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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/21/2011	.	
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The Committee on Rules Subcommittee on Ethics and Elections
(Diaz de la Portilla) recommended the following:

Senate Amendment (with title amendment)

Between lines 52 and 53
insert:

Section 2. Paragraph (a) of subsection (1) of section
106.021, Florida Statutes, is amended to read:

106.021 Campaign treasurers; deputies; primary and
secondary depositories.-

(1) (a) Each candidate for nomination or election to office and
each political committee shall appoint a campaign treasurer.
Each person who seeks to qualify for nomination or election to,
or retention in, office shall appoint a campaign treasurer and



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13 designate a primary campaign depository prior to qualifying for
14 office. Any person who seeks to qualify for election or
15 nomination to any office by means of the petitioning process
16 shall appoint a treasurer and designate a primary depository on
17 or before the date he or she obtains the petitions. Each
18 candidate shall at the same time he or she designates a campaign
19 depository and appoints a treasurer also designate the office
20 for which he or she is a candidate. If the candidate is running
21 for an office which will be grouped on the ballot with two or
22 more similar offices to be filled at the same election, the
23 candidate must indicate for which group or district office he or
24 she is running. Nothing in this subsection shall prohibit a
25 candidate, at a later date, from changing the designation of the
26 office for which he or she is a candidate. However, if a
27 candidate changes the designated office for which he or she is a
28 candidate, the candidate must notify all contributors in writing
29 of the intent to seek a different office and offer to return pro
30 rata, upon their request, those contributions given in support
31 of the original office sought. This notification shall be given
32 within 15 days after the filing of the change of designation and
33 shall include a standard form developed by the Division of
34 Elections for requesting the return of contributions. The notice
35 requirement shall not apply to any change in a numerical
36 designation resulting solely from redistricting. If, within 30
37 days after being notified by the candidate of the intent to seek
38 a different office, the contributor notifies the candidate in
39 writing that the contributor wishes his or her contribution to
40 be returned, the candidate shall return the contribution, on a
41 pro rata basis, calculated as of the date the change of



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42 designation is filed. Up to a maximum of the contribution limit
43 in s. 106.08 for the newly designated office, any contribution
44 ~~contributions~~ not requested to be returned within the 30-day
45 period may be used by the candidate for the newly designated
46 office; however, the candidate must dispose of any amount
47 exceeding the contribution limit pursuant to the options in ss.
48 106.11(5)(b)-(d) for a candidate who withdraws his or her
49 candidacy. No person shall accept any contribution or make any
50 expenditure with a view to bringing about his or her nomination,
51 election, or retention in public office, or authorize another to
52 accept such contributions or make such expenditure on the
53 person's behalf, unless such person has appointed a campaign
54 treasurer and designated a primary campaign depository. A
55 candidate for an office voted upon statewide may appoint not
56 more than 15 deputy campaign treasurers, and any other candidate
57 or political committee may appoint not more than 3 deputy
58 campaign treasurers. The names and addresses of the campaign
59 treasurer and deputy campaign treasurers so appointed shall be
60 filed with the officer before whom such candidate is required to
61 qualify or with whom such political committee is required to
62 register pursuant to s. 106.03.

63
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Between lines 4 and 5

67 insert:

68 amending s. 106.021, F.S.; providing requirements and
69 restrictions on the use of contributions received
70 prior to a candidate changing his or her candidacy to



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a new office, to conform;