

1                   A bill to be entitled  
 2           An act relating to campaign financing; creating s.  
 3           106.113, F.S.; defining the terms "local government" and  
 4           "public funds"; prohibiting a local government from  
 5           expending, directly or indirectly, public funds to support  
 6           or oppose an issue, referendum, or amendment that is  
 7           subject to a vote of the electors; prohibiting a person or  
 8           group from accepting public funds from a local government  
 9           that are intended to support or oppose an issue,  
 10          referendum, or amendment that is subject to a vote of the  
 11          electors; prohibiting a local government from expending  
 12          public funds for a political advertisement; providing an  
 13          exception for a communication from a local government that  
 14          factually and objectively describes the purposes of an  
 15          issue, referendum, or amendment and does not advocate for  
 16          the passage or defeat of the issue, referendum, or  
 17          amendment; providing an effective date.

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

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 21           Section 1.   Section 106.113, Florida Statutes, is created  
 22 to read:

23           106.113 Expenditures by local governments.--

24           (1) As used in this section, the term:

25           (a) "Local government" means:

26           1. A county, municipality, school district, or other  
 27 political subdivision in this state; and

28           2. Any department, agency, board, bureau, district,

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29 commission, authority, or similar body of a county,  
30 municipality, school district, or other political subdivision of  
31 this state.

32 (b) "Public funds" means all moneys under the jurisdiction  
33 or control of a local government.

34 (2) A local government or a person acting on behalf of a  
35 local government may not expend, directly or indirectly, public  
36 funds to support or oppose an issue, referendum, or amendment  
37 that is subject to a vote of the electors.

38 (3) A person or group may not accept public funds from a  
39 local government or a person acting on behalf of a local  
40 government that are intended to support or oppose an issue,  
41 referendum, or amendment that is subject to a vote of the  
42 electors.

43 (4) A local government or a person acting on behalf of a  
44 local government may not expend or authorize the expenditure of  
45 public funds for a political advertisement.

46 (5) This section does not apply to a communication from a  
47 local government or a person acting on behalf of a local  
48 government that factually and objectively describes the purpose  
49 of an issue, referendum, or amendment and does not advocate for  
50 the passage or defeat of the issue, referendum, or amendment.  
51 However, before a communication authorized under this subsection  
52 may be disseminated, the communication must be approved by a  
53 majority of the members of the elected body of the local  
54 government.

55 (6) This section does not prohibit the use of public  
56 meeting places that are under the control of the local

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57 government by candidates, political organizations, or others if  
58 the meeting places are made available to all candidates,  
59 political organizations, or others on an equal basis. However,  
60 this subsection does not create a right of a candidate or  
61 political organization to use such public meeting places.

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