

By the Committees on Rules; 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 political
68 committees; removing a limitation on contributions
69 made by specified minors; revising limitations on
70 contributions to non-statewide candidates from
71 specified political party committees; conforming
72 provisions and cross-references to changes made by the
73 act; reenacting and amending s. 106.11, F.S.;

74 specifying restrictions on expenditures by political
75 committees; providing a penalty; revising the
76 information that is required to appear on bank account
77 checks of candidates or political committees; revising
78 information used to determine when debit cards are
79 considered bank checks; amending s. 106.141, F.S.;

80 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. 106.19, F.S., relating
105 to criminal and enhanced civil penalties for certain
106 campaign finance violations, to incorporate the
107 amendments made to ss. 106.08 and 106.11, F.S., in
108 references thereto; providing an effective date.

109
110 Be It Enacted by the Legislature of the State of Florida:

111
112 Section 1. Section 106.04, Florida Statutes, is repealed.

113 Section 2. (1) Effective August 1, 2013, a committee of
114 continuous existence may not accept a contribution as defined in
115 s. 106.011, Florida Statutes. By July 15, 2013, the Division of
116 Elections of the Department of State shall notify each committee

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117 of continuous existence of the prohibition on accepting such a
118 contribution as provided under this subsection.

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

127 (3) (a) A violation of this section or any other provision
128 of chapter 106 constitutes a violation of chapter 106 regardless
129 of whether the committee of continuous existence is legally
130 dissolved.

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

142 (4) Notwithstanding any other provision of law, a committee
143 of continuous existence may make unlimited contributions to a
144 political committee.

145 (5) This section shall be effective upon this act becoming

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146 a law.

147 Section 3. Section 106.011, Florida Statutes, is reordered
148 and amended to read:

149 106.011 Definitions.—As used in this chapter, the following
150 terms have the following meanings unless the context clearly
151 indicates otherwise:

152 (16)~~(1)~~(a) "Political committee" means:

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

156 a. Accepts contributions for the purpose of making
157 contributions to any candidate, political committee, ~~committee~~
158 ~~of continuous existence~~, affiliated party committee, or
159 political party;

160 b. Accepts contributions for the purpose of expressly
161 advocating the election or defeat of a candidate or the passage
162 or defeat of an issue;

163 c. Makes expenditures that expressly advocate the election
164 or defeat of a candidate or the passage or defeat of an issue;
165 or

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

171 2. The sponsor of a proposed constitutional amendment by
172 initiative who intends to seek the signatures of registered
173 electors.

174 (b) Notwithstanding paragraph (a), the following entities

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175 are not considered political committees for purposes of this
176 chapter:

177 1. ~~Organizations which are certified by the Department of~~
178 ~~State as committees of continuous existence pursuant to s.~~
179 ~~106.04,~~ National political parties, the state and county
180 executive committees of political parties, and affiliated party
181 committees regulated by chapter 103.

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

190 3. Electioneering communications organizations as defined
191 in subsection (9) ~~(19)~~.

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

195 (5) ~~(3)~~ "Contribution" means:

196 (a) A gift, subscription, conveyance, deposit, loan,
197 payment, or distribution of money or anything of value,
198 including contributions in kind having an attributable monetary
199 value in any form, made for the purpose of influencing the
200 results of an election or making an electioneering
201 communication.

202 (b) A transfer of funds between political committees,
203 ~~between committees of continuous existence,~~ between

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204 electioneering communications organizations, or between any
205 combination of these groups.

206 (c) The payment, by a any person other than a candidate or
207 political committee, of compensation for the personal services
208 of another person which are rendered to a candidate or political
209 committee without charge to the candidate or committee for such
210 services.

211 (d) The transfer of funds by a campaign treasurer or deputy
212 campaign treasurer between a primary depository and a separate
213 interest-bearing account or certificate of deposit, and the term
214 includes any interest earned on such account or certificate.

215
216 Notwithstanding the foregoing meanings of "contribution," the
217 term may not be construed to include services, including, but
218 not limited to, legal and accounting services, provided without
219 compensation by individuals volunteering a portion or all of
220 their time on behalf of a candidate or political committee or
221 editorial endorsements.

