

By Senator Latvala

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1 A bill to be entitled
2 An act relating to campaign finance; repealing s.
3 106.04, F.S., relating to the certification and
4 political activities of committees of continuous
5 existence; prohibiting a committee of continuous
6 existence from accepting a contribution after a
7 certain date; providing for revocation of the
8 certification of each committee of continuous
9 existence on a certain date; requiring the Division of
10 Elections to provide certain notifications to
11 committees of continuous existence; providing
12 procedures for disposition of funds and closing of the
13 committee account; providing penalties; providing for
14 the applicability of penalties incurred by the
15 committee of continuous existence; amending and
16 reordering s. 106.011, F.S., relating to definitions
17 applicable to provisions governing campaign financing;
18 deleting the definition of the term "committee of
19 continuous existence" to conform to changes made by
20 the act; revising the definition of the term
21 "candidate" to include a candidate for a political
22 party executive committee; conforming cross-
23 references; amending s. 106.021, F.S.; providing
24 requirements and restrictions on the use of
25 contributions received before a candidate changes his
26 or her candidacy to a different office; amending ss.
27 106.022 and 106.03, F.S.; conforming provisions and
28 cross-references to changes made by the act;
29 reenacting and amending s. 106.07, F.S., relating to

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30 reports by campaign treasurers; revising reporting
31 requirements for candidates and political committees;
32 conforming a cross-reference; amending s. 106.0703,
33 F.S.; revising reporting requirements for
34 electioneering communications organizations;
35 reenacting and amending s. 106.0705, F.S., relating to
36 the electronic filing of campaign treasurer's reports;
37 conforming provisions and cross-references to changes
38 made by the act; amending s. 106.08, F.S.; increasing
39 the limitations on contributions made to certain
40 candidates and political committees; removing a
41 limitation on contributions made by specified minors;
42 revising limitations on contributions to non-statewide
43 candidates from specified political party committees;
44 conforming provisions and cross-references to changes
45 made by the act; amending s. 106.141, F.S.;

46 prohibiting a candidate from giving more than a
47 specified amount of surplus funds to an affiliated
48 party committee or political party; increasing the
49 amount of funds that certain candidates may transfer
50 to an office account; specifying permissible expenses
51 with office account funds; defining the term "same
52 office"; authorizing certain candidates to retain a
53 specified amount of funds for reelection to the same
54 office; establishing requirements and conditions for
55 retained funds; providing procedures for disposition
56 of retained funds in certain circumstances; making
57 changes to conform to the act; reenacting and amending
58 s. 106.29, F.S.; revising reporting requirements for

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59 political parties and affiliated party committees;
60 requiring the Division of Elections to submit a
61 proposal for a mandatory statewide electronic filing
62 system for certain state and local candidates to the
63 Legislature by a specified date; amending ss. 101.62,
64 102.031, 106.087, 106.12, 106.147, 106.17, 106.23,
65 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148,
66 112.3149, 1004.28, 1004.70, and 1004.71, F.S.;

67 conforming provisions and cross-references to changes
68 made by the act; reenacting ss. 106.075(2) and 106.19,
69 F.S., relating to contributions made to pay back
70 campaign loans incurred, and relating to criminal and
71 enhanced civil penalties for certain campaign finance
72 violations, to incorporate the amendments made to s.
73 106.08, F.S., in references thereto; providing
74 effective dates.

75
76 Be It Enacted by the Legislature of the State of Florida:

77
78 Section 1. Section 106.04, Florida Statutes, is repealed.

79 Section 2. (1) Effective August 1, 2013, a committee of
80 continuous existence may not accept a contribution as defined in
81 s. 106.011, Florida Statutes. By July 15, 2013, the Division of
82 Elections of the Department of State shall notify each committee
83 of continuous existence of the prohibition on accepting such a
84 contribution as provided under this subsection.

85 (2) Effective September 30, 2013, the certification of each
86 committee of continuous existence is revoked and all committee
87 accounts must have a zero balance. By July 15, 2013, the

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88 Division of Elections of the Department of State shall notify
89 each committee of continuous existence of the revocation of its
90 certification pursuant to this subsection. Following the
91 revocation of certification, each committee of continuous
92 existence shall file any outstanding report as required by law.

93 (3) (a) A violation of this section or any other provision
94 of chapter 106 constitutes a violation of chapter 106 regardless
95 of whether the committee of continuous existence is legally
96 dissolved.

97 (b) A political committee or electioneering communications
98 organization that has received funds from a committee of
99 continuous existence whose certification has been revoked and
100 that is directly or indirectly established, maintained, or
101 controlled by the same individual or group as the former
102 committee of continuous existence, is responsible for any unpaid
103 fine or penalty incurred by the former committee of continuous
104 existence. If no such political committee or electioneering
105 communications organization exists, the principal officers of
106 the former committee of continuous existence shall be jointly
107 and severally liable for any fine or penalty.

108 (4) This section shall be effective upon this act becoming
109 a law.

110 Section 3. Section 106.011, Florida Statutes, is reordered
111 and amended to read:

112 106.011 Definitions.—As used in this chapter, the following
113 terms have the following meanings unless the context clearly
114 indicates otherwise:

115 (16)~~(1)~~ (a) "Political committee" means:

116 1. A combination of two or more individuals, or a person

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117 other than an individual, that, in an aggregate amount in excess
118 of \$500 during a single calendar year:

119 a. Accepts contributions for the purpose of making
120 contributions to any candidate, political committee, ~~committee~~
121 ~~of continuous existence~~, affiliated party committee, or
122 political party;

123 b. Accepts contributions for the purpose of expressly
124 advocating the election or defeat of a candidate or the passage
125 or defeat of an issue;

126 c. Makes expenditures that expressly advocate the election
127 or defeat of a candidate or the passage or defeat of an issue;
128 or

129 d. Makes contributions to a common fund, other than a joint
130 checking account between spouses, from which contributions are
131 made to any candidate, political committee, ~~committee of~~
132 ~~continuous existence~~, affiliated party committee, or political
133 party;

134 2. The sponsor of a proposed constitutional amendment by
135 initiative who intends to seek the signatures of registered
136 electors.

137 (b) Notwithstanding paragraph (a), the following entities
138 are not considered political committees for purposes of this
139 chapter:

140 1. ~~Organizations which are certified by the Department of~~
141 ~~State as committees of continuous existence pursuant to s.~~
142 ~~106.04~~, National political parties, the state and county
143 executive committees of political parties, and affiliated party
144 committees regulated by chapter 103.

145 2. Corporations regulated by chapter 607 or chapter 617 or

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146 other business entities formed for purposes other than to
147 support or oppose issues or candidates, if their political
148 activities are limited to contributions to candidates, political
149 parties, affiliated party committees, or political committees or
150 expenditures in support of or opposition to an issue from
151 corporate or business funds and if no contributions are received
152 by such corporations or business entities.

153 3. Electioneering communications organizations as defined
154 in subsection (9) ~~(19)~~.

155 ~~(2) "Committee of continuous existence" means any group,~~
156 ~~organization, association, or other such entity which is~~
157 ~~certified pursuant to the provisions of s. 106.04.~~

158 (5) ~~(3)~~ "Contribution" means:

159 (a) A gift, subscription, conveyance, deposit, loan,
160 payment, or distribution of money or anything of value,
161 including contributions in kind having an attributable monetary
162 value in any form, made for the purpose of influencing the
163 results of an election or making an electioneering
164 communication.

165 (b) A transfer of funds between political committees,
166 ~~between committees of continuous existence,~~ between
167 electioneering communications organizations, or between any
168 combination of these groups.

169 (c) The payment, by a ~~any~~ person other than a candidate or
170 political committee, of compensation for the personal services
171 of another person which are rendered to a candidate or political
172 committee without charge to the candidate or committee for such
173 services.

174 (d) The transfer of funds by a campaign treasurer or deputy

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175 campaign treasurer between a primary depository and a separate
176 interest-bearing account or certificate of deposit, and the term
177 includes ~~any~~ interest earned on such account or certificate.

178
179 Notwithstanding the foregoing meanings of "contribution," the
180 term may not be construed to include services, including, but
181 not limited to, legal and accounting services, provided without
182 compensation by individuals volunteering a portion or all of
183 their time on behalf of a candidate or political committee or
184 editorial endorsements.

185 (10)~~(4)~~(a) "Expenditure" means a purchase, payment,
186 distribution, loan, advance, transfer of funds by a campaign
187 treasurer or deputy campaign treasurer between a primary
188 depository and a separate interest-bearing account or
189 certificate of deposit, or gift of money or anything of value
190 made for the purpose of influencing the results of an election
191 or making an electioneering communication. However,
192 "expenditure" does not include a purchase, payment,
193 distribution, loan, advance, or gift of money or anything of
194 value made for the purpose of influencing the results of an
195 election when made by an organization, in existence before ~~prior~~
196 ~~to~~ the time during which a candidate qualifies or an issue is
197 placed on the ballot for that election, for the purpose of
198 printing or distributing such organization's newsletter,
199 containing a statement by such organization in support of or
200 opposition to a candidate or issue, which newsletter is
201 distributed only to members of such organization.

202 (b) As used in this chapter, an "expenditure" for an
203 electioneering communication is made when the earliest of the

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204 following occurs:

205 1. A person enters into a contract for applicable goods or
206 services;

207 2. A person makes payment, in whole or in part, for the
208 production or public dissemination of applicable goods or
209 services; or

210 3. The electioneering communication is publicly
211 disseminated.

212 (12) ~~(5)~~ (a) "Independent expenditure" means an expenditure
213 by a person for the purpose of expressly advocating the election
214 or defeat of a candidate or the approval or rejection of an
215 issue, which expenditure is not controlled by, coordinated with,
216 or made upon consultation with, any candidate, political
217 committee, or agent of such candidate or committee. An
218 expenditure for such purpose by a person having a contract with
219 the candidate, political committee, or agent of such candidate
220 or committee in a given election period is ~~shall not be deemed~~
221 an independent expenditure.

222 (b) An expenditure for the purpose of expressly advocating
223 the election or defeat of a candidate which is made by the
224 national, state, or county executive committee of a political
225 party, including any subordinate committee of the political
226 party, an affiliated party committee, a political committee, ~~a~~
227 ~~committee of continuous existence,~~ or any other person is ~~shall~~
228 not ~~be~~ considered an independent expenditure if the committee or
229 person:

230 1. Communicates with the candidate, the candidate's
231 campaign, or an agent of the candidate acting on behalf of the
232 candidate, including a ~~any~~ pollster, media consultant,

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233 advertising agency, vendor, advisor, or staff member, concerning
234 the preparation of, use of, or payment for, the specific
235 expenditure or advertising campaign at issue; ~~or~~

236 2. Makes a payment in cooperation, consultation, or concert
237 with, at the request or suggestion of, or pursuant to a any
238 general or particular understanding with the candidate, the
239 candidate's campaign, a political committee supporting the
240 candidate, or an agent of the candidate relating to the specific
241 expenditure or advertising campaign at issue; ~~or~~

242 3. Makes a payment for the dissemination, distribution, or
243 republication, in whole or in part, of a any broadcast or a any
244 written, graphic, or other form of campaign material prepared by
245 the candidate, the candidate's campaign, or an agent of the
246 candidate, including a any pollster, media consultant,
247 advertising agency, vendor, advisor, or staff member; ~~or~~

248 4. Makes a payment based on information about the
249 candidate's plans, projects, or needs communicated to a member
250 of the committee or person by the candidate or an agent of the
251 candidate, provided the committee or person uses the information
252 in any way, in whole or in part, either directly or indirectly,
253 to design, prepare, or pay for the specific expenditure or
254 advertising campaign at issue; ~~or~~

255 5. After the last day of the qualifying period prescribed
256 for the candidate, consults about the candidate's plans,
257 projects, or needs in connection with the candidate's pursuit of
258 election to office and the information is used in any way to
259 plan, create, design, or prepare an independent expenditure or
260 advertising campaign, with:

261 a. An ~~Any~~ officer, director, employee, or agent of a

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262 national, state, or county executive committee of a political
263 party or an affiliated party committee that has made or intends
264 to make expenditures in connection with or contributions to the
265 candidate; or

266 b. A ~~Any~~ person whose professional services have been
267 retained by a national, state, or county executive committee of
268 a political party or an affiliated party committee that has made
269 or intends to make expenditures in connection with or
270 contributions to the candidate; ~~or~~

271 6. After the last day of the qualifying period prescribed
272 for the candidate, retains the professional services of a ~~any~~
273 person also providing those services to the candidate in
274 connection with the candidate's pursuit of election to office;
275 or

276 7. Arranges, coordinates, or directs the expenditure, in
277 any way, with the candidate or an agent of the candidate.

278 ~~(7)-(6)~~ "Election" means a ~~any~~ primary election, special
279 primary election, general election, special election, or
280 municipal election held in this state for the purpose of
281 nominating or electing candidates to public office, choosing
282 delegates to the national nominating conventions of political
283 parties, or submitting an issue to the electors for their
284 approval or rejection.

285 ~~(13)-(7)~~ "Issue" means a ~~any~~ proposition that ~~which~~ is
286 required by the State Constitution, by law or resolution of the
287 Legislature, or by the charter, ordinance, or resolution of a
288 ~~any~~ political subdivision of this state to be submitted to the
289 electors for their approval or rejection at an election, or a
290 ~~any~~ proposition for which a petition is circulated in order to

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291 have such proposition placed on the ballot at an ~~any~~ election.

292 (14)~~(8)~~ "Person" means an individual or a corporation,
293 association, firm, partnership, joint venture, joint stock
294 company, club, organization, estate, trust, business trust,
295 syndicate, or other combination of individuals having collective
296 capacity. The term includes a political party, affiliated party
297 committee, or political committee, ~~or committee of continuous~~
298 ~~existence.~~

299 (2)~~(9)~~ "Campaign treasurer" means an individual appointed
300 by a candidate or political committee as provided in this
301 chapter.

