
6 in an amount exceeding \$500 in the aggregate in any election.

7 2. For purposes of this paragraph, "immediate family"
8 means the spouse, parent, child, grandparent, or sibling of
9 the officer or candidate.

10 3. Notwithstanding the limits provided in this
11 paragraph, a committee or organization that is subject to the
12 \$500 contribution limit in subparagraph 1. shall not accept a
13 contribution in excess of \$100 from an unemancipated child
14 under the age of 18.

15 4. The contribution limits of this paragraph apply to
16 each election. For purposes of this paragraph, the primary
17 election and the general election are separate elections so
18 long as the candidate that the committee or organization
19 supports or opposes, or who is referred to or depicted in the
20 committee's or organization's electioneering communications,
21 is not an unopposed candidate as defined in s. 106.011(15).
22 However, for the purpose of contribution limits with respect
23 to committees and organizations supporting or opposing only
24 candidates for retention as a justice or judge, or referring
25 to or depicting only candidates for retention as a justice or
26 judge in the committee's or organization's electioneering
27 communications, there is only one election, which is the
28 general election.

29 (e) An electioneering communications organization may
30 not accept a contribution from an organization exempt from
31 taxation under 26 U.S.C. s. 527 or s. 501(c)(4), other than a

1 political committee, committee of continuous existence, or
2 political party, unless the contributing organization has
3 registered as if it were an electioneering communications
4 organization pursuant to s. 106.03 and has filed all campaign
5 finance reports required of electioneering communications
6 organizations pursuant to ss. 106.07 and 106.0703.

7 (7)(a) Any person who knowingly and willfully makes,
8 solicits, or accepts no more than one contribution in
9 violation of subsection (1) or subsection (5), or any person
10 who knowingly and willfully fails or refuses to return any
11 contribution as required in subsection (3), commits a
12 misdemeanor of the first degree, punishable as provided in s.
13 775.082 or s. 775.083. If any corporation, partnership, or
14 other business entity or any political party, political
15 committee, ~~or~~ committee of continuous existence, or
16 electioneering communications organization is convicted of
17 knowingly and willfully violating any provision punishable
18 under this paragraph, it shall be fined not less than \$1,000
19 and not more than \$10,000. If it is a domestic entity, it may
20 be ordered dissolved by a court of competent jurisdiction; if
21 it is a foreign or nonresident business entity, its right to
22 do business in this state may be forfeited. Any officer,
23 partner, agent, attorney, or other representative of a
24 corporation, partnership, or other business entity or of a
25 political party, political committee, ~~or~~ committee of
26 continuous existence, electioneering communications
27 organization, or organization exempt from taxation under 26
28 U.S.C. s. 527 or s. 501(c)(4), who aids, abets, advises, or
29 participates in a violation of any provision punishable under
30 this paragraph commits a misdemeanor of the first degree,
31 punishable as provided in s. 775.082 or s. 775.083.

1 (b) Any person who knowingly and willfully makes,
2 solicits, or accepts two or more contributions in violation of
3 subsection (1) or subsection (5) commits a felony of the third
4 degree, punishable as provided in s. 775.082, s. 775.083, or
5 s. 775.084. If any corporation, partnership, or other
6 business entity or any political party, political committee,
7 ~~or~~ committee of continuous existence, or electioneering
8 communications organization is convicted of knowingly and
9 willfully violating any provision punishable under this
10 paragraph, it shall be fined not less than \$10,000 and not
11 more than \$50,000. If it is a domestic entity, it may be
12 ordered dissolved by a court of competent jurisdiction; if it
13 is a foreign or nonresident business entity, its right to do
14 business in this state may be forfeited. Any officer,
15 partner, agent, attorney, or other representative of a
16 corporation, partnership, or other business entity, or of a
17 political committee, committee of continuous existence, ~~or~~
18 political party, electioneering communications organization,
19 or organization exempt from taxation under 26 U.S.C. s. 527 or
20 s. 501(c)(4), who aids, abets, advises, or participates in a
21 violation of any provision punishable under this paragraph
22 commits a felony of the third degree, punishable as provided
23 in s. 775.082, s. 775.083, or s. 775.084.

