

By the Committees on Community Affairs; and Ethics and Elections; and 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; authorizing a
16 committee of continuous existence to make unlimited
17 contributions to a political committee; amending and
18 reordering s. 106.011, F.S., relating to definitions
19 applicable to provisions governing campaign financing;
20 deleting the definition of the term "committee of
21 continuous existence" to conform to changes made by
22 the act; revising the definition of the term
23 "election" to include the selection of members of
24 political party executive committees; conforming
25 cross-references; amending s. 106.021, F.S.; providing
26 requirements and restrictions on the use of
27 contributions received before a candidate changes his
28 or her candidacy to a different office; prohibiting a
29 political committee from making an expenditure for the

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30 purpose of jointly endorsing three or more candidates
31 outside the scope of the requirements of ch. 106,
32 F.S.; amending s. 106.022, F.S.; conforming a
33 provision to changes made by the act; amending s.
34 106.025, F.S.; providing that tickets or advertising
35 for a campaign fundraiser must comply with the
36 requirements of political advertisements circulated
37 before an election; amending s. 106.03, F.S.;
38 conforming provisions and cross-references to changes
39 made by the act; amending s. 106.05, F.S.; revising
40 the information that is required to appear on a bank
41 account for deposit of funds; reenacting and amending
42 s. 106.07, F.S., relating to reports by campaign
43 treasurers; revising reporting requirements for
44 candidates and political committees; conforming a
45 cross-reference; creating s. 106.0702, F.S.; requiring
46 certain individuals seeking a publicly-elected
47 position on a political party executive committee to
48 file a report with the supervisor of elections before
49 the primary election; providing filing and notice
50 requirements; specifying the contents of the report;
51 requiring the supervisor to make a specified form
52 available to a reporting individual; requiring the
53 reporting individual to certify to the correctness of
54 the report; providing criminal penalties for a
55 reporting individual who willfully files an incorrect,
56 false, or incomplete report; providing for a fine
57 under specified conditions; authorizing a reporting
58 individual to appeal a fine to the Florida Elections

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59 Commission; requiring the supervisor to notify the
60 commission of specified violations; amending s.
61 106.0703, F.S.; revising reporting requirements for
62 electioneering communications organizations;
63 reenacting and amending s. 106.0705, F.S., relating to
64 the electronic filing of campaign treasurer's reports;
65 conforming provisions and cross-references to changes
66 made by the act; amending s. 106.08, F.S.; increasing
67 the limitations on contributions made to certain
68 candidates and political committees; removing a
69 limitation on contributions made by specified minors;
70 revising limitations on contributions to non-statewide
71 candidates from specified political party committees;
72 conforming provisions and cross-references to changes
73 made by the act; reenacting and amending s. 106.11,
74 F.S.; specifying restrictions on expenditures by
75 political committees; providing a penalty; revising
76 the information that is required to appear on bank
77 account checks of candidates or political committees;
78 revising information used to determine when debit
79 cards are considered bank checks; amending s. 106.141,
80 F.S.; prohibiting a candidate from giving more than a
81 specified amount of surplus funds to an affiliated
82 party committee or political party; increasing the
83 amount of funds that certain candidates may transfer
84 to an office account; specifying permissible expenses
85 with office account funds; defining the term "same
86 office"; modifying requirements and conditions for
87 disposing of and transferring surplus funds;

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88 authorizing certain candidates to retain a specified
89 amount of funds for reelection to the same office;
90 establishing requirements and conditions for retained
91 funds; providing procedures for disposition of
92 retained funds in certain circumstances; making
93 changes to conform to the act; reenacting and amending
94 s. 106.29, F.S.; revising reporting requirements for
95 political parties and affiliated party committees;
96 requiring the Division of Elections to submit a
97 proposal for a mandatory statewide electronic filing
98 system for certain state and local candidates to the
99 Legislature by a specified date; amending ss. 101.62,
100 102.031, 106.087, 106.12, 106.147, 106.17, 106.23,
101 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148,
102 112.3149, 1004.28, 1004.70, and 1004.71, F.S.;

103 conforming provisions and cross-references to changes
104 made by the act; reenacting s. 106.075(2), F.S.,
105 relating to contributions made to pay back campaign
106 loans incurred, to incorporate the amendment made to
107 s. 106.08, F.S., in a reference thereto; reenacting s.
108 106.19, F.S., relating to criminal and enhanced civil
109 penalties for certain campaign finance violations, to
110 incorporate the amendments made to ss. 106.08 and
111 106.11, F.S., in references thereto; providing an
112 effective date.

113
114 Be It Enacted by the Legislature of the State of Florida:

115
116 Section 1. Section 106.04, Florida Statutes, is repealed.

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117 Section 2. (1) Effective August 1, 2013, a committee of
118 continuous existence may not accept a contribution as defined in
119 s. 106.011, Florida Statutes. By July 15, 2013, the Division of
120 Elections of the Department of State shall notify each committee
121 of continuous existence of the prohibition on accepting such a
122 contribution as provided under this subsection.

123 (2) Effective September 30, 2013, the certification of each
124 committee of continuous existence is revoked and all committee
125 accounts must have a zero balance. By July 15, 2013, the
126 Division of Elections of the Department of State shall notify
127 each committee of continuous existence of the revocation of its
128 certification pursuant to this subsection. Following the
129 revocation of certification, each committee of continuous
130 existence shall file any outstanding report as required by law.

131 (3) (a) A violation of this section or any other provision
132 of chapter 106 constitutes a violation of chapter 106 regardless
133 of whether the committee of continuous existence is legally
134 dissolved.

135 (b) A political committee or electioneering communications
136 organization that has received funds from a committee of
137 continuous existence whose certification has been revoked and
138 that is directly or indirectly established, maintained, or
139 controlled by the same individual or group as the former
140 committee of continuous existence, is responsible for any unpaid
141 fine or penalty incurred by the former committee of continuous
142 existence. If no such political committee or electioneering
143 communications organization exists, the principal officers of
144 the former committee of continuous existence shall be jointly
145 and severally liable for any fine or penalty.

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146 (4) Notwithstanding any other provision of law, a committee
147 of continuous existence may make unlimited contributions to a
148 political committee.

149 (5) This section shall be effective upon this act becoming
150 a law.

151 Section 3. Section 106.011, Florida Statutes, is reordered
152 and amended to read:

153 106.011 Definitions.—As used in this chapter, the following
154 terms have the following meanings unless the context clearly
155 indicates otherwise:

156 (16)~~(1)~~ (a) "Political committee" means:

157 1. A combination of two or more individuals, or a person
158 other than an individual, that, in an aggregate amount in excess
159 of \$500 during a single calendar year:

160 a. Accepts contributions for the purpose of making
161 contributions to any candidate, political committee, ~~committee~~
162 ~~of continuous existence~~, affiliated party committee, or
163 political party;

164 b. Accepts contributions for the purpose of expressly
165 advocating the election or defeat of a candidate or the passage
166 or defeat of an issue;

167 c. Makes expenditures that expressly advocate the election
168 or defeat of a candidate or the passage or defeat of an issue;
169 or

170 d. Makes contributions to a common fund, other than a joint
171 checking account between spouses, from which contributions are
172 made to any candidate, political committee, ~~committee of~~
173 ~~continuous existence~~, affiliated party committee, or political
174 party;

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175 2. The sponsor of a proposed constitutional amendment by
176 initiative who intends to seek the signatures of registered
177 electors.

178 (b) Notwithstanding paragraph (a), the following entities
179 are not considered political committees for purposes of this
180 chapter:

181 1. ~~Organizations which are certified by the Department of~~
182 ~~State as committees of continuous existence pursuant to s.~~
183 ~~106.04,~~ National political parties, the state and county
184 executive committees of political parties, and affiliated party
185 committees regulated by chapter 103.

186 2. Corporations regulated by chapter 607 or chapter 617 or
187 other business entities formed for purposes other than to
188 support or oppose issues or candidates, if their political
189 activities are limited to contributions to candidates, political
190 parties, affiliated party committees, or political committees or
191 expenditures in support of or opposition to an issue from
192 corporate or business funds and if no contributions are received
193 by such corporations or business entities.

194 3. Electioneering communications organizations as defined
195 in subsection (9) ~~(19)~~.

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

199 (5) ~~(3)~~ "Contribution" means:

200 (a) A gift, subscription, conveyance, deposit, loan,
201 payment, or distribution of money or anything of value,
202 including contributions in kind having an attributable monetary
203 value in any form, made for the purpose of influencing the

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204 results of an election or making an electioneering
205 communication.

206 (b) A transfer of funds between political committees,
207 ~~between committees of continuous existence,~~ between
208 electioneering communications organizations, or between any
209 combination of these groups.

210 (c) The payment, by a ~~any~~ person other than a candidate or
211 political committee, of compensation for the personal services
212 of another person which are rendered to a candidate or political
213 committee without charge to the candidate or committee for such
214 services.

215 (d) The transfer of funds by a campaign treasurer or deputy
216 campaign treasurer between a primary depository and a separate
217 interest-bearing account or certificate of deposit, and the term
218 includes ~~any~~ interest earned on such account or certificate.

219
220 Notwithstanding the foregoing meanings of "contribution," the
221 term may not be construed to include services, including, but
222 not limited to, legal and accounting services, provided without
223 compensation by individuals volunteering a portion or all of
224 their time on behalf of a candidate or political committee or
225 editorial endorsements.

226 (10)~~(4)~~(a) "Expenditure" means a purchase, payment,
227 distribution, loan, advance, transfer of funds by a campaign
228 treasurer or deputy campaign treasurer between a primary
229 depository and a separate interest-bearing account or
230 certificate of deposit, or gift of money or anything of value
231 made for the purpose of influencing the results of an election
232 or making an electioneering communication. However,

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233 "expenditure" does not include a purchase, payment,
234 distribution, loan, advance, or gift of money or anything of
235 value made for the purpose of influencing the results of an
236 election when made by an organization, in existence before ~~prior~~
237 ~~to~~ the time during which a candidate qualifies or an issue is
238 placed on the ballot for that election, for the purpose of
239 printing or distributing such organization's newsletter,
240 containing a statement by such organization in support of or
241 opposition to a candidate or issue, which newsletter is
242 distributed only to members of such organization.

243 (b) As used in this chapter, an "expenditure" for an
244 electioneering communication is made when the earliest of the
245 following occurs:

246 1. A person enters into a contract for applicable goods or
247 services;

248 2. A person makes payment, in whole or in part, for the
249 production or public dissemination of applicable goods or
250 services; or

251 3. The electioneering communication is publicly
252 disseminated.

253 (12)~~(5)~~(a) "Independent expenditure" means an expenditure
254 by a person for the purpose of expressly advocating the election
255 or defeat of a candidate or the approval or rejection of an
256 issue, which expenditure is not controlled by, coordinated with,
257 or made upon consultation with, any candidate, political
258 committee, or agent of such candidate or committee. An
259 expenditure for such purpose by a person having a contract with
260 the candidate, political committee, or agent of such candidate
261 or committee in a given election period is ~~shall not be deemed~~

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262 an independent expenditure.

263 (b) An expenditure for the purpose of expressly advocating
264 the election or defeat of a candidate which is made by the
265 national, state, or county executive committee of a political
266 party, including any subordinate committee of the political
267 party, an affiliated party committee, a political committee, ~~a~~
268 ~~committee of continuous existence~~, or any other person is ~~shall~~
269 not ~~be~~ considered an independent expenditure if the committee or
270 person:

271 1. Communicates with the candidate, the candidate's
272 campaign, or an agent of the candidate acting on behalf of the
273 candidate, including a ~~any~~ pollster, media consultant,
274 advertising agency, vendor, advisor, or staff member, concerning
275 the preparation of, use of, or payment for, the specific
276 expenditure or advertising campaign at issue; ~~or~~

277 2. Makes a payment in cooperation, consultation, or concert
278 with, at the request or suggestion of, or pursuant to a ~~any~~
279 general or particular understanding with the candidate, the
280 candidate's campaign, a political committee supporting the
281 candidate, or an agent of the candidate relating to the specific
282 expenditure or advertising campaign at issue; ~~or~~

283 3. Makes a payment for the dissemination, distribution, or
284 republication, in whole or in part, of a ~~any~~ broadcast or a ~~any~~
285 written, graphic, or other form of campaign material prepared by
286 the candidate, the candidate's campaign, or an agent of the
287 candidate, including a ~~any~~ pollster, media consultant,
288 advertising agency, vendor, advisor, or staff member; ~~or~~

289 4. Makes a payment based on information about the
290 candidate's plans, projects, or needs communicated to a member

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291 of the committee or person by the candidate or an agent of the
292 candidate, provided the committee or person uses the information
293 in any way, in whole or in part, either directly or indirectly,
294 to design, prepare, or pay for the specific expenditure or
295 advertising campaign at issue; ~~or~~

296 5. After the last day of the qualifying period prescribed
297 for the candidate, consults about the candidate's plans,
298 projects, or needs in connection with the candidate's pursuit of
299 election to office and the information is used in any way to
300 plan, create, design, or prepare an independent expenditure or
301 advertising campaign, with:

302 a. An ~~Any~~ officer, director, employee, or agent of a
303 national, state, or county executive committee of a political
304 party or an affiliated party committee that has made or intends
305 to make expenditures in connection with or contributions to the
306 candidate; or

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

312 6. After the last day of the qualifying period prescribed
313 for the candidate, retains the professional services of a ~~any~~
314 person also providing those services to the candidate in
315 connection with the candidate's pursuit of election to office;
316 or

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

319 (7) ~~(6)~~ "Election" means a ~~any~~ primary election, special

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320 primary election, general election, special election, or
321 municipal election held in this state for the purpose of
322 nominating or electing candidates to public office, choosing
323 delegates to the national nominating conventions of political
324 parties, selecting a member of a political party executive
325 committee, or submitting an issue to the electors for their
326 approval or rejection.

327 (13)~~(7)~~ "Issue" means a ~~any~~ proposition that ~~which~~ is
328 required by the State Constitution, by law or resolution of the
329 Legislature, or by the charter, ordinance, or resolution of a
330 ~~any~~ political subdivision of this state to be submitted to the
331 electors for their approval or rejection at an election, or a
332 ~~any~~ proposition for which a petition is circulated in order to
333 have such proposition placed on the ballot at an ~~any~~ election.

334 (14)~~(8)~~ "Person" means an individual or a corporation,
335 association, firm, partnership, joint venture, joint stock
336 company, club, organization, estate, trust, business trust,
337 syndicate, or other combination of individuals having collective
338 capacity. The term includes a political party, affiliated party
339 committee, or political committee, ~~or committee of continuous~~
340 ~~existence~~.

341 (2)~~(9)~~ "Campaign treasurer" means an individual appointed
342 by a candidate or political committee as provided in this
343 chapter.

344 (17)~~(10)~~ "Public office" means a ~~any~~ state, county,
345 municipal, or school or other district office or position that
346 ~~which~~ is filled by vote of the electors.

347 (1)~~(11)~~ "Campaign fund raiser" means an ~~any~~ affair held to
348 raise funds to be used in a campaign for public office.

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349 (6)~~(12)~~ "Division" means the Division of Elections of the
350 Department of State.