302 (17)~~(10)~~ "Public office" means a ~~any~~ state, county,
303 municipal, or school or other district office or position that
304 ~~which~~ is filled by vote of the electors.

305 (1)~~(11)~~ "Campaign fund raiser" means an ~~any~~ affair held to
306 raise funds to be used in a campaign for public office.

307 (6)~~(12)~~ "Division" means the Division of Elections of the
308 Department of State.

309 (4)~~(13)~~ "Communications media" means broadcasting stations,
310 newspapers, magazines, outdoor advertising facilities, printers,
311 direct mail, advertising agencies, the Internet, and telephone
312 companies; but with respect to telephones, an expenditure is
313 ~~shall be~~ deemed to be an expenditure for the use of
314 communications media only if made for the costs of telephones,
315 paid telephonists, or automatic telephone equipment to be used
316 by a candidate or a political committee to communicate with
317 potential voters but excluding the ~~any~~ costs of telephones
318 incurred by a volunteer for use of telephones by such volunteer;
319 however, with respect to the Internet, an expenditure is ~~shall~~

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320 ~~be~~ deemed an expenditure for use of communications media only if
321 made for the cost of creating or disseminating a message on a
322 computer information system accessible by more than one person
323 but excluding internal communications of a campaign or of any
324 group.

325 ~~(11)(14)~~ "Filing officer" means the person before whom a
326 candidate qualifies, or the agency or officer with whom a
327 political committee or an electioneering communications
328 organization registers, ~~or the agency by whom a committee of~~
329 ~~continuous existence is certified.~~

330 ~~(18)(15)~~ "Unopposed candidate" means a candidate for
331 nomination or election to an office who, after the last day on
332 which a ~~any~~ person, including a write-in candidate, may qualify,
333 is without opposition in the election at which the office is to
334 be filled or who is without such opposition after such date as a
335 result of a ~~any~~ primary election or of withdrawal by other
336 candidates seeking the same office. A candidate is not an
337 unopposed candidate if there is a vacancy to be filled under s.
338 100.111(3), if there is a legal proceeding pending regarding the
339 right to a ballot position for the office sought by the
340 candidate, or if the candidate is seeking retention as a justice
341 or judge.

342 ~~(3)(16)~~ "Candidate" means a ~~any~~ person to whom any ~~one or~~
343 ~~more~~ of the following applies ~~apply~~:

344 (a) A ~~Any~~ person who seeks to qualify for nomination or
345 election by means of the petitioning process.

346 (b) A ~~Any~~ person who seeks to qualify for election as a
347 write-in candidate.

348 (c) A ~~Any~~ person who receives contributions or makes

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349 expenditures, or consents for any other person to receive
350 contributions or make expenditures, with a view to bring about
351 his or her nomination or election to, or retention in, public
352 office.

353 (d) A ~~Any~~ person who appoints a treasurer and designates a
354 primary depository.

355 (e) A ~~Any~~ person who files qualification papers and
356 subscribes to a candidate's oath as required by law.

357
358 ~~However, this definition does not include any candidate for a~~
359 ~~political party executive committee.~~ Expenditures related to
360 potential candidate polls as provided in s. 106.17 are not
361 contributions or expenditures for purposes of this subsection.

362 ~~(15)-(17)~~ "Political advertisement" means a paid expression
363 in a ~~any~~ communications media prescribed in subsection (4) ~~(13)~~,
364 whether radio, television, newspaper, magazine, periodical,
365 campaign literature, direct mail, or display or by means other
366 than the spoken word in direct conversation, which expressly
367 advocates the election or defeat of a candidate or the approval
368 or rejection of an issue. However, political advertisement does
369 not include:

370 (a) A statement by an organization, in existence before
371 ~~prior to~~ the time during which a candidate qualifies or an issue
372 is placed on the ballot for that election, in support of or
373 opposition to a candidate or issue, in that organization's
374 newsletter, which newsletter is distributed only to the members
375 of that organization.

376 (b) Editorial endorsements by a ~~any~~ newspaper, a radio or
377 television station, or any other recognized news medium.

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378 (8)~~(18)~~(a) "Electioneering communication" means ~~any~~
379 communication that is publicly distributed by a television
380 station, radio station, cable television system, satellite
381 system, newspaper, magazine, direct mail, or telephone and that:

382 1. Refers to or depicts a clearly identified candidate for
383 office without expressly advocating the election or defeat of a
384 candidate but that is susceptible of no reasonable
385 interpretation other than an appeal to vote for or against a
386 specific candidate;

387 2. Is made within 30 days before a primary or special
388 primary election or 60 days before any other election for the
389 office sought by the candidate; and

390 3. Is targeted to the relevant electorate in the geographic
391 area the candidate would represent if elected.

392 (b) The term "electioneering communication" does not
393 include:

394 1. A communication disseminated through a means of
395 communication other than a television station, radio station,
396 cable television system, satellite system, newspaper, magazine,
397 direct mail, telephone, or statement or depiction by an
398 organization, in existence before ~~prior~~ to the time during which
399 a candidate named or depicted qualifies for that election, made
400 in that organization's newsletter, which newsletter is
401 distributed only to members of that organization.

402 2. A communication in a news story, commentary, or
403 editorial distributed through the facilities of a ~~any~~ radio
404 station, television station, cable television system, or
405 satellite system, unless the facilities are owned or controlled
406 by a ~~any~~ political party, political committee, or candidate. A

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407 news story distributed through the facilities owned or
408 controlled by a ~~any~~ political party, political committee, or
409 candidate may nevertheless be exempt if it represents a bona
410 fide news account communicated through a licensed broadcasting
411 facility and the communication is part of a general pattern of
412 campaign-related news accounts that give reasonably equal
413 coverage to all opposing candidates in the area.

414 3. A communication that constitutes a public debate or
415 forum that includes at least two opposing candidates for an
416 office or one advocate and one opponent of an issue, or that
417 solely promotes such a debate or forum and is made by or on
418 behalf of the person sponsoring the debate or forum, provided
419 that:

420 a. The staging organization is either:

421 (I) A charitable organization that does not make other
422 electioneering communications and does not otherwise support or
423 oppose any political candidate or political party; or

424 (II) A newspaper, radio station, television station, or
425 other recognized news medium; and

426 b. The staging organization does not structure the debate
427 to promote or advance one candidate or issue position over
428 another.

429 (c) For purposes of this chapter, an expenditure made for,
430 or in furtherance of, an electioneering communication is ~~shall~~
431 not ~~be~~ considered a contribution to or on behalf of any
432 candidate.

433 (d) For purposes of this chapter, an electioneering
434 communication does ~~shall~~ not constitute an independent
435 expenditure and is not ~~nor be~~ subject to the limitations

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436 applicable to independent expenditures.

437 ~~(9)-(19)~~ "Electioneering communications organization" means
438 any group, other than a political party, affiliated party
439 committee, or political committee, ~~or committee of continuous~~
440 ~~existence~~, whose election-related activities are limited to
441 making expenditures for electioneering communications or
442 accepting contributions for the purpose of making electioneering
443 communications and whose activities would not otherwise require
444 the group to register as a political party, or political
445 committee, ~~or committee of continuous existence~~ under this
446 chapter.

447 Section 4. Paragraph (a) of subsection (1) of section
448 106.021, Florida Statutes, is amended to read:

449 106.021 Campaign treasurers; deputies; primary and
450 secondary depositories.-

451 (1) (a) Each candidate for nomination or election to office
452 and each political committee shall appoint a campaign treasurer.
453 Each person who seeks to qualify for nomination or election to,
454 or retention in, office shall appoint a campaign treasurer and
455 designate a primary campaign depository before ~~prior to~~
456 qualifying for office. Any person who seeks to qualify for
457 election or nomination to any office by means of the petitioning
458 process shall appoint a treasurer and designate a primary
459 depository on or before the date he or she obtains the
460 petitions. ~~Each candidate shall~~ At the same time a candidate ~~he~~
461 ~~or she~~ designates a campaign depository and appoints a
462 treasurer, the candidate shall also designate the office for
463 which he or she is a candidate. If the candidate is running for
464 an office that ~~which~~ will be grouped on the ballot with two or

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465 more similar offices to be filled at the same election, the
466 candidate must indicate for which group or district office he or
467 she is running. ~~Nothing in~~ This subsection does not shall
468 prohibit a candidate, at a later date, from changing the
469 designation of the office for which he or she is a candidate.
470 However, if a candidate changes the designated office for which
471 he or she is a candidate, the candidate must notify all
472 contributors in writing of the intent to seek a different office
473 and offer to return pro rata, upon their request, those
474 contributions given in support of the original office sought.
475 This notification shall be given within 15 days after the filing
476 of the change of designation and shall include a standard form
477 developed by the Division of Elections for requesting the return
478 of contributions. The notice requirement does shall not apply to
479 any change in a numerical designation resulting solely from
480 redistricting. If, within 30 days after being notified by the
481 candidate of the intent to seek a different office, the
482 contributor notifies the candidate in writing that the
483 contributor wishes his or her contribution to be returned, the
484 candidate shall return the contribution, on a pro rata basis,
485 calculated as of the date the change of designation is filed. Up
486 to a maximum of the contribution limits specified in s. 106.08,
487 a candidate who runs for an office other than the office
488 originally designated may use any contribution that a donor does
489 not request ~~Any contributions not requested to~~ be returned
490 within the 30-day period for the newly designated office,
491 provided the candidate disposes of any amount exceeding the
492 contribution limit pursuant to the options in s. 106.11(5)(b)
493 and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s.

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494 106.141(4)(a)4.; notwithstanding, the full amount of the
495 contribution for the original office shall count toward the
496 contribution limits specified in s. 106.08 for the newly
497 designated office ~~may be used by the candidate for the newly~~
498 ~~designated office.~~ A ~~No~~ person may not shall accept any
499 contribution or make any expenditure with a view to bringing
500 about his or her nomination, election, or retention in public
501 office, or authorize another to accept such contributions or
502 make such expenditure on the person's behalf, unless such person
503 has appointed a campaign treasurer and designated a primary
504 campaign depository. A candidate for an office voted upon
505 statewide may appoint not more than 15 deputy campaign
506 treasurers, and any other candidate or political committee may
507 appoint not more than 3 deputy campaign treasurers. The names
508 and addresses of the campaign treasurer and deputy campaign
509 treasurers so appointed shall be filed with the officer before
510 whom such candidate is required to qualify or with whom such
511 political committee is required to register pursuant to s.
512 106.03.

513 Section 5. Subsection (1) of section 106.022, Florida
514 Statutes, is amended to read:

515 106.022 Appointment of a registered agent; duties.—

516 (1) Each political committee, ~~committee of continuous~~
517 ~~existence,~~ or electioneering communications organization shall
518 have and continuously maintain in this state a registered office
519 and a registered agent and must file with the filing officer a
520 statement of appointment for the registered office and
521 registered agent. The statement of appointment must:

522 (a) Provide the name of the registered agent and the street

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523 address and phone number for the registered office;

524 (b) Identify the entity for whom the registered agent
525 serves;

526 (c) Designate the address the registered agent wishes to
527 use to receive mail;

528 (d) Include the entity's undertaking to inform the filing
529 officer of any change in such designated address;

530 (e) Provide for the registered agent's acceptance of the
531 appointment, which must confirm that the registered agent is
532 familiar with and accepts the obligations of the position as set
533 forth in this section; and

534 (f) Contain the signature of the registered agent and the
535 entity engaging the registered agent.

536 Section 6. Paragraph (b) of subsection (1) and subsection
537 (2) of section 106.03, Florida Statutes, are amended to read:

538 106.03 Registration of political committees and
539 electioneering communications organizations.—

540 (1)

541 (b)1. Each group shall file a statement of organization as
542 an electioneering communications organization within 24 hours
543 after the date on which it makes expenditures for an
544 electioneering communication in excess of \$5,000, if such
545 expenditures are made within the timeframes specified in s.
546 106.011(8)(a)2. ~~106.011(18)(a)2.~~ If the group makes expenditures
547 for an electioneering communication in excess of \$5,000 before
548 the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~,
549 it shall file the statement of organization within 24 hours
550 after the 30th day before a primary or special primary election,
551 or within 24 hours after the 60th day before any other election,

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552 whichever is applicable.

553 2.a. In a statewide, legislative, or multicounty election,
554 an electioneering communications organization shall file a
555 statement of organization with the Division of Elections.

556 b. In a countywide election or any election held on less
557 than a countywide basis, except as described in sub-subparagraph
558 c., an electioneering communications organization shall file a
559 statement of organization with the supervisor of elections of
560 the county in which the election is being held.

561 c. In a municipal election, an electioneering
562 communications organization shall file a statement of
563 organization with the officer before whom municipal candidates
564 qualify.

565 d. Any electioneering communications organization that
566 would be required to file a statement of organization in two or
567 more locations need only file a statement of organization with
568 the Division of Elections.

