

By the Committee on Ethics and Elections; and Senator Deutch

582-2613-07

1 A bill to be entitled
2 An act relating to political advertisements;
3 creating s. 106.142, F.S.; creating the Florida
4 Campaign Sunshine website; defining the term
5 "targeted political advertisement"; requiring
6 any person or organization responsible for
7 creating or publishing a targeted political
8 advertisement or electioneering communication
9 to submit a copy of the advertisement or
10 communication and certain specified materials
11 and information to the Division of Elections;
12 providing a separate deadline for
13 advertisements and communications published
14 during the final week of a campaign; requiring
15 the division to post all advertisements,
16 communications, and supporting documentation on
17 the website within a specified period;
18 requiring that the name and contact information
19 of the person or organization paying for a
20 political advertisement or electioneering
21 communication be submitted with the
22 advertisement; requiring the division to
23 include a link on the website to the
24 appropriate section of the department's
25 homepage regarding campaign finance for the
26 person paying for each advertisement or
27 communication; providing an effective date.
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29 Be It Enacted by the Legislature of the State of Florida:
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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 Section 1. Section 106.142, Florida Statutes, is
2 created to read:

3 106.142 Florida Campaign Sunshine website.--

4 (1) As used in this section, the term "targeted
5 political advertisement" has the same meaning as provided in
6 s. 106.011(17), provided that:

7 (a) For political advertisements referring to or
8 depicting a clearly identified candidate for office, the
9 advertisement is directed to the relevant electorate. A
10 political advertisement is directed to the relevant electorate
11 if the candidate would represent 1,000 or more persons in the
12 geographic area of the advertisement.

13 (b) For political advertisements containing a clear
14 reference indicating that an issue is to be voted on at an
15 election, the advertisement is published after the issue is
16 designated a ballot position or 120 days before the date of
17 the election on the issue, whichever occurs first.

18 (2) The division shall create and maintain a website
19 known as "Florida Campaign Sunshine," a link to which shall be
20 placed on the division's homepage using a clearly marked and
21 conspicuous hyperlink containing the words "Florida Campaign
22 Sunshine." The website and all of its contents shall be made
23 available for viewing by the public.

24 (3) Each candidate, electioneering communication
25 organization, or other person responsible for creating or
26 publishing any targeted political advertisement or
27 electioneering communication relating to a candidate who
28 qualifies with the division or an issue to be voted upon a
29 statewide or multicounty basis must submit to the division a
30 copy of the targeted political advertisement or electioneering
31 communication, in the form in which the advertisement will

1 appear, no less than 3 days after the advertisement is used.
2 During the final week of a campaign, the division must receive
3 a copy of an advertisement not less than 24 hours after the
4 advertisement is used.

5 (4) Each candidate, electioneering communication
6 organization, or other person responsible for creating or
7 publishing a targeted political advertisement or
8 electioneering communication must also submit to the division
9 a complete copy of any documentation or other materials
10 referenced, used, or footnoted in the advertisement, along
11 with a statement of the source of each document or other
12 material, not less than 3 days after the advertisement is used
13 and, during the final week of a campaign, not less than 24
14 hours after the corresponding advertisement is used.

15 (5) The division shall post all targeted political
16 advertisements, electioneering communications and other
17 materials required to be filed on the Florida Campaign
18 Sunshine website within 24 hours after the division receives
19 the documents.

20 (6) At the time of the submission of a targeted
21 political advertisement or electioneering communication to the
22 division, the candidate, electioneering communication
23 organization, or other person responsible for the creation or
24 publication of such advertisement must include the name of the
25 person or organization paying for the advertisement, as well
26 as that person's or organization's contact information. The
27 division shall include a link on the Florida Campaign Sunshine
28 website to the appropriate section of the department's website
29 regarding campaign finance for the person or organization
30 paying for each advertisement.

31 Section 2. This act shall take effect July 1, 2007.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2648

The committee substitute differs from the original bill in that it: narrows the scope of political advertisements that must be provided to the Division of Elections; requires electioneering communications, as well as political advertisements, to be provided to the division.