222 (10)~~(4)~~(a) "Expenditure" means a purchase, payment,
223 distribution, loan, advance, transfer of funds by a campaign
224 treasurer or deputy campaign treasurer between a primary
225 depository and a separate interest-bearing account or
226 certificate of deposit, or gift of money or anything of value
227 made for the purpose of influencing the results of an election
228 or making an electioneering communication. However,
229 "expenditure" does not include a purchase, payment,
230 distribution, loan, advance, or gift of money or anything of
231 value made for the purpose of influencing the results of an
232 election when made by an organization, in existence before ~~prior~~

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233 ~~to~~ the time during which a candidate qualifies or an issue is
234 placed on the ballot for that election, for the purpose of
235 printing or distributing such organization's newsletter,
236 containing a statement by such organization in support of or
237 opposition to a candidate or issue, which newsletter is
238 distributed only to members of such organization.

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

242 1. A person enters into a contract for applicable goods or
243 services;

244 2. A person makes payment, in whole or in part, for the
245 production or public dissemination of applicable goods or
246 services; or

247 3. The electioneering communication is publicly
248 disseminated.

249 (12)~~(5)~~(a) "Independent expenditure" means an expenditure
250 by a person for the purpose of expressly advocating the election
251 or defeat of a candidate or the approval or rejection of an
252 issue, which expenditure is not controlled by, coordinated with,
253 or made upon consultation with, any candidate, political
254 committee, or agent of such candidate or committee. An
255 expenditure for such purpose by a person having a contract with
256 the candidate, political committee, or agent of such candidate
257 or committee in a given election period is ~~shall~~ not be deemed
258 an independent expenditure.

259 (b) An expenditure for the purpose of expressly advocating
260 the election or defeat of a candidate which is made by the
261 national, state, or county executive committee of a political

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262 party, including any subordinate committee of the political
263 party, an affiliated party committee, a political committee, ~~a~~
264 ~~committee of continuous existence,~~ or any other person is ~~shall~~
265 not ~~be~~ considered an independent expenditure if the committee or
266 person:

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

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

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

285 4. Makes a payment based on information about the
286 candidate's plans, projects, or needs communicated to a member
287 of the committee or person by the candidate or an agent of the
288 candidate, provided the committee or person uses the information
289 in any way, in whole or in part, either directly or indirectly,
290 to design, prepare, or pay for the specific expenditure or

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291 advertising campaign at issue; ~~or~~

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

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

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

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

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

315 ~~(7)(6)~~ "Election" means a ~~any~~ primary election, special
316 primary election, general election, special election, or
317 municipal election held in this state for the purpose of
318 nominating or electing candidates to public office, choosing
319 delegates to the national nominating conventions of political

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320 parties, selecting a member of a political party executive
321 committee, or submitting an issue to the electors for their
322 approval or rejection.

323 ~~(13)(7)~~ "Issue" means a ~~any~~ proposition that ~~which~~ is
324 required by the State Constitution, by law or resolution of the
325 Legislature, or by the charter, ordinance, or resolution of a
326 ~~any~~ political subdivision of this state to be submitted to the
327 electors for their approval or rejection at an election, or a
328 ~~any~~ proposition for which a petition is circulated in order to
329 have such proposition placed on the ballot at an ~~any~~ election.

330 ~~(14)(8)~~ "Person" means an individual or a corporation,
331 association, firm, partnership, joint venture, joint stock
332 company, club, organization, estate, trust, business trust,
333 syndicate, or other combination of individuals having collective
334 capacity. The term includes a political party, affiliated party
335 committee, or political committee, ~~or committee of continuous~~
336 ~~existence~~.

337 ~~(2)(9)~~ "Campaign treasurer" means an individual appointed
338 by a candidate or political committee as provided in this
339 chapter.

340 ~~(17)(10)~~ "Public office" means a ~~any~~ state, county,
341 municipal, or school or other district office or position that
342 ~~which~~ is filled by vote of the electors.

343 ~~(1)(11)~~ "Campaign fund raiser" means an ~~any~~ affair held to
344 raise funds to be used in a campaign for public office.

345 ~~(6)(12)~~ "Division" means the Division of Elections of the
346 Department of State.