569 (2) The statement of organization shall include:

570 (a) The name, mailing address, and street address of the
571 committee or electioneering communications organization;

572 (b) The names, street addresses, and relationships of
573 affiliated or connected organizations, including any affiliated
574 sponsors;

575 (c) The area, scope, or jurisdiction of the committee or
576 electioneering communications organization;

577 (d) The name, mailing address, street address, and position
578 of the custodian of books and accounts;

579 (e) The name, mailing address, street address, and position
580 of other principal officers, including the treasurer and deputy

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581 treasurer, if any;

582 (f) The name, address, office sought, and party affiliation
583 of:

584 1. Each candidate whom the committee is supporting;

585 2. Any other individual, if any, whom the committee is
586 supporting for nomination for election, or election, to any
587 public office whatever;

588 (g) Any issue or issues the committee is supporting or
589 opposing;

590 (h) If the committee is supporting the entire ticket of any
591 party, a statement to that effect and the name of the party;

592 (i) A statement of whether the committee is a continuing
593 one;

594 (j) Plans for the disposition of residual funds which will
595 be made in the event of dissolution;

596 (k) A listing of all banks, safe-deposit boxes, or other
597 depositories used for committee or electioneering communications
598 organization funds;

599 (l) A statement of the reports required to be filed by the
600 committee or the electioneering communications organization with
601 federal officials, if any, and the names, addresses, and
602 positions of such officials; and

603 (m) A statement of whether the electioneering
604 communications organization was formed as a newly created
605 organization during the current calendar quarter or was formed
606 from an organization existing prior to the current calendar
607 quarter. For purposes of this subsection, calendar quarters end
608 the last day of March, June, September, and December.

609 Section 7. Section 106.07, Florida Statutes, is reenacted

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610 and amended to read:

611 106.07 Reports; certification and filing.—

612 (1) Each campaign treasurer designated by a candidate or
613 political committee pursuant to s. 106.021 shall file regular
614 reports of all contributions received, and all expenditures
615 made, by or on behalf of such candidate or political committee.
616 Except as provided in paragraphs (a) and (b) ~~for the third~~
617 ~~calendar quarter immediately preceding a general election,~~
618 reports shall be filed on the 10th day following the end of each
619 calendar month ~~quarter~~ from the time the campaign treasurer is
620 appointed, except that, if the 10th day following the end of a
621 calendar month ~~quarter~~ occurs on a Saturday, Sunday, or legal
622 holiday, the report shall be filed on the next following day
623 that ~~which~~ is not a Saturday, Sunday, or legal holiday. Monthly
624 ~~Quarterly~~ reports shall include all contributions received and
625 expenditures made during the calendar month ~~quarter~~ which have
626 not otherwise been reported pursuant to this section.

627 (a) The following reports must be filed if the candidate or
628 political committee is required to file reports with the
629 division:

630 1. On the 60th day immediately preceding the primary
631 election, and each week thereafter, with the last weekly report
632 being filed on the 11th day immediately preceding the general
633 election.

634 2. On the 10th day immediately preceding the general
635 election, and each day thereafter, with the last daily report
636 being filed the 4th day before the general election ~~Except as~~
637 ~~provided in paragraph (b), the reports shall also be filed on~~
638 ~~the 32nd, 18th, and 4th days immediately preceding the primary~~

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639 ~~and on the 46th, 32nd, 18th, and 4th days immediately preceding~~
640 ~~the election, for a candidate who is opposed in seeking~~
641 ~~nomination or election to any office, for a political committee,~~
642 ~~or for a committee of continuous existence.~~

643 (b) If the candidate or political committee is required to
644 file reports with a filing officer other than the division,
645 reports must be filed on the 60th day immediately preceding the
646 primary election, and each week thereafter, with the last weekly
647 report being filed on the 4th day immediately preceding the
648 general election ~~Any statewide candidate who has requested to~~
649 ~~receive contributions pursuant to the Florida Election Campaign~~
650 ~~Financing Act or any statewide candidate in a race with a~~
651 ~~candidate who has requested to receive contributions pursuant to~~
652 ~~the act shall also file reports on the 4th, 11th, 18th, 25th,~~
653 ~~and 32nd days prior to the primary election, and on the 4th,~~
654 ~~11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to the~~
655 ~~general election.~~

656 (c) Following the last day of qualifying for office, any
657 unopposed candidate need only file a report within 90 days after
658 the date such candidate became unopposed. Such report shall
659 contain all previously unreported contributions and expenditures
660 as required by this section and shall reflect disposition of
661 funds as required by s. 106.141.

662 (d)1. When a special election is called to fill a vacancy
663 in office, all political committees making contributions or
664 expenditures to influence the results of such special election
665 or the preceding special primary election shall file campaign
666 treasurers' reports with the filing officer on the dates set by
667 the Department of State pursuant to s. 100.111.

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668 2. When an election is called for an issue to appear on the
669 ballot at a time when no candidates are scheduled to appear on
670 the ballot, all political committees making contributions or
671 expenditures in support of or in opposition to such issue shall
672 file reports on the 18th and 4th days before ~~prior to~~ such
673 election.

674 (e) The filing officer shall provide each candidate with a
675 schedule designating the beginning and end of reporting periods
676 as well as the corresponding designated due dates.

677 (2) (a) 1. All reports required of a candidate by this
678 section shall be filed with the officer before whom the
679 candidate is required by law to qualify. All candidates who file
680 with the Department of State shall file their reports pursuant
681 to s. 106.0705. Except as provided in s. 106.0705, reports shall
682 be filed not later than 5 p.m. of the day designated; however,
683 any report postmarked by the United States Postal Service no
684 later than midnight of the day designated is ~~shall be~~ deemed to
685 have been filed in a timely manner. Any report received by the
686 filing officer within 5 days after the designated due date that
687 was delivered by the United States Postal Service is ~~shall be~~
688 deemed timely filed unless it has a postmark that indicates that
689 the report was mailed after the designated due date. A
690 certificate of mailing obtained from and dated by the United
691 States Postal Service at the time of mailing, or a receipt from
692 an established courier company, which bears a date on or before
693 the date on which the report is due, suffices as ~~shall be~~ proof
694 of mailing in a timely manner. Reports must ~~shall~~ contain
695 information on ~~of~~ all previously unreported contributions
696 received and expenditures made as of the preceding Friday,

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697 except that the report filed on the Friday immediately preceding
698 the election must ~~shall~~ contain information on ~~of~~ all previously
699 unreported contributions received and expenditures made as of
700 the day preceding that designated due date. All such reports are
701 ~~shall be~~ open to public inspection.

702 2. This subsection does not prohibit the governing body of
703 a political subdivision, by ordinance or resolution, from
704 imposing upon its own officers and candidates electronic filing
705 requirements not in conflict with s. 106.0705. Expenditure of
706 public funds for such purpose is deemed to be for a valid public
707 purpose.

708 (b)1. Any report that is deemed to be incomplete by the
709 officer with whom the candidate qualifies must ~~shall~~ be accepted
710 on a conditional basis. The campaign treasurer shall be notified
711 by certified mail or by another method using a common carrier
712 that provides a proof of delivery of the notice as to why the
713 report is incomplete and within 7 days after receipt of such
714 notice must file an addendum to the report providing all
715 information necessary to complete the report in compliance with
716 this section. Failure to file a complete report after such
717 notice constitutes a violation of this chapter.

718 2. Notice is deemed complete upon proof of delivery of a
719 written notice to the mailing or street address of the campaign
720 treasurer or registered agent of record with the filing officer.

721 (3) Reports required of a political committee shall be
722 filed with the agency or officer before whom such committee
723 registers pursuant to s. 106.03(3) and shall be subject to the
724 same filing conditions as established for candidates' reports.
725 Incomplete reports by political committees shall be treated in

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726 the manner provided for incomplete reports by candidates in
727 subsection (2).

728 (4) (a) Except as provided in paragraph (b), each report
729 required by this section must contain:

730 1. The full name, address, and occupation, if any of each
731 person who has made one or more contributions to or for such
732 committee or candidate within the reporting period, together
733 with the amount and date of such contributions. For
734 corporations, the report must provide as clear a description as
735 practicable of the principal type of business conducted by the
736 corporation. However, if the contribution is \$100 or less or is
737 from a relative, as defined in s. 112.312, provided that the
738 relationship is reported, the occupation of the contributor or
739 the principal type of business need not be listed.

740 2. The name and address of each political committee from
741 which the reporting committee or the candidate received, or to
742 which the reporting committee or candidate made, any transfer of
743 funds, together with the amounts and dates of all transfers.

744 3. Each loan for campaign purposes to or from any person or
745 political committee within the reporting period, together with
746 the full names, addresses, and occupations, and principal places
747 of business, if any, of the lender and endorsers, if any, and
748 the date and amount of such loans.

749 4. A statement of each contribution, rebate, refund, or
750 other receipt not otherwise listed under subparagraphs 1.
751 through 3.

752 5. The total sums of all loans, in-kind contributions, and
753 other receipts by or for such committee or candidate during the
754 reporting period. The reporting forms shall be designed to

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755 elicit separate totals for in-kind contributions, loans, and
756 other receipts.

757 6. The full name and address of each person to whom
758 expenditures have been made by or on behalf of the committee or
759 candidate within the reporting period; the amount, date, and
760 purpose of each such expenditure; and the name and address of,
761 and office sought by, each candidate on whose behalf such
762 expenditure was made. However, expenditures made from the petty
763 cash fund provided by s. 106.12 need not be reported
764 individually.

765 7. The full name and address of each person to whom an
766 expenditure for personal services, salary, or reimbursement for
767 authorized expenses as provided in s. 106.021(3) has been made
768 and which is not otherwise reported, including the amount, date,
769 and purpose of such expenditure. However, expenditures made from
770 the petty cash fund provided for in s. 106.12 need not be
771 reported individually. Receipts for reimbursement for authorized
772 expenditures shall be retained by the treasurer along with the
773 records for the campaign account.

774 8. The total amount withdrawn and the total amount spent
775 for petty cash purposes pursuant to this chapter during the
776 reporting period.

777 9. The total sum of expenditures made by such committee or
778 candidate during the reporting period.

779 10. The amount and nature of debts and obligations owed by
780 or to the committee or candidate, which relate to the conduct of
781 any political campaign.

782 11. Transaction information for each credit card purchase.
783 Receipts for each credit card purchase shall be retained by the

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784 treasurer with the records for the campaign account.

785 12. The amount and nature of any separate interest-bearing
786 accounts or certificates of deposit and identification of the
787 financial institution in which such accounts or certificates of
788 deposit are located.

789 13. The primary purposes of an expenditure made indirectly
790 through a campaign treasurer pursuant to s. 106.021(3) for goods
791 and services such as communications media placement or
792 procurement services, campaign signs, insurance, and other
793 expenditures that include multiple components as part of the
794 expenditure. The primary purpose of an expenditure shall be that
795 purpose, including integral and directly related components,
796 that comprises 80 percent of such expenditure.

797 (b) Multiple uniform contributions from the same person,
798 aggregating no more than \$250 per calendar year, collected by an
799 organization that is the affiliated sponsor of a political
800 committee, may be reported by the political committee in an
801 aggregate amount listing the number of contributors together
802 with the amount contributed by each and the total amount
803 contributed during the reporting period. The identity of each
804 person making such uniform contribution must be reported to the
805 filing officer as provided in subparagraph (a)1. by July 1 of
806 each calendar year, or, in a general election year, no later
807 than the 60th day immediately preceding the primary election.

808 (c) ~~(b)~~ The filing officer shall make available to any
809 candidate or committee a reporting form which the candidate or
810 committee may use to indicate contributions received by the
811 candidate or committee but returned to the contributor before
812 deposit.

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813 (5) The candidate and his or her campaign treasurer, in the
814 case of a candidate, or the political committee chair and
815 campaign treasurer of the committee, in the case of a political
816 committee, shall certify as to the correctness of each report;
817 and each person so certifying shall bear the responsibility for
818 the accuracy and veracity of each report. Any campaign
819 treasurer, candidate, or political committee chair who willfully
820 certifies the correctness of any report while knowing that such
821 report is incorrect, false, or incomplete commits a misdemeanor
822 of the first degree, punishable as provided in s. 775.082 or s.
823 775.083.

824 (6) The records maintained by the campaign depository with
825 respect to any campaign account regulated by this chapter are
826 subject to inspection by an agent of the Division of Elections
827 or the Florida Elections Commission at any time during normal
828 banking hours, and such depository shall furnish certified
829 copies of any of such records to the Division of Elections or
830 Florida Elections Commission upon request.

831 (7) Notwithstanding any other provisions of this chapter,
832 in any reporting period during which a candidate or political
833 committee, ~~or committee of continuous existence~~ has not received
834 funds, made any contributions, or expended any reportable funds,
835 the filing of the required report for that period is waived.
836 However, the next report filed must specify that the report
837 covers the entire period between the last submitted report and
838 the report being filed, and any candidate or political
839 committee, ~~or committee of continuous existence~~ not reporting by
840 virtue of this subsection on dates prescribed elsewhere in this
841 chapter shall notify the filing officer in writing on the

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842 prescribed reporting date that no report is being filed on that
843 date.

844 (8) (a) Any candidate or political committee failing to file
845 a report on the designated due date is subject to a fine as
846 provided in paragraph (b) for each late day, and, in the case of
847 a candidate, such fine shall be paid only from personal funds of
848 the candidate. The fine shall be assessed by the filing officer
849 and the moneys collected shall be deposited:

850 1. In the General Revenue Fund, in the case of a candidate
851 for state office or a political committee that registers with
852 the Division of Elections; or

853 2. In the general revenue fund of the political
854 subdivision, in the case of a candidate for an office of a
855 political subdivision or a political committee that registers
856 with an officer of a political subdivision.

857
858 No separate fine shall be assessed for failure to file a copy of
859 any report required by this section.

