

By Senator Justice

16-00029-09

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

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

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

18           106.113 Expenditures by local governments.-

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

20           (a) "Local government" means:

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

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

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

29           (2) A local government or a person acting on behalf of

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30 local government may not expend or authorize the expenditure of,  
31 and a person or group may not accept, public funds for a  
32 political advertisement or electioneering communication  
33 concerning an issue, referendum, or amendment that is subject to  
34 a vote of the electors. This subsection does not apply to an  
35 electioneering communication from a local government or a person  
36 acting on behalf of a local government which is limited to  
37 factual information.

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

42 Section 2. This act shall take effect July 1, 2009.