347 ~~(4)(13)~~ "Communications media" means broadcasting stations,
348 newspapers, magazines, outdoor advertising facilities, printers,

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

363 (11) ~~(14)~~ "Filing officer" means the person before whom a
364 candidate qualifies, or the agency or officer with whom a
365 political committee or an electioneering communications
366 organization registers, ~~or the agency by whom a committee of~~
367 ~~continuous existence is certified.~~

368 (18) ~~(15)~~ "Unopposed candidate" means a candidate for
369 nomination or election to an office who, after the last day on
370 which a ~~any~~ person, including a write-in candidate, may qualify,
371 is without opposition in the election at which the office is to
372 be filled or who is without such opposition after such date as a
373 result of a ~~any~~ primary election or of withdrawal by other
374 candidates seeking the same office. A candidate is not an
375 unopposed candidate if there is a vacancy to be filled under s.
376 100.111(3), if there is a legal proceeding pending regarding the
377 right to a ballot position for the office sought by the

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378 candidate, or if the candidate is seeking retention as a justice
379 or judge.

380 (3) ~~(16)~~ "Candidate" means a ~~any~~ person to whom any ~~one or~~
381 ~~more~~ of the following applies ~~apply~~:

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

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

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

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

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

395

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

400 (15) ~~(17)~~ "Political advertisement" means a paid expression
401 in a ~~any~~ communications media prescribed in subsection (4) ~~(13)~~,
402 whether radio, television, newspaper, magazine, periodical,
403 campaign literature, direct mail, or display or by means other
404 than the spoken word in direct conversation, which expressly
405 advocates the election or defeat of a candidate or the approval
406 or rejection of an issue. However, political advertisement does

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407 not include:

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

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

416 ~~(8)-(18)~~ (a) "Electioneering communication" means any
417 communication that is publicly distributed by a television
418 station, radio station, cable television system, satellite
419 system, newspaper, magazine, direct mail, or telephone and that:

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

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

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

430 (b) The term "electioneering communication" does not
431 include:

432 1. A communication disseminated through a means of
433 communication other than a television station, radio station,
434 cable television system, satellite system, newspaper, magazine,
435 direct mail, telephone, or statement or depiction by an

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436 organization, in existence before ~~prior to~~ the time during which
437 a candidate named or depicted qualifies for that election, made
438 in that organization's newsletter, which newsletter is
439 distributed only to members of that organization.

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

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

458 a. The staging organization is either:

459 (I) A charitable organization that does not make other
460 electioneering communications and does not otherwise support or
461 oppose any political candidate or political party; or

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

464 b. The staging organization does not structure the debate

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465 to promote or advance one candidate or issue position over
466 another.

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

471 (d) For purposes of this chapter, an electioneering
472 communication does ~~shall~~ not constitute an independent
473 expenditure and is not ~~nor be~~ subject to the limitations
474 applicable to independent expenditures.

475 (9) ~~(19)~~ "Electioneering communications organization" means
476 any group, other than a political party, affiliated party
477 committee, or political committee, ~~or committee of continuous~~
478 ~~existence,~~ whose election-related activities are limited to
479 making expenditures for electioneering communications or
480 accepting contributions for the purpose of making electioneering
481 communications and whose activities would not otherwise require
482 the group to register as a political party, or political
483 committee, ~~or committee of continuous existence~~ under this
484 chapter.

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

488 106.021 Campaign treasurers; deputies; primary and
489 secondary depositories.-

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

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494 designate a primary campaign depository before ~~prior to~~
495 qualifying for office. Any person who seeks to qualify for
496 election or nomination to any office by means of the petitioning
497 process shall appoint a treasurer and designate a primary
498 depository on or before the date he or she obtains the
499 petitions. ~~Each candidate shall~~ At the same time a candidate ~~he~~
500 ~~or she~~ designates a campaign depository and appoints a
501 treasurer, the candidate shall also designate the office for
502 which he or she is a candidate. If the candidate is running for
503 an office that ~~which~~ will be grouped on the ballot with two or
504 more similar offices to be filled at the same election, the
505 candidate must indicate for which group or district office he or
506 she is running. ~~Nothing in~~ This subsection does not ~~shall~~
507 prohibit a candidate, at a later date, from changing the
508 designation of the office for which he or she is a candidate.
509 However, if a candidate changes the designated office for which
510 he or she is a candidate, the candidate must notify all
511 contributors in writing of the intent to seek a different office
512 and offer to return pro rata, upon their request, those
513 contributions given in support of the original office sought.
514 This notification shall be given within 15 days after the filing
515 of the change of designation and shall include a standard form
516 developed by the Division of Elections for requesting the return
517 of contributions. The notice requirement does ~~shall~~ not apply to
518 any change in a numerical designation resulting solely from
519 redistricting. If, within 30 days after being notified by the
520 candidate of the intent to seek a different office, the
521 contributor notifies the candidate in writing that the
522 contributor wishes his or her contribution to be returned, the