860 (b) Upon determining that a report is late, the filing
861 officer shall immediately notify the candidate or chair of the
862 political committee as to the failure to file a report by the
863 designated due date and that a fine is being assessed for each
864 late day. The fine is ~~shall be~~ \$50 per day for the first 3 days
865 late and, thereafter, \$500 per day for each late day, not to
866 exceed 25 percent of the total receipts or expenditures,
867 whichever is greater, for the period covered by the late report.
868 However, for the reports immediately preceding each special
869 primary election, special election, primary election, and
870 general election, the fine is ~~shall be~~ \$500 per day for each

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871 late day, not to exceed 25 percent of the total receipts or
 872 expenditures, whichever is greater, for the period covered by
 873 the late report. For reports required under s. 106.141(8)
 874 ~~106.141(7)~~, the fine is \$50 per day for each late day, not to
 875 exceed 25 percent of the total receipts or expenditures,
 876 whichever is greater, for the period covered by the late report.
 877 Upon receipt of the report, the filing officer shall determine
 878 the amount of the fine which is due and shall notify the
 879 candidate or chair or registered agent of the political
 880 committee. The filing officer shall determine the amount of the
 881 fine due based upon the earliest of the following:

- 882 1. When the report is actually received by such officer.
- 883 2. When the report is postmarked.
- 884 3. When the certificate of mailing is dated.
- 885 4. When the receipt from an established courier company is
 886 dated.
- 887 5. When the electronic receipt issued pursuant to s.
 888 106.0705 or other electronic filing system authorized in this
 889 section is dated.

890
 891 Such fine shall be paid to the filing officer within 20 days
 892 after receipt of the notice of payment due, unless appeal is
 893 made to the Florida Elections Commission pursuant to paragraph
 894 (c). Notice is deemed complete upon proof of delivery of written
 895 notice to the mailing or street address on record with the
 896 filing officer. In the case of a candidate, such fine is ~~shall~~
 897 not ~~be~~ an allowable campaign expenditure and shall be paid only
 898 from personal funds of the candidate. An officer or member of a
 899 political committee is ~~shall~~ not ~~be~~ personally liable for such

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900 fine.

901 (c) Any candidate or chair of a political committee may
902 appeal or dispute the fine, based upon, but not limited to,
903 unusual circumstances surrounding the failure to file on the
904 designated due date, and may request and shall be entitled to a
905 hearing before the Florida Elections Commission, which shall
906 have the authority to waive the fine in whole or in part. The
907 Florida Elections Commission must consider the mitigating and
908 aggravating circumstances contained in s. 106.265(2) when
909 determining the amount of a fine, if any, to be waived. Any such
910 request shall be made within 20 days after receipt of the notice
911 of payment due. In such case, the candidate or chair of the
912 political committee shall, within the 20-day period, notify the
913 filing officer in writing of his or her intention to bring the
914 matter before the commission.

915 (d) The appropriate filing officer shall notify the Florida
916 Elections Commission of the repeated late filing by a candidate
917 or political committee, the failure of a candidate or political
918 committee to file a report after notice, or the failure to pay
919 the fine imposed. The commission shall investigate only those
920 alleged late filing violations specifically identified by the
921 filing officer and as set forth in the notification. Any other
922 alleged violations must be separately stated and reported by the
923 division to the commission under s. 106.25(2).

924 (9) The Department of State may prescribe by rule the
925 requirements for filing campaign treasurers' reports as set
926 forth in this chapter.

927 Section 8. Section 106.0703, Florida Statutes, is reenacted
928 and amended to read:

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929 106.0703 Electioneering communications organizations;
930 reporting requirements; certification and filing; penalties.-

931 (1) (a) Each electioneering communications organization
932 shall file regular reports of all contributions received and all
933 expenditures made by or on behalf of the organization. Except as
934 provided in paragraphs (b) and (c), reports must ~~shall~~ be filed
935 on the 10th day following the end of each calendar month ~~quarter~~
936 from the time the organization is registered. However, if the
937 10th day following the end of a calendar month ~~quarter~~ occurs on
938 a Saturday, Sunday, or legal holiday, the report must ~~shall~~ be
939 filed on the next following day that is not a Saturday, Sunday,
940 or legal holiday. Monthly ~~Quarterly~~ reports must ~~shall~~ include
941 all contributions received and expenditures made during the
942 calendar month ~~quarter~~ that have not otherwise been reported
943 pursuant to this section.

944 (b) For an electioneering communications organization
945 required to file reports with the division, reports must be
946 filed:

947 1. On the 60th day immediately preceding the primary
948 election, and each week thereafter, with the last weekly report
949 being filed on the 11th day immediately preceding the general
950 election.

951 2. On the 10th day immediately preceding the general
952 election, and every day thereafter, with the last daily report
953 being filed the day before the general election ~~Following the~~
954 ~~last day of candidates qualifying for office, the reports shall~~
955 ~~be filed on the 32nd, 18th, and 4th days immediately preceding~~
956 ~~the primary election and on the 46th, 32nd, 18th, and 4th days~~
957 ~~immediately preceding the general election.~~

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958 (c) For an electioneering communications organization
959 required to file reports with a filing officer other than the
960 division, reports must be filed on the 60th day immediately
961 preceding the primary election, and each week thereafter, with
962 the last weekly report being filed on the 4th day immediately
963 preceding the general election.

964 ~~(d)~~ (e) When a special election is called to fill a vacancy
965 in office, all electioneering communications organizations
966 making contributions or expenditures to influence the results of
967 the special election shall file reports with the filing officer
968 on the dates set by the Department of State pursuant to s.
969 100.111.

970 ~~(e)~~ (a) In addition to the reports required by paragraph
971 (a), an electioneering communications organization that is
972 registered with the Department of State and that makes a
973 contribution or expenditure to influence the results of a county
974 or municipal election that is not being held at the same time as
975 a state or federal election must file reports with the county or
976 municipal filing officer on the same dates as county or
977 municipal candidates or committees for that election. The
978 electioneering communications organization must also include the
979 expenditure in the next report filed with the Division of
980 Elections pursuant to this section following the county or
981 municipal election.

982 ~~(f)~~ (e) The filing officer shall make available to each
983 electioneering communications organization a schedule
984 designating the beginning and end of reporting periods as well
985 as the corresponding designated due dates.

986 (2) (a) Except as provided in s. 106.0705, the reports

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987 required of an electioneering communications organization shall
988 be filed with the filing officer not later than 5 p.m. of the
989 day designated. However, any report postmarked by the United
990 States Postal Service no later than midnight of the day
991 designated shall be deemed to have been filed in a timely
992 manner. Any report received by the filing officer within 5 days
993 after the designated due date that was delivered by the United
994 States Postal Service shall be deemed timely filed unless it has
995 a postmark that indicates that the report was mailed after the
996 designated due date. A certificate of mailing obtained from and
997 dated by the United States Postal Service at the time of
998 mailing, or a receipt from an established courier company, which
999 bears a date on or before the date on which the report is due,
1000 shall be proof of mailing in a timely manner. Reports shall
1001 contain information of all previously unreported contributions
1002 received and expenditures made as of the preceding Friday,
1003 except that the report filed on the Friday immediately preceding
1004 the election shall contain information of all previously
1005 unreported contributions received and expenditures made as of
1006 the day preceding the designated due date. All such reports
1007 shall be open to public inspection.

1008 (b)1. Any report that is deemed to be incomplete by the
1009 officer with whom the electioneering communications organization
1010 files shall be accepted on a conditional basis. The treasurer of
1011 the electioneering communications organization shall be
1012 notified, by certified mail or other common carrier that can
1013 establish proof of delivery for the notice, as to why the report
1014 is incomplete. Within 7 days after receipt of such notice, the
1015 treasurer must file an addendum to the report providing all

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1016 information necessary to complete the report in compliance with
1017 this section. Failure to file a complete report after such
1018 notice constitutes a violation of this chapter.

1019 2. Notice is deemed sufficient upon proof of delivery of
1020 written notice to the mailing or street address of the treasurer
1021 or registered agent of the electioneering communication
1022 organization on record with the filing officer.

1023 (3) (a) Each report required by this section must contain:

1024 1. The full name, address, and occupation, if any, of each
1025 person who has made one or more contributions to or for such
1026 electioneering communications organization within the reporting
1027 period, together with the amount and date of such contributions.
1028 For corporations, the report must provide as clear a description
1029 as practicable of the principal type of business conducted by
1030 the corporation. However, if the contribution is \$100 or less,
1031 the occupation of the contributor or the principal type of
1032 business need not be listed.

1033 2. The name and address of each political committee from
1034 which or to which the reporting electioneering communications
1035 organization made any transfer of funds, together with the
1036 amounts and dates of all transfers.

1037 3. Each loan for electioneering communication purposes to
1038 or from any person or political committee within the reporting
1039 period, together with the full names, addresses, and occupations
1040 and principal places of business, if any, of the lender and
1041 endorsers, if any, and the date and amount of such loans.

1042 4. A statement of each contribution, rebate, refund, or
1043 other receipt not otherwise listed under subparagraphs 1.-3.

1044 5. The total sums of all loans, in-kind contributions, and

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1045 other receipts by or for such electioneering communications
1046 organization during the reporting period. The reporting forms
1047 shall be designed to elicit separate totals for in-kind
1048 contributions, loans, and other receipts.

1049 6. The full name and address of each person to whom
1050 expenditures have been made by or on behalf of the
1051 electioneering communications organization within the reporting
1052 period and the amount, date, and purpose of each expenditure.

1053 7. The full name and address of each person to whom an
1054 expenditure for personal services, salary, or reimbursement for
1055 expenses has been made and that is not otherwise reported,
1056 including the amount, date, and purpose of the expenditure.

1057 8. The total sum of expenditures made by the electioneering
1058 communications organization during the reporting period.

1059 9. The amount and nature of debts and obligations owed by
1060 or to the electioneering communications organization that relate
1061 to the conduct of any electioneering communication.

1062 10. Transaction information for each credit card purchase.
1063 Receipts for each credit card purchase shall be retained by the
1064 electioneering communications organization.

1065 11. The amount and nature of any separate interest-bearing
1066 accounts or certificates of deposit and identification of the
1067 financial institution in which such accounts or certificates of
1068 deposit are located.

1069 12. The primary purposes of an expenditure made indirectly
1070 through an electioneering communications organization for goods
1071 and services, such as communications media placement or
1072 procurement services and other expenditures that include
1073 multiple components as part of the expenditure. The primary

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1074 purpose of an expenditure shall be that purpose, including
1075 integral and directly related components, that comprises 80
1076 percent of such expenditure.

1077 (b) The filing officer shall make available to any
1078 electioneering communications organization a reporting form
1079 which the electioneering communications organization may use to
1080 indicate contributions received by the electioneering
1081 communications organization but returned to the contributor
1082 before deposit.

1083 (4) The treasurer of the electioneering communications
1084 organization shall certify as to the correctness of each report,
1085 and each person so certifying shall bear the responsibility for
1086 the accuracy and veracity of each report. Any treasurer who
1087 willfully certifies the correctness of any report while knowing
1088 that such report is incorrect, false, or incomplete commits a
1089 misdemeanor of the first degree, punishable as provided in s.
1090 775.082 or s. 775.083.

1091 (5) The electioneering communications organization
1092 depository shall provide statements reflecting deposits and
1093 expenditures from the account to the treasurer, who shall retain
1094 the records pursuant to s. 106.06. The records maintained by the
1095 depository with respect to the account shall be subject to
1096 inspection by an agent of the Division of Elections or the
1097 Florida Elections Commission at any time during normal banking
1098 hours, and such depository shall furnish certified copies of any
1099 such records to the Division of Elections or the Florida
1100 Elections Commission upon request.

1101 (6) Notwithstanding any other provisions of this chapter,
1102 in any reporting period during which an electioneering

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1103 communications organization has not received funds, made any
1104 contributions, or expended any reportable funds, the treasurer
1105 shall file a written report with the filing officer by the
1106 prescribed reporting date that no reportable contributions or
1107 expenditures were made during the reporting period.

1108 (7) (a) Any electioneering communications organization
1109 failing to file a report on the designated due date shall be
1110 subject to a fine as provided in paragraph (b) for each late
1111 day. The fine shall be assessed by the filing officer, and the
1112 moneys collected shall be deposited:

1113 1. In the General Revenue Fund, in the case of an
1114 electioneering communications organization that registers with
1115 the Division of Elections; or

1116 2. In the general revenue fund of the political
1117 subdivision, in the case of an electioneering communications
1118 organization that registers with an officer of a political
1119 subdivision.

1120

1121 No separate fine shall be assessed for failure to file a copy of
1122 any report required by this section.

1123 (b) Upon determining that a report is late, the filing
1124 officer shall immediately notify the electioneering
1125 communications organization as to the failure to file a report
1126 by the designated due date and that a fine is being assessed for
1127 each late day. The fine shall be \$50 per day for the first 3
1128 days late and, thereafter, \$500 per day for each late day, not
1129 to exceed 25 percent of the total receipts or expenditures,
1130 whichever is greater, for the period covered by the late report.
1131 However, for the reports immediately preceding each primary and

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1132 general election, the fine shall be \$500 per day for each late
1133 day, not to exceed 25 percent of the total receipts or
1134 expenditures, whichever is greater, for the period covered by
1135 the late report. Upon receipt of the report, the filing officer
1136 shall determine the amount of the fine which is due and shall
1137 notify the electioneering communications organization. The
1138 filing officer shall determine the amount of the fine due based
1139 upon the earliest of the following:

- 1140 1. When the report is actually received by such officer.
- 1141 2. When the report is postmarked.
- 1142 3. When the certificate of mailing is dated.
- 1143 4. When the receipt from an established courier company is
1144 dated.
- 1145 5. When the electronic receipt issued pursuant to s.
1146 106.0705 or other electronic filing system authorized in this
1147 section is dated.

1148
1149 Such fine shall be paid to the filing officer within 20 days
1150 after receipt of the notice of payment due, unless appeal is
1151 made to the Florida Elections Commission pursuant to paragraph
1152 (c). Notice is deemed sufficient upon proof of delivery of
1153 written notice to the mailing or street address on record with
1154 the filing officer. An officer or member of an electioneering
1155 communications organization shall not be personally liable for
1156 such fine.