24 (8) Except when otherwise provided in subsection (7),
25 any person who knowingly and willfully violates any provision
26 of this section shall, in addition to any other penalty
27 prescribed by this chapter, pay to the state a sum equal to
28 twice the amount contributed in violation of this chapter.
29 Each campaign treasurer shall pay all amounts contributed in
30 violation of this section to the state for deposit in the
31 General Revenue Fund.

1 Section 9. For the purpose of incorporating the
2 amendments made by this act to section 106.03, Florida
3 Statutes, in a reference thereto, section 106.07, Florida
4 Statutes, is reenacted to read:

5 106.07 Reports; certification and filing.--

6 (1) Each campaign treasurer designated by a candidate
7 or political committee pursuant to s. 106.021 shall file
8 regular reports of all contributions received, and all
9 expenditures made, by or on behalf of such candidate or
10 political committee. Reports shall be filed on the 10th day
11 following the end of each calendar quarter from the time the
12 campaign treasurer is appointed, except that, if the 10th day
13 following the end of a calendar quarter occurs on a Saturday,
14 Sunday, or legal holiday, the report shall be filed on the
15 next following day which is not a Saturday, Sunday, or legal
16 holiday. Quarterly reports shall include all contributions
17 received and expenditures made during the calendar quarter
18 which have not otherwise been reported pursuant to this
19 section.

20 (a) Except as provided in paragraph (b), following the
21 last day of qualifying for office, the reports shall be filed
22 on the 32nd, 18th, and 4th days immediately preceding the
23 primary and on the 46th, 32nd, 18th, and 4th days immediately
24 preceding the election, for a candidate who is opposed in
25 seeking nomination or election to any office, for a political
26 committee, or for a committee of continuous existence.

27 (b) Following the last day of qualifying for office,
28 any statewide candidate who has requested to receive
29 contributions from the Election Campaign Financing Trust Fund
30 or any statewide candidate in a race with a candidate who has
31 requested to receive contributions from the trust fund shall

1 file reports on the 4th, 11th, 18th, 25th, and 32nd days prior
2 to the primary election, and on the 4th, 11th, 18th, 25th,
3 32nd, 39th, 46th, and 53rd days prior to the general election.

4 (c) Following the last day of qualifying for office,
5 any unopposed candidate need only file a report within 90 days
6 after the date such candidate became unopposed. Such report
7 shall contain all previously unreported contributions and
8 expenditures as required by this section and shall reflect
9 disposition of funds as required by s. 106.141.

10 (d)1. When a special election is called to fill a
11 vacancy in office, all political committees and committees of
12 continuous existence making contributions or expenditures to
13 influence the results of such special election shall file
14 campaign treasurers' reports with the filing officer on the
15 dates set by the Department of State pursuant to s. 100.111.

16 2. When an election is called for an issue to appear
17 on the ballot at a time when no candidates are scheduled to
18 appear on the ballot, all political committees making
19 contributions or expenditures in support of or in opposition
20 to such issue shall file reports on the 18th and 4th days
21 prior to such election.

22 (e) The filing officer shall provide each candidate
23 with a schedule designating the beginning and end of reporting
24 periods as well as the corresponding designated due dates.

25 (2)(a) All reports required of a candidate by this
26 section shall be filed with the officer before whom the
27 candidate is required by law to qualify. All candidates who
28 file with the Department of State shall file their reports
29 pursuant to s. 106.0705. In addition, a copy of each report
30 for candidates for other than statewide office who qualify
31 with the Department of State shall be filed with the

1 supervisor of elections in the county where the candidate
2 resides. Except as provided in s. 106.0705, reports shall be
3 filed not later than 5 p.m. of the day designated; however,
4 any report postmarked by the United States Postal Service no
5 later than midnight of the day designated shall be deemed to
6 have been filed in a timely manner. Any report received by the
7 filing officer within 5 days after the designated due date
8 that was delivered by the United States Postal Service shall
9 be deemed timely filed unless it has a postmark that indicates
10 that the report was mailed after the designated due date. A
11 certificate of mailing obtained from and dated by the United
12 States Postal Service at the time of mailing, or a receipt
13 from an established courier company, which bears a date on or
14 before the date on which the report is due, shall be proof of
15 mailing in a timely manner. Reports shall contain information
16 of all previously unreported contributions received and
17 expenditures made as of the preceding Friday, except that the
18 report filed on the Friday immediately preceding the election
19 shall contain information of all previously unreported
20 contributions received and expenditures made as of the day
21 preceding that designated due date. All such reports shall be
22 open to public inspection.