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523 candidate shall return the contribution, on a pro rata basis,
524 calculated as of the date the change of designation is filed. Up
525 to a maximum of the contribution limits specified in s. 106.08,
526 a candidate who runs for an office other than the office
527 originally designated may use any contribution that a donor does
528 not request ~~Any contributions not requested to be returned~~
529 ~~within the 30-day period~~ for the newly designated office,
530 provided the candidate disposes of any amount exceeding the
531 contribution limit pursuant to the options in s. 106.11(5)(b)
532 and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s.
533 106.141(4)(a)4.; notwithstanding, the full amount of the
534 contribution for the original office shall count toward the
535 contribution limits specified in s. 106.08 for the newly
536 designated office ~~may be used by the candidate for the newly~~
537 ~~designated office.~~ A ~~No~~ person may not shall accept any
538 contribution or make any expenditure with a view to bringing
539 about his or her nomination, election, or retention in public
540 office, or authorize another to accept such contributions or
541 make such expenditure on the person's behalf, unless such person
542 has appointed a campaign treasurer and designated a primary
543 campaign depository. A candidate for an office voted upon
544 statewide may appoint not more than 15 deputy campaign
545 treasurers, and any other candidate or political committee may
546 appoint not more than 3 deputy campaign treasurers. The names
547 and addresses of the campaign treasurer and deputy campaign
548 treasurers so appointed shall be filed with the officer before
549 whom such candidate is required to qualify or with whom such
550 political committee is required to register pursuant to s.
551 106.03.

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

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

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

569 106.022 Appointment of a registered agent; duties.—

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

576 (a) Provide the name of the registered agent and the street
577 address and phone number for the registered office;

578 (b) Identify the entity for whom the registered agent
579 serves;

580 (c) Designate the address the registered agent wishes to

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581 use to receive mail;

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

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

588 (f) Contain the signature of the registered agent and the
589 entity engaging the registered agent.

590 Section 6. Paragraph (c) of subsection (1) of section
591 106.025, Florida Statutes, is amended to read:

592 106.025 Campaign fund raisers.—

593 (1)

594 (c) Any tickets or advertising for ~~such~~ a campaign fund
595 raiser must comply with ~~is exempt from~~ the requirements of s.
596 106.143.

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

599 106.03 Registration of political committees and
600 electioneering communications organizations.—

601 (1)

602 (b)1. Each group shall file a statement of organization as
603 an electioneering communications organization within 24 hours
604 after the date on which it makes expenditures for an
605 electioneering communication in excess of \$5,000, if such
606 expenditures are made within the timeframes specified in s.
607 106.011(8)(a)2. ~~106.011(18)(a)2.~~ If the group makes expenditures
608 for an electioneering communication in excess of \$5,000 before
609 the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.,~~

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610 it shall file the statement of organization within 24 hours
611 after the 30th day before a primary or special primary election,
612 or within 24 hours after the 60th day before any other election,
613 whichever is applicable.

614 2.a. In a statewide, legislative, or multicounty election,
615 an electioneering communications organization shall file a
616 statement of organization with the Division of Elections.

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

622 c. In a municipal election, an electioneering
623 communications organization shall file a statement of
624 organization with the officer before whom municipal candidates
625 qualify.

626 d. Any electioneering communications organization that
627 would be required to file a statement of organization in two or
628 more locations need only file a statement of organization with
629 the Division of Elections.