1157 (c) The treasurer of an electioneering communications
1158 organization may appeal or dispute the fine, based upon, but not
1159 limited to, unusual circumstances surrounding the failure to
1160 file on the designated due date, and may request and shall be

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1161 entitled to a hearing before the Florida Elections Commission,
1162 which shall have the authority to waive the fine in whole or in
1163 part. The Florida Elections Commission must consider the
1164 mitigating and aggravating circumstances contained in s.
1165 106.265(2) when determining the amount of a fine, if any, to be
1166 waived. Any such request shall be made within 20 days after
1167 receipt of the notice of payment due. In such case, the
1168 treasurer of the electioneering communications organization
1169 shall, within the 20-day period, notify the filing officer in
1170 writing of his or her intention to bring the matter before the
1171 commission.

1172 (d) The appropriate filing officer shall notify the Florida
1173 Elections Commission of the repeated late filing by an
1174 electioneering communications organization, the failure of an
1175 electioneering communications organization to file a report
1176 after notice, or the failure to pay the fine imposed. The
1177 commission shall investigate only those alleged late filing
1178 violations specifically identified by the filing officer and as
1179 set forth in the notification. Any other alleged violations must
1180 be stated separately and reported by the division to the
1181 commission under s. 106.25(2).

1182 (8) Electioneering communications organizations shall not
1183 use credit cards.

1184 Section 9. Section 106.0705, Florida Statutes, is reenacted
1185 and amended to read:

1186 106.0705 Electronic filing of campaign treasurer's
1187 reports.—

1188 (1) As used in this section, "electronic filing system"
1189 means an Internet system for recording and reporting campaign

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1190 finance activity by reporting period.

1191 (2) (a) Each individual who is required to file reports with
1192 the division pursuant to s. 106.07 or s. 106.141 must file such
1193 reports by means of the division's electronic filing system.

1194 (b) Each political committee, ~~committee of continuous~~
1195 ~~existence~~, electioneering communications organization,
1196 affiliated party committee, or state executive committee that is
1197 required to file reports with the division under ~~s. 106.04~~, s.
1198 106.07, s. 106.0703, or s. 106.29, as applicable, must file such
1199 reports with the division by means of the division's electronic
1200 filing system.

1201 (c) Each person or organization that is required to file
1202 reports with the division under s. 106.071 must file such
1203 reports by means of the division's electronic filing system.

1204 (3) Reports filed pursuant to this section shall be
1205 completed and filed through the electronic filing system not
1206 later than midnight of the day designated. Reports not filed by
1207 midnight of the day designated are late filed and are subject to
1208 the penalties under ~~s. 106.04(9)~~, s. 106.07(8), s. 106.0703(7),
1209 or s. 106.29(3), as applicable.

1210 (4) Each report filed pursuant to this section is
1211 considered to be under oath by the candidate and treasurer, the
1212 chair and treasurer, the treasurer under s. 106.0703, or the
1213 leader and treasurer under s. 103.092, whichever is applicable,
1214 and such persons are subject to the provisions of ~~s.~~
1215 ~~106.04(4)(d)~~, s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as
1216 applicable. Persons given a secure sign-on to the electronic
1217 filing system are responsible for protecting such from
1218 disclosure and are responsible for all filings using such

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1219 credentials, unless they have notified the division that their
1220 credentials have been compromised.

1221 (5) The electronic filing system developed by the division
1222 must:

1223 (a) Be based on access by means of the Internet.

1224 (b) Be accessible by anyone with Internet access using
1225 standard web-browsing software.

1226 (c) Provide for direct entry of campaign finance
1227 information as well as upload of such information from campaign
1228 finance software certified by the division.

1229 (d) Provide a method that prevents unauthorized access to
1230 electronic filing system functions.

1231 (6) The division shall adopt rules ~~pursuant to ss.~~
1232 ~~120.536(1) and 120.54~~ to administer this section and provide for
1233 the reports required to be filed pursuant to this section. Such
1234 rules shall, at a minimum, provide:

1235 (a) Alternate filing procedures in case the division's
1236 electronic filing system is not operable.

1237 (b) For the issuance of an electronic receipt to the person
1238 submitting the report indicating and verifying that the report
1239 has been filed.

1240 Section 10. Section 106.08, Florida Statutes, is amended to
1241 read:

1242 106.08 Contributions; limitations on.-

1243 (1) (a) Except for political parties or affiliated party
1244 committees, no person or, political committee, ~~or committee of~~
1245 ~~continuous existence~~ may, in any election, make contributions in
1246 excess of the following amounts: in excess of \$500 to any
1247 ~~candidate for election to or retention in office or to any~~

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1248 ~~political committee supporting or opposing one or more~~
1249 ~~candidates.~~

1250 1. To a candidate for statewide office or for retention as
1251 a justice of the Supreme Court, \$3,000. Candidates for the
1252 offices of Governor and Lieutenant Governor on the same ticket
1253 are considered a single candidate for the purpose of this
1254 subparagraph section.

1255 2. To a candidate for retention as a judge of a district
1256 court of appeal, \$2,000.

1257 3. To a candidate for legislative or multicounty office; a
1258 candidate for countywide office or in any election conducted on
1259 less than a countywide basis; or a candidate for county court
1260 judge or circuit judge, \$500.

1261 (b)~~1.~~ The contribution limits provided in this subsection
1262 do not apply to contributions made by a state or county
1263 executive committee of a political party or affiliated party
1264 committee regulated by chapter 103 or to amounts contributed by
1265 a candidate to his or her own campaign.

1266 ~~2. Notwithstanding the limits provided in this subsection,~~
1267 ~~an unemancipated child under the age of 18 years of age may not~~
1268 ~~make a contribution in excess of \$100 to any candidate or to any~~
1269 ~~political committee supporting one or more candidates.~~

1270 (c) The contribution limits of this subsection apply to
1271 each election. For purposes of this subsection, the primary
1272 election and general election are separate elections so long as
1273 the candidate is not an unopposed candidate as defined in s.
1274 106.011 ~~106.011(15)~~. However, for the purpose of contribution
1275 limits with respect to candidates for retention as a justice or
1276 judge, there is only one election, which is the general

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1277 election.

1278 (2) (a) A candidate may not accept contributions from a
1279 county executive committee of a political party whose
1280 contributions in the aggregate exceed \$50,000, or from the
1281 national, ~~or state, or county~~ executive committees of a
1282 political party, including any subordinate committee of such
1283 political party or affiliated party committees, whose ~~which~~
1284 contributions in the aggregate exceed \$50,000.

1285 (b) A candidate for statewide office may not accept
1286 contributions from national, state, or county executive
1287 committees of a political party, including any subordinate
1288 committee of the political party, or affiliated party
1289 committees, which contributions in the aggregate exceed
1290 \$250,000. Polling services, research services, costs for
1291 campaign staff, professional consulting services, and telephone
1292 calls are not contributions to be counted toward the
1293 contribution limits of paragraph (a) or this paragraph. Any item
1294 not expressly identified in this paragraph as nonallocable is a
1295 contribution in an amount equal to the fair market value of the
1296 item and must be counted as allocable toward the contribution
1297 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
1298 contributions must be reported by the candidate under s. 106.07
1299 and by the political party or affiliated party committee under
1300 s. 106.29.

1301 (3) (a) Any contribution received by a candidate with
1302 opposition in an election or by the campaign treasurer or a
1303 deputy campaign treasurer of such a candidate on the day of that
1304 election or less than 5 days before ~~prior to~~ the day of that
1305 election must be returned by him or her to the person or

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1306 committee contributing it and may not be used or expended by or
1307 on behalf of the candidate.

1308 (b) Any contribution received by a candidate or by the
1309 campaign treasurer or a deputy campaign treasurer of a candidate
1310 after the date at which the candidate withdraws his or her
1311 candidacy, or after the date the candidate is defeated, becomes
1312 unopposed, or is elected to office must be returned to the
1313 person or committee contributing it and may not be used or
1314 expended by or on behalf of the candidate.

1315 (4) Any contribution received by the chair, campaign
1316 treasurer, or deputy campaign treasurer of a political committee
1317 supporting or opposing a candidate with opposition in an
1318 election or supporting or opposing an issue on the ballot in an
1319 election on the day of that election or less than 5 days before
1320 ~~prior to~~ the day of that election may not be obligated or
1321 expended by the committee until after the date of the election.

1322 (5) (a) A person may not make any contribution through or in
1323 the name of another, directly or indirectly, in any election.

1324 (b) Candidates, political committees, affiliated party
1325 committees, and political parties may not solicit contributions
1326 from any religious, charitable, civic, or other causes or
1327 organizations established primarily for the public good.

1328 (c) Candidates, political committees, affiliated party
1329 committees, and political parties may not make contributions, in
1330 exchange for political support, to any religious, charitable,
1331 civic, or other cause or organization established primarily for
1332 the public good. It is not a violation of this paragraph for:

1333 1. A candidate, political committee, affiliated party
1334 committee, or political party executive committee to make gifts

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1335 of money in lieu of flowers in memory of a deceased person;

1336 2. A candidate to continue membership in, or make regular
1337 donations from personal or business funds to, religious,
1338 political party, affiliated party committee, civic, or
1339 charitable groups of which the candidate is a member or to which
1340 the candidate has been a regular donor for more than 6 months;
1341 or

1342 3. A candidate to purchase, with campaign funds, tickets,
1343 admission to events, or advertisements from religious, civic,
1344 political party, affiliated party committee, or charitable
1345 groups.

1346 (6) (a) A political party or affiliated party committee may
1347 not accept any contribution that has been specifically
1348 designated for the partial or exclusive use of a particular
1349 candidate. Any contribution so designated must be returned to
1350 the contributor and may not be used or expended by or on behalf
1351 of the candidate. Funds contributed to an affiliated party
1352 committee may ~~shall~~ not be ~~deemed as~~ designated for the partial
1353 or exclusive use of a leader as defined in s. 103.092.

1354 (b)1. A political party or affiliated party committee may
1355 not accept any in-kind contribution that fails to provide a
1356 direct benefit to the political party or affiliated party
1357 committee. A "direct benefit" includes, but is not limited to,
1358 fundraising or furthering the objectives of the political party
1359 or affiliated party committee.

1360 2.a. An in-kind contribution to a state political party may
1361 be accepted only by the chairperson of the state political party
1362 or by the chairperson's designee or designees whose names are on
1363 file with the division in a form acceptable to the division

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1364 before ~~prior to~~ the date of the written notice required in sub-
1365 subparagraph b. An in-kind contribution to a county political
1366 party may be accepted only by the chairperson of the county
1367 political party or by the county chairperson's designee or
1368 designees whose names are on file with the supervisor of
1369 elections of the respective county before ~~prior to~~ the date of
1370 the written notice required in sub-subparagraph b. An in-kind
1371 contribution to an affiliated party committee may be accepted
1372 only by the leader of the affiliated party committee as defined
1373 in s. 103.092 or by the leader's designee or designees whose
1374 names are on file with the division in a form acceptable to the
1375 division before ~~prior to~~ the date of the written notice required
1376 in sub-subparagraph b.

1377 b. A person making an in-kind contribution to a state or
1378 county political party or affiliated party committee must
1379 provide prior written notice of the contribution to a person
1380 described in sub-subparagraph a. The prior written notice must
1381 be signed and dated and may be provided by an electronic or
1382 facsimile message. However, prior written notice is not required
1383 for an in-kind contribution that consists of food and beverage
1384 in an aggregate amount not exceeding \$1,500 which is consumed at
1385 a single sitting or event if such in-kind contribution is
1386 accepted in advance by a person specified in sub-subparagraph a.

1387 c. A person described in sub-subparagraph a. may accept an
1388 in-kind contribution requiring prior written notice only in a
1389 writing that is dated before the in-kind contribution is made.
1390 Failure to obtain the required written acceptance of an in-kind
1391 contribution to a state or county political party or affiliated
1392 party committee constitutes a refusal of the contribution.

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1393 d. A copy of each prior written acceptance required under
1394 sub-subparagraph c. must be filed at the time the regular
1395 reports of contributions and expenditures required under s.
1396 106.29 are filed by the state executive committee, county
1397 executive committee, and affiliated party committee. A state
1398 executive committee and an affiliated party committee must file
1399 with the division. A county executive committee must file with
1400 the county's supervisor of elections.

1401 e. An in-kind contribution may not be given to a state or
1402 county political party or affiliated party committee unless the
1403 in-kind contribution is made as provided in this subparagraph.

1404 (7) (a) Any person who knowingly and willfully makes or
1405 accepts no more than one contribution in violation of subsection
1406 (1) or subsection (5), or any person who knowingly and willfully
1407 fails or refuses to return any contribution as required in
1408 subsection (3), commits a misdemeanor of the first degree,
1409 punishable as provided in s. 775.082 or s. 775.083. If any
1410 corporation, partnership, or other business entity or any
1411 political party, affiliated party committee, political
1412 committee, ~~committee of continuous existence,~~ or electioneering
1413 communications organization is convicted of knowingly and
1414 willfully violating any provision punishable under this
1415 paragraph, it shall be fined not less than \$1,000 and not more
1416 than \$10,000. If it is a domestic entity, it may be ordered
1417 dissolved by a court of competent jurisdiction; if it is a
1418 foreign or nonresident business entity, its right to do business
1419 in this state may be forfeited. Any officer, partner, agent,
1420 attorney, or other representative of a corporation, partnership,
1421 or other business entity, or of a political party, affiliated

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1422 party committee, political committee, ~~committee of continuous~~
1423 ~~existence~~, electioneering communications organization, or
1424 organization exempt from taxation under s. 527 or s. 501(c)(4)
1425 of the Internal Revenue Code, who aids, abets, advises, or
1426 participates in a violation of any provision punishable under
1427 this paragraph commits a misdemeanor of the first degree,
1428 punishable as provided in s. 775.082 or s. 775.083.