351 (4)~~(13)~~ "Communications media" means broadcasting stations,
352 newspapers, magazines, outdoor advertising facilities, printers,
353 direct mail, advertising agencies, the Internet, and telephone
354 companies; but with respect to telephones, an expenditure is
355 ~~shall be~~ deemed to be an expenditure for the use of
356 communications media only if made for the costs of telephones,
357 paid telephonists, or automatic telephone equipment to be used
358 by a candidate or a political committee to communicate with
359 potential voters but excluding the ~~any~~ costs of telephones
360 incurred by a volunteer for use of telephones by such volunteer;
361 however, with respect to the Internet, an expenditure is ~~shall~~
362 ~~be~~ deemed an expenditure for use of communications media only if
363 made for the cost of creating or disseminating a message on a
364 computer information system accessible by more than one person
365 but excluding internal communications of a campaign or of any
366 group.

367 (11)~~(14)~~ "Filing officer" means the person before whom a
368 candidate qualifies, or the agency or officer with whom a
369 political committee or an electioneering communications
370 organization registers, ~~or the agency by whom a committee of~~
371 ~~continuous existence is certified.~~

372 (18)~~(15)~~ "Unopposed candidate" means a candidate for
373 nomination or election to an office who, after the last day on
374 which a ~~any~~ person, including a write-in candidate, may qualify,
375 is without opposition in the election at which the office is to
376 be filled or who is without such opposition after such date as a
377 result of a ~~any~~ primary election or of withdrawal by other

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378 candidates seeking the same office. A candidate is not an
379 unopposed candidate if there is a vacancy to be filled under s.
380 100.111(3), if there is a legal proceeding pending regarding the
381 right to a ballot position for the office sought by the
382 candidate, or if the candidate is seeking retention as a justice
383 or judge.

384 ~~(3)(16)~~ "Candidate" means a ~~any~~ person to whom any ~~one or~~
385 ~~more~~ of the following applies ~~apply~~:

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

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

390 (c) A ~~Any~~ person who receives contributions or makes
391 expenditures, or consents for any other person to receive
392 contributions or make expenditures, with a view to bring about
393 his or her nomination or election to, or retention in, public
394 office.

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

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

399

400 However, this definition does not include any candidate for a
401 political party executive committee. Expenditures related to
402 potential candidate polls as provided in s. 106.17 are not
403 contributions or expenditures for purposes of this subsection.

404 ~~(15)(17)~~ "Political advertisement" means a paid expression
405 in a ~~any~~ communications media prescribed in subsection (4) ~~(13)~~,
406 whether radio, television, newspaper, magazine, periodical,

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407 campaign literature, direct mail, or display or by means other
408 than the spoken word in direct conversation, which expressly
409 advocates the election or defeat of a candidate or the approval
410 or rejection of an issue. However, political advertisement does
411 not include:

412 (a) A statement by an organization, in existence before
413 ~~prior to~~ the time during which a candidate qualifies or an issue
414 is placed on the ballot for that election, in support of or
415 opposition to a candidate or issue, in that organization's
416 newsletter, which newsletter is distributed only to the members
417 of that organization.

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

420 (8) ~~(18)~~ (a) "Electioneering communication" means ~~any~~
421 communication that is publicly distributed by a television
422 station, radio station, cable television system, satellite
423 system, newspaper, magazine, direct mail, or telephone and that:

424 1. Refers to or depicts a clearly identified candidate for
425 office without expressly advocating the election or defeat of a
426 candidate but that is susceptible of no reasonable
427 interpretation other than an appeal to vote for or against a
428 specific candidate;

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

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

434 (b) The term "electioneering communication" does not
435 include:

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436 1. A communication disseminated through a means of
437 communication other than a television station, radio station,
438 cable television system, satellite system, newspaper, magazine,
439 direct mail, telephone, or statement or depiction by an
440 organization, in existence before ~~prior to~~ the time during which
441 a candidate named or depicted qualifies for that election, made
442 in that organization's newsletter, which newsletter is
443 distributed only to members of that organization.

444 2. A communication in a news story, commentary, or
445 editorial distributed through the facilities of a ~~any~~ radio
446 station, television station, cable television system, or
447 satellite system, unless the facilities are owned or controlled
448 by a ~~any~~ political party, political committee, or candidate. A
449 news story distributed through the facilities owned or
450 controlled by a ~~any~~ political party, political committee, or
451 candidate may nevertheless be exempt if it represents a bona
452 fide news account communicated through a licensed broadcasting
453 facility and the communication is part of a general pattern of
454 campaign-related news accounts that give reasonably equal
455 coverage to all opposing candidates in the area.

456 3. A communication that constitutes a public debate or
457 forum that includes at least two opposing candidates for an
458 office or one advocate and one opponent of an issue, or that
459 solely promotes such a debate or forum and is made by or on
460 behalf of the person sponsoring the debate or forum, provided
461 that:

462 a. The staging organization is either:

463 (I) A charitable organization that does not make other
464 electioneering communications and does not otherwise support or

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465 oppose any political candidate or political party; or

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

468 b. The staging organization does not structure the debate
469 to promote or advance one candidate or issue position over
470 another.

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

475 (d) For purposes of this chapter, an electioneering
476 communication does ~~shall~~ not constitute an independent
477 expenditure and is not ~~nor be~~ subject to the limitations
478 applicable to independent expenditures.

479 (9) ~~(19)~~ "Electioneering communications organization" means
480 any group, other than a political party, affiliated party
481 committee, or political committee, ~~or committee of continuous~~
482 ~~existence~~, whose election-related activities are limited to
483 making expenditures for electioneering communications or
484 accepting contributions for the purpose of making electioneering
485 communications and whose activities would not otherwise require
486 the group to register as a political party, or political
487 committee, ~~or committee of continuous existence~~ under this
488 chapter.

489 Section 4. Paragraph (a) of subsection (1) and paragraph
490 (d) of subsection (3) of section 106.021, Florida Statutes, are
491 amended to read:

492 106.021 Campaign treasurers; deputies; primary and
493 secondary depositories.-

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494 (1) (a) Each candidate for nomination or election to office
495 and each political committee shall appoint a campaign treasurer.
496 Each person who seeks to qualify for nomination or election to,
497 or retention in, office shall appoint a campaign treasurer and
498 designate a primary campaign depository before ~~prior to~~
499 qualifying for office. Any person who seeks to qualify for
500 election or nomination to any office by means of the petitioning
501 process shall appoint a treasurer and designate a primary
502 depository on or before the date he or she obtains the
503 petitions. ~~Each candidate shall~~ At the same time a candidate he
504 ~~or she~~ designates a campaign depository and appoints a
505 treasurer, the candidate shall also designate the office for
506 which he or she is a candidate. If the candidate is running for
507 an office that ~~which~~ will be grouped on the ballot with two or
508 more similar offices to be filled at the same election, the
509 candidate must indicate for which group or district office he or
510 she is running. ~~Nothing in~~ This subsection does not ~~shall~~
511 prohibit a candidate, at a later date, from changing the
512 designation of the office for which he or she is a candidate.
513 However, if a candidate changes the designated office for which
514 he or she is a candidate, the candidate must notify all
515 contributors in writing of the intent to seek a different office
516 and offer to return pro rata, upon their request, those
517 contributions given in support of the original office sought.
518 This notification shall be given within 15 days after the filing
519 of the change of designation and shall include a standard form
520 developed by the Division of Elections for requesting the return
521 of contributions. The notice requirement does ~~shall~~ not apply to
522 any change in a numerical designation resulting solely from

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523 redistricting. If, within 30 days after being notified by the
524 candidate of the intent to seek a different office, the
525 contributor notifies the candidate in writing that the
526 contributor wishes his or her contribution to be returned, the
527 candidate shall return the contribution, on a pro rata basis,
528 calculated as of the date the change of designation is filed. Up
529 to a maximum of the contribution limits specified in s. 106.08,
530 a candidate who runs for an office other than the office
531 originally designated may use any contribution that a donor does
532 not request ~~Any contributions not requested to be returned~~
533 within the 30-day period for the newly designated office,
534 provided the candidate disposes of any amount exceeding the
535 contribution limit pursuant to the options in s. 106.11(5)(b)
536 and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s.
537 106.141(4)(a)4.; notwithstanding, the full amount of the
538 contribution for the original office shall count toward the
539 contribution limits specified in s. 106.08 for the newly
540 designated office ~~may be used by the candidate for the newly~~
541 ~~designated office.~~ A ~~No~~ person may not shall accept any
542 contribution or make any expenditure with a view to bringing
543 about his or her nomination, election, or retention in public
544 office, or authorize another to accept such contributions or
545 make such expenditure on the person's behalf, unless such person
546 has appointed a campaign treasurer and designated a primary
547 campaign depository. A candidate for an office voted upon
548 statewide may appoint not more than 15 deputy campaign
549 treasurers, and any other candidate or political committee may
550 appoint not more than 3 deputy campaign treasurers. The names
551 and addresses of the campaign treasurer and deputy campaign

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552 treasurers so appointed shall be filed with the officer before
553 whom such candidate is required to qualify or with whom such
554 political committee is required to register pursuant to s.
555 106.03.

556 (3) No contribution or expenditure, including contributions
557 or expenditures of a candidate or of the candidate's family,
558 shall be directly or indirectly made or received in furtherance
559 of the candidacy of any person for nomination or election to
560 political office in the state or on behalf of any political
561 committee except through the duly appointed campaign treasurer
562 of the candidate or political committee, subject to the
563 following exceptions:

564 (d) Expenditures made directly by any ~~political committee,~~
565 ~~affiliated party committee,~~ or political party regulated by
566 chapter 103 for obtaining time, space, or services in or by any
567 communications medium for the purpose of jointly endorsing three
568 or more candidates, and any such expenditure may ~~shall~~ not be
569 considered a contribution or expenditure to or on behalf of any
570 such candidates for the purposes of this chapter.

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

573 106.022 Appointment of a registered agent; duties.—

574 (1) Each political committee, ~~committee of continuous~~
575 ~~existence,~~ or electioneering communications organization shall
576 have and continuously maintain in this state a registered office
577 and a registered agent and must file with the filing officer a
578 statement of appointment for the registered office and
579 registered agent. The statement of appointment must:

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

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581 address and phone number for the registered office;

582 (b) Identify the entity for whom the registered agent
583 serves;

584 (c) Designate the address the registered agent wishes to
585 use to receive mail;

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

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

592 (f) Contain the signature of the registered agent and the
593 entity engaging the registered agent.

594 Section 6. Paragraph (c) of subsection (1) of section
595 106.025, Florida Statutes, is amended to read:

596 106.025 Campaign fund raisers.—

597 (1)

598 (c) Any tickets or advertising for ~~such~~ a campaign fund
599 raiser must comply with ~~is exempt from~~ the requirements of s.
600 106.143.

601 Section 7. Paragraph (b) of subsection (1) and subsection
602 (2) of section 106.03, Florida Statutes, are amended to read:

603 106.03 Registration of political committees and
604 electioneering communications organizations.—

605 (1)

606 (b)1. Each group shall file a statement of organization as
607 an electioneering communications organization within 24 hours
608 after the date on which it makes expenditures for an
609 electioneering communication in excess of \$5,000, if such

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610 expenditures are made within the timeframes specified in s.
611 106.011(8)(a)2. ~~106.011(18)(a)2.~~ If the group makes expenditures
612 for an electioneering communication in excess of \$5,000 before
613 the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~,
614 it shall file the statement of organization within 24 hours
615 after the 30th day before a primary or special primary election,
616 or within 24 hours after the 60th day before any other election,
617 whichever is applicable.

618 2.a. In a statewide, legislative, or multicounty election,
619 an electioneering communications organization shall file a
620 statement of organization with the Division of Elections.

621 b. In a countywide election or any election held on less
622 than a countywide basis, except as described in sub-subparagraph
623 c., an electioneering communications organization shall file a
624 statement of organization with the supervisor of elections of
625 the county in which the election is being held.

626 c. In a municipal election, an electioneering
627 communications organization shall file a statement of
628 organization with the officer before whom municipal candidates
629 qualify.

630 d. Any electioneering communications organization that
631 would be required to file a statement of organization in two or
632 more locations need only file a statement of organization with
633 the Division of Elections.

634 (2) The statement of organization shall include:

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

637 (b) The names, street addresses, and relationships of
638 affiliated or connected organizations, including any affiliated

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639 sponsors;

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

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

644 (e) The name, mailing address, street address, and position
645 of other principal officers, including the treasurer and deputy
646 treasurer, if any;

647 (f) The name, address, office sought, and party affiliation
648 of:

649 1. Each candidate whom the committee is supporting;

650 2. Any other individual, if any, whom the committee is
651 supporting for nomination for election, or election, to any
652 public office whatever;

653 (g) Any issue or issues the committee is supporting or
654 opposing;

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

657 (i) A statement of whether the committee is a continuing
658 one;

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

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

664 (l) A statement of the reports required to be filed by the
665 committee or the electioneering communications organization with
666 federal officials, if any, and the names, addresses, and
667 positions of such officials; and

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668 (m) A statement of whether the electioneering
669 communications organization was formed as a newly created
670 organization during the current calendar quarter or was formed
671 from an organization existing prior to the current calendar
672 quarter. For purposes of this subsection, calendar quarters end
673 the last day of March, June, September, and December.

674 Section 8. Section 106.05, Florida Statutes, is amended to
675 read:

676 106.05 Deposit of contributions; statement of campaign
677 treasurer.—All funds received by the campaign treasurer of any
678 candidate or political committee shall, prior to the end of the
679 5th business day following the receipt thereof, Saturdays,
680 Sundays, and legal holidays excluded, be deposited in a campaign
681 depository designated pursuant to s. 106.021, in an account that
682 contains the designated “...(name of the candidate or
683 committee.)... ~~Campaign Account.~~” Except for contributions to
684 political committees made by payroll deduction, all deposits
685 shall be accompanied by a bank deposit slip containing the name
686 of each contributor and the amount contributed by each. If a
687 contribution is deposited in a secondary campaign depository,
688 the depository shall forward the full amount of the deposit,
689 along with a copy of the deposit slip accompanying the deposit,
690 to the primary campaign depository prior to the end of the 1st
691 business day following the deposit.

692 Section 9. Section 106.07, Florida Statutes, is reenacted
693 and amended to read:

694 106.07 Reports; certification and filing.—

695 (1) Each campaign treasurer designated by a candidate or
696 political committee pursuant to s. 106.021 shall file regular

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697 reports of all contributions received, and all expenditures
698 made, by or on behalf of such candidate or political committee.
699 Except as provided in paragraphs (a) and (b) ~~for the third~~
700 ~~calendar quarter immediately preceding a general election,~~
701 reports shall be filed on the 10th day following the end of each
702 calendar month ~~quarter~~ from the time the campaign treasurer is
703 appointed, except that, if the 10th day following the end of a
704 calendar month ~~quarter~~ occurs on a Saturday, Sunday, or legal
705 holiday, the report shall be filed on the next following day
706 that ~~which~~ is not a Saturday, Sunday, or legal holiday. Monthly
707 ~~Quarterly~~ reports shall include all contributions received and
708 expenditures made during the calendar month ~~quarter~~ which have
709 not otherwise been reported pursuant to this section.

710 (a) A statewide candidate or a political committee required
711 to file reports with the division must file reports:

712 1. On the 60th day immediately preceding the primary
713 election, and each week thereafter, with the last weekly report
714 being filed on the 11th day immediately preceding the general
715 election.

