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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2009	.	
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The Committee on Ethics and Elections (Justice) recommended the following:

1 **Senate Amendment to Amendment (294434) (with title**
2 **amendment)**

3
4 Between lines 1759 and 1760
5 insert:

6 Section 48. 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



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12 political subdivision in this state; and
13 2. Any department, agency, board, bureau, district,
14 commission, authority, or similar body of a county,
15 municipality, school district, or other political subdivision of
16 this state.

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

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

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

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

34 And the title is amended as follows:

35 Delete line 2053

36 and insert:

37 gathered in compliance with the act; creating s.
38 106.113, F.S.; defining the terms "local government"
39 and "public funds"; prohibiting a local government
40 from expending, and a person or group from accepting,



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41 public funds for a political advertisement or
42 electioneering communication concerning an issue,
43 referendum, or amendment that is subject to the vote
44 of the electors; providing an exception for certain
45 electioneering communications; clarifying restrictions
46 with respect to local officials; providing for