

By Senators Justice, Atwater and Posey

16-00214-08

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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, and a person or group from accepting, public
6 funds for a political advertisement or electioneering
7 communication concerning an issue, referendum, or
8 amendment that is subject to the vote of the electors;
9 providing an exception for certain electioneering
10 communications; clarifying restrictions with respect to
11 local officials; providing an effective date.

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

14
15 Section 1. Section 106.113, Florida Statutes, is created to
16 read:

17 106.113 Expenditures by local governments.--

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

19 (a) "Local government" means:

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

22 2. Any department, agency, board, bureau, district,
23 commission, authority, or similar body of a county, municipality,
24 school district, or other political subdivision of this state.

25 (b) "Public funds" means all moneys under the jurisdiction
26 or control of the local government.

27 (2) A local government or a person acting on behalf of
28 local government may not expend or authorize the expenditure of,
29 and a person or group may not accept, public funds for a

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30 political advertisement or electioneering communication
31 concerning an issue, referendum, or amendment that is subject to
32 a vote of the electors. This subsection does not apply to an
33 electioneering communication from either a local government or a
34 person acting on behalf of a local government which is limited to
35 factual information.

36 (3) With the exception of the prohibitions specified in
37 subsection (2), this section does not preclude an elected
38 official of the local government from expressing an opinion on
39 any issue at any time.

40 Section 2. This act shall take effect July 1, 2008.