716 2. On the 10th day immediately preceding the general
717 election, and each day thereafter, with the last daily report
718 being filed the 4th day before the general election ~~Except as~~
719 ~~provided in paragraph (b), the reports shall also be filed on~~
720 ~~the 32nd, 18th, and 4th days immediately preceding the primary~~
721 ~~and on the 46th, 32nd, 18th, and 4th days immediately preceding~~
722 ~~the election, for a candidate who is opposed in seeking~~
723 ~~nomination or election to any office, for a political committee,~~
724 ~~or for a committee of continuous existence.~~

725 (b) Any other candidate or a political committee required

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726 to file reports with a filing officer other than the division
727 must file reports on the 60th day immediately preceding the
728 primary election, and biweekly on each Friday thereafter through
729 and including the 4th day immediately preceding the general
730 election, with additional reports due on the 25th and 11th days
731 before the primary election and the general election Any
732 ~~statewide candidate who has requested to receive contributions~~
733 ~~pursuant to the Florida Election Campaign Financing Act or any~~
734 ~~statewide candidate in a race with a candidate who has requested~~
735 ~~to receive contributions pursuant to the act shall also file~~
736 ~~reports on the 4th, 11th, 18th, 25th, and 32nd days prior to the~~
737 ~~primary election, and on the 4th, 11th, 18th, 25th, 32nd, 39th,~~
738 ~~46th, and 53rd days prior to the general election.~~

739 (c) Following the last day of qualifying for office, any
740 unopposed candidate need only file a report within 90 days after
741 the date such candidate became unopposed. Such report shall
742 contain all previously unreported contributions and expenditures
743 as required by this section and shall reflect disposition of
744 funds as required by s. 106.141.

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

751 2. When an election is called for an issue to appear on the
752 ballot at a time when no candidates are scheduled to appear on
753 the ballot, all political committees making contributions or
754 expenditures in support of or in opposition to such issue shall

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755 file reports on the 18th and 4th days before ~~prior to~~ such
756 election.

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

760 (2) (a) 1. All reports required of a candidate by this
761 section shall be filed with the officer before whom the
762 candidate is required by law to qualify. All candidates who file
763 with the Department of State shall file their reports pursuant
764 to s. 106.0705. Except as provided in s. 106.0705, reports shall
765 be filed not later than 5 p.m. of the day designated; however,
766 any report postmarked by the United States Postal Service no
767 later than midnight of the day designated is ~~shall be~~ deemed to
768 have been filed in a timely manner. Any report received by the
769 filing officer within 5 days after the designated due date that
770 was delivered by the United States Postal Service is ~~shall be~~
771 deemed timely filed unless it has a postmark that indicates that
772 the report was mailed after the designated due date. A
773 certificate of mailing obtained from and dated by the United
774 States Postal Service at the time of mailing, or a receipt from
775 an established courier company, which bears a date on or before
776 the date on which the report is due, suffices as ~~shall be~~ proof
777 of mailing in a timely manner. Reports must ~~shall~~ contain
778 information on ~~of~~ all previously unreported contributions
779 received and expenditures made as of the preceding Friday,
780 except that the report filed on the Friday immediately preceding
781 the election must ~~shall~~ contain information on ~~of~~ all previously
782 unreported contributions received and expenditures made as of
783 the day preceding that designated due date. All such reports are

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784 ~~shall be~~ open to public inspection.

785 2. This subsection does not prohibit the governing body of
786 a political subdivision, by ordinance or resolution, from
787 imposing upon its own officers and candidates electronic filing
788 requirements not in conflict with s. 106.0705. Expenditure of
789 public funds for such purpose is deemed to be for a valid public
790 purpose.

791 (b)1. Any report that is deemed to be incomplete by the
792 officer with whom the candidate qualifies must ~~shall~~ be accepted
793 on a conditional basis. The campaign treasurer shall be notified
794 by certified mail or by another method using a common carrier
795 that provides a proof of delivery of the notice as to why the
796 report is incomplete and within 7 days after receipt of such
797 notice must file an addendum to the report providing all
798 information necessary to complete the report in compliance with
799 this section. Failure to file a complete report after such
800 notice constitutes a violation of this chapter.

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

804 (3) Reports required of a political committee shall be
805 filed with the agency or officer before whom such committee
806 registers pursuant to s. 106.03(3) and shall be subject to the
807 same filing conditions as established for candidates' reports.
808 Incomplete reports by political committees shall be treated in
809 the manner provided for incomplete reports by candidates in
810 subsection (2).

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

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813 1. The full name, address, and occupation, if any of each
814 person who has made one or more contributions to or for such
815 committee or candidate within the reporting period, together
816 with the amount and date of such contributions. For
817 corporations, the report must provide as clear a description as
818 practicable of the principal type of business conducted by the
819 corporation. However, if the contribution is \$100 or less or is
820 from a relative, as defined in s. 112.312, provided that the
821 relationship is reported, the occupation of the contributor or
822 the principal type of business need not be listed.

823 2. The name and address of each political committee from
824 which the reporting committee or the candidate received, or to
825 which the reporting committee or candidate made, any transfer of
826 funds, together with the amounts and dates of all transfers.

827 3. Each loan for campaign purposes to or from any person or
828 political committee within the reporting period, together with
829 the full names, addresses, and occupations, and principal places
830 of business, if any, of the lender and endorsers, if any, and
831 the date and amount of such loans.

832 4. A statement of each contribution, rebate, refund, or
833 other receipt not otherwise listed under subparagraphs 1.
834 through 3.

835 5. The total sums of all loans, in-kind contributions, and
836 other receipts by or for such committee or candidate during the
837 reporting period. The reporting forms shall be designed to
838 elicit separate totals for in-kind contributions, loans, and
839 other receipts.

840 6. The full name and address of each person to whom
841 expenditures have been made by or on behalf of the committee or

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842 candidate within the reporting period; the amount, date, and
843 purpose of each such expenditure; and the name and address of,
844 and office sought by, each candidate on whose behalf such
845 expenditure was made. However, expenditures made from the petty
846 cash fund provided by s. 106.12 need not be reported
847 individually.

848 7. The full name and address of each person to whom an
849 expenditure for personal services, salary, or reimbursement for
850 authorized expenses as provided in s. 106.021(3) has been made
851 and which is not otherwise reported, including the amount, date,
852 and purpose of such expenditure. However, expenditures made from
853 the petty cash fund provided for in s. 106.12 need not be
854 reported individually. Receipts for reimbursement for authorized
855 expenditures shall be retained by the treasurer along with the
856 records for the campaign account.

857 8. The total amount withdrawn and the total amount spent
858 for petty cash purposes pursuant to this chapter during the
859 reporting period.

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

862 10. The amount and nature of debts and obligations owed by
863 or to the committee or candidate, which relate to the conduct of
864 any political campaign.

865 11. Transaction information for each credit card purchase.
866 Receipts for each credit card purchase shall be retained by the
867 treasurer with the records for the campaign account.

868 12. The amount and nature of any separate interest-bearing
869 accounts or certificates of deposit and identification of the
870 financial institution in which such accounts or certificates of

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871 deposit are located.

872 13. The primary purposes of an expenditure made indirectly
873 through a campaign treasurer pursuant to s. 106.021(3) for goods
874 and services such as communications media placement or
875 procurement services, campaign signs, insurance, and other
876 expenditures that include multiple components as part of the
877 expenditure. The primary purpose of an expenditure shall be that
878 purpose, including integral and directly related components,
879 that comprises 80 percent of such expenditure.

880 (b) Multiple uniform contributions from the same person,
881 aggregating no more than \$250 per calendar year, collected by an
882 organization that is the affiliated sponsor of a political
883 committee, may be reported by the political committee in an
884 aggregate amount listing the number of contributors together
885 with the amount contributed by each and the total amount
886 contributed during the reporting period. The identity of each
887 person making such uniform contribution must be reported to the
888 filing officer as provided in subparagraph (a)1. by July 1 of
889 each calendar year, or, in a general election year, no later
890 than the 60th day immediately preceding the primary election.

891 (c) ~~(b)~~ The filing officer shall make available to any
892 candidate or committee a reporting form which the candidate or
893 committee may use to indicate contributions received by the
894 candidate or committee but returned to the contributor before
895 deposit.

896 (5) The candidate and his or her campaign treasurer, in the
897 case of a candidate, or the political committee chair and
898 campaign treasurer of the committee, in the case of a political
899 committee, shall certify as to the correctness of each report;

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900 and each person so certifying shall bear the responsibility for
901 the accuracy and veracity of each report. Any campaign
902 treasurer, candidate, or political committee chair who willfully
903 certifies the correctness of any report while knowing that such
904 report is incorrect, false, or incomplete commits a misdemeanor
905 of the first degree, punishable as provided in s. 775.082 or s.
906 775.083.

907 (6) The records maintained by the campaign depository with
908 respect to any campaign account regulated by this chapter are
909 subject to inspection by an agent of the Division of Elections
910 or the Florida Elections Commission at any time during normal
911 banking hours, and such depository shall furnish certified
912 copies of any of such records to the Division of Elections or
913 Florida Elections Commission upon request.

914 (7) Notwithstanding any other provisions of this chapter,
915 in any reporting period during which a candidate or political
916 committee, ~~or committee of continuous existence~~ has not received
917 funds, made any contributions, or expended any reportable funds,
918 the filing of the required report for that period is waived.
919 However, the next report filed must specify that the report
920 covers the entire period between the last submitted report and
921 the report being filed, and any candidate or political
922 committee, ~~or committee of continuous existence~~ not reporting by
923 virtue of this subsection on dates prescribed elsewhere in this
924 chapter shall notify the filing officer in writing on the
925 prescribed reporting date that no report is being filed on that
926 date.

927 (8) (a) Any candidate or political committee failing to file
928 a report on the designated due date is subject to a fine as

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929 provided in paragraph (b) for each late day, and, in the case of
930 a candidate, such fine shall be paid only from personal funds of
931 the candidate. The fine shall be assessed by the filing officer
932 and the moneys collected shall be deposited:

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

936 2. In the general revenue fund of the political
937 subdivision, in the case of a candidate for an office of a
938 political subdivision or a political committee that registers
939 with an officer of a political subdivision.

940
941 No separate fine shall be assessed for failure to file a copy of
942 any report required by this section.

943 (b) Upon determining that a report is late, the filing
944 officer shall immediately notify the candidate or chair of the
945 political committee as to the failure to file a report by the
946 designated due date and that a fine is being assessed for each
947 late day. The fine is ~~shall be~~ \$50 per day for the first 3 days
948 late and, thereafter, \$500 per day for each late day, not to
949 exceed 25 percent of the total receipts or expenditures,
950 whichever is greater, for the period covered by the late report.
951 However, for the reports immediately preceding each special
952 primary election, special election, primary election, and
953 general election, the fine is ~~shall be~~ \$500 per day for each
954 late day, not to exceed 25 percent of the total receipts or
955 expenditures, whichever is greater, for the period covered by
956 the late report. For reports required under s. 106.141(8)
957 ~~106.141(7)~~, the fine is \$50 per day for each late day, not to

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958 exceed 25 percent of the total receipts or expenditures,
959 whichever is greater, for the period covered by the late report.
960 Upon receipt of the report, the filing officer shall determine
961 the amount of the fine which is due and shall notify the
962 candidate or chair or registered agent of the political
963 committee. The filing officer shall determine the amount of the
964 fine due based upon the earliest of the following:

- 965 1. When the report is actually received by such officer.
- 966 2. When the report is postmarked.
- 967 3. When the certificate of mailing is dated.
- 968 4. When the receipt from an established courier company is
969 dated.
- 970 5. When the electronic receipt issued pursuant to s.
971 106.0705 or other electronic filing system authorized in this
972 section is dated.

973
974 Such fine shall be paid to the filing officer within 20 days
975 after receipt of the notice of payment due, unless appeal is
976 made to the Florida Elections Commission pursuant to paragraph
977 (c). Notice is deemed complete upon proof of delivery of written
978 notice to the mailing or street address on record with the
979 filing officer. In the case of a candidate, such fine is ~~shall~~
980 not ~~be~~ an allowable campaign expenditure and shall be paid only
981 from personal funds of the candidate. An officer or member of a
982 political committee is ~~shall~~ not ~~be~~ personally liable for such
983 fine.

984 (c) Any candidate or chair of a political committee may
985 appeal or dispute the fine, based upon, but not limited to,
986 unusual circumstances surrounding the failure to file on the

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987 designated due date, and may request and shall be entitled to a
988 hearing before the Florida Elections Commission, which shall
989 have the authority to waive the fine in whole or in part. The
990 Florida Elections Commission must consider the mitigating and
991 aggravating circumstances contained in s. 106.265(2) when
992 determining the amount of a fine, if any, to be waived. Any such
993 request shall be made within 20 days after receipt of the notice
994 of payment due. In such case, the candidate or chair of the
995 political committee shall, within the 20-day period, notify the
996 filing officer in writing of his or her intention to bring the
997 matter before the commission.

998 (d) The appropriate filing officer shall notify the Florida
999 Elections Commission of the repeated late filing by a candidate
1000 or political committee, the failure of a candidate or political
1001 committee to file a report after notice, or the failure to pay
1002 the fine imposed. The commission shall investigate only those
1003 alleged late filing violations specifically identified by the
1004 filing officer and as set forth in the notification. Any other
1005 alleged violations must be separately stated and reported by the
1006 division to the commission under s. 106.25(2).

1007 (9) The Department of State may prescribe by rule the
1008 requirements for filing campaign treasurers' reports as set
1009 forth in this chapter.

1010 Section 10. Section 106.0702, Florida Statutes, is created
1011 to read:

1012 106.0702 Reporting; political party executive committee
1013 candidates.-

1014 (1) An individual seeking a publicly-elected position on a
1015 political party executive committee who receives a contribution

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1016 or makes an expenditure shall file a report of all contributions
1017 received, and all expenditures made. The report shall be filed
1018 on the 4th day immediately preceding the primary election.

1019 (2) (a) The report shall be filed with the supervisor of
1020 elections of the appropriate county. Reports shall be filed no
1021 later than 5 p.m. of the day designated; however, any report
1022 postmarked by the United States Postal Service by the day
1023 designated shall be deemed to have been filed in a timely
1024 manner. Any report received by the filing officer within 5 days
1025 after the designated due date shall be deemed timely filed
1026 unless it has a postmark that indicates that the report was
1027 mailed after the designated due date. A certificate of mailing
1028 obtained from and dated by the United States Postal Service at
1029 the time of mailing, or a receipt from an established courier
1030 company, which bears a date on or before the date on which the
1031 report is due is proof of mailing in a timely manner. The report
1032 filed must contain information of all contributions received and
1033 expenditures made as of the day preceding the designated due
1034 date. All such reports must be open to public inspection.

1035 (b) A reporting individual may submit the report required
1036 under this section through an electronic filing system, if used
1037 by the supervisor for other candidates, in order to satisfy the
1038 filing requirement. Such reports shall be completed and filed
1039 through the electronic filing system not later than midnight on
1040 the 4th day immediately preceding the primary election.

1041 (3) (a) A report that is deemed to be incomplete by the
1042 supervisor shall be accepted on a conditional basis. The
1043 supervisor shall send a notice to the reporting individual by
1044 certified mail or by another method using a common carrier that

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1045 provides proof of delivery as to why the report is incomplete.
1046 Within 7 days after receipt of such notice, the reporting
1047 individual must file an addendum to the report providing all
1048 information necessary to complete the report in compliance with
1049 this section. Failure to file a complete report after such
1050 notice constitutes a violation of this chapter.

1051 (b) Notice is deemed complete upon proof of delivery of a
1052 written notice to the mailing or street address which is on
1053 record with the supervisor.

