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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.

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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, including any
34 state question, that is subject to a vote of the electors. This
35 subsection does not apply to an electioneering communication
36 from a local government or a person acting on behalf of a local
37 government which is limited to 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.