630 (2) The statement of organization shall include:

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

633 (b) The names, street addresses, and relationships of
634 affiliated or connected organizations, including any affiliated
635 sponsors;

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

638 (d) The name, mailing address, street address, and position

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639 of the custodian of books and accounts;

640 (e) The name, mailing address, street address, and position
641 of other principal officers, including the treasurer and deputy
642 treasurer, if any;

643 (f) The name, address, office sought, and party affiliation
644 of:

645 1. Each candidate whom the committee is supporting;

646 2. Any other individual, if any, whom the committee is
647 supporting for nomination for election, or election, to any
648 public office whatever;

649 (g) Any issue or issues the committee is supporting or
650 opposing;

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

653 (i) A statement of whether the committee is a continuing
654 one;

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

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

660 (l) A statement of the reports required to be filed by the
661 committee or the electioneering communications organization with
662 federal officials, if any, and the names, addresses, and
663 positions of such officials; and

664 (m) A statement of whether the electioneering
665 communications organization was formed as a newly created
666 organization during the current calendar quarter or was formed
667 from an organization existing prior to the current calendar

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668 quarter. For purposes of this subsection, calendar quarters end
669 the last day of March, June, September, and December.

670 Section 8. Section 106.05, Florida Statutes, is amended to
671 read:

672 106.05 Deposit of contributions; statement of campaign
673 treasurer.—All funds received by the campaign treasurer of any
674 candidate or political committee shall, prior to the end of the
675 5th business day following the receipt thereof, Saturdays,
676 Sundays, and legal holidays excluded, be deposited in a campaign
677 depository designated pursuant to s. 106.021, in an account that
678 contains the designated “...~~(name of the candidate or~~
679 ~~committee.)... Campaign Account.” Except for contributions to
680 political committees made by payroll deduction, all deposits
681 shall be accompanied by a bank deposit slip containing the name
682 of each contributor and the amount contributed by each. If a
683 contribution is deposited in a secondary campaign depository,
684 the depository shall forward the full amount of the deposit,
685 along with a copy of the deposit slip accompanying the deposit,
686 to the primary campaign depository prior to the end of the 1st
687 business day following the deposit.~~

688 Section 9. Section 106.07, Florida Statutes, is reenacted
689 and amended to read:

690 106.07 Reports; certification and filing.—

691 (1) Each campaign treasurer designated by a candidate or
692 political committee pursuant to s. 106.021 shall file regular
693 reports of all contributions received, and all expenditures
694 made, by or on behalf of such candidate or political committee.
695 Except as provided in paragraphs (a) and (b) ~~for the third~~
696 ~~calendar quarter immediately preceding a general election,~~

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697 reports shall be filed on the 10th day following the end of each
698 calendar month ~~quarter~~ from the time the campaign treasurer is
699 appointed, except that, if the 10th day following the end of a
700 calendar month ~~quarter~~ occurs on a Saturday, Sunday, or legal
701 holiday, the report shall be filed on the next following day
702 that ~~which~~ is not a Saturday, Sunday, or legal holiday. Monthly
703 ~~Quarterly~~ reports shall include all contributions received and
704 expenditures made during the calendar month ~~quarter~~ which have
705 not otherwise been reported pursuant to this section.

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

708 1. On the 60th day immediately preceding the primary
709 election, and each week thereafter, with the last weekly report
710 being filed on the 11th day immediately preceding the general
711 election.

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

721 (b) Any other candidate or a political committee required
722 to file reports with a filing officer other than the division
723 must file reports on the 60th day immediately preceding the
724 primary election, and biweekly on each Friday thereafter through
725 and including the 4th day immediately preceding the general

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726 election, with additional reports due on the 25th and 11th days
727 before the primary election and the general election ~~Any~~
728 ~~statewide candidate who has requested to receive contributions~~
729 ~~pursuant to the Florida Election Campaign Financing Act or any~~
730 ~~statewide candidate in a race with a candidate who has requested~~
731 ~~to receive contributions pursuant to the act shall also file~~
732 ~~reports on the 4th, 11th, 18th, 25th, and 32nd days prior to the~~
733 ~~primary election, and on the 4th, 11th, 18th, 25th, 32nd, 39th,~~
734 ~~46th, and 53rd days prior to the general election.~~

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

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

747 2. When an election is called for an issue to appear on the
748 ballot at a time when no candidates are scheduled to appear on
749 the ballot, all political committees making contributions or
750 expenditures in support of or in opposition to such issue shall
751 file reports on the 18th and 4th days before ~~prior to~~ such
752 election.

753 (e) The filing officer shall provide each candidate with a
754 schedule designating the beginning and end of reporting periods

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755 as well as the corresponding designated due dates.