1054 (4) (a) Each report required by this section must contain:

1055 1. The full name, address, and occupation of each person
1056 who has made one or more contributions to or for the reporting
1057 individual within the reporting period, together with the amount
1058 and date of such contributions. For corporations, the report
1059 must provide as clear a description as practicable of the
1060 principal type of business conducted by the corporations.
1061 However, if the contribution is \$100 or less or is from a
1062 relative, as defined in s. 112.312, provided that the
1063 relationship is reported, the occupation of the contributor or
1064 the principal type of business need not be listed.

1065 2. The name and address of each political committee from
1066 which the reporting individual has received, or to which the
1067 reporting individual has made, any transfer of funds within the
1068 reporting period, together with the amounts and dates of all
1069 transfers.

1070 3. Each loan for campaign purposes from any person or
1071 political committee within the reporting period, together with
1072 the full name, address, and occupation, and principal place of
1073 business, if any, of the lender and endorser, if any, and the

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1074 date and amount of such loans.

1075 4. A statement of each contribution, rebate, refund, or
1076 other receipt not otherwise listed under subparagraphs 1.-3.

1077 5. The total sums of all loans, in-kind contributions, and
1078 other receipts by or for such reporting individual during the
1079 reporting period. The reporting forms shall be designed to
1080 elicit separate totals for in-kind contributions, loans, and
1081 other receipts.

1082 6. The full name and address of each person to whom
1083 expenditures have been made by or on behalf of the reporting
1084 individual within the reporting period; the amount, date, and
1085 purpose of each such expenditure; and the name and address of,
1086 and office sought by, each reporting individual on whose behalf
1087 such expenditure was made.

1088 7. The amount and nature of debts and obligations owed by
1089 or to the reporting individual which relate to the conduct of
1090 any political campaign.

1091 8. Transaction information for each credit card purchase.
1092 Receipts for each credit card purchase shall be retained by the
1093 reporting individual.

1094 9. The amount and nature of any separate interest-bearing
1095 accounts or certificates of deposit and identification of the
1096 financial institution in which such accounts or certificates of
1097 deposit are located.

1098 (b) The supervisor shall make available to any reporting
1099 individual a reporting form that the reporting individual may
1100 use to indicate contributions received by the reporting
1101 individual but returned to the contributor before deposit.

1102 (5) The reporting individual shall certify as to the

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1103 correctness of the report and shall bear the responsibility for
1104 the accuracy and veracity of each report. Any reporting
1105 individual who willfully certifies the correctness of the report
1106 while knowing that such report is incorrect, false, or
1107 incomplete commits a misdemeanor of the first degree, punishable
1108 as provided in s. 775.082 or s. 775.083.

1109 (6) Notwithstanding any other provisions of this chapter,
1110 the filing of the required report is waived if the reporting
1111 individual has not received contributions or expended any
1112 reportable funds.

1113 (7) (a) A reporting individual who fails to file a report on
1114 the designated due date is subject to a fine, and such fine
1115 shall be paid only from personal funds of the reporting
1116 individual. The fine shall be \$50 per day for the first 3 days
1117 late and, thereafter, \$500 per day for each late day, not to
1118 exceed 25 percent of the total receipts or expenditures,
1119 whichever is greater. The fine shall be assessed by the
1120 supervisor, and the moneys collected shall be deposited into the
1121 general revenue fund of the political subdivision.

1122 (b) The supervisor shall determine the amount of the fine
1123 due based upon the earliest of the following:

- 1124 1. When the report is actually received by the supervisor.
 - 1125 2. When the report is postmarked;
 - 1126 3. When the certificate of mailing is dated;
 - 1127 4. When the receipt from an established courier company is
1128 dated; or
 - 1129 5. When the report is completed and filed through the
1130 electronic filing system, if applicable.
- 1131

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1132 Such fine shall be paid to the supervisor within 20 days after
1133 receipt of the notice of payment due unless appeal is made to
1134 the Florida Elections Commission pursuant to paragraph (c).
1135 Notice is deemed complete upon proof of delivery of written
1136 notice to the mailing or street address on record with the
1137 supervisor. Such fine may not be an allowable campaign
1138 expenditure and shall be paid only from personal funds of the
1139 reporting individual.

1140 (c) A reporting individual may appeal or dispute the fine,
1141 based upon, but not limited to, unusual circumstances
1142 surrounding the failure to file on the designated due date, and
1143 may request and is entitled to a hearing before the Florida
1144 Elections Commission, which has the authority to waive the fine
1145 in whole or in part. The Florida Elections Commission must
1146 consider the mitigating and aggravating circumstances contained
1147 in s. 106.265(2) when determining the amount of a fine, if any,
1148 to be waived. Any such request shall be made within 20 days
1149 after receipt of the notice of payment due. In such case, the
1150 reporting individual must, within 20 days after receipt of the
1151 notice, notify the supervisor in writing of his or her intention
1152 to bring the matter before the commission.

1153 (d) The appropriate supervisor shall notify the Florida
1154 Elections Commission of the late filing by a reporting
1155 individual, the failure of a reporting individual to file a
1156 report after notice, or the failure to pay the fine imposed. The
1157 commission shall investigate only those alleged late filing
1158 violations specifically identified by the supervisor and as set
1159 forth in the notification. Any other alleged violations must be
1160 separately stated and reported by the division to the commission

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1161 under s. 106.25(2).

1162 Section 11. Section 106.0703, Florida Statutes, is
1163 reenacted and amended to read:

1164 106.0703 Electioneering communications organizations;
1165 reporting requirements; certification and filing; penalties.—

1166 (1) (a) Each electioneering communications organization
1167 shall file regular reports of all contributions received and all
1168 expenditures made by or on behalf of the organization. Except as
1169 provided in paragraphs (b) and (c), reports must ~~shall~~ be filed
1170 on the 10th day following the end of each calendar month ~~quarter~~
1171 from the time the organization is registered. However, if the
1172 10th day following the end of a calendar month ~~quarter~~ occurs on
1173 a Saturday, Sunday, or legal holiday, the report must ~~shall~~ be
1174 filed on the next following day that is not a Saturday, Sunday,
1175 or legal holiday. Monthly ~~Quarterly~~ reports must ~~shall~~ include
1176 all contributions received and expenditures made during the
1177 calendar month ~~quarter~~ that have not otherwise been reported
1178 pursuant to this section.

1179 (b) For an electioneering communications organization
1180 required to file reports with the division, reports must be
1181 filed:

1182 1. On the 60th day immediately preceding the primary
1183 election, and each week thereafter, with the last weekly report
1184 being filed on the 11th day immediately preceding the general
1185 election.

1186 2. On the 10th day immediately preceding the general
1187 election, and every day thereafter, with the last daily report
1188 being filed the day before the general election ~~Following the~~
1189 ~~last day of candidates qualifying for office, the reports shall~~

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1190 ~~be filed on the 32nd, 18th, and 4th days immediately preceding~~
1191 ~~the primary election and on the 46th, 32nd, 18th, and 4th days~~
1192 ~~immediately preceding the general election.~~

1193 (c) For an electioneering communications organization
1194 required to file reports with a filing officer other than the
1195 division, reports must be filed on the 60th day immediately
1196 preceding the primary election, and biweekly on each Friday
1197 thereafter through and including the 4th day immediately
1198 preceding the general election, with additional reports due on
1199 the 25th and 11th days before the primary election and the
1200 general election.

1201 (d) ~~(e)~~ When a special election is called to fill a vacancy
1202 in office, all electioneering communications organizations
1203 making contributions or expenditures to influence the results of
1204 the special election shall file reports with the filing officer
1205 on the dates set by the Department of State pursuant to s.
1206 100.111.

1207 (e) ~~(d)~~ In addition to the reports required by paragraph
1208 (a), an electioneering communications organization that is
1209 registered with the Department of State and that makes a
1210 contribution or expenditure to influence the results of a county
1211 or municipal election that is not being held at the same time as
1212 a state or federal election must file reports with the county or
1213 municipal filing officer on the same dates as county or
1214 municipal candidates or committees for that election. The
1215 electioneering communications organization must also include the
1216 expenditure in the next report filed with the Division of
1217 Elections pursuant to this section following the county or
1218 municipal election.

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1219 (f)~~(e)~~ The filing officer shall make available to each
1220 electioneering communications organization a schedule
1221 designating the beginning and end of reporting periods as well
1222 as the corresponding designated due dates.

1223 (2) (a) Except as provided in s. 106.0705, the reports
1224 required of an electioneering communications organization shall
1225 be filed with the filing officer not later than 5 p.m. of the
1226 day designated. However, any report postmarked by the United
1227 States Postal Service no later than midnight of the day
1228 designated shall be deemed to have been filed in a timely
1229 manner. Any report received by the filing officer within 5 days
1230 after the designated due date that was delivered by the United
1231 States Postal Service shall be deemed timely filed unless it has
1232 a postmark that indicates that the report was mailed after the
1233 designated due date. A certificate of mailing obtained from and
1234 dated by the United States Postal Service at the time of
1235 mailing, or a receipt from an established courier company, which
1236 bears a date on or before the date on which the report is due,
1237 shall be proof of mailing in a timely manner. Reports shall
1238 contain information of all previously unreported contributions
1239 received and expenditures made as of the preceding Friday,
1240 except that the report filed on the Friday immediately preceding
1241 the election shall contain information of all previously
1242 unreported contributions received and expenditures made as of
1243 the day preceding the designated due date. All such reports
1244 shall be open to public inspection.

1245 (b)1. Any report that is deemed to be incomplete by the
1246 officer with whom the electioneering communications organization
1247 files shall be accepted on a conditional basis. The treasurer of

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1248 the electioneering communications organization shall be
1249 notified, by certified mail or other common carrier that can
1250 establish proof of delivery for the notice, as to why the report
1251 is incomplete. Within 7 days after receipt of such notice, the
1252 treasurer must file an addendum to the report providing all
1253 information necessary to complete the report in compliance with
1254 this section. Failure to file a complete report after such
1255 notice constitutes a violation of this chapter.

1256 2. Notice is deemed sufficient upon proof of delivery of
1257 written notice to the mailing or street address of the treasurer
1258 or registered agent of the electioneering communication
1259 organization on record with the filing officer.

1260 (3) (a) Each report required by this section must contain:

1261 1. The full name, address, and occupation, if any, of each
1262 person who has made one or more contributions to or for such
1263 electioneering communications organization within the reporting
1264 period, together with the amount and date of such contributions.
1265 For corporations, the report must provide as clear a description
1266 as practicable of the principal type of business conducted by
1267 the corporation. However, if the contribution is \$100 or less,
1268 the occupation of the contributor or the principal type of
1269 business need not be listed.

1270 2. The name and address of each political committee from
1271 which or to which the reporting electioneering communications
1272 organization made any transfer of funds, together with the
1273 amounts and dates of all transfers.

1274 3. Each loan for electioneering communication purposes to
1275 or from any person or political committee within the reporting
1276 period, together with the full names, addresses, and occupations

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1277 and principal places of business, if any, of the lender and
1278 endorsers, if any, and the date and amount of such loans.

1279 4. A statement of each contribution, rebate, refund, or
1280 other receipt not otherwise listed under subparagraphs 1.-3.

1281 5. The total sums of all loans, in-kind contributions, and
1282 other receipts by or for such electioneering communications
1283 organization during the reporting period. The reporting forms
1284 shall be designed to elicit separate totals for in-kind
1285 contributions, loans, and other receipts.

1286 6. The full name and address of each person to whom
1287 expenditures have been made by or on behalf of the
1288 electioneering communications organization within the reporting
1289 period and the amount, date, and purpose of each expenditure.

1290 7. The full name and address of each person to whom an
1291 expenditure for personal services, salary, or reimbursement for
1292 expenses has been made and that is not otherwise reported,
1293 including the amount, date, and purpose of the expenditure.

1294 8. The total sum of expenditures made by the electioneering
1295 communications organization during the reporting period.

1296 9. The amount and nature of debts and obligations owed by
1297 or to the electioneering communications organization that relate
1298 to the conduct of any electioneering communication.

1299 10. Transaction information for each credit card purchase.
1300 Receipts for each credit card purchase shall be retained by the
1301 electioneering communications organization.

1302 11. The amount and nature of any separate interest-bearing
1303 accounts or certificates of deposit and identification of the
1304 financial institution in which such accounts or certificates of
1305 deposit are located.

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1306 12. The primary purposes of an expenditure made indirectly
1307 through an electioneering communications organization for goods
1308 and services, such as communications media placement or
1309 procurement services and other expenditures that include
1310 multiple components as part of the expenditure. The primary
1311 purpose of an expenditure shall be that purpose, including
1312 integral and directly related components, that comprises 80
1313 percent of such expenditure.

1314 (b) The filing officer shall make available to any
1315 electioneering communications organization a reporting form
1316 which the electioneering communications organization may use to
1317 indicate contributions received by the electioneering
1318 communications organization but returned to the contributor
1319 before deposit.

1320 (4) The treasurer of the electioneering communications
1321 organization shall certify as to the correctness of each report,
1322 and each person so certifying shall bear the responsibility for
1323 the accuracy and veracity of each report. Any treasurer who
1324 willfully certifies the correctness of any report while knowing
1325 that such report is incorrect, false, or incomplete commits a
1326 misdemeanor of the first degree, punishable as provided in s.
1327 775.082 or s. 775.083.

1328 (5) The electioneering communications organization
1329 depository shall provide statements reflecting deposits and
1330 expenditures from the account to the treasurer, who shall retain
1331 the records pursuant to s. 106.06. The records maintained by the
1332 depository with respect to the account shall be subject to
1333 inspection by an agent of the Division of Elections or the
1334 Florida Elections Commission at any time during normal banking

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1335 hours, and such depository shall furnish certified copies of any
1336 such records to the Division of Elections or the Florida
1337 Elections Commission upon request.

1338 (6) Notwithstanding any other provisions of this chapter,
1339 in any reporting period during which an electioneering
1340 communications organization has not received funds, made any
1341 contributions, or expended any reportable funds, the treasurer
1342 shall file a written report with the filing officer by the
1343 prescribed reporting date that no reportable contributions or
1344 expenditures were made during the reporting period.

1345 (7) (a) Any electioneering communications organization
1346 failing to file a report on the designated due date shall be
1347 subject to a fine as provided in paragraph (b) for each late
1348 day. The fine shall be assessed by the filing officer, and the
1349 moneys collected shall be deposited:

1350 1. In the General Revenue Fund, in the case of an
1351 electioneering communications organization that registers with
1352 the Division of Elections; or

1353 2. In the general revenue fund of the political
1354 subdivision, in the case of an electioneering communications
1355 organization that registers with an officer of a political
1356 subdivision.

1357
1358 No separate fine shall be assessed for failure to file a copy of
1359 any report required by this section.

1360 (b) Upon determining that a report is late, the filing
1361 officer shall immediately notify the electioneering
1362 communications organization as to the failure to file a report
1363 by the designated due date and that a fine is being assessed for

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1364 each late day. The fine shall be \$50 per day for the first 3
1365 days late and, thereafter, \$500 per day for each late day, not
1366 to exceed 25 percent of the total receipts or expenditures,
1367 whichever is greater, for the period covered by the late report.
1368 However, for the reports immediately preceding each primary and
1369 general election, the fine shall be \$500 per day for each late
1370 day, not to exceed 25 percent of the total receipts or
1371 expenditures, whichever is greater, for the period covered by
1372 the late report. Upon receipt of the report, the filing officer
1373 shall determine the amount of the fine which is due and shall
1374 notify the electioneering communications organization. The
1375 filing officer shall determine the amount of the fine due based
1376 upon the earliest of the following:

- 1377 1. When the report is actually received by such officer.
- 1378 2. When the report is postmarked.
- 1379 3. When the certificate of mailing is dated.
- 1380 4. When the receipt from an established courier company is
1381 dated.
- 1382 5. When the electronic receipt issued pursuant to s.
1383 106.0705 or other electronic filing system authorized in this
1384 section is dated.