23 (b)1. Any report which is deemed to be incomplete by
24 the officer with whom the candidate qualifies shall be
25 accepted on a conditional basis, and the campaign treasurer
26 shall be notified by registered mail as to why the report is
27 incomplete and be given 3 days from receipt of such notice to
28 file an addendum to the report providing all information
29 necessary to complete the report in compliance with this
30 section. Failure to file a complete report after such notice
31 constitutes a violation of this chapter.

1 2. In lieu of the notice by registered mail as
2 required in subparagraph 1., the qualifying officer may notify
3 the campaign treasurer by telephone that the report is
4 incomplete and request the information necessary to complete
5 the report. If, however, such information is not received by
6 the qualifying officer within 3 days after the telephone
7 request therefor, notice shall be sent by registered mail as
8 provided in subparagraph 1.

9 (3) Reports required of a political committee shall be
10 filed with the agency or officer before whom such committee
11 registers pursuant to s. 106.03(3) and shall be subject to the
12 same filing conditions as established for candidates' reports.
13 Incomplete reports by political committees shall be treated in
14 the manner provided for incomplete reports by candidates in
15 subsection (2).

16 (4)(a) Each report required by this section shall
17 contain:

18 1. The full name, address, and occupation, if any of
19 each person who has made one or more contributions to or for
20 such committee or candidate within the reporting period,
21 together with the amount and date of such contributions. For
22 corporations, the report must provide as clear a description
23 as practicable of the principal type of business conducted by
24 the corporation. However, if the contribution is \$100 or less
25 or is from a relative, as defined in s. 112.312, provided that
26 the relationship is reported, the occupation of the
27 contributor or the principal type of business need not be
28 listed.

29 2. The name and address of each political committee
30 from which the reporting committee or the candidate received,
31 or to which the reporting committee or candidate made, any

1 transfer of funds, together with the amounts and dates of all
2 transfers.

3 3. Each loan for campaign purposes to or from any
4 person or political committee within the reporting period,
5 together with the full names, addresses, and occupations, and
6 principal places of business, if any, of the lender and
7 endorsers, if any, and the date and amount of such loans.

8 4. A statement of each contribution, rebate, refund,
9 or other receipt not otherwise listed under subparagraphs 1.
10 through 3.

11 5. The total sums of all loans, in-kind contributions,
12 and other receipts by or for such committee or candidate
13 during the reporting period. The reporting forms shall be
14 designed to elicit separate totals for in-kind contributions,
15 loans, and other receipts.

16 6. The full name and address of each person to whom
17 expenditures have been made by or on behalf of the committee
18 or candidate within the reporting period; the amount, date,
19 and purpose of each such expenditure; and the name and address
20 of, and office sought by, each candidate on whose behalf such
21 expenditure was made. However, expenditures made from the
22 petty cash fund provided by s. 106.12 need not be reported
23 individually.

24 7. The full name and address of each person to whom an
25 expenditure for personal services, salary, or reimbursement
26 for authorized expenses as provided in s. 106.021(3) has been
27 made and which is not otherwise reported, including the
28 amount, date, and purpose of such expenditure. However,
29 expenditures made from the petty cash fund provided for in s.
30 106.12 need not be reported individually.

31

1 8. The total amount withdrawn and the total amount
2 spent for petty cash purposes pursuant to this chapter during
3 the reporting period.

4 9. The total sum of expenditures made by such
5 committee or candidate during the reporting period.

6 10. The amount and nature of debts and obligations
7 owed by or to the committee or candidate, which relate to the
8 conduct of any political campaign.

