

By Senator Crist

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1 A bill to be entitled
2 An act relating to political advertisements; providing
3 a short title; amending s. 106.143, F.S.; providing an
4 alternative statement that may be used to identify a
5 candidate as the sponsor of a political advertisement
6 under certain circumstances; providing circumstances
7 under which certain campaign messages and political
8 advertisements are not required to state or display
9 specific information regarding the identity of the
10 candidate, his or her party affiliation, and the
11 office sought in the message or advertisement;
12 providing an 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. This act may be cited as the "Technology in
17 Elections Act."

18 Section 2. Subsection (1) of section 106.143, Florida
19 Statutes, is amended to read:

20 106.143 Political advertisements circulated prior to
21 election; requirements.—

22 (1) (a) Any political advertisement that is paid for by a
23 candidate and that is published, displayed, or circulated prior
24 to, or on the day of, any election must prominently state:

25 1. "Political advertisement paid for and approved by
26 ...(name of candidate)..., ...(party affiliation)..., for
27 ...(office sought)...."; or

28 2. "Paid by ...(name of candidate)..., ...(party
29 affiliation)..., for ...(office sought)...."

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30 (b) Any other political advertisement published, displayed,
 31 or circulated prior to, or on the day of, any election must
 32 prominently:

33 1. Be marked "paid political advertisement" or with the
 34 abbreviation "pd. pol. adv."

35 2. State the name and address of the persons sponsoring the
 36 advertisement.

37 3.a.(I) State whether the advertisement and the cost of
 38 production is paid for or provided in kind by or at the expense
 39 of the entity publishing, displaying, broadcasting, or
 40 circulating the political advertisement; or

41 (II) State who provided or paid for the advertisement and
 42 cost of production, if different from the source of sponsorship.

43 b. This subparagraph does not apply if the source of the
 44 sponsorship is patently clear from the content or format of the
 45 political advertisement.

46 (c) Any political advertisement made pursuant to s.
 47 106.021(3)(d) must be marked "paid political advertisement" or
 48 with the abbreviation "pd. pol. adv." and must prominently
 49 state, "Paid for and sponsored by ...(name of person paying for
 50 political advertisement).... Approved by ...(names of persons,
 51 party affiliation, and offices sought in the political
 52 advertisement)...."

53 (d) This subsection does not apply to any campaign message
 54 or political advertisement ~~messages~~ used by a candidate and the
 55 candidate's supporters or by a political committee if the
 56 message or advertisement is: ~~those messages are~~

57 1. Designed to be worn by a person.

58 2. Placed as a paid link on an Internet website, provided

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59 the message or advertisement is no more than 200 characters in
60 length and the link directs the user to another Internet website
61 that complies with paragraph (a), paragraph (b), or paragraph
62 (c).

63 3. Placed as a graphic or picture link on an Internet
64 website that directs the user to another Internet website that
65 complies with the requirements of this section; however, the
66 link must contain the disclaimer required in paragraph (a),
67 paragraph (b), or paragraph (c), which shall make up at least 5
68 percent of the total graphic or picture and may not otherwise be
69 illegible or concealed.

70 4. Placed at no cost on an Internet website for which there
71 is no cost to post content for public users.

72 5. Placed or distributed on an unpaid profile or account
73 which is available to the public without charge or on a social
74 networking Internet website, as long as the source of the
75 message or advertisement is patently clear from the content or
76 format of the message or advertisement.

77 6. Distributed as a text message or other message via Short
78 Message Service, provided the message is no more than 200
79 characters in length or requires the recipient to sign up or opt
80 in to receive it.

81 7. Connected with or included in any software application
82 or accompanying function, provided that the user signs up, opts
83 in, downloads, or otherwise accesses the application from or
84 through a website that complies with paragraph (a), paragraph
85 (b), or paragraph (c).

86 8. Sent by a third-party user from or through a campaign or
87 committee's website, provided the website complies with

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88 paragraph (a), paragraph (b), or paragraph (c).

89 9. Contained in or distributed through any other
90 technology-related item, service, or device for which compliance
91 with paragraph (a), paragraph (b), or paragraph (c) is not
92 reasonably practical due to the size or nature of such item,
93 service, or device as available, or the means of displaying the
94 message or advertisement makes compliance with paragraph (a),
95 paragraph (b), or paragraph (c) impracticable.

96 Section 3. This act shall take effect July 1, 2010.