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CHAMBER ACTION

Senate

House

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Floor: WD/2R  
4/23/2008 3:53 PM

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1 Senator Fasano moved the following **amendment**:

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3 **Senate Amendment (with title amendment)**

4 Between line(s) 1669 and 1670,

5 insert:

6 Section 36. Section 106.113, Florida Statutes, is created  
7 to read:

8 106.113 Expenditures by local governments.--

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

10 (a) "Local government" means:

11 1. A county, municipality, school district, or other  
12 political subdivision of the state; and

13 2. Any department, agency, board, bureau, district,  
14 commission, authority, or similar body of a county, municipality,  
15 school district, or other political subdivision of the state.

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



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18       (2) A local government or a person acting on behalf of a  
19 local government may not expend or authorize the expenditure of,  
20 and a person or group may not accept, public funds for a  
21 political advertisement or electioneering communication  
22 concerning an issue, referendum, or amendment that is subject to  
23 a vote of the electors. This subsection does not apply to an  
24 electioneering communication from a local government or a person  
25 acting on behalf of a local government which is limited to  
26 factual information.

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

31  
32 ===== T I T L E   A M E N D M E N T =====

33 And the title is amended as follows:

34       On line(s) 104, after the semicolon,  
35 insert:

36       creating s. 106.113, F.S.; defining the terms "local  
37 government" and "public funds"; prohibiting a local  
38 government from expending, and a person or group from  
39 accepting, public funds for a political advertisement or  
40 electioneering communication concerning an issue,  
41 referendum, or amendment that is subject to the vote of  
42 the electors; providing an exception for certain  
43 electioneering communications; clarifying restrictions  
44 with respect to local officials;