



797380

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2013	.	
	.	
	.	
	.	

The Committee on Ethics and Elections (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete lines 2182 - 2222
and insert:

Section 32. For the purpose of incorporating the amendments made by this act to sections 106.08 and 106.11, Florida Statutes, in references thereto, section 106.19, Florida Statutes, is reenacted to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(1) Any candidate; campaign manager, campaign treasurer, or deputy treasurer of any candidate; committee chair, vice chair,



797380

13 campaign treasurer, deputy treasurer, or other officer of any
14 political committee; agent or person acting on behalf of any
15 candidate or political committee; or other person who knowingly
16 and willfully:

17 (a) Accepts a contribution in excess of the limits
18 prescribed by s. 106.08;

19 (b) Fails to report any contribution required to be
20 reported by this chapter;

21 (c) Falsely reports or deliberately fails to include any
22 information required by this chapter; or

23 (d) Makes or authorizes any expenditure in violation of s.
24 106.11(4) or any other expenditure prohibited by this chapter;

25
26 is guilty of a misdemeanor of the first degree, punishable as
27 provided in s. 775.082 or s. 775.083.

28 (2) Any candidate, campaign treasurer, or deputy treasurer;
29 any chair, vice chair, or other officer of any political
30 committee; any agent or person acting on behalf of any candidate
31 or political committee; or any other person who violates
32 paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) shall be
33 subject to a civil penalty equal to three times the amount
34 involved in the illegal act. Such penalty may be in addition to
35 the penalties provided by subsection (1) and shall be paid into
36 the General Revenue Fund of this state.

37 (3) A political committee sponsoring a constitutional
38 amendment proposed by initiative which submits a petition form
39 gathered by a paid petition circulator which does not provide
40 the name and address of the paid petition circulator on the form
41 is subject to the civil penalties prescribed in s. 106.265.



797380

42 (4) Except as otherwise expressly stated, the failure by a
43 candidate to comply with the requirements of this chapter has no
44 effect upon whether the candidate has qualified for the office
45 the candidate is seeking.

46 Section 33. Paragraph (a) of subsection (1) of section
47 106.11, Florida Statutes, is amended to read:

48 106.11 Expenses of and expenditures by candidates and
49 political committees.—Each candidate and each political
50 committee which designates a primary campaign depository
51 pursuant to s. 106.021(1) shall make expenditures from funds on
52 deposit in such primary campaign depository only in the
53 following manner, with the exception of expenditures made from
54 petty cash funds provided by s. 106.12:

55 (1) (a) 1. The campaign treasurer or deputy campaign
56 treasurer of a candidate or political committee shall make
57 expenditures from funds on deposit in the primary campaign
58 depository only by means of a bank check drawn upon the campaign
59 account of the candidate or political committee. The campaign
60 account shall be separate from any personal or other account and
61 shall be used only for the purpose of depositing contributions
62 and making expenditures for the candidate or political
63 committee.

64 2. An expenditure by a political committee must also be
65 primarily related to raising or making a contribution,
66 influencing the results of an election, making an electioneering
67 communication, or other political activity authorized by this
68 chapter. A violation of this subparagraph is punishable solely
69 as provided in s. 106.19(2).

70



797380

71 ===== T I T L E A M E N D M E N T =====

72 And the title is amended as follows:

73 Delete lines 68 - 74

74 and insert:

75 made by the act; reenacting s. 106.075(2), F.S.,
76 relating to contributions made to pay back campaign
77 loans incurred, to incorporate the amendment made to
78 s. 106.08, F.S., in a reference thereto; reenacting s.
79 106.19, F.S., relating to criminal and enhanced civil
80 penalties for certain campaign finance violations, to
81 incorporate the amendments made to ss. 106.08 and
82 106.11, F.S., in references thereto; amending s.
83 106.11, F.S.; specifying restrictions on expenditures
84 by political committees; providing a penalty;
85 providing effective dates.