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

782 2. This subsection does not prohibit the governing body of
783 a political subdivision, by ordinance or resolution, from

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784 imposing upon its own officers and candidates electronic filing
785 requirements not in conflict with s. 106.0705. Expenditure of
786 public funds for such purpose is deemed to be for a valid public
787 purpose.

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

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

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

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

810 1. The full name, address, and occupation, if any of each
811 person who has made one or more contributions to or for such
812 committee or candidate within the reporting period, together

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813 with the amount and date of such contributions. For
814 corporations, the report must provide as clear a description as
815 practicable of the principal type of business conducted by the
816 corporation. However, if the contribution is \$100 or less or is
817 from a relative, as defined in s. 112.312, provided that the
818 relationship is reported, the occupation of the contributor or
819 the principal type of business need not be listed.

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

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

829 4. A statement of each contribution, rebate, refund, or
830 other receipt not otherwise listed under subparagraphs 1.
831 through 3.

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

837 6. The full name and address of each person to whom
838 expenditures have been made by or on behalf of the committee or
839 candidate within the reporting period; the amount, date, and
840 purpose of each such expenditure; and the name and address of,
841 and office sought by, each candidate on whose behalf such

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842 expenditure was made. However, expenditures made from the petty
843 cash fund provided by s. 106.12 need not be reported
844 individually.

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

854 8. The total amount withdrawn and the total amount spent
855 for petty cash purposes pursuant to this chapter during the
856 reporting period.

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

859 10. The amount and nature of debts and obligations owed by
860 or to the committee or candidate, which relate to the conduct of
861 any political campaign.

862 11. Transaction information for each credit card purchase.
863 Receipts for each credit card purchase shall be retained by the
864 treasurer with the records for the campaign account.

865 12. The amount and nature of any separate interest-bearing
866 accounts or certificates of deposit and identification of the
867 financial institution in which such accounts or certificates of
868 deposit are located.

869 13. The primary purposes of an expenditure made indirectly
870 through a campaign treasurer pursuant to s. 106.021(3) for goods

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871 and services such as communications media placement or
872 procurement services, campaign signs, insurance, and other
873 expenditures that include multiple components as part of the
874 expenditure. The primary purpose of an expenditure shall be that
875 purpose, including integral and directly related components,
876 that comprises 80 percent of such expenditure.

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

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

893 (5) The candidate and his or her campaign treasurer, in the
894 case of a candidate, or the political committee chair and
895 campaign treasurer of the committee, in the case of a political
896 committee, shall certify as to the correctness of each report;
897 and each person so certifying shall bear the responsibility for
898 the accuracy and veracity of each report. Any campaign
899 treasurer, candidate, or political committee chair who willfully

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900 certifies the correctness of any report while knowing that such
901 report is incorrect, false, or incomplete commits a misdemeanor
902 of the first degree, punishable as provided in s. 775.082 or s.
903 775.083.

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

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

924 (8) (a) Any candidate or political committee failing to file
925 a report on the designated due date is subject to a fine as
926 provided in paragraph (b) for each late day, and, in the case of
927 a candidate, such fine shall be paid only from personal funds of
928 the candidate. The fine shall be assessed by the filing officer

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929 and the moneys collected shall be deposited:

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

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

937

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

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

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958 the amount of the fine which is due and shall notify the
959 candidate or chair or registered agent of the political
960 committee. The filing officer shall determine the amount of the
961 fine due based upon the earliest of the following:

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

970

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

981 (c) Any candidate or chair of a political committee may
982 appeal or dispute the fine, based upon, but not limited to,
983 unusual circumstances surrounding the failure to file on the
984 designated due date, and may request and shall be entitled to a
985 hearing before the Florida Elections Commission, which shall
986 have the authority to waive the fine in whole or in part. The

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

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

1004 (9) The Department of State may prescribe by rule the
1005 requirements for filing campaign treasurers' reports as set
1006 forth in this chapter.

1007 Section 10. Section 106.0702, Florida Statutes, is created
1008 to read:

1009 106.0702 Reporting; political party executive committee
1010 candidates.-

1011 (1) An individual seeking a publicly-elected position on a
1012 political party executive committee who receives a contribution
1013 or makes an expenditure shall file a report of all contributions
1014 received, and all expenditures made. The report shall be filed
1015 on the 4th day immediately preceding the primary election.

