

1 A bill to be entitled
 2 An act relating to political advertisements; providing a
 3 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 under
 7 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 office
 11 sought in the message or advertisement; 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. 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, subsection (8) is renumbered as subsection
 20 (9), and a new subsection (8) is added to that section, to read:

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

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

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

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

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

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

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

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

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

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

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

54
 55 ~~This subsection does not apply to campaign messages used by a~~
 56 ~~candidate and the candidate's supporters if those messages are~~

57 ~~designed to be worn by a person.~~

58 (8) This section does not apply to any campaign message or
59 political advertisement used by a candidate and the candidate's
60 supporters or by a political committee if the message or
61 advertisement is:

62 (a) Designed to be worn by a person.

63 (b) Placed as a paid link on an Internet website, provided
64 the message or advertisement is no more than 200 characters in
65 length and the link directs the user to another Internet website
66 that complies with subsection (1).

67 (c) Placed as a graphic or picture link on an Internet
68 website that directs the user to another Internet website that
69 complies with the requirements of this section; however, the
70 link must contain the language required in subsection (1), which
71 shall make up at least 5 percent of the total graphic or picture
72 and may not otherwise be illegible or concealed.

73 (d) Placed at no cost on an Internet website for which
74 there is no cost to post content for public users.

75 (e) Placed or distributed on an unpaid profile or account
76 which is available to the public without charge or on a social
77 networking Internet website, as long as the source of the
78 message or advertisement is patently clear from the content or
79 format of the message or advertisement.

80 (f) Distributed as a text message or other message via
81 Short Message Service, provided the message is no more than 200
82 characters in length or requires the recipient to sign up or opt
83 in to receive it.

84 (g) Connected with or included in any software application

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85 or accompanying function, provided that the user signs up, opts
86 in, downloads, or otherwise accesses the application from or
87 through a website that complies with subsection (1).

88 (h) Sent by a third-party user from or through a campaign
89 or committee's website, provided the website complies with
90 subsection (1).

91 (i) Contained in or distributed through any other
92 technology-related item, service, or device for which compliance
93 with subsection (1) is not reasonably practical due to the size
94 or nature of such item, service, or device as available, or the
95 means of displaying the message or advertisement makes
96 compliance with subsection (1) impracticable.

97 (9)-(8) Any person who willfully violates any provision of
98 this section is subject to the civil penalties prescribed in s.
99 106.265.

100 Section 3. This act shall take effect upon becoming a law.