1385
1386 Such fine shall be paid to the filing officer within 20 days
1387 after receipt of the notice of payment due, unless appeal is
1388 made to the Florida Elections Commission pursuant to paragraph
1389 (c). Notice is deemed sufficient upon proof of delivery of
1390 written notice to the mailing or street address on record with
1391 the filing officer. An officer or member of an electioneering
1392 communications organization shall not be personally liable for

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1393 such fine.

1394 (c) The treasurer of an electioneering communications
1395 organization may appeal or dispute the fine, based upon, but not
1396 limited to, unusual circumstances surrounding the failure to
1397 file on the designated due date, and may request and shall be
1398 entitled to a hearing before the Florida Elections Commission,
1399 which shall have the authority to waive the fine in whole or in
1400 part. The Florida Elections Commission must consider the
1401 mitigating and aggravating circumstances contained in s.
1402 106.265(2) when determining the amount of a fine, if any, to be
1403 waived. Any such request shall be made within 20 days after
1404 receipt of the notice of payment due. In such case, the
1405 treasurer of the electioneering communications organization
1406 shall, within the 20-day period, notify the filing officer in
1407 writing of his or her intention to bring the matter before the
1408 commission.

1409 (d) The appropriate filing officer shall notify the Florida
1410 Elections Commission of the repeated late filing by an
1411 electioneering communications organization, the failure of an
1412 electioneering communications organization to file a report
1413 after notice, or the failure to pay the fine imposed. The
1414 commission shall investigate only those alleged late filing
1415 violations specifically identified by the filing officer and as
1416 set forth in the notification. Any other alleged violations must
1417 be stated separately and reported by the division to the
1418 commission under s. 106.25(2).

1419 (8) Electioneering communications organizations shall not
1420 use credit cards.

1421 Section 12. Section 106.0705, Florida Statutes, is

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1422 reenacted and amended to read:

1423 106.0705 Electronic filing of campaign treasurer's
1424 reports.-

1425 (1) As used in this section, "electronic filing system"
1426 means an Internet system for recording and reporting campaign
1427 finance activity by reporting period.

1428 (2) (a) Each individual who is required to file reports with
1429 the division pursuant to s. 106.07 or s. 106.141 must file such
1430 reports by means of the division's electronic filing system.

1431 (b) Each political committee, ~~committee of continuous~~
1432 ~~existence~~, electioneering communications organization,
1433 affiliated party committee, or state executive committee that is
1434 required to file reports with the division under ~~s. 106.04~~, s.
1435 106.07, s. 106.0703, or s. 106.29, as applicable, must file such
1436 reports with the division by means of the division's electronic
1437 filing system.

1438 (c) Each person or organization that is required to file
1439 reports with the division under s. 106.071 must file such
1440 reports by means of the division's electronic filing system.

1441 (3) Reports filed pursuant to this section shall be
1442 completed and filed through the electronic filing system not
1443 later than midnight of the day designated. Reports not filed by
1444 midnight of the day designated are late filed and are subject to
1445 the penalties under ~~s. 106.04(9)~~, s. 106.07(8), s. 106.0703(7),
1446 or s. 106.29(3), as applicable.

1447 (4) Each report filed pursuant to this section is
1448 considered to be under oath by the candidate and treasurer, the
1449 chair and treasurer, the treasurer under s. 106.0703, or the
1450 leader and treasurer under s. 103.092, whichever is applicable,

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1451 and such persons are subject to the provisions of ~~s.~~
1452 ~~106.04(4)(d)~~, s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as
1453 applicable. Persons given a secure sign-on to the electronic
1454 filing system are responsible for protecting such from
1455 disclosure and are responsible for all filings using such
1456 credentials, unless they have notified the division that their
1457 credentials have been compromised.

1458 (5) The electronic filing system developed by the division
1459 must:

1460 (a) Be based on access by means of the Internet.

1461 (b) Be accessible by anyone with Internet access using
1462 standard web-browsing software.

1463 (c) Provide for direct entry of campaign finance
1464 information as well as upload of such information from campaign
1465 finance software certified by the division.

1466 (d) Provide a method that prevents unauthorized access to
1467 electronic filing system functions.

1468 (6) The division shall adopt rules ~~pursuant to ss.~~
1469 ~~120.536(1) and 120.54~~ to administer this section and provide for
1470 the reports required to be filed pursuant to this section. Such
1471 rules shall, at a minimum, provide:

1472 (a) Alternate filing procedures in case the division's
1473 electronic filing system is not operable.

1474 (b) For the issuance of an electronic receipt to the person
1475 submitting the report indicating and verifying that the report
1476 has been filed.

1477 Section 13. Section 106.08, Florida Statutes, is amended to
1478 read:

1479 106.08 Contributions; limitations on.-

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1480 (1) (a) Except for political parties or affiliated party
1481 committees, no person or, political committee, ~~or committee of~~
1482 ~~continuous existence~~ may, in any election, make contributions in
1483 excess of the following amounts: ~~in excess of \$500 to any~~
1484 ~~candidate for election to or retention in office or to any~~
1485 ~~political committee supporting or opposing one or more~~
1486 ~~candidates.~~

1487 1. To a candidate for statewide office or for retention as
1488 a justice of the Supreme Court, \$3,000. Candidates for the
1489 offices of Governor and Lieutenant Governor on the same ticket
1490 are considered a single candidate for the purpose of this
1491 subparagraph section.

1492 2. To a candidate for retention as a judge of a district
1493 court of appeal, \$2,000.

1494 3. To a candidate for legislative or multicounty office; a
1495 candidate for countywide office or in any election conducted on
1496 less than a countywide basis; or a candidate for county court
1497 judge or circuit judge, \$500.

1498 (b) ~~1.~~ The contribution limits provided in this subsection
1499 do not apply to contributions made by a state or county
1500 executive committee of a political party or affiliated party
1501 committee regulated by chapter 103 or to amounts contributed by
1502 a candidate to his or her own campaign.

1503 ~~2. Notwithstanding the limits provided in this subsection,~~
1504 ~~an unemancipated child under the age of 18 years of age may not~~
1505 ~~make a contribution in excess of \$100 to any candidate or to any~~
1506 ~~political committee supporting one or more candidates.~~

1507 (c) The contribution limits of this subsection apply to
1508 each election. For purposes of this subsection, the primary

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1509 election and general election are separate elections so long as
1510 the candidate is not an unopposed candidate as defined in s.
1511 106.011 ~~106.011(15)~~. However, for the purpose of contribution
1512 limits with respect to candidates for retention as a justice or
1513 judge, there is only one election, which is the general
1514 election.

1515 (2) (a) A candidate may not accept contributions from a
1516 county executive committee of a political party whose
1517 contributions in the aggregate exceed \$50,000, or from the
1518 national, ~~or state, or county~~ executive committees of a
1519 political party, including any subordinate committee of such
1520 political party or affiliated party committees, whose ~~which~~
1521 contributions in the aggregate exceed \$50,000.

1522 (b) A candidate for statewide office may not accept
1523 contributions from national, state, or county executive
1524 committees of a political party, including any subordinate
1525 committee of the political party, or affiliated party
1526 committees, which contributions in the aggregate exceed
1527 \$250,000. Polling services, research services, costs for
1528 campaign staff, professional consulting services, and telephone
1529 calls are not contributions to be counted toward the
1530 contribution limits of paragraph (a) or this paragraph. Any item
1531 not expressly identified in this paragraph as nonallocable is a
1532 contribution in an amount equal to the fair market value of the
1533 item and must be counted as allocable toward the contribution
1534 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
1535 contributions must be reported by the candidate under s. 106.07
1536 and by the political party or affiliated party committee under
1537 s. 106.29.

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1538 (3) (a) Any contribution received by a candidate with
1539 opposition in an election or by the campaign treasurer or a
1540 deputy campaign treasurer of such a candidate on the day of that
1541 election or less than 5 days before ~~prior to~~ the day of that
1542 election must be returned by him or her to the person or
1543 committee contributing it and may not be used or expended by or
1544 on behalf of the candidate.

1545 (b) Any contribution received by a candidate or by the
1546 campaign treasurer or a deputy campaign treasurer of a candidate
1547 after the date at which the candidate withdraws his or her
1548 candidacy, or after the date the candidate is defeated, becomes
1549 unopposed, or is elected to office must be returned to the
1550 person or committee contributing it and may not be used or
1551 expended by or on behalf of the candidate.

1552 (4) Any contribution received by the chair, campaign
1553 treasurer, or deputy campaign treasurer of a political committee
1554 supporting or opposing a candidate with opposition in an
1555 election or supporting or opposing an issue on the ballot in an
1556 election on the day of that election or less than 5 days before
1557 ~~prior to~~ the day of that election may not be obligated or
1558 expended by the committee until after the date of the election.

1559 (5) (a) A person may not make any contribution through or in
1560 the name of another, directly or indirectly, in any election.

1561 (b) Candidates, political committees, affiliated party
1562 committees, and political parties may not solicit contributions
1563 from any religious, charitable, civic, or other causes or
1564 organizations established primarily for the public good.

1565 (c) Candidates, political committees, affiliated party
1566 committees, and political parties may not make contributions, in

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1567 exchange for political support, to any religious, charitable,
1568 civic, or other cause or organization established primarily for
1569 the public good. It is not a violation of this paragraph for:

1570 1. A candidate, political committee, affiliated party
1571 committee, or political party executive committee to make gifts
1572 of money in lieu of flowers in memory of a deceased person;

1573 2. A candidate to continue membership in, or make regular
1574 donations from personal or business funds to, religious,
1575 political party, affiliated party committee, civic, or
1576 charitable groups of which the candidate is a member or to which
1577 the candidate has been a regular donor for more than 6 months;
1578 or

1579 3. A candidate to purchase, with campaign funds, tickets,
1580 admission to events, or advertisements from religious, civic,
1581 political party, affiliated party committee, or charitable
1582 groups.

1583 (6) (a) A political party or affiliated party committee may
1584 not accept any contribution that has been specifically
1585 designated for the partial or exclusive use of a particular
1586 candidate. Any contribution so designated must be returned to
1587 the contributor and may not be used or expended by or on behalf
1588 of the candidate. Funds contributed to an affiliated party
1589 committee may ~~shall~~ not be ~~deemed as~~ designated for the partial
1590 or exclusive use of a leader as defined in s. 103.092.

1591 (b) 1. A political party or affiliated party committee may
1592 not accept any in-kind contribution that fails to provide a
1593 direct benefit to the political party or affiliated party
1594 committee. A "direct benefit" includes, but is not limited to,
1595 fundraising or furthering the objectives of the political party

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1596 or affiliated party committee.

1597 2.a. An in-kind contribution to a state political party may
1598 be accepted only by the chairperson of the state political party
1599 or by the chairperson's designee or designees whose names are on
1600 file with the division in a form acceptable to the division
1601 before ~~prior to~~ the date of the written notice required in sub-
1602 subparagraph b. An in-kind contribution to a county political
1603 party may be accepted only by the chairperson of the county
1604 political party or by the county chairperson's designee or
1605 designees whose names are on file with the supervisor of
1606 elections of the respective county before ~~prior to~~ the date of
1607 the written notice required in sub-subparagraph b. An in-kind
1608 contribution to an affiliated party committee may be accepted
1609 only by the leader of the affiliated party committee as defined
1610 in s. 103.092 or by the leader's designee or designees whose
1611 names are on file with the division in a form acceptable to the
1612 division before ~~prior to~~ the date of the written notice required
1613 in sub-subparagraph b.

1614 b. A person making an in-kind contribution to a state or
1615 county political party or affiliated party committee must
1616 provide prior written notice of the contribution to a person
1617 described in sub-subparagraph a. The prior written notice must
1618 be signed and dated and may be provided by an electronic or
1619 facsimile message. However, prior written notice is not required
1620 for an in-kind contribution that consists of food and beverage
1621 in an aggregate amount not exceeding \$1,500 which is consumed at
1622 a single sitting or event if such in-kind contribution is
1623 accepted in advance by a person specified in sub-subparagraph a.

1624 c. A person described in sub-subparagraph a. may accept an

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1625 in-kind contribution requiring prior written notice only in a
1626 writing that is dated before the in-kind contribution is made.
1627 Failure to obtain the required written acceptance of an in-kind
1628 contribution to a state or county political party or affiliated
1629 party committee constitutes a refusal of the contribution.

1630 d. A copy of each prior written acceptance required under
1631 sub-subparagraph c. must be filed at the time the regular
1632 reports of contributions and expenditures required under s.
1633 106.29 are filed by the state executive committee, county
1634 executive committee, and affiliated party committee. A state
1635 executive committee and an affiliated party committee must file
1636 with the division. A county executive committee must file with
1637 the county's supervisor of elections.

1638 e. An in-kind contribution may not be given to a state or
1639 county political party or affiliated party committee unless the
1640 in-kind contribution is made as provided in this subparagraph.

1641 (7) (a) Any person who knowingly and willfully makes or
1642 accepts no more than one contribution in violation of subsection
1643 (1) or subsection (5), or any person who knowingly and willfully
1644 fails or refuses to return any contribution as required in
1645 subsection (3), commits a misdemeanor of the first degree,
1646 punishable as provided in s. 775.082 or s. 775.083. If any
1647 corporation, partnership, or other business entity or any
1648 political party, affiliated party committee, political
1649 committee, ~~committee of continuous existence~~, or electioneering
1650 communications organization is convicted of knowingly and
1651 willfully violating any provision punishable under this
1652 paragraph, it shall be fined not less than \$1,000 and not more
1653 than \$10,000. If it is a domestic entity, it may be ordered

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1654 dissolved by a court of competent jurisdiction; if it is a
1655 foreign or nonresident business entity, its right to do business
1656 in this state may be forfeited. Any officer, partner, agent,
1657 attorney, or other representative of a corporation, partnership,
1658 or other business entity, or of a political party, affiliated
1659 party committee, political committee, ~~committee of continuous~~
1660 ~~existence~~, electioneering communications organization, or
1661 organization exempt from taxation under s. 527 or s. 501(c)(4)
1662 of the Internal Revenue Code, who aids, abets, advises, or
1663 participates in a violation of any provision punishable under
1664 this paragraph commits a misdemeanor of the first degree,
1665 punishable as provided in s. 775.082 or s. 775.083.

1666 (b) Any person who knowingly and willfully makes or accepts
1667 two or more contributions in violation of subsection (1) or
1668 subsection (5) commits a felony of the third degree, punishable
1669 as provided in s. 775.082, s. 775.083, or s. 775.084. If any
1670 corporation, partnership, or other business entity or any
1671 political party, affiliated party committee, political
1672 committee, ~~committee of continuous existence~~, or electioneering
1673 communications organization is convicted of knowingly and
1674 willfully violating any provision punishable under this
1675 paragraph, it shall be fined not less than \$10,000 and not more
1676 than \$50,000. If it is a domestic entity, it may be ordered
1677 dissolved by a court of competent jurisdiction; if it is a
1678 foreign or nonresident business entity, its right to do business
1679 in this state may be forfeited. Any officer, partner, agent,
1680 attorney, or other representative of a corporation, partnership,
1681 or other business entity, or of a political committee, ~~committee~~
1682 ~~of continuous existence~~, political party, affiliated party

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1683 committee, or electioneering communications organization, or
1684 organization exempt from taxation under s. 527 or s. 501(c)(4)
1685 of the Internal Revenue Code, who aids, abets, advises, or
1686 participates in a violation of any provision punishable under
1687 this paragraph commits a felony of the third degree, punishable
1688 as provided in s. 775.082, s. 775.083, or s. 775.084.