1429 (b) Any person who knowingly and willfully makes or accepts
1430 two or more contributions in violation of subsection (1) or
1431 subsection (5) commits a felony of the third degree, punishable
1432 as provided in s. 775.082, s. 775.083, or s. 775.084. If any
1433 corporation, partnership, or other business entity or any
1434 political party, affiliated party committee, political
1435 committee, ~~committee of continuous existence~~, or electioneering
1436 communications organization is convicted of knowingly and
1437 willfully violating any provision punishable under this
1438 paragraph, it shall be fined not less than \$10,000 and not more
1439 than \$50,000. If it is a domestic entity, it may be ordered
1440 dissolved by a court of competent jurisdiction; if it is a
1441 foreign or nonresident business entity, its right to do business
1442 in this state may be forfeited. Any officer, partner, agent,
1443 attorney, or other representative of a corporation, partnership,
1444 or other business entity, or of a political committee, ~~committee~~
1445 ~~of continuous existence~~, political party, affiliated party
1446 committee, or electioneering communications organization, or
1447 organization exempt from taxation under s. 527 or s. 501(c)(4)
1448 of the Internal Revenue Code, who aids, abets, advises, or
1449 participates in a violation of any provision punishable under
1450 this paragraph commits a felony of the third degree, punishable

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1451 as provided in s. 775.082, s. 775.083, or s. 775.084.

1452 (8) Except when otherwise provided in subsection (7), any
1453 person who knowingly and willfully violates any provision of
1454 this section shall, in addition to any other penalty prescribed
1455 by this chapter, pay to the state a sum equal to twice the
1456 amount contributed in violation of this chapter. Each campaign
1457 treasurer shall pay all amounts contributed in violation of this
1458 section to the state for deposit in the General Revenue Fund.

1459 (9) This section does not apply to the transfer of funds
1460 between a primary campaign depository and a savings account or
1461 certificate of deposit or to any interest earned on such account
1462 or certificate.

1463 (10) Contributions to a political committee ~~or committee of~~
1464 ~~continuous existence~~ may be received by an affiliated
1465 organization and transferred to the bank account of the
1466 political committee ~~or committee of continuous existence~~ via
1467 check written from the affiliated organization if such
1468 contributions are specifically identified as intended to be
1469 contributed to the political committee ~~or committee of~~
1470 ~~continuous existence~~. All contributions received in this manner
1471 shall be reported pursuant to s. 106.07 by the political
1472 committee ~~or committee of continuous existence~~ as having been
1473 made by the original contributor.

1474 Section 11. Section 106.141, Florida Statutes, is amended
1475 to read:

1476 106.141 Disposition of surplus funds by candidates.—

1477 (1) Except as provided in subsection (6), each candidate
1478 who withdraws his or her candidacy, becomes an unopposed
1479 candidate, or is eliminated as a candidate or elected to office

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1480 shall, within 90 days, dispose of the funds on deposit in his or
1481 her campaign account and file a report reflecting the
1482 disposition of all remaining funds. Such candidate may ~~shall~~ not
1483 accept any contributions, nor may ~~shall~~ any person accept
1484 contributions on behalf of such candidate, after the candidate
1485 withdraws his or her candidacy, becomes unopposed, or is
1486 eliminated or elected. However, if a candidate receives a refund
1487 check after all surplus funds have been disposed of, the check
1488 may be endorsed by the candidate and the refund disposed of
1489 under this section. An amended report must be filed showing the
1490 refund and subsequent disposition.

1491 (2) Any candidate required to dispose of funds pursuant to
1492 this section may, before ~~prior to~~ such disposition, be
1493 reimbursed by the campaign, in full or in part, for any reported
1494 contributions by the candidate to the campaign.

1495 (3) The campaign treasurer of a candidate who withdraws his
1496 or her candidacy, becomes unopposed, or is eliminated as a
1497 candidate or elected to office and who has funds on deposit in a
1498 separate interest-bearing account or certificate of deposit
1499 shall, within 7 days after the date of becoming unopposed or the
1500 date of such withdrawal, elimination, or election, transfer such
1501 funds and the accumulated interest earned thereon to the
1502 campaign account of the candidate for disposal under this
1503 section. However, if the funds are in an account in which
1504 penalties will apply for withdrawal within the 7-day period, the
1505 campaign treasurer shall transfer such funds and the accumulated
1506 interest earned thereon as soon as the funds can be withdrawn
1507 without penalty, or within 90 days after the candidate becomes
1508 unopposed, withdraws his or her candidacy, or is eliminated or

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1509 elected, whichever comes first.

1510 (4) (a) Except as provided in paragraph (b), any candidate
1511 required to dispose of funds pursuant to this section shall, at
1512 the option of the candidate, dispose of such funds by any of the
1513 following means, or any combination thereof:

1514 1. Return pro rata to each contributor the funds that have
1515 not been spent or obligated.

1516 2. Donate the funds that have not been spent or obligated
1517 to a charitable organization or organizations that meet the
1518 qualifications of s. 501(c)(3) of the Internal Revenue Code.

1519 3. Give not more than \$25,000 of the funds that have not
1520 been spent or obligated to the affiliated party committee or
1521 political party of which such candidate is a member.

1522 4. Give the funds that have not been spent or obligated:

1523 a. In the case of a candidate for state office, to the
1524 state, to be deposited in either the Election Campaign Financing
1525 Trust Fund or the General Revenue Fund, as designated by the
1526 candidate; or

1527 b. In the case of a candidate for an office of a political
1528 subdivision, to such political subdivision, to be deposited in
1529 the general fund thereof.

1530 (b) Any candidate required to dispose of funds pursuant to
1531 this section who has received contributions pursuant to the
1532 Florida Election Campaign Financing Act shall, after all
1533 monetary commitments pursuant to s. 106.11(5)(b) and (c) have
1534 been met, return all surplus campaign funds to the General
1535 Revenue Fund.

1536 (5) A candidate elected to office or a candidate who will
1537 be elected to office by virtue of his or her being unopposed

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1538 may, in addition to the disposition methods provided in
1539 subsection (4), transfer from the campaign account to an office
1540 account any amount of the funds on deposit in such campaign
1541 account up to:

1542 (a) Fifty ~~Twenty~~ thousand dollars, for a candidate for
1543 statewide office. The Governor and Lieutenant Governor shall be
1544 considered separate candidates for the purpose of this section.

1545 (b) Ten ~~Five~~ thousand dollars, for a candidate for
1546 multicounty office.

1547 (c) Ten ~~Five~~ thousand dollars multiplied by the number of
1548 years in the term of office for which elected, for a candidate
1549 for legislative office.

1550 (d) Five thousand ~~Two thousand five hundred~~ dollars
1551 multiplied by the number of years in the term of office for
1552 which elected, for a candidate for county office or for a
1553 candidate in any election conducted on less than a countywide
1554 basis.

1555 (e) Six thousand dollars, for a candidate for retention as
1556 a justice of the Supreme Court.

1557 (f) Three thousand dollars, for a candidate for retention
1558 as a judge of a district court of appeal.

1559 (g) Three thousand ~~One thousand five hundred~~ dollars, for a
1560 candidate for county court judge or circuit judge.

1561
1562 The office account established pursuant to this subsection shall
1563 be separate from any personal or other account. Any funds so
1564 transferred by a candidate shall be used only for legitimate
1565 expenses in connection with the candidate's public office. Such
1566 expenses may include travel expenses incurred by the officer or

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1567 a staff member;~~;~~ personal taxes payable on office account funds
1568 by the candidate or elected public official; professional
1569 services provided by a certified public accountant for
1570 preparation of the elected public official's financial
1571 disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs
1572 to prepare, print, produce, and mail holiday cards or
1573 newsletters about the elected public official's public business
1574 to constituents, if such correspondence does not constitute a
1575 political advertisement, independent expenditure, or
1576 electioneering communication as provided in s. 106.011; fees or
1577 dues to religious, civic, or charitable organizations of which
1578 the elected public official is a member; items of modest value
1579 such as flowers, greeting cards, or personal notes given as a
1580 substitute for, or in association with, an elected public
1581 official's personal attendance at a constituent's special event
1582 or family occasion, such as the birth of a child, graduation,
1583 wedding, or funeral; personal expenses incurred by the elected
1584 public official in connection with attending a constituent
1585 meeting or event where public policy is discussed, if such
1586 meetings or events are limited to no more than once a week;~~;~~ or
1587 expenses incurred in the operation of the elected public
1588 official's ~~his or her~~ office, including the employment of
1589 additional staff. The funds may be deposited in a savings
1590 account; however, all deposits, withdrawals, and interest earned
1591 thereon shall be reported at the appropriate reporting period.
1592 If a candidate is reelected to office or elected to another
1593 office and has funds remaining in his or her office account, he
1594 or she may transfer surplus campaign funds to the office
1595 account. At no time may the funds in the office account exceed

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1596 the limitation imposed by this subsection. Upon leaving public
1597 office, any person who has funds in an office account pursuant
1598 to this subsection remaining on deposit shall give such funds to
1599 a charitable organization that meets ~~or organizations which meet~~
1600 the requirements of s. 501(c)(3) of the Internal Revenue Code
1601 or, in the case of a state officer, to the state to be deposited
1602 in the General Revenue Fund or, in the case of an officer of a
1603 political subdivision, to the political subdivision to be
1604 deposited in the general fund thereof.

1605 (6) (a) For purposes of this subsection, the term "same
1606 office" with respect to legislative office means an office in
1607 the same legislative body, irrespective of district number or
1608 designation or geographic boundary.

1609 (b) A candidate elected to state office or a candidate who
1610 will be elected to state office by virtue of his or her being
1611 unopposed after candidate qualifying ends, may retain up to
1612 \$20,000 in his or her campaign account, or in an interest-
1613 bearing account or certificate of deposit, for use in his or her
1614 next campaign for the same office, in addition to the
1615 disposition methods provided in subsections (4) and (5). All
1616 requirements applicable to candidate campaign accounts under
1617 this chapter, including disclosure requirements applicable to
1618 candidate campaign accounts, limitations on expenditures, and
1619 limitations on contributions, apply to any retained funds.

1620 (c) If a candidate who has retained funds under this
1621 subsection does not qualify as a candidate for reelection to the
1622 same office, all retained funds shall be disposed of as
1623 otherwise required by this section or s. 106.11(5) within 90
1624 days after the last day of candidate qualifying for that office.

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1625 Requirements in this section applicable to the disposal of
1626 surplus funds, including reporting requirements, are applicable
1627 to the disposal of retained funds.

1628 (7)~~(6)~~ Before ~~Prior to~~ disposing of funds pursuant to
1629 subsection (4), ~~or~~ transferring funds into an office account
1630 pursuant to subsection (5), or retaining funds for reelection
1631 pursuant to subsection (6), any candidate who filed an oath
1632 stating that he or she was unable to pay the election assessment
1633 or fee for verification of petition signatures without imposing
1634 an undue burden on his or her personal resources or on resources
1635 otherwise available to him or her, or who filed both such oaths,
1636 or who qualified by the petition process and was not required to
1637 pay an election assessment, shall reimburse the state or local
1638 governmental entity, whichever is applicable, for such waived
1639 assessment or fee or both. Such reimbursement shall be made
1640 first for the cost of petition verification and then, if funds
1641 are remaining, for the amount of the election assessment. If
1642 there are insufficient funds in the account to pay the full
1643 amount of either the assessment or the fee or both, the
1644 remaining funds shall be disbursed in the above manner until no
1645 funds remain. All funds disbursed pursuant to this subsection
1646 shall be remitted to the qualifying officer. Any reimbursement
1647 for petition verification costs which are reimbursable by the
1648 state shall be forwarded by the qualifying officer to the state
1649 for deposit in the General Revenue Fund. All reimbursements for
1650 the amount of the election assessment shall be forwarded by the
1651 qualifying officer to the Department of State for deposit in the
1652 General Revenue Fund.

1653 (8) (a)~~(7) (a)~~ Any candidate required to dispose of campaign

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1654 funds pursuant to this section shall do so within the time
1655 required by this section and ~~shall~~, on or before the date by
1656 which such disposition is to have been made, shall file with the
1657 officer with whom reports are required to be filed pursuant to
1658 s. 106.07 a form prescribed by the Division of Elections
1659 listing:

1660 1. The name and address of each person or unit of
1661 government to whom any of the funds were distributed and the
1662 amounts thereof;

1663 2. The name and address of each person to whom an
1664 expenditure was made, together with the amount thereof and
1665 purpose therefor; ~~and~~

1666 3. The amount of such funds transferred to an office
1667 account by the candidate, together with the name and address of
1668 the bank, savings and loan association, or credit union in which
1669 the office account is located; and

1670 4. The amount of such funds retained pursuant to subsection
1671 (6), together with the name and address of the bank, savings and
1672 loan association, or credit union in which the retained funds
1673 are located.

1674
1675 Such report shall be signed by the candidate and the campaign
1676 treasurer and certified as true and correct pursuant to s.
1677 106.07.

1678 (b) The filing officer shall notify each candidate at least
1679 14 days before the date the report is due.

1680 (c) Any candidate failing to file a report on the
1681 designated due date shall be subject to a fine as provided in s.
1682 106.07 for submitting late termination reports.

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1683 (9)~~(8)~~ Any candidate elected to office who transfers
1684 surplus campaign funds into an office account pursuant to
1685 subsection (5) shall file a report on the 10th day following the
1686 end of each calendar quarter until the account is closed. Such
1687 reports shall contain the name and address of each person to
1688 whom any disbursement of funds was made, together with the
1689 amount thereof and the purpose therefor, and the name and
1690 address of any person from whom the elected candidate received
1691 any refund or reimbursement and the amount thereof. Such reports
1692 shall be on forms prescribed by the Division of Elections,
1693 signed by the elected candidate, certified as true and correct,
1694 and filed with the officer with whom campaign reports were filed
1695 pursuant to s. 106.07(2).

