

1                                   A bill to be entitled  
 2           An act relating to campaign financing; amending s.  
 3           106.011, F.S.; amending a definition; providing additional  
 4           registration and reporting requirements for organizations  
 5           making expenditures for electioneering communications or  
 6           accepting contributions for the purpose of making  
 7           electioneering communications; amending s. 106.07, F.S;  
 8           providing additional reporting requirements for certain  
 9           contributions made to persons making expenditures for  
 10          electioneering communications; creating s. 106.0701, F.S.;  
 11          providing registration and reporting requirements for  
 12          legislators, statewide officeholders, and candidates for  
 13          such offices relating to contributions to organizations  
 14          exempt under specified provisions of the Internal Revenue  
 15          Code; providing an exemption; providing an effective date.

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

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 19           Section 1. Paragraph (b) of subsection (1) of section  
 20   106.011, Florida Statutes, is amended to read:

21           106.011 Definitions.--As used in this chapter, the  
 22   following terms have the following meanings unless the context  
 23   clearly indicates otherwise:

24           (1)

25           (b) Notwithstanding paragraph (a), the following entities  
 26   are not considered political committees for purposes of this  
 27   chapter:

28           1. Organizations which are certified by the Department of

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29 State as committees of continuous existence pursuant to s.  
30 106.04, national political parties, and the state and county  
31 executive committees of political parties regulated by chapter  
32 103.

33 2. Corporations regulated by chapter 607 or chapter 617 or  
34 other business entities formed for purposes other than to  
35 support or oppose issues or candidates, if their political  
36 activities are limited to contributions to candidates, political  
37 parties, or political committees or expenditures in support of  
38 or opposition to an issue from corporate or business funds and  
39 if no contributions are received by such corporations or  
40 business entities.

41 3. Organizations whose activities are limited to making  
42 expenditures for electioneering communications or accepting  
43 contributions for the purpose of making electioneering  
44 communications; however, such organizations shall be required to  
45 register and report contributions, including those received from  
46 committees of continuous existence, and expenditures in the same  
47 manner, at the same time, subject to the same penalties, and  
48 with the same filing officer as a political committee supporting  
49 or opposing a candidate or issue contained in the electioneering  
50 communication, provided, however, that the registration, if not  
51 previously filed, and initial report of such organization shall  
52 be made within 48 hours after making an electioneering  
53 communication and shall include all contributions received and  
54 expenditures made since the date of the last general election.  
55 If any such organization would be required to register and  
56 report with more than one filing officer, the organization shall

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57 register and report solely with the Division of Elections.

58 Section 2. Paragraph (a) of subsection (4) of section  
59 106.07, Florida Statutes, is amended to read:

60 106.07 Reports; certification and filing.--

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

62 1. The full name, address, and occupation, if any of each  
63 person who has made one or more contributions to or for such  
64 committee or candidate within the reporting period, together  
65 with the amount and date of such contributions. For  
66 corporations, the report must provide as clear a description as  
67 practicable of the principal type of business conducted by the  
68 corporation. However, if the contribution is \$100 or less or is  
69 from a relative, as defined in s. 112.312, provided that the  
70 relationship is reported, the occupation of the contributor or  
71 the principal type of business need not be listed.

72 2. The name and address of each political committee from  
73 which the reporting committee or the candidate received, or to  
74 which the reporting committee or candidate made, any transfer of  
75 funds, together with the amounts and dates of all transfers.

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

81 4. A statement of each contribution, rebate, refund, or  
82 other receipt not otherwise listed under subparagraphs 1.  
83 through 3.

84 5. The total sums of all loans, in-kind contributions, and

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85 other receipts by or for such committee or candidate during the  
86 reporting period. The reporting forms shall be designed to  
87 elicit separate totals for in-kind contributions, loans, and  
88 other receipts.

89 6. The full name and address of each person to whom  
90 expenditures have been made by or on behalf of the committee or  
91 candidate within the reporting period; the amount, date, and  
92 purpose of each such expenditure; and the name and address of,  
93 and office sought by, each candidate on whose behalf such  
94 expenditure was made. However, expenditures made from the petty  
95 cash fund provided by s. 106.12 need not be reported  
96 individually.

97 7. The full name and address of each person to whom an  
98 expenditure for personal services, salary, or reimbursement for  
99 authorized expenses as provided in s. 106.021(3) has been made  
100 and which is not otherwise reported, including the amount, date,  
101 and purpose of such expenditure. However, expenditures made from  
102 the petty cash fund provided for in s. 106.12 need not be  
103 reported individually.

104 8. The total amount withdrawn and the total amount spent  
105 for petty cash purposes pursuant to this chapter during the  
106 reporting period.

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

109 10. The amount and nature of debts and obligations owed by  
110 or to the committee or candidate, which relate to the conduct of  
111 any political campaign.

112 11. A copy of each credit card statement which shall be

113 included in the next report following receipt thereof by the  
 114 candidate or political committee. Receipts for each credit card  
 115 purchase shall be retained by the treasurer with the records for  
 116 the campaign account.

117 12. The amount and nature of any separate interest-bearing  
 118 accounts or certificates of deposit and identification of the  
 119 financial institution in which such accounts or certificates of  
 120 deposit are located.

121 13. The primary purposes of an expenditure made indirectly  
 122 through a campaign treasurer pursuant to s. 106.021(3) for goods  
 123 and services such as communications media placement or  
 124 procurement services, campaign signs, insurance, and other  
 125 expenditures that include multiple components as part of the  
 126 expenditure. The primary purpose of an expenditure shall be that  
 127 purpose, including integral and directly related components,  
 128 that comprises 80 percent of such expenditure.

129 14. For any contribution made by an entity organized under  
 130 s. 527 of the Internal Revenue Code to a person making an  
 131 expenditure for an electioneering communication, the following  
 132 additional information:

133 a. The name, address, and contact person of the s. 527  
 134 entity.

135 b. The date the s. 527 entity was formed.

136 c. A list of all contributions that exceed \$10,000  
 137 received by the s. 527 entity since the date of the last general  
 138 election, and the name and address of each contributor,  
 139 including each single contributor that in the aggregate made  
 140 contributions exceeding \$10,000 during the period.

141 Section 3. Section 106.0701, Florida Statutes, is created  
 142 to read:

143 106.0701 Solicitation of contributions and disclosure;  
 144 registration.--

145 (1) (a) A member of the Legislature, a statewide  
 146 officeholder, or a candidate for legislative or statewide office  
 147 who directly or indirectly solicits, causes to be solicited, or  
 148 accepts any contributions to an organization that is exempt from  
 149 taxation under s. 527 or s. 501(c) of the Internal Revenue Code  
 150 which such person, in whole or in part, establishes, maintains,  
 151 or controls shall immediately disclose such activity to and  
 152 register with the division.

153 (b) Upon registration with the division, a person subject  
 154 to the requirements of paragraph (a) shall promptly create a  
 155 public website that contains a mission statement and the names  
 156 of persons associated with the organization.

157 (c) All contributions received shall be disclosed on the  
 158 website within 5 business days after deposit, together with the  
 159 name, address, and occupation of the donor. All expenditures by  
 160 the organization shall be individually disclosed on the website  
 161 within 5 business days after being made.

162 (2) The requirements of subsection (1) do not apply to a  
 163 candidate's own campaign account for state or federal office, to  
 164 an individual listed in subsection (1) who is associated with a  
 165 political party organized under chapter 103, or to a qualified  
 166 charity organized under s. 501(c) of the Internal Revenue Code.

167 Section 4. This act shall take effect on July 1, 2006.