1689 (8) Except when otherwise provided in subsection (7), any
1690 person who knowingly and willfully violates any provision of
1691 this section shall, in addition to any other penalty prescribed
1692 by this chapter, pay to the state a sum equal to twice the
1693 amount contributed in violation of this chapter. Each campaign
1694 treasurer shall pay all amounts contributed in violation of this
1695 section to the state for deposit in the General Revenue Fund.

1696 (9) This section does not apply to the transfer of funds
1697 between a primary campaign depository and a savings account or
1698 certificate of deposit or to any interest earned on such account
1699 or certificate.

1700 (10) Contributions to a political committee ~~or committee of~~
1701 ~~continuous existence~~ may be received by an affiliated
1702 organization and transferred to the bank account of the
1703 political committee ~~or committee of continuous existence~~ via
1704 check written from the affiliated organization if such
1705 contributions are specifically identified as intended to be
1706 contributed to the political committee ~~or committee of~~
1707 ~~continuous existence~~. All contributions received in this manner
1708 shall be reported pursuant to s. 106.07 by the political
1709 committee ~~or committee of continuous existence~~ as having been
1710 made by the original contributor.

1711 Section 14. Section 106.11, Florida Statutes, is reenacted

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1712 and amended to read:

1713 106.11 Expenses of and expenditures by candidates and
1714 political committees.—Each candidate and each political
1715 committee which designates a primary campaign depository
1716 pursuant to s. 106.021(1) shall make expenditures from funds on
1717 deposit in such primary campaign depository only in the
1718 following manner, with the exception of expenditures made from
1719 petty cash funds provided by s. 106.12:

1720 (1) (a) 1. The campaign treasurer or deputy campaign
1721 treasurer of a candidate or political committee shall make
1722 expenditures from funds on deposit in the primary campaign
1723 depository only by means of a bank check drawn upon the campaign
1724 account of the candidate or political committee. The campaign
1725 account shall be separate from any personal or other account and
1726 shall be used only for the purpose of depositing contributions
1727 and making expenditures for the candidate or political
1728 committee.

1729 2. An expenditure by a political committee must also be
1730 primarily related to raising or making a contribution,
1731 influencing the results of an election, making an electioneering
1732 communication, or other political activity authorized by this
1733 chapter. A violation of this subparagraph is punishable solely
1734 as provided in s. 106.19(2).

1735 (b) The checks for such account shall contain, as a
1736 minimum, the following information:

- 1737 1. The ~~statement "... (name of the campaign account of the~~
1738 ~~candidate or political committee.) ... Campaign Account."~~
1739 2. The account number and the name of the bank.
1740 3. The exact amount of the expenditure.

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- 1741 4. The signature of the campaign treasurer or deputy
1742 treasurer.
- 1743 5. The exact purpose for which the expenditure is
1744 authorized.
- 1745 6. The name of the payee.
- 1746 (2) (a) For purposes of this section, debit cards are
1747 considered bank checks, if:
- 1748 1. Debit cards are obtained from the same bank that has
1749 been designated as the candidate's or political committee's
1750 primary campaign depository.
- 1751 2. Debit cards are issued in the name of the treasurer,
1752 deputy treasurer, or authorized user and contain the state
1753 "... (name of the campaign account of the candidate or political
1754 committee.) ... Campaign Account."
- 1755 3. No more than three debit cards are requested and issued.
- 1756 4. The person using the debit card does not receive cash as
1757 part of, or independent of, any transaction for goods or
1758 services.
- 1759 5. All receipts for debit card transactions contain:
- 1760 a. The last four digits of the debit card number.
- 1761 b. The exact amount of the expenditure.
- 1762 c. The name of the payee.
- 1763 d. The signature of the campaign treasurer, deputy
1764 treasurer, or authorized user.
- 1765 e. The exact purpose for which the expenditure is
1766 authorized.
- 1767
- 1768 Any information required by this subparagraph but not included
1769 on the debit card transaction receipt may be handwritten on, or

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1770 attached to, the receipt by the authorized user before
1771 submission to the treasurer.

1772 (b) Debit cards are not subject to the requirements of
1773 paragraph (1)(b).

1774 (3) The campaign treasurer, deputy treasurer, or authorized
1775 user who signs the check shall be responsible for the
1776 completeness and accuracy of the information on such check and
1777 for insuring that such expenditure is an authorized expenditure.

1778 (4) No candidate, campaign manager, treasurer, deputy
1779 treasurer, or political committee or any officer or agent
1780 thereof, or any person acting on behalf of any of the foregoing,
1781 shall authorize any expenses, nor shall any campaign treasurer
1782 or deputy treasurer sign a check drawn on the primary campaign
1783 account for any purpose, unless there are sufficient funds on
1784 deposit in the primary depository account of the candidate or
1785 political committee to pay the full amount of the authorized
1786 expense, to honor all other checks drawn on such account, which
1787 checks are outstanding, and to meet all expenses previously
1788 authorized but not yet paid. However, an expense may be incurred
1789 for the purchase of goods or services if there are sufficient
1790 funds on deposit in the primary depository account to pay the
1791 full amount of the incurred expense, to honor all checks drawn
1792 on such account, which checks are outstanding, and to meet all
1793 other expenses previously authorized but not yet paid, provided
1794 that payment for such goods or services is made upon final
1795 delivery and acceptance of the goods or services; and an
1796 expenditure from petty cash pursuant to the provisions of s.
1797 106.12 may be authorized, if there is a sufficient amount of
1798 money in the petty cash fund to pay for such expenditure.

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1799 Payment for credit card purchases shall be made pursuant to s.
1800 106.125. Any expense incurred or authorized in excess of such
1801 funds on deposit shall, in addition to other penalties provided
1802 by law, constitute a violation of this chapter. As used in this
1803 subsection, the term "sufficient funds on deposit in the primary
1804 depository account of the candidate or political committee"
1805 means that the funds at issue have been delivered for deposit to
1806 the financial institution at which such account is maintained.
1807 The term shall not be construed to mean that such funds are
1808 available for withdrawal in accordance with the deposit rules or
1809 the funds availability policies of such financial institution.

1810 (5) A candidate who withdraws his or her candidacy, becomes
1811 an unopposed candidate, or is eliminated as a candidate or
1812 elected to office may expend funds from the campaign account to:

1813 (a) Purchase "thank you" advertising for up to 75 days
1814 after he or she withdraws, becomes unopposed, or is eliminated
1815 or elected.

1816 (b) Pay for items which were obligated before he or she
1817 withdrew, became unopposed, or was eliminated or elected.

1818 (c) Pay for expenditures necessary to close down the
1819 campaign office and to prepare final campaign reports.

1820 (d) Dispose of surplus funds as provided in s. 106.141.

1821 (6) A candidate who makes a loan to his or her campaign and
1822 reports the loan as required by s. 106.07 may be reimbursed for
1823 the loan at any time the campaign account has sufficient funds
1824 to repay the loan and satisfy its other obligations.

1825 Section 15. Section 106.141, Florida Statutes, is amended
1826 to read:

1827 106.141 Disposition of surplus funds by candidates.—

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1828 (1) Except as provided in subsection (6), each candidate
1829 who withdraws his or her candidacy, becomes an unopposed
1830 candidate, or is eliminated as a candidate or elected to office
1831 shall, within 90 days, dispose of the funds on deposit in his or
1832 her campaign account and file a report reflecting the
1833 disposition of all remaining funds. Such candidate may ~~shall~~ not
1834 accept any contributions, nor may ~~shall~~ any person accept
1835 contributions on behalf of such candidate, after the candidate
1836 withdraws his or her candidacy, becomes unopposed, or is
1837 eliminated or elected. However, if a candidate receives a refund
1838 check after all surplus funds have been disposed of, the check
1839 may be endorsed by the candidate and the refund disposed of
1840 under this section. An amended report must be filed showing the
1841 refund and subsequent disposition.

1842 (2) Any candidate required to dispose of funds pursuant to
1843 this section may, before ~~prior to~~ such disposition, be
1844 reimbursed by the campaign, in full or in part, for any reported
1845 contributions by the candidate to the campaign.

1846 (3) The campaign treasurer of a candidate who withdraws his
1847 or her candidacy, becomes unopposed, or is eliminated as a
1848 candidate or elected to office and who has funds on deposit in a
1849 separate interest-bearing account or certificate of deposit
1850 shall, within 7 days after the date of becoming unopposed or the
1851 date of such withdrawal, elimination, or election, transfer such
1852 funds and the accumulated interest earned thereon to the
1853 campaign account of the candidate for disposal under this
1854 section. However, if the funds are in an account in which
1855 penalties will apply for withdrawal within the 7-day period, the
1856 campaign treasurer shall transfer such funds and the accumulated

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1857 interest earned thereon as soon as the funds can be withdrawn
1858 without penalty, or within 90 days after the candidate becomes
1859 unopposed, withdraws his or her candidacy, or is eliminated or
1860 elected, whichever comes first.

1861 (4) (a) Except as provided in paragraph (b), any candidate
1862 required to dispose of funds pursuant to this section shall, at
1863 the option of the candidate, dispose of such funds by any of the
1864 following means, or any combination thereof:

1865 1. Return pro rata to each contributor the funds that have
1866 not been spent or obligated.

1867 2. Donate the funds that have not been spent or obligated
1868 to a charitable organization or organizations that meet the
1869 qualifications of s. 501(c)(3) of the Internal Revenue Code.

1870 3. Give not more than \$25,000 of the funds that have not
1871 been spent or obligated to the affiliated party committee or
1872 political party of which such candidate is a member.

1873 4. Give the funds that have not been spent or obligated:

1874 a. In the case of a candidate for state office, to the
1875 state, to be deposited in either the Election Campaign Financing
1876 Trust Fund or the General Revenue Fund, as designated by the
1877 candidate; or

1878 b. In the case of a candidate for an office of a political
1879 subdivision, to such political subdivision, to be deposited in
1880 the general fund thereof.

1881 (b) Any candidate required to dispose of funds pursuant to
1882 this section who has received contributions pursuant to the
1883 Florida Election Campaign Financing Act shall, after all
1884 monetary commitments pursuant to s. 106.11(5)(b) and (c) have
1885 been met, return all surplus campaign funds to the General

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1886 Revenue Fund.

1887 (5) A candidate elected to office or a candidate who will
1888 be elected to office by virtue of his or her being unopposed
1889 may, in addition to the disposition methods provided in
1890 subsection (4), transfer from the campaign account to an office
1891 account any amount of the funds on deposit in such campaign
1892 account up to:

1893 (a) Fifty ~~Twenty~~ thousand dollars, for a candidate for
1894 statewide office. The Governor and Lieutenant Governor shall be
1895 considered separate candidates for the purpose of this section.

1896 (b) Ten ~~Five~~ thousand dollars, for a candidate for
1897 multicounty office.

1898 (c) Ten ~~Five~~ thousand dollars multiplied by the number of
1899 years in the term of office for which elected, for a candidate
1900 for legislative office.

1901 (d) Five thousand ~~Two thousand five hundred~~ dollars
1902 multiplied by the number of years in the term of office for
1903 which elected, for a candidate for county office or for a
1904 candidate in any election conducted on less than a countywide
1905 basis.

1906 (e) Six thousand dollars, for a candidate for retention as
1907 a justice of the Supreme Court.

1908 (f) Three thousand dollars, for a candidate for retention
1909 as a judge of a district court of appeal.

1910 (g) Three thousand ~~One thousand five hundred~~ dollars, for a
1911 candidate for county court judge or circuit judge.

1912

1913 The office account established pursuant to this subsection shall
1914 be separate from any personal or other account. Any funds so

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1915 transferred by a candidate shall be used only for legitimate
1916 expenses in connection with the candidate's public office. Such
1917 expenses may include travel expenses incurred by the officer or
1918 a staff member;; personal taxes payable on office account funds
1919 by the candidate or elected public official; professional
1920 services provided by a certified public accountant or attorney
1921 for preparation of the elected public official's financial
1922 disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs
1923 to prepare, print, produce, and mail holiday cards or
1924 newsletters about the elected public official's public business
1925 to constituents, if such correspondence does not constitute a
1926 political advertisement, independent expenditure, or
1927 electioneering communication as provided in s. 106.011; fees or
1928 dues to religious, civic, or charitable organizations of which
1929 the elected public official is a member; items of modest value
1930 such as flowers, greeting cards, or personal notes given as a
1931 substitute for, or in association with, an elected public
1932 official's personal attendance at a constituent's special event
1933 or family occasion, such as the birth of a child, graduation,
1934 wedding, or funeral; personal expenses incurred by the elected
1935 public official in connection with attending a constituent
1936 meeting or event where public policy is discussed, if such
1937 meetings or events are limited to no more than once a week; or
1938 expenses incurred in the operation of the elected public
1939 official's ~~his or her~~ office, including the employment of
1940 additional staff. The funds may be deposited in a savings
1941 account; however, all deposits, withdrawals, and interest earned
1942 thereon shall be reported at the appropriate reporting period.
1943 If a candidate is reelected to office or elected to another

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1944 office and has funds remaining in his or her office account, he
1945 or she may transfer surplus campaign funds to the office
1946 account. At no time may the funds in the office account exceed
1947 the limitation imposed by this subsection. Upon leaving public
1948 office, any person who has funds in an office account pursuant
1949 to this subsection remaining on deposit shall give such funds to
1950 a charitable organization that meets ~~or organizations which meet~~
1951 the requirements of s. 501(c)(3) of the Internal Revenue Code
1952 or, in the case of a state officer, to the state to be deposited
1953 in the General Revenue Fund or, in the case of an officer of a
1954 political subdivision, to the political subdivision to be
1955 deposited in the general fund thereof.

1956 (6) (a) For purposes of this subsection, the term "same
1957 office" with respect to legislative office means an office in
1958 the same legislative body, irrespective of district number or
1959 designation or geographic boundary.

1960 (b) A candidate elected to state office or a candidate who
1961 will be elected to state office by virtue of his or her being
1962 unopposed after candidate qualifying ends, may retain up to
1963 \$20,000 in his or her campaign account, or in an interest-
1964 bearing account or certificate of deposit, for use in his or her
1965 next campaign for the same office, in addition to the
1966 disposition methods provided in subsections (4) and (5). All
1967 requirements applicable to candidate campaign accounts under
1968 this chapter, including disclosure requirements applicable to
1969 candidate campaign accounts, limitations on expenditures, and
1970 limitations on contributions, apply to any retained funds.

1971 (c) If a candidate who has retained funds under this
1972 subsection does not qualify as a candidate for reelection to the

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1973 same office, all retained funds shall be disposed of as
1974 otherwise required by this section or s. 106.11(5) within 90
1975 days after the last day of candidate qualifying for that office.
1976 Requirements in this section applicable to the disposal of
1977 surplus funds, including reporting requirements, are applicable
1978 to the disposal of retained funds.