1696 (10)~~(9)~~ Any candidate, or any person on behalf of a
1697 candidate, who accepts contributions after such candidate has
1698 withdrawn his or her candidacy, after the candidate has become
1699 an unopposed candidate, or after the candidate has been
1700 eliminated as a candidate or elected to office commits a
1701 misdemeanor of the first degree, punishable as provided in s.
1702 775.082 or s. 775.083.

1703 (11)~~(10)~~ Any candidate who is required by the provisions of
1704 this section to dispose of funds in his or her campaign account
1705 and who fails to dispose of the funds in the manner provided in
1706 this section commits a misdemeanor of the first degree,
1707 punishable as provided in s. 775.082 or s. 775.083.

1708 Section 12. Section 106.29, Florida Statutes, is reenacted
1709 and amended to read:

1710 106.29 Reports by political parties and affiliated party
1711 committees; restrictions on contributions and expenditures;

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1712 penalties.—

1713 (1) (a) The state executive committee and each county
1714 executive committee of each political party and any affiliated
1715 party committee regulated by chapter 103 shall file regular
1716 reports of all contributions received and all expenditures made
1717 by such committee. However, the reports may ~~shall~~ not include
1718 contributions and expenditures that are reported to the Federal
1719 Election Commission.

1720 (b) Each state executive committee and affiliated party
1721 committee shall file regular reports with the Division of
1722 Elections. Each county executive committee shall file reports
1723 with the supervisor of elections in the county in which such
1724 committee exists. Such reports must contain the same information
1725 as do reports required of candidates by s. 106.07 and must be
1726 filed at the same times and subject to the same filing
1727 conditions established by s. 106.07(1) and (2) for candidates
1728 reports filed with the division. In addition, when a special
1729 election is called to fill a vacancy in office, each state
1730 executive committee, each affiliated party committee, and each
1731 county executive committee making contributions or expenditures
1732 to influence the results of the special election or the
1733 preceding special primary election must file campaign
1734 treasurers' reports on the dates set by the Department of State
1735 pursuant to s. 100.111. ~~Such reports shall contain the same~~
1736 ~~information as do reports required of candidates by s. 106.07~~
1737 ~~and shall be filed on the 10th day following the end of each~~
1738 ~~calendar quarter, except that, during the period from the last~~
1739 ~~day for candidate qualifying until the general election, such~~
1740 ~~reports shall be filed on the Friday immediately preceding each~~

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1741 ~~special primary election, special election, primary election,~~
1742 ~~and general election.~~

1743 (c) In addition to the reports filed under this section,
1744 the state executive committee, each county executive committee,
1745 and each affiliated party committee shall file a copy of each
1746 prior written acceptance of an in-kind contribution given by the
1747 committee during the preceding calendar quarter as required
1748 under s. 106.08(6). ~~Each state executive committee and~~
1749 ~~affiliated party committee shall file its reports with the~~
1750 ~~Division of Elections. Each county executive committee shall~~
1751 ~~file its reports with the supervisor of elections in the county~~
1752 ~~in which such committee exists.~~

1753 (d) Any state or county executive committee or affiliated
1754 party committee failing to file a report on the designated due
1755 date ~~is shall be~~ subject to a fine as provided in subsection
1756 (3). ~~A No~~ separate fine may not ~~shall~~ be assessed for failure to
1757 file a copy of any report required by this section.

1758 (2) The chair and treasurer of each state or county
1759 executive committee shall certify as to the correctness of each
1760 report filed by them on behalf of such committee. The leader and
1761 treasurer of each affiliated party committee under s. 103.092
1762 shall certify as to the correctness of each report filed by them
1763 on behalf of such committee. Any committee chair, leader, or
1764 treasurer who certifies the correctness of any report while
1765 knowing that such report is incorrect, false, or incomplete
1766 commits a felony of the third degree, punishable as provided in
1767 s. 775.082, s. 775.083, or s. 775.084.

1768 (3) (a) A ~~Any~~ state or county executive committee or
1769 affiliated party committee that fails ~~failing~~ to file a report

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1770 on the designated due date is ~~shall be~~ subject to a fine as
1771 provided in paragraph (b) for each late day. The fine shall be
1772 assessed by the filing officer, and the moneys collected shall
1773 be deposited in the General Revenue Fund.

1774 (b) Upon determining that a report is late, the filing
1775 officer shall immediately notify the chair of the executive
1776 committee or the leader of the affiliated party committee as
1777 defined in s. 103.092 as to the failure to file a report by the
1778 designated due date and that a fine is being assessed for each
1779 late day. The fine is ~~shall be~~ \$1,000 for a state executive
1780 committee, \$1,000 for an affiliated party committee, and \$50 for
1781 a county executive committee, per day for each late day, not to
1782 exceed 25 percent of the total receipts or expenditures,
1783 whichever is greater, for the period covered by the late report.
1784 However, if an executive committee or an affiliated party
1785 committee fails to file a report on the Friday immediately
1786 preceding the special election or general election, the fine is
1787 ~~shall be~~ \$10,000 per day for each day a state executive
1788 committee is late, \$10,000 per day for each day an affiliated
1789 party committee is late, and \$500 per day for each day a county
1790 executive committee is late. Upon receipt of the report, the
1791 filing officer shall determine the amount of the fine which is
1792 due and shall notify the chair or leader as defined in s.
1793 103.092. Notice is deemed complete upon proof of delivery of
1794 written notice to the mailing or street address on record with
1795 the filing officer. The filing officer shall determine the
1796 amount of the fine due based upon the earliest of the following:
1797 1. When the report is actually received by such officer.
1798 2. When the report is postmarked.

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1799 3. When the certificate of mailing is dated.

1800 4. When the receipt from an established courier company is
1801 dated.

1802 5. When the electronic receipt issued pursuant to s.
1803 106.0705 is dated.

1804
1805 Such fine shall be paid to the filing officer within 20 days
1806 after receipt of the notice of payment due, unless appeal is
1807 made to the Florida Elections Commission pursuant to paragraph
1808 (c). An officer or member of an executive committee is not ~~shall~~
1809 ~~not be~~ personally liable for such fine.

1810 (c) The chair of an executive committee or the leader of an
1811 affiliated party committee as defined in s. 103.092 may appeal
1812 or dispute the fine, based upon unusual circumstances
1813 surrounding the failure to file on the designated due date, and
1814 may request and is ~~shall be~~ entitled to a hearing before the
1815 Florida Elections Commission, which has ~~shall have~~ the authority
1816 to waive the fine in whole or in part. Any such request shall be
1817 made within 20 days after receipt of the notice of payment due.
1818 In such case, the chair of the executive committee or the leader
1819 of the affiliated party committee as defined in s. 103.092
1820 shall, within the 20-day period, notify the filing officer in
1821 writing of his or her intention to bring the matter before the
1822 commission.

1823 (d) The appropriate filing officer shall notify the Florida
1824 Elections Commission of the repeated late filing by an executive
1825 committee or affiliated party committee, the failure of an
1826 executive committee or affiliated party committee to file a
1827 report after notice, or the failure to pay the fine imposed.

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1828 (4) Any contribution received by a state or county
1829 executive committee or affiliated party committee less than 5
1830 days before an election may ~~shall~~ not be used or expended in
1831 behalf of any candidate, issue, affiliated party committee, or
1832 political party participating in such election.

1833 (5) A ~~No~~ state or county executive committee or affiliated
1834 party committee, in the furtherance of any candidate or
1835 political party, directly or indirectly, may not ~~shall~~ give,
1836 pay, or expend any money, give or pay anything of value,
1837 authorize any expenditure, or become pecuniarily liable for any
1838 expenditure prohibited by this chapter. However, the
1839 contribution of funds by one executive committee to another or
1840 to established party organizations for legitimate party or
1841 campaign purposes is not prohibited, but all such contributions
1842 shall be recorded and accounted for in the reports of the
1843 contributor and recipient.

1844 (6) (a) The national, state, and county executive committees
1845 of a political party and affiliated party committees may not
1846 contribute to any candidate any amount in excess of the limits
1847 contained in s. 106.08(2), and all contributions required to be
1848 reported under s. 106.08(2) by the national executive committee
1849 of a political party shall be reported by the state executive
1850 committee of that political party.

1851 (b) A violation of the contribution limits contained in s.
1852 106.08(2) is a misdemeanor of the first degree, punishable as
1853 provided in s. 775.082 or s. 775.083. A civil penalty equal to
1854 three times the amount in excess of the limits contained in s.
1855 106.08(2) shall be assessed against any executive committee
1856 found in violation thereof.

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1857 Section 13. By December 1, 2013, the Division of Elections
1858 shall submit a proposal to the President of the Senate and the
1859 Speaker of the House of Representatives for a mandatory
1860 statewide electronic filing system for all state and local
1861 campaign filings required by s. 106.07, s. 106.0703, or s.
1862 106.29.

1863 Section 14. Subsection (3) of section 101.62, Florida
1864 Statutes, is amended to read:

1865 101.62 Request for absentee ballots.-

1866 (3) For each request for an absentee ballot received, the
1867 supervisor shall record the date the request was made, the date
1868 the absentee ballot was delivered to the voter or the voter's
1869 designee or the date the absentee ballot was delivered to the
1870 post office or other carrier, the date the ballot was received
1871 by the supervisor, and such other information he or she may deem
1872 necessary. This information shall be provided in electronic
1873 format as provided by rule adopted by the division. The
1874 information shall be updated and made available no later than 8
1875 a.m. of each day, including weekends, beginning 60 days before
1876 the primary until 15 days after the general election and shall
1877 be contemporaneously provided to the division. This information
1878 shall be confidential and exempt from the provisions of s.
1879 119.07(1) and shall be made available to or reproduced only for
1880 the voter requesting the ballot, a canvassing board, an election
1881 official, a political party or official thereof, a candidate who
1882 has filed qualification papers and is opposed in an upcoming
1883 election, and registered political committees ~~or registered~~
1884 ~~committees of continuous existence~~, for political purposes only.

1885 Section 15. Paragraph (a) of subsection (4) of section

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1886 102.031, Florida Statutes, is amended to read:

1887 102.031 Maintenance of good order at polls; authorities;
1888 persons allowed in polling rooms and early voting areas;
1889 unlawful solicitation of voters.—

1890 (4) (a) No person, political committee, ~~committee of~~
1891 ~~continuous existence~~, or other group or organization may solicit
1892 voters inside the polling place or within 100 feet of the
1893 entrance to any polling place, or polling room where the polling
1894 place is also a polling room, or early voting site. Before the
1895 opening of the polling place or early voting site, the clerk or
1896 supervisor shall designate the no-solicitation zone and mark the
1897 boundaries.

1898 Section 16. Subsection (2) of section 106.087, Florida
1899 Statutes, is amended to read:

1900 106.087 Independent expenditures; contribution limits;
1901 restrictions on political parties and, ~~political committees, and~~
1902 ~~committees of continuous existence.~~—

1903 (2) (a) Any political committee ~~or committee of continuous~~
1904 ~~existence~~ that accepts the use of public funds, equipment,
1905 personnel, or other resources to collect dues from its members
1906 agrees not to make independent expenditures in support of or
1907 opposition to a candidate or elected public official. However,
1908 expenditures may be made for the sole purpose of jointly
1909 endorsing three or more candidates.

1910 (b) Any political committee ~~or committee of continuous~~
1911 ~~existence~~ that violates this subsection is liable for a civil
1912 fine of up to \$5,000 to be determined by the Florida Elections
1913 Commission or the entire amount of the expenditures, whichever
1914 is greater.

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1915 Section 17. Subsection (3) of section 106.12, Florida
1916 Statutes, is amended to read:

1917 106.12 Petty cash funds allowed.—

1918 (3) The petty cash fund so provided may ~~shall~~ be spent only
1919 in amounts less than \$100 and only for office supplies,
1920 transportation expenses, and other necessities. Petty cash may
1921 ~~shall~~ not be used for the purchase of time, space, or services
1922 from communications media as defined in s. 106.011 ~~106.011(13)~~.

1923 Section 18. Paragraph (b) of subsection (3) of section
1924 106.147, Florida Statutes, is amended to read:

1925 106.147 Telephone solicitation; disclosure requirements;
1926 prohibitions; exemptions; penalties.—

1927 (3)

1928 (b) For purposes of paragraph (a), the term "person"
1929 includes any candidate; any officer of any political committee,
1930 ~~committee of continuous existence~~, affiliated party committee,
1931 or political party executive committee; any officer, partner,
1932 attorney, or other representative of a corporation, partnership,
1933 or other business entity; and any agent or other person acting
1934 on behalf of any candidate, political committee, ~~committee of~~
1935 ~~continuous existence~~, affiliated party committee, political
1936 party executive committee, or corporation, partnership, or other
1937 business entity.

1938 Section 19. Section 106.17, Florida Statutes, is amended to
1939 read:

1940 106.17 Polls and surveys relating to candidacies.—Any
1941 candidate, political committee, ~~committee of continuous~~
1942 ~~existence~~, electioneering communication organization, affiliated
1943 party committee, or state or county executive committee of a

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1944 political party may authorize or conduct a political poll,
1945 survey, index, or measurement of any kind relating to candidacy
1946 for public office so long as the candidate, political committee,
1947 ~~committee of continuous existence~~, electioneering communication
1948 organization, affiliated party committee, or political party
1949 maintains complete jurisdiction over the poll in all its
1950 aspects. State and county executive committees of a political
1951 party or an affiliated party committee may authorize and conduct
1952 political polls for the purpose of determining the viability of
1953 potential candidates. Such poll results may be shared with
1954 potential candidates, and expenditures incurred by state and
1955 county executive committees or an affiliated party committee for
1956 potential candidate polls are not contributions to the potential
1957 candidates.

