

By Senator Bennett

21-01289A-10

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1                                   A bill to be entitled  
 2           An act relating to campaign finance; amending s.  
 3           106.113, F.S.; deleting the definition of "public  
 4           funds"; prohibiting a local government, or a person  
 5           acting on behalf of a local government, from making a  
 6           specific appropriation or designated expenditure of  
 7           moneys under the jurisdiction or control of the local  
 8           government; prohibiting certain persons or groups from  
 9           accepting such moneys for the purpose of certain  
 10          political advertisements; deleting an exception for  
 11          certain electioneering communications; clarifying that  
 12          certain provisions of state law do not preclude  
 13          certain officials from expressing an opinion on an  
 14          issue at any time; providing an effective date.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

17  
 18           Section 1. Section 106.113, Florida Statutes, is amended to  
 19           read:

20           106.113 Expenditures by local governments.-

21           (1) As used in this section, the term-

22           ~~(a)~~-"local government" means:

23           (a)1- A county, municipality, school district, or other  
 24           political subdivision in this state; and

25           (b)2- Any department, agency, board, bureau, district,  
 26           commission, authority, or similar body of a county,  
 27           municipality, school district, or other political subdivision of  
 28           this state.

29           ~~(b) "Public funds" means all moneys under the jurisdiction~~

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30 ~~or control of the local government.~~

31 (2) A local government or a person acting on behalf of  
32 local government may not make a specific appropriation or  
33 designated expenditure of moneys under the jurisdiction or  
34 control of the local government ~~expend or authorize the~~  
35 ~~expenditure of~~, and a person or group may not accept such  
36 ~~moneys, public funds~~ for the purpose of a political  
37 advertisement ~~or electioneering communication~~ concerning an  
38 issue, referendum, or amendment, including any state question,  
39 that is subject to a vote of the electors. ~~This subsection does~~  
40 ~~not apply to an electioneering communication from a local~~  
41 ~~government or a person acting on behalf of a local government~~  
42 ~~which is limited to factual information.~~

43 (3) With the exception of the prohibitions specified in  
44 subsection (2), this section does not preclude an ~~elected~~  
45 official of the local government from expressing an opinion on  
46 any issue at any time.

47 Section 2. This act shall take effect July 1, 2010.

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