1979 (7) ~~(6)~~ Before ~~Prior to~~ disposing of funds pursuant to
1980 subsection (4), ~~or~~ transferring funds into an office account
1981 pursuant to subsection (5), or retaining funds for reelection
1982 pursuant to subsection (6), any candidate who filed an oath
1983 stating that he or she was unable to pay the election assessment
1984 ~~or~~ fee for verification of petition signatures without imposing
1985 an undue burden on his or her personal resources or on resources
1986 otherwise available to him or her, or who filed both such oaths,
1987 ~~or who qualified by the petition process and was not required to~~
1988 ~~pay an election assessment,~~ shall reimburse the state or local
1989 governmental entity, whichever is applicable, for such waived
1990 assessment or fee or both. Such reimbursement shall be made
1991 first for the cost of petition verification and then, if funds
1992 are remaining, for the amount of the election assessment. If
1993 there are insufficient funds in the account to pay the full
1994 amount of either the assessment or the fee or both, the
1995 remaining funds shall be disbursed in the above manner until no
1996 funds remain. All funds disbursed pursuant to this subsection
1997 shall be remitted to the qualifying officer. Any reimbursement
1998 for petition verification costs which are reimbursable by the
1999 state shall be forwarded by the qualifying officer to the state
2000 for deposit in the General Revenue Fund. ~~All reimbursements for~~
2001 ~~the amount of the election assessment shall be forwarded by the~~

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2002 ~~qualifying officer to the Department of State for deposit in the~~
2003 ~~General Revenue Fund.~~

2004 (8) (a) ~~(7) (a)~~ Any candidate required to dispose of campaign
2005 funds pursuant to this section shall do so within the time
2006 required by this section and ~~shall~~, on or before the date by
2007 which such disposition is to have been made, shall file with the
2008 officer with whom reports are required to be filed pursuant to
2009 s. 106.07 a form prescribed by the Division of Elections
2010 listing:

2011 1. The name and address of each person or unit of
2012 government to whom any of the funds were distributed and the
2013 amounts thereof;

2014 2. The name and address of each person to whom an
2015 expenditure was made, together with the amount thereof and
2016 purpose therefor; ~~and~~

2017 3. The amount of such funds transferred to an office
2018 account by the candidate, together with the name and address of
2019 the bank, savings and loan association, or credit union in which
2020 the office account is located; and

2021 4. The amount of such funds retained pursuant to subsection
2022 (6), together with the name and address of the bank, savings and
2023 loan association, or credit union in which the retained funds
2024 are located.

2025
2026 Such report shall be signed by the candidate and the campaign
2027 treasurer and certified as true and correct pursuant to s.
2028 106.07.

2029 (b) The filing officer shall notify each candidate at least
2030 14 days before the date the report is due.

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2031 (c) Any candidate failing to file a report on the
2032 designated due date shall be subject to a fine as provided in s.
2033 106.07 for submitting late termination reports.

2034 (9)~~(8)~~ Any candidate elected to office who transfers
2035 surplus campaign funds into an office account pursuant to
2036 subsection (5) shall file a report on the 10th day following the
2037 end of each calendar quarter until the account is closed. Such
2038 reports shall contain the name and address of each person to
2039 whom any disbursement of funds was made, together with the
2040 amount thereof and the purpose therefor, and the name and
2041 address of any person from whom the elected candidate received
2042 any refund or reimbursement and the amount thereof. Such reports
2043 shall be on forms prescribed by the Division of Elections,
2044 signed by the elected candidate, certified as true and correct,
2045 and filed with the officer with whom campaign reports were filed
2046 pursuant to s. 106.07(2).

2047 (10)~~(9)~~ Any candidate, or any person on behalf of a
2048 candidate, who accepts contributions after such candidate has
2049 withdrawn his or her candidacy, after the candidate has become
2050 an unopposed candidate, or after the candidate has been
2051 eliminated as a candidate or elected to office commits a
2052 misdemeanor of the first degree, punishable as provided in s.
2053 775.082 or s. 775.083.

2054 (11)~~(10)~~ Any candidate who is required by the provisions of
2055 this section to dispose of funds in his or her campaign account
2056 and who fails to dispose of the funds in the manner provided in
2057 this section commits a misdemeanor of the first degree,
2058 punishable as provided in s. 775.082 or s. 775.083.

2059 Section 16. Section 106.29, Florida Statutes, is reenacted

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2060 and amended to read:

2061 106.29 Reports by political parties and affiliated party
2062 committees; restrictions on contributions and expenditures;
2063 penalties.—

2064 (1) (a) The state executive committee and each county
2065 executive committee of each political party and any affiliated
2066 party committee regulated by chapter 103 shall file regular
2067 reports of all contributions received and all expenditures made
2068 by such committee. However, the reports may ~~shall~~ not include
2069 contributions and expenditures that are reported to the Federal
2070 Election Commission.

2071 (b) Each state executive committee and affiliated party
2072 committee shall file regular reports with the Division of
2073 Elections. Such reports must contain the same information as
2074 reports required of candidates by s. 106.07 and must be filed at
2075 the same times and subject to the same filing conditions
2076 established by s. 106.07(1) and (2) for statewide candidate
2077 reports filed with the division. Each county executive committee
2078 shall file reports with the supervisor of elections in the
2079 county in which such committee exists. Such reports must contain
2080 the same information as reports required of candidates by s.
2081 106.07 and must be filed at the same times and subject to the
2082 same filing conditions established by s. 106.07(1) and (2) for
2083 county candidate reports filed with the supervisor of elections.
2084 In addition, when a special election is called to fill a vacancy
2085 in office, each state executive committee, each affiliated party
2086 committee, and each county executive committee making
2087 contributions or expenditures to influence the results of the
2088 special election or the preceding special primary election must

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2089 file campaign treasurers' reports on the dates set by the
2090 Department of State pursuant to s. 100.111. ~~Such reports shall~~
2091 ~~contain the same information as do reports required of~~
2092 ~~candidates by s. 106.07 and shall be filed on the 10th day~~
2093 ~~following the end of each calendar quarter, except that, during~~
2094 ~~the period from the last day for candidate qualifying until the~~
2095 ~~general election, such reports shall be filed on the Friday~~
2096 ~~immediately preceding each special primary election, special~~
2097 ~~election, primary election, and general election.~~

2098 (c) In addition to the reports filed under this section,
2099 the state executive committee, each county executive committee,
2100 and each affiliated party committee shall file a copy of each
2101 prior written acceptance of an in-kind contribution given by the
2102 committee during the preceding calendar quarter as required
2103 under s. 106.08(6). ~~Each state executive committee and~~
2104 ~~affiliated party committee shall file its reports with the~~
2105 ~~Division of Elections. Each county executive committee shall~~
2106 ~~file its reports with the supervisor of elections in the county~~
2107 ~~in which such committee exists.~~

2108 (d) Any state or county executive committee or affiliated
2109 party committee failing to file a report on the designated due
2110 date ~~is shall be~~ subject to a fine as provided in subsection
2111 (3). ~~A No~~ separate fine may not ~~shall~~ be assessed for failure to
2112 file a copy of any report required by this section.

2113 (2) The chair and treasurer of each state or county
2114 executive committee shall certify as to the correctness of each
2115 report filed by them on behalf of such committee. The leader and
2116 treasurer of each affiliated party committee under s. 103.092
2117 shall certify as to the correctness of each report filed by them

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2118 on behalf of such committee. Any committee chair, leader, or
2119 treasurer who certifies the correctness of any report while
2120 knowing that such report is incorrect, false, or incomplete
2121 commits a felony of the third degree, punishable as provided in
2122 s. 775.082, s. 775.083, or s. 775.084.

2123 (3) (a) A ~~Any~~ state or county executive committee or
2124 affiliated party committee that fails ~~failing~~ to file a report
2125 on the designated due date is ~~shall be~~ subject to a fine as
2126 provided in paragraph (b) for each late day. The fine shall be
2127 assessed by the filing officer, and the moneys collected shall
2128 be deposited in the General Revenue Fund.

2129 (b) Upon determining that a report is late, the filing
2130 officer shall immediately notify the chair of the executive
2131 committee or the leader of the affiliated party committee as
2132 defined in s. 103.092 as to the failure to file a report by the
2133 designated due date and that a fine is being assessed for each
2134 late day. The fine is ~~shall be~~ \$1,000 for a state executive
2135 committee, \$1,000 for an affiliated party committee, and \$50 for
2136 a county executive committee, per day for each late day, not to
2137 exceed 25 percent of the total receipts or expenditures,
2138 whichever is greater, for the period covered by the late report.
2139 However, if an executive committee or an affiliated party
2140 committee fails to file a report on the Friday immediately
2141 preceding the special election or general election, the fine is
2142 ~~shall be~~ \$10,000 per day for each day a state executive
2143 committee is late, \$10,000 per day for each day an affiliated
2144 party committee is late, and \$500 per day for each day a county
2145 executive committee is late. Upon receipt of the report, the
2146 filing officer shall determine the amount of the fine which is

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2147 due and shall notify the chair or leader as defined in s.
2148 103.092. Notice is deemed complete upon proof of delivery of
2149 written notice to the mailing or street address on record with
2150 the filing officer. The filing officer shall determine the
2151 amount of the fine due based upon the earliest of the following:
2152 1. When the report is actually received by such officer.
2153 2. When the report is postmarked.
2154 3. When the certificate of mailing is dated.
2155 4. When the receipt from an established courier company is
2156 dated.
2157 5. When the electronic receipt issued pursuant to s.
2158 106.0705 is dated.

2159
2160 Such fine shall be paid to the filing officer within 20 days
2161 after receipt of the notice of payment due, unless appeal is
2162 made to the Florida Elections Commission pursuant to paragraph
2163 (c). An officer or member of an executive committee is not ~~shall~~
2164 ~~not be~~ personally liable for such fine.

2165 (c) The chair of an executive committee or the leader of an
2166 affiliated party committee as defined in s. 103.092 may appeal
2167 or dispute the fine, based upon unusual circumstances
2168 surrounding the failure to file on the designated due date, and
2169 may request and is ~~shall be~~ entitled to a hearing before the
2170 Florida Elections Commission, which has ~~shall have~~ the authority
2171 to waive the fine in whole or in part. Any such request shall be
2172 made within 20 days after receipt of the notice of payment due.
2173 In such case, the chair of the executive committee or the leader
2174 of the affiliated party committee as defined in s. 103.092
2175 shall, within the 20-day period, notify the filing officer in

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2176 writing of his or her intention to bring the matter before the
2177 commission.

2178 (d) The appropriate filing officer shall notify the Florida
2179 Elections Commission of the repeated late filing by an executive
2180 committee or affiliated party committee, the failure of an
2181 executive committee or affiliated party committee to file a
2182 report after notice, or the failure to pay the fine imposed.

2183 (4) Any contribution received by a state or county
2184 executive committee or affiliated party committee less than 5
2185 days before an election may ~~shall~~ not be used or expended in
2186 behalf of any candidate, issue, affiliated party committee, or
2187 political party participating in such election.

2188 (5) A ~~No~~ state or county executive committee or affiliated
2189 party committee, in the furtherance of any candidate or
2190 political party, directly or indirectly, may not ~~shall~~ give,
2191 pay, or expend any money, give or pay anything of value,
2192 authorize any expenditure, or become pecuniarily liable for any
2193 expenditure prohibited by this chapter. However, the
2194 contribution of funds by one executive committee to another or
2195 to established party organizations for legitimate party or
2196 campaign purposes is not prohibited, but all such contributions
2197 shall be recorded and accounted for in the reports of the
2198 contributor and recipient.

2199 (6) (a) The national, state, and county executive committees
2200 of a political party and affiliated party committees may not
2201 contribute to any candidate any amount in excess of the limits
2202 contained in s. 106.08(2), and all contributions required to be
2203 reported under s. 106.08(2) by the national executive committee
2204 of a political party shall be reported by the state executive

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2205 committee of that political party.

2206 (b) A violation of the contribution limits contained in s.
2207 106.08(2) is a misdemeanor of the first degree, punishable as
2208 provided in s. 775.082 or s. 775.083. A civil penalty equal to
2209 three times the amount in excess of the limits contained in s.
2210 106.08(2) shall be assessed against any executive committee
2211 found in violation thereof.

2212 Section 17. By December 1, 2013, the Division of Elections
2213 shall submit a proposal to the President of the Senate and the
2214 Speaker of the House of Representatives for a mandatory
2215 statewide electronic filing system for all state and local
2216 campaign filings required by s. 106.07, s. 106.0703, or s.
2217 106.29.

2218 Section 18. Subsection (3) of section 101.62, Florida
2219 Statutes, is amended to read:

2220 101.62 Request for absentee ballots.—

2221 (3) For each request for an absentee ballot received, the
2222 supervisor shall record the date the request was made, the date
2223 the absentee ballot was delivered to the voter or the voter's
2224 designee or the date the absentee ballot was delivered to the
2225 post office or other carrier, the date the ballot was received
2226 by the supervisor, and such other information he or she may deem
2227 necessary. This information shall be provided in electronic
2228 format as provided by rule adopted by the division. The
2229 information shall be updated and made available no later than 8
2230 a.m. of each day, including weekends, beginning 60 days before
2231 the primary until 15 days after the general election and shall
2232 be contemporaneously provided to the division. This information
2233 shall be confidential and exempt from the provisions of s.

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2234 119.07(1) and shall be made available to or reproduced only for
2235 the voter requesting the ballot, a canvassing board, an election
2236 official, a political party or official thereof, a candidate who
2237 has filed qualification papers and is opposed in an upcoming
2238 election, and registered political committees ~~or registered~~
2239 ~~committees of continuous existence~~, for political purposes only.

2240 Section 19. Paragraph (a) of subsection (4) of section
2241 102.031, Florida Statutes, is amended to read:

2242 102.031 Maintenance of good order at polls; authorities;
2243 persons allowed in polling rooms and early voting areas;
2244 unlawful solicitation of voters.—

2245 (4) (a) No person, political committee, ~~committee of~~
2246 ~~continuous existence~~, or other group or organization may solicit
2247 voters inside the polling place or within 100 feet of the
2248 entrance to any polling place, or polling room where the polling
2249 place is also a polling room, or early voting site. Before the
2250 opening of the polling place or early voting site, the clerk or
2251 supervisor shall designate the no-solicitation zone and mark the
2252 boundaries.

2253 Section 20. Subsection (2) of section 106.087, Florida
2254 Statutes, is amended to read:

2255 106.087 Independent expenditures; contribution limits;
2256 restrictions on political parties and, political committees, ~~and~~
2257 ~~committees of continuous existence~~.—

2258 (2) (a) Any political committee ~~or committee of continuous~~
2259 ~~existence~~ that accepts the use of public funds, equipment,
2260 personnel, or other resources to collect dues from its members
2261 agrees not to make independent expenditures in support of or
2262 opposition to a candidate or elected public official. However,

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2263 expenditures may be made for the sole purpose of jointly
2264 endorsing three or more candidates.

2265 (b) Any political committee ~~or committee of continuous~~
2266 ~~existence~~ that violates this subsection is liable for a civil
2267 fine of up to \$5,000 to be determined by the Florida Elections
2268 Commission or the entire amount of the expenditures, whichever
2269 is greater.

2270 Section 21. Subsection (3) of section 106.12, Florida
2271 Statutes, is amended to read:

2272 106.12 Petty cash funds allowed.-

2273 (3) The petty cash fund so provided may ~~shall~~ be spent only
2274 in amounts less than \$100 and only for office supplies,
2275 transportation expenses, and other necessities. Petty cash may
2276 ~~shall~~ not be used for the purchase of time, space, or services
2277 from communications media as defined in s. 106.011 ~~106.011(13)~~.