1958 Section 20. Subsection (2) of section 106.23, Florida
1959 Statutes, is amended to read:

1960 106.23 Powers of the Division of Elections.—

1961 (2) The Division of Elections shall provide advisory
1962 opinions when requested by any supervisor of elections,
1963 candidate, local officer having election-related duties,
1964 political party, affiliated party committee, political
1965 committee, ~~committee of continuous existence~~, or other person or
1966 organization engaged in political activity, relating to any
1967 provisions or possible violations of Florida election laws with
1968 respect to actions such supervisor, candidate, local officer
1969 having election-related duties, political party, affiliated
1970 party committee, committee, person, or organization has taken or
1971 proposes to take. Requests for advisory opinions must be
1972 submitted in accordance with rules adopted by the Department of

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1973 State. A written record of all such opinions issued by the
 1974 division, sequentially numbered, dated, and indexed by subject
 1975 matter, shall be retained. A copy shall be sent to said person
 1976 or organization upon request. Any such person or organization,
 1977 acting in good faith upon such an advisory opinion, shall not be
 1978 subject to any criminal penalty provided for in this chapter.
 1979 The opinion, until amended or revoked, shall be binding on any
 1980 person or organization who sought the opinion or with reference
 1981 to whom the opinion was sought, unless material facts were
 1982 omitted or misstated in the request for the advisory opinion.

1983 Section 21. Subsections (2) and (3) of section 106.265,
 1984 Florida Statutes, are amended to read:

1985 106.265 Civil penalties.—

1986 (2) In determining the amount of such civil penalties, the
 1987 commission or administrative law judge shall consider, among
 1988 other mitigating and aggravating circumstances:

1989 (a) The gravity of the act or omission;

1990 (b) Any previous history of similar acts or omissions;

1991 (c) The appropriateness of such penalty to the financial
 1992 resources of the person, political committee, ~~committee of~~
 1993 ~~continuous existence~~, affiliated party committee, electioneering
 1994 communications organization, or political party; and

1995 (d) Whether the person, political committee, ~~committee of~~
 1996 ~~continuous existence~~, affiliated party committee, electioneering
 1997 communications organization, or political party has shown good
 1998 faith in attempting to comply with the provisions of this
 1999 chapter or chapter 104.

2000 (3) If any person, political committee, ~~committee of~~
 2001 ~~continuous existence~~, affiliated party committee, electioneering

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2002 communications organization, or political party fails or refuses
2003 to pay to the commission any civil penalties assessed pursuant
2004 to the provisions of this section, the commission shall be
2005 responsible for collecting the civil penalties resulting from
2006 such action.

2007 Section 22. Subsection (2) of section 106.27, Florida
2008 Statutes, is amended to read:

2009 106.27 Determinations by commission; legal disposition.—

2010 (2) Civil actions may be brought by the commission for
2011 relief, including permanent or temporary injunctions,
2012 restraining orders, or any other appropriate order for the
2013 imposition of civil penalties provided by this chapter. Such
2014 civil actions shall be brought by the commission in the
2015 appropriate court of competent jurisdiction, and the venue shall
2016 be in the county in which the alleged violation occurred or in
2017 which the alleged violator or violators are found, reside, or
2018 transact business. Upon a proper showing that such person,
2019 political committee, ~~committee of continuous existence,~~
2020 affiliated party committee, or political party has engaged, or
2021 is about to engage, in prohibited acts or practices, a permanent
2022 or temporary injunction, restraining order, or other order shall
2023 be granted without bond by such court, and the civil fines
2024 provided by this chapter may be imposed.

2025 Section 23. Subsection (3) of section 106.32, Florida
2026 Statutes, is amended to read:

2027 106.32 Election Campaign Financing Trust Fund.—

2028 (3) Proceeds from assessments pursuant to ss. ~~106.04,~~
2029 ~~106.07,~~ and 106.29 shall be deposited into the Election Campaign
2030 Financing Trust Fund as designated in those sections.

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2031 Section 24. Section 106.33, Florida Statutes, is amended to
2032 read:

2033 106.33 Election campaign financing; eligibility.—Each
2034 candidate for the office of Governor or member of the Cabinet
2035 who desires to receive contributions from the Election Campaign
2036 Financing Trust Fund ~~shall~~, upon qualifying for office, shall
2037 file a request for such contributions with the filing officer on
2038 forms provided by the Division of Elections. If a candidate
2039 requesting contributions from the fund desires to have such
2040 funds distributed by electronic fund transfers, the request
2041 shall include information necessary to implement that procedure.
2042 For the purposes of ss. 106.30-106.36, the respective candidates
2043 running for Governor and Lieutenant Governor on the same ticket
2044 shall be considered as a single candidate. To be eligible to
2045 receive contributions from the fund, a candidate may not be an
2046 unopposed candidate as defined in s. 106.011 ~~106.011(15)~~ and
2047 must:

2048 (1) Agree to abide by the expenditure limits provided in s.
2049 106.34.

2050 (2) (a) Raise contributions as follows:

2051 1. One hundred fifty thousand dollars for a candidate for
2052 Governor.

2053 2. One hundred thousand dollars for a candidate for Cabinet
2054 office.

2055 (b) Contributions from individuals who at the time of
2056 contributing are not state residents may not be used to meet the
2057 threshold amounts in paragraph (a). For purposes of this
2058 paragraph, any person validly registered to vote in this state
2059 shall be considered a state resident.

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2060 (3) Limit loans or contributions from the candidate's
2061 personal funds to \$25,000 and contributions from national,
2062 state, and county executive committees of a political party to
2063 \$250,000 in the aggregate, which loans or contributions do ~~shall~~
2064 not qualify for meeting the threshold amounts in subsection (2).

2065 (4) Submit to a postelection audit of the campaign account
2066 by the division.

2067 Section 25. Section 111.075, Florida Statutes, is amended
2068 to read:

2069 111.075 Elected officials; prohibition concerning certain
2070 committees.—Elected officials are prohibited from being employed
2071 by, or acting as a consultant for compensation to, a political
2072 committee ~~or committee of continuous existence.~~

2073 Section 26. Subsections (3) and (4) and paragraph (a) of
2074 subsection (5) of section 112.3148, Florida Statutes, are
2075 amended to read:

2076 112.3148 Reporting and prohibited receipt of gifts by
2077 individuals filing full or limited public disclosure of
2078 financial interests and by procurement employees.—

2079 (3) A reporting individual or procurement employee is
2080 prohibited from soliciting any gift from a political committee
2081 ~~or committee of continuous existence~~, as defined in s. 106.011,
2082 or from a lobbyist who lobbies the reporting individual's or
2083 procurement employee's agency, or the partner, firm, employer,
2084 or principal of such lobbyist, where such gift is for the
2085 personal benefit of the reporting individual or procurement
2086 employee, another reporting individual or procurement employee,
2087 or any member of the immediate family of a reporting individual
2088 or procurement employee.

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2089 (4) A reporting individual or procurement employee or any
2090 other person on his or her behalf is prohibited from knowingly
2091 accepting, directly or indirectly, a gift from a political
2092 committee ~~or committee of continuous existence~~, as defined in s.
2093 106.011, or from a lobbyist who lobbies the reporting
2094 individual's or procurement employee's agency, or directly or
2095 indirectly on behalf of the partner, firm, employer, or
2096 principal of a lobbyist, if he or she knows or reasonably
2097 believes that the gift has a value in excess of \$100; however,
2098 such a gift may be accepted by such person on behalf of a
2099 governmental entity or a charitable organization. If the gift is
2100 accepted on behalf of a governmental entity or charitable
2101 organization, the person receiving the gift shall not maintain
2102 custody of the gift for any period of time beyond that
2103 reasonably necessary to arrange for the transfer of custody and
2104 ownership of the gift.

2105 (5) (a) A political committee ~~or a committee of continuous~~
2106 ~~existence~~, as defined in s. 106.011; a lobbyist who lobbies a
2107 reporting individual's or procurement employee's agency; the
2108 partner, firm, employer, or principal of a lobbyist; or another
2109 on behalf of the lobbyist or partner, firm, principal, or
2110 employer of the lobbyist is prohibited from giving, either
2111 directly or indirectly, a gift that has a value in excess of
2112 \$100 to the reporting individual or procurement employee or any
2113 other person on his or her behalf; however, such person may give
2114 a gift having a value in excess of \$100 to a reporting
2115 individual or procurement employee if the gift is intended to be
2116 transferred to a governmental entity or a charitable
2117 organization.

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2118 Section 27. Subsections (3) and (4) of section 112.3149,
2119 Florida Statutes, are amended to read:

2120 112.3149 Solicitation and disclosure of honoraria.—

2121 (3) A reporting individual or procurement employee is
2122 prohibited from knowingly accepting an honorarium from a
2123 political committee ~~or committee of continuous existence~~, as
2124 defined in s. 106.011, from a lobbyist who lobbies the reporting
2125 individual's or procurement employee's agency, or from the
2126 employer, principal, partner, or firm of such a lobbyist.

2127 (4) A political committee ~~or committee of continuous~~
2128 ~~existence~~, as defined in s. 106.011, a lobbyist who lobbies a
2129 reporting individual's or procurement employee's agency, or the
2130 employer, principal, partner, or firm of such a lobbyist is
2131 prohibited from giving an honorarium to a reporting individual
2132 or procurement employee.

2133 Section 28. Subsection (4) of section 1004.28, Florida
2134 Statutes, is amended to read:

2135 1004.28 Direct-support organizations; use of property;
2136 board of directors; activities; audit; facilities.—

2137 (4) ACTIVITIES; RESTRICTION.—A university direct-support
2138 organization is prohibited from giving, either directly or
2139 indirectly, any gift to a political committee ~~or committee of~~
2140 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2141 other than those certified by a majority roll call vote of the
2142 governing board of the direct-support organization at a
2143 regularly scheduled meeting as being directly related to the
2144 educational mission of the university.

2145 Section 29. Paragraph (d) of subsection (4) of section
2146 1004.70, Florida Statutes, is amended to read:

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2147 1004.70 Florida College System institution direct-support
2148 organizations.—

2149 (4) ACTIVITIES; RESTRICTIONS.—

2150 (d) A Florida College System institution direct-support
2151 organization is prohibited from giving, either directly or
2152 indirectly, any gift to a political committee ~~or committee of~~
2153 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2154 other than those certified by a majority roll call vote of the
2155 governing board of the direct-support organization at a
2156 regularly scheduled meeting as being directly related to the
2157 educational mission of the Florida College System institution.

2158 Section 30. Paragraph (c) of subsection (4) of section
2159 1004.71, Florida Statutes, is amended to read:

2160 1004.71 Statewide Florida College System institution
2161 direct-support organizations.—

2162 (4) RESTRICTIONS.—

2163 (c) A statewide Florida College System institution direct-
2164 support organization is prohibited from giving, either directly
2165 or indirectly, any gift to a political committee ~~or committee of~~
2166 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2167 other than those certified by a majority roll call vote of the
2168 governing board of the direct-support organization at a
2169 regularly scheduled meeting as being directly related to the
2170 educational mission of the State Board of Education.

2171 Section 31. For the purpose of incorporating the amendment
2172 made by this act into section 106.08, Florida Statutes, in a
2173 reference thereto, subsection (2) of section 106.075, Florida
2174 Statutes, is reenacted to read:

2175 106.075 Elected officials; report of loans made in year

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2176 preceding election; limitation on contributions to pay loans.—

2177 (2) Any person who makes a contribution to an individual to
2178 pay all or part of a loan incurred, in the 12 months preceding
2179 the election, to be used for the individual's campaign, may not
2180 contribute more than the amount which is allowed in s.
2181 106.08(1).

2182 Section 32. For the purpose of incorporating the amendment
2183 made by this act to section 106.08, Florida Statutes, in a
2184 reference thereto, section 106.19, Florida Statutes, is
2185 reenacted to read:

2186 106.19 Violations by candidates, persons connected with
2187 campaigns, and political committees.—

2188 (1) Any candidate; campaign manager, campaign treasurer, or
2189 deputy treasurer of any candidate; committee chair, vice chair,
2190 campaign treasurer, deputy treasurer, or other officer of any
2191 political committee; agent or person acting on behalf of any
2192 candidate or political committee; or other person who knowingly
2193 and willfully:

2194 (a) Accepts a contribution in excess of the limits
2195 prescribed by s. 106.08;

2196 (b) Fails to report any contribution required to be
2197 reported by this chapter;

2198 (c) Falsely reports or deliberately fails to include any
2199 information required by this chapter; or

2200 (d) Makes or authorizes any expenditure in violation of s.
2201 106.11(4) or any other expenditure prohibited by this chapter;

2202
2203 is guilty of a misdemeanor of the first degree, punishable as
2204 provided in s. 775.082 or s. 775.083.

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2205 (2) Any candidate, campaign treasurer, or deputy treasurer;
2206 any chair, vice chair, or other officer of any political
2207 committee; any agent or person acting on behalf of any candidate
2208 or political committee; or any other person who violates
2209 paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) shall be
2210 subject to a civil penalty equal to three times the amount
2211 involved in the illegal act. Such penalty may be in addition to
2212 the penalties provided by subsection (1) and shall be paid into
2213 the General Revenue Fund of this state.

2214 (3) A political committee sponsoring a constitutional
2215 amendment proposed by initiative which submits a petition form
2216 gathered by a paid petition circulator which does not provide
2217 the name and address of the paid petition circulator on the form
2218 is subject to the civil penalties prescribed in s. 106.265.

2219 (4) Except as otherwise expressly stated, the failure by a
2220 candidate to comply with the requirements of this chapter has no
2221 effect upon whether the candidate has qualified for the office
2222 the candidate is seeking.

2223 Section 33. Except as otherwise expressly provided in this
2224 act and except for this section, which shall take effect upon
2225 becoming a law, this act shall take effect November 1, 2013.