

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; authorizing a
12 candidate or political committee to place a statement on a
13 social networking website or account indicating that the
14 site or account is an official site or account approved by
15 the candidate or political committee; prohibiting an
16 official designation without the prior approval by the
17 candidate or political committee; providing an effective
18 date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. This act may be cited as the "Technology in
23 Elections Act."

24 Section 2. Subsection (1) of section 106.143, Florida
25 Statutes, is amended, subsection (8) is renumbered as subsection
26 (9), and a new subsection (8) is added to that section, to read:

27 106.143 Political advertisements circulated prior to
28 election; requirements.—

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

32 1. "Political advertisement paid for and approved by
33 ...(name of candidate)..., ...(party affiliation)..., for
34 ...(office sought)...."; or

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

37 (b) Any other political advertisement published,
38 displayed, or circulated prior to, or on the day of, any
39 election must prominently:

40 1. Be marked "paid political advertisement" or with the
41 abbreviation "pd. pol. adv."

42 2. State the name and address of the persons sponsoring
43 the advertisement.

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

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

50 b. This subparagraph does not apply if the source of the
51 sponsorship is patently clear from the content or format of the
52 political advertisement.

53 (c) Any political advertisement made pursuant to s.
54 106.021(3) (d) must be marked "paid political advertisement" or
55 with the abbreviation "pd. pol. adv." and must prominently
56 state, "Paid for and sponsored by ...(name of person paying for

57 political advertisement).... Approved by ... (names of persons,
58 party affiliation, and offices sought in the political
59 advertisement)...."

60

61 ~~This subsection does not apply to campaign messages used by a~~
62 ~~candidate and the candidate's supporters if those messages are~~
63 ~~designed to be worn by a person.~~

64 (8) This section does not apply to any campaign message or
65 political advertisement used by a candidate and the candidate's
66 supporters or by a political committee if the message or
67 advertisement is:

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

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

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

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

81 (e) Placed or distributed on an unpaid profile or account
82 which is available to the public without charge or on a social
83 networking Internet website, as long as the source of the
84 message or advertisement is patently clear from the content or

85 format of the message or advertisement. A candidate or political
 86 committee may prominently display a statement indicating that
 87 the website or account is an official website or account of the
 88 candidate or political committee and is approved by the
 89 candidate or political committee. A website or account may not
 90 be marked as official without prior approval by the candidate or
 91 political committee.

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

96 (g) Connected with or included in any software application
 97 or accompanying function, provided that the user signs up, opts
 98 in, downloads, or otherwise accesses the application from or
 99 through a website that complies with subsection (1).

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

103 (i) Contained in or distributed through any other
 104 technology-related item, service, or device for which compliance
 105 with subsection (1) is not reasonably practical due to the size
 106 or nature of such item, service, or device as available, or the
 107 means of displaying the message or advertisement makes
 108 compliance with subsection (1) impracticable.

109 (9)~~(8)~~ Any person who willfully violates any provision of
 110 this section is subject to the civil penalties prescribed in s.
 111 106.265.

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