2278 Section 22. Paragraph (b) of subsection (3) of section
2279 106.147, Florida Statutes, is amended to read:

2280 106.147 Telephone solicitation; disclosure requirements;
2281 prohibitions; exemptions; penalties.-

2282 (3)

2283 (b) For purposes of paragraph (a), the term "person"
2284 includes any candidate; any officer of any political committee,
2285 ~~committee of continuous existence~~, affiliated party committee,
2286 or political party executive committee; any officer, partner,
2287 attorney, or other representative of a corporation, partnership,
2288 or other business entity; and any agent or other person acting
2289 on behalf of any candidate, political committee, ~~committee of~~
2290 ~~continuous existence~~, affiliated party committee, political
2291 party executive committee, or corporation, partnership, or other

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2292 business entity.

2293 Section 23. Section 106.17, Florida Statutes, is amended to
2294 read:

2295 106.17 Polls and surveys relating to candidacies.—Any
2296 candidate, political committee, ~~committee of continuous~~
2297 ~~existence~~, electioneering communication organization, affiliated
2298 party committee, or state or county executive committee of a
2299 political party may authorize or conduct a political poll,
2300 survey, index, or measurement of any kind relating to candidacy
2301 for public office so long as the candidate, political committee,
2302 ~~committee of continuous existence~~, electioneering communication
2303 organization, affiliated party committee, or political party
2304 maintains complete jurisdiction over the poll in all its
2305 aspects. State and county executive committees of a political
2306 party or an affiliated party committee may authorize and conduct
2307 political polls for the purpose of determining the viability of
2308 potential candidates. Such poll results may be shared with
2309 potential candidates, and expenditures incurred by state and
2310 county executive committees or an affiliated party committee for
2311 potential candidate polls are not contributions to the potential
2312 candidates.

2313 Section 24. Subsection (2) of section 106.23, Florida
2314 Statutes, is amended to read:

2315 106.23 Powers of the Division of Elections.—

2316 (2) The Division of Elections shall provide advisory
2317 opinions when requested by any supervisor of elections,
2318 candidate, local officer having election-related duties,
2319 political party, affiliated party committee, political
2320 committee, ~~committee of continuous existence~~, or other person or

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2321 organization engaged in political activity, relating to any
2322 provisions or possible violations of Florida election laws with
2323 respect to actions such supervisor, candidate, local officer
2324 having election-related duties, political party, affiliated
2325 party committee, committee, person, or organization has taken or
2326 proposes to take. Requests for advisory opinions must be
2327 submitted in accordance with rules adopted by the Department of
2328 State. A written record of all such opinions issued by the
2329 division, sequentially numbered, dated, and indexed by subject
2330 matter, shall be retained. A copy shall be sent to said person
2331 or organization upon request. Any such person or organization,
2332 acting in good faith upon such an advisory opinion, shall not be
2333 subject to any criminal penalty provided for in this chapter.
2334 The opinion, until amended or revoked, shall be binding on any
2335 person or organization who sought the opinion or with reference
2336 to whom the opinion was sought, unless material facts were
2337 omitted or misstated in the request for the advisory opinion.

2338 Section 25. Subsections (2) and (3) of section 106.265,
2339 Florida Statutes, are amended to read:

2340 106.265 Civil penalties.—

2341 (2) In determining the amount of such civil penalties, the
2342 commission or administrative law judge shall consider, among
2343 other mitigating and aggravating circumstances:

2344 (a) The gravity of the act or omission;

2345 (b) Any previous history of similar acts or omissions;

2346 (c) The appropriateness of such penalty to the financial
2347 resources of the person, political committee, ~~committee of~~
2348 ~~continuous existence~~, affiliated party committee, electioneering
2349 communications organization, or political party; and

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2350 (d) Whether the person, political committee, ~~committee of~~
2351 ~~continuous existence~~, affiliated party committee, electioneering
2352 communications organization, or political party has shown good
2353 faith in attempting to comply with the provisions of this
2354 chapter or chapter 104.

2355 (3) If any person, political committee, ~~committee of~~
2356 ~~continuous existence~~, affiliated party committee, electioneering
2357 communications organization, or political party fails or refuses
2358 to pay to the commission any civil penalties assessed pursuant
2359 to the provisions of this section, the commission shall be
2360 responsible for collecting the civil penalties resulting from
2361 such action.

2362 Section 26. Subsection (2) of section 106.27, Florida
2363 Statutes, is amended to read:

2364 106.27 Determinations by commission; legal disposition.—

2365 (2) Civil actions may be brought by the commission for
2366 relief, including permanent or temporary injunctions,
2367 restraining orders, or any other appropriate order for the
2368 imposition of civil penalties provided by this chapter. Such
2369 civil actions shall be brought by the commission in the
2370 appropriate court of competent jurisdiction, and the venue shall
2371 be in the county in which the alleged violation occurred or in
2372 which the alleged violator or violators are found, reside, or
2373 transact business. Upon a proper showing that such person,
2374 political committee, ~~committee of continuous existence~~,
2375 affiliated party committee, or political party has engaged, or
2376 is about to engage, in prohibited acts or practices, a permanent
2377 or temporary injunction, restraining order, or other order shall
2378 be granted without bond by such court, and the civil fines

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2379 provided by this chapter may be imposed.

2380 Section 27. Subsection (3) of section 106.32, Florida
2381 Statutes, is amended to read:

2382 106.32 Election Campaign Financing Trust Fund.—

2383 (3) Proceeds from assessments pursuant to ss. ~~106.04,~~
2384 106.07~~7~~ and 106.29 shall be deposited into the Election Campaign
2385 Financing Trust Fund as designated in those sections.

2386 Section 28. Section 106.33, Florida Statutes, is amended to
2387 read:

2388 106.33 Election campaign financing; eligibility.—Each
2389 candidate for the office of Governor or member of the Cabinet
2390 who desires to receive contributions from the Election Campaign
2391 Financing Trust Fund ~~shall~~, upon qualifying for office, shall
2392 file a request for such contributions with the filing officer on
2393 forms provided by the Division of Elections. If a candidate
2394 requesting contributions from the fund desires to have such
2395 funds distributed by electronic fund transfers, the request
2396 shall include information necessary to implement that procedure.
2397 For the purposes of ss. 106.30-106.36, the respective candidates
2398 running for Governor and Lieutenant Governor on the same ticket
2399 shall be considered as a single candidate. To be eligible to
2400 receive contributions from the fund, a candidate may not be an
2401 unopposed candidate as defined in s. 106.011 ~~106.011(15)~~ and
2402 must:

2403 (1) Agree to abide by the expenditure limits provided in s.
2404 106.34.

2405 (2) (a) Raise contributions as follows:

2406 1. One hundred fifty thousand dollars for a candidate for
2407 Governor.

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2408 2. One hundred thousand dollars for a candidate for Cabinet
2409 office.

2410 (b) Contributions from individuals who at the time of
2411 contributing are not state residents may not be used to meet the
2412 threshold amounts in paragraph (a). For purposes of this
2413 paragraph, any person validly registered to vote in this state
2414 shall be considered a state resident.

2415 (3) Limit loans or contributions from the candidate's
2416 personal funds to \$25,000 and contributions from national,
2417 state, and county executive committees of a political party to
2418 \$250,000 in the aggregate, which loans or contributions do ~~shall~~
2419 not qualify for meeting the threshold amounts in subsection (2).

2420 (4) Submit to a postelection audit of the campaign account
2421 by the division.

2422 Section 29. Section 111.075, Florida Statutes, is amended
2423 to read:

2424 111.075 Elected officials; prohibition concerning certain
2425 committees.—Elected officials are prohibited from being employed
2426 by, or acting as a consultant for compensation to, a political
2427 committee ~~or committee of continuous existence~~.

2428 Section 30. Subsections (3) and (4) and paragraph (a) of
2429 subsection (5) of section 112.3148, Florida Statutes, are
2430 amended to read:

2431 112.3148 Reporting and prohibited receipt of gifts by
2432 individuals filing full or limited public disclosure of
2433 financial interests and by procurement employees.—

2434 (3) A reporting individual or procurement employee is
2435 prohibited from soliciting any gift from a political committee
2436 ~~or committee of continuous existence~~, as defined in s. 106.011,

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2437 or from a lobbyist who lobbies the reporting individual's or
2438 procurement employee's agency, or the partner, firm, employer,
2439 or principal of such lobbyist, where such gift is for the
2440 personal benefit of the reporting individual or procurement
2441 employee, another reporting individual or procurement employee,
2442 or any member of the immediate family of a reporting individual
2443 or procurement employee.

2444 (4) A reporting individual or procurement employee or any
2445 other person on his or her behalf is prohibited from knowingly
2446 accepting, directly or indirectly, a gift from a political
2447 committee ~~or committee of continuous existence~~, as defined in s.
2448 106.011, or from a lobbyist who lobbies the reporting
2449 individual's or procurement employee's agency, or directly or
2450 indirectly on behalf of the partner, firm, employer, or
2451 principal of a lobbyist, if he or she knows or reasonably
2452 believes that the gift has a value in excess of \$100; however,
2453 such a gift may be accepted by such person on behalf of a
2454 governmental entity or a charitable organization. If the gift is
2455 accepted on behalf of a governmental entity or charitable
2456 organization, the person receiving the gift shall not maintain
2457 custody of the gift for any period of time beyond that
2458 reasonably necessary to arrange for the transfer of custody and
2459 ownership of the gift.

2460 (5) (a) A political committee ~~or a committee of continuous~~
2461 ~~existence~~, as defined in s. 106.011; a lobbyist who lobbies a
2462 reporting individual's or procurement employee's agency; the
2463 partner, firm, employer, or principal of a lobbyist; or another
2464 on behalf of the lobbyist or partner, firm, principal, or
2465 employer of the lobbyist is prohibited from giving, either

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2466 directly or indirectly, a gift that has a value in excess of
 2467 \$100 to the reporting individual or procurement employee or any
 2468 other person on his or her behalf; however, such person may give
 2469 a gift having a value in excess of \$100 to a reporting
 2470 individual or procurement employee if the gift is intended to be
 2471 transferred to a governmental entity or a charitable
 2472 organization.

2473 Section 31. Subsections (3) and (4) of section 112.3149,
 2474 Florida Statutes, are amended to read:

2475 112.3149 Solicitation and disclosure of honoraria.—

2476 (3) A reporting individual or procurement employee is
 2477 prohibited from knowingly accepting an honorarium from a
 2478 political committee ~~or committee of continuous existence~~, as
 2479 defined in s. 106.011, from a lobbyist who lobbies the reporting
 2480 individual's or procurement employee's agency, or from the
 2481 employer, principal, partner, or firm of such a lobbyist.

2482 (4) A political committee ~~or committee of continuous~~
 2483 ~~existence~~, as defined in s. 106.011, a lobbyist who lobbies a
 2484 reporting individual's or procurement employee's agency, or the
 2485 employer, principal, partner, or firm of such a lobbyist is
 2486 prohibited from giving an honorarium to a reporting individual
 2487 or procurement employee.

2488 Section 32. Subsection (4) of section 1004.28, Florida
 2489 Statutes, is amended to read:

2490 1004.28 Direct-support organizations; use of property;
 2491 board of directors; activities; audit; facilities.—

2492 (4) ACTIVITIES; RESTRICTION.—A university direct-support
 2493 organization is prohibited from giving, either directly or
 2494 indirectly, any gift to a political committee ~~or committee of~~

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2495 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2496 other than those certified by a majority roll call vote of the
2497 governing board of the direct-support organization at a
2498 regularly scheduled meeting as being directly related to the
2499 educational mission of the university.

2500 Section 33. Paragraph (d) of subsection (4) of section
2501 1004.70, Florida Statutes, is amended to read:

2502 1004.70 Florida College System institution direct-support
2503 organizations.—

2504 (4) ACTIVITIES; RESTRICTIONS.—

2505 (d) A Florida College System institution direct-support
2506 organization is prohibited from giving, either directly or
2507 indirectly, any gift to a political committee ~~or committee of~~
2508 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2509 other than those certified by a majority roll call vote of the
2510 governing board of the direct-support organization at a
2511 regularly scheduled meeting as being directly related to the
2512 educational mission of the Florida College System institution.

2513 Section 34. Paragraph (c) of subsection (4) of section
2514 1004.71, Florida Statutes, is amended to read:

2515 1004.71 Statewide Florida College System institution
2516 direct-support organizations.—

2517 (4) RESTRICTIONS.—

2518 (c) A statewide Florida College System institution direct-
2519 support organization is prohibited from giving, either directly
2520 or indirectly, any gift to a political committee ~~or committee of~~
2521 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2522 other than those certified by a majority roll call vote of the
2523 governing board of the direct-support organization at a

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2524 regularly scheduled meeting as being directly related to the
2525 educational mission of the State Board of Education.

2526 Section 35. For the purpose of incorporating the amendment
2527 made by this act into section 106.08, Florida Statutes, in a
2528 reference thereto, subsection (2) of section 106.075, Florida
2529 Statutes, is reenacted to read:

2530 106.075 Elected officials; report of loans made in year
2531 preceding election; limitation on contributions to pay loans.—

2532 (2) Any person who makes a contribution to an individual to
2533 pay all or part of a loan incurred, in the 12 months preceding
2534 the election, to be used for the individual's campaign, may not
2535 contribute more than the amount which is allowed in s.
2536 106.08(1).

2537 Section 36. For the purpose of incorporating the amendments
2538 made by this act to sections 106.08 and 106.11, Florida
2539 Statutes, in references thereto, section 106.19, Florida
2540 Statutes, is reenacted to read:

2541 106.19 Violations by candidates, persons connected with
2542 campaigns, and political committees.—

2543 (1) Any candidate; campaign manager, campaign treasurer, or
2544 deputy treasurer of any candidate; committee chair, vice chair,
2545 campaign treasurer, deputy treasurer, or other officer of any
2546 political committee; agent or person acting on behalf of any
2547 candidate or political committee; or other person who knowingly
2548 and willfully:

2549 (a) Accepts a contribution in excess of the limits
2550 prescribed by s. 106.08;

2551 (b) Fails to report any contribution required to be
2552 reported by this chapter;

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2553 (c) Falsely reports or deliberately fails to include any
2554 information required by this chapter; or

2555 (d) Makes or authorizes any expenditure in violation of s.
2556 106.11(4) or any other expenditure prohibited by this chapter;
2557
2558 is guilty of a misdemeanor of the first degree, punishable as
2559 provided in s. 775.082 or s. 775.083.

2560 (2) Any candidate, campaign treasurer, or deputy treasurer;
2561 any chair, vice chair, or other officer of any political
2562 committee; any agent or person acting on behalf of any candidate
2563 or political committee; or any other person who violates
2564 paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) shall be
2565 subject to a civil penalty equal to three times the amount
2566 involved in the illegal act. Such penalty may be in addition to
2567 the penalties provided by subsection (1) and shall be paid into
2568 the General Revenue Fund of this state.

2569 (3) A political committee sponsoring a constitutional
2570 amendment proposed by initiative which submits a petition form
2571 gathered by a paid petition circulator which does not provide
2572 the name and address of the paid petition circulator on the form
2573 is subject to the civil penalties prescribed in s. 106.265.

2574 (4) Except as otherwise expressly stated, the failure by a
2575 candidate to comply with the requirements of this chapter has no
2576 effect upon whether the candidate has qualified for the office
2577 the candidate is seeking.

2578 Section 37. Except as otherwise expressly provided in this
2579 act and except for this section, which shall take effect upon
2580 becoming a law, this act shall take effect November 1, 2013.