9 11. A copy of each credit card statement which shall
10 be included in the next report following receipt thereof by
11 the candidate or political committee. Receipts for each credit
12 card purchase shall be retained by the treasurer with the
13 records for the campaign account.

14 12. The amount and nature of any separate
15 interest-bearing accounts or certificates of deposit and
16 identification of the financial institution in which such
17 accounts or certificates of deposit are located.

18 13. The primary purposes of an expenditure made
19 indirectly through a campaign treasurer pursuant to s.
20 106.021(3) for goods and services such as communications media
21 placement or procurement services, campaign signs, insurance,
22 and other expenditures that include multiple components as
23 part of the expenditure. The primary purpose of an expenditure
24 shall be that purpose, including integral and directly related
25 components, that comprises 80 percent of such expenditure.

26 (b) The filing officer shall make available to any
27 candidate or committee a reporting form which the candidate or
28 committee may use to indicate contributions received by the
29 candidate or committee but returned to the contributor before
30 deposit.

31

1 (5) The candidate and his or her campaign treasurer,
2 in the case of a candidate, or the political committee chair
3 and campaign treasurer of the committee, in the case of a
4 political committee, shall certify as to the correctness of
5 each report; and each person so certifying shall bear the
6 responsibility for the accuracy and veracity of each report.
7 Any campaign treasurer, candidate, or political committee
8 chair who willfully certifies the correctness of any report
9 while knowing that such report is incorrect, false, or
10 incomplete commits a misdemeanor of the first degree,
11 punishable as provided in s. 775.082 or s. 775.083.

12 (6) The campaign depository shall return all checks
13 drawn on the account to the campaign treasurer who shall
14 retain the records pursuant to s. 106.06. The records
15 maintained by the depository with respect to such account
16 shall be subject to inspection by an agent of the Division of
17 Elections or the Florida Elections Commission at any time
18 during normal banking hours, and such depository shall furnish
19 certified copies of any of such records to the Division of
20 Elections or Florida Elections Commission upon request.

21 (7) Notwithstanding any other provisions of this
22 chapter, in any reporting period during which a candidate,
23 political committee, or committee of continuous existence has
24 not received funds, made any contributions, or expended any
25 reportable funds, the filing of the required report for that
26 period is waived. However, the next report filed must specify
27 that the report covers the entire period between the last
28 submitted report and the report being filed, and any
29 candidate, political committee, or committee of continuous
30 existence not reporting by virtue of this subsection on dates
31 prescribed elsewhere in this chapter shall notify the filing

1 officer in writing on the prescribed reporting date that no
2 report is being filed on that date.

3 (8)(a) Any candidate or political committee failing to
4 file a report on the designated due date shall be subject to a
5 fine as provided in paragraph (b) for each late day, and, in
6 the case of a candidate, such fine shall be paid only from
7 personal funds of the candidate. The fine shall be assessed by
8 the filing officer and the moneys collected shall be
9 deposited:

10 1. In the General Revenue Fund, in the case of a
11 candidate for state office or a political committee that
12 registers with the Division of Elections; or

13 2. In the general revenue fund of the political
14 subdivision, in the case of a candidate for an office of a
15 political subdivision or a political committee that registers
16 with an officer of a political subdivision.

17
18 No separate fine shall be assessed for failure to file a copy
19 of any report required by this section.

20 (b) Upon determining that a report is late, the filing
21 officer shall immediately notify the candidate or chair of the
22 political committee as to the failure to file a report by the
23 designated due date and that a fine is being assessed for each
24 late day. The fine shall be \$50 per day for the first 3 days
25 late and, thereafter, \$500 per day for each late day, not to
26 exceed 25 percent of the total receipts or expenditures,
27 whichever is greater, for the period covered by the late
28 report. However, for the reports immediately preceding each
29 primary and general election, the fine shall be \$500 per day
30 for each late day, not to exceed 25 percent of the total
31 receipts or expenditures, whichever is greater, for the period

1 covered by the late report. For reports required under s.
2 106.141(7), the fine is \$50 per day for each late day, not to
3 exceed 25 percent of the total receipts or expenditures,
4 whichever is greater, for the period covered by the late
5 report. Upon receipt of the report, the filing officer shall
6 determine the amount of the fine which is due and shall notify
7 the candidate or chair. The filing officer shall determine the
8 amount of the fine due based upon the earliest of the
9 following:

- 10 1. When the report is actually received by such
11 officer.
- 12 2. When the report is postmarked.
- 13 3. When the certificate of mailing is dated.
- 14 4. When the receipt from an established courier
15 company is dated.
- 16 5. When the electronic receipt issued pursuant to s.
17 106.0705 is dated.

18
19 Such fine shall be paid to the filing officer within 20 days
20 after receipt of the notice of payment due, unless appeal is
21 made to the Florida Elections Commission pursuant to paragraph
22 (c). In the case of a candidate, such fine shall not be an
23 allowable campaign expenditure and shall be paid only from
24 personal funds of the candidate. An officer or member of a
25 political committee shall not be personally liable for such
26 fine.

27 (c) Any candidate or chair of a political committee
28 may appeal or dispute the fine, based upon, but not limited
29 to, unusual circumstances surrounding the failure to file on
30 the designated due date, and may request and shall be entitled
31 to a hearing before the Florida Elections Commission, which

1 shall have the authority to waive the fine in whole or in
2 part. The Florida Elections Commission must consider the
3 mitigating and aggravating circumstances contained in s.
4 106.265(1) when determining the amount of a fine, if any, to
5 be waived. Any such request shall be made within 20 days after
6 receipt of the notice of payment due. In such case, the
7 candidate or chair of the political committee shall, within
8 the 20-day period, notify the filing officer in writing of his
9 or her intention to bring the matter before the commission.

10 (d) The appropriate filing officer shall notify the
11 Florida Elections Commission of the repeated late filing by a
12 candidate or political committee, the failure of a candidate
13 or political committee to file a report after notice, or the
14 failure to pay the fine imposed. The commission shall
15 investigate only those alleged late filing violations
16 specifically identified by the filing officer and as set forth
17 in the notification. Any other alleged violations must be
18 separately stated and reported by the division to the
19 commission under s. 106.25(2).

20 (9) The Department of State may prescribe by rule the
21 requirements for filing campaign treasurers' reports as set
22 forth in this chapter.

23 Section 10. For the purpose of incorporating the
24 amendments made by this act to section 106.08, Florida
25 Statutes, in a reference thereto, section 106.19, Florida
26 Statutes, is reenacted to read:

27 106.19 Violations by candidates, persons connected
28 with campaigns, and political committees.--

29 (1) Any candidate; campaign manager, campaign
30 treasurer, or deputy treasurer of any candidate; committee
31 chair, vice chair, campaign treasurer, deputy treasurer, or

1 other officer of any political committee; agent or person
2 acting on behalf of any candidate or political committee; or
3 other person who knowingly and willfully:

4 (a) Accepts a contribution in excess of the limits
5 prescribed by s. 106.08;

6 (b) Fails to report any contribution required to be
7 reported by this chapter;

8 (c) Falsely reports or deliberately fails to include
9 any information required by this chapter; or

10 (d) Makes or authorizes any expenditure in violation
11 of s. 106.11(4) or any other expenditure prohibited by this
12 chapter;

13
14 is guilty of a misdemeanor of the first degree, punishable as
15 provided in s. 775.082 or s. 775.083.

16 (2) Any candidate, campaign treasurer, or deputy
17 treasurer; any chair, vice chair, or other officer of any
18 political committee; any agent or person acting on behalf of
19 any candidate or political committee; or any other person who
20 violates paragraph (1)(a), paragraph (1)(b), or paragraph
21 (1)(d) shall be subject to a civil penalty equal to three
22 times the amount involved in the illegal act. Such penalty
23 may be in addition to the penalties provided by subsection (1)
24 and shall be paid into the General Revenue Fund of this state.

25 (3) A political committee sponsoring a constitutional
26 amendment proposed by initiative which submits a petition form
27 gathered by a paid petition circulator which does not provide
28 the name and address of the paid petition circulator on the
29 form is subject to the civil penalties prescribed in s.
30 106.265.

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Section 11. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2006.