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1016 (2) (a) The report shall be filed with the supervisor of
1017 elections of the appropriate county. Reports shall be filed no
1018 later than 5 p.m. of the day designated; however, any report
1019 postmarked by the United States Postal Service by the day
1020 designated shall be deemed to have been filed in a timely
1021 manner. Any report received by the filing officer within 5 days
1022 after the designated due date shall be deemed timely filed
1023 unless it has a postmark that indicates that the report was
1024 mailed after the designated due date. A certificate of mailing
1025 obtained from and dated by the United States Postal Service at
1026 the time of mailing, or a receipt from an established courier
1027 company, which bears a date on or before the date on which the
1028 report is due is proof of mailing in a timely manner. The report
1029 filed must contain information of all contributions received and
1030 expenditures made as of the day preceding the designated due
1031 date. All such reports must be open to public inspection.

1032 (b) A reporting individual may submit the report required
1033 under this section through an electronic filing system, if used
1034 by the supervisor for other candidates, in order to satisfy the
1035 filing requirement. Such reports shall be completed and filed
1036 through the electronic filing system not later than midnight on
1037 the 4th day immediately preceding the primary election.

1038 (3) (a) A report that is deemed to be incomplete by the
1039 supervisor shall be accepted on a conditional basis. The
1040 supervisor shall send a notice to the reporting individual by
1041 certified mail or by another method using a common carrier that
1042 provides proof of delivery as to why the report is incomplete.
1043 Within 7 days after receipt of such notice, the reporting
1044 individual must file an addendum to the report providing all

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1045 information necessary to complete the report in compliance with
1046 this section. Failure to file a complete report after such
1047 notice constitutes a violation of this chapter.

1048 (b) Notice is deemed complete upon proof of delivery of a
1049 written notice to the mailing or street address which is on
1050 record with the supervisor.

1051 (4) (a) Each report required by this section must contain:

1052 1. The full name, address, and occupation of each person
1053 who has made one or more contributions to or for the reporting
1054 individual within the reporting period, together with the amount
1055 and date of such contributions. For corporations, the report
1056 must provide as clear a description as practicable of the
1057 principal type of business conducted by the corporations.
1058 However, if the contribution is \$100 or less or is from a
1059 relative, as defined in s. 112.312, provided that the
1060 relationship is reported, the occupation of the contributor or
1061 the principal type of business need not be listed.

1062 2. The name and address of each political committee from
1063 which the reporting individual has received, or to which the
1064 reporting individual has made, any transfer of funds within the
1065 reporting period, together with the amounts and dates of all
1066 transfers.

1067 3. Each loan for campaign purposes from any person or
1068 political committee within the reporting period, together with
1069 the full name, address, and occupation, and principal place of
1070 business, if any, of the lender and endorser, if any, and the
1071 date and amount of such loans.

1072 4. A statement of each contribution, rebate, refund, or
1073 other receipt not otherwise listed under subparagraphs 1.-3.

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1074 5. The total sums of all loans, in-kind contributions, and
1075 other receipts by or for such reporting individual during the
1076 reporting period. The reporting forms shall be designed to
1077 elicit separate totals for in-kind contributions, loans, and
1078 other receipts.

1079 6. The full name and address of each person to whom
1080 expenditures have been made by or on behalf of the reporting
1081 individual within the reporting period; the amount, date, and
1082 purpose of each such expenditure; and the name and address of,
1083 and office sought by, each reporting individual on whose behalf
1084 such expenditure was made.

1085 7. The amount and nature of debts and obligations owed by
1086 or to the reporting individual which relate to the conduct of
1087 any political campaign.

1088 8. Transaction information for each credit card purchase.
1089 Receipts for each credit card purchase shall be retained by the
1090 reporting individual.

1091 9. The amount and nature of any separate interest-bearing
1092 accounts or certificates of deposit and identification of the
1093 financial institution in which such accounts or certificates of
1094 deposit are located.

1095 (b) The supervisor shall make available to any reporting
1096 individual a reporting form that the reporting individual may
1097 use to indicate contributions received by the reporting
1098 individual but returned to the contributor before deposit.

1099 (5) The reporting individual shall certify as to the
1100 correctness of the report and shall bear the responsibility for
1101 the accuracy and veracity of each report. Any reporting
1102 individual who willfully certifies the correctness of the report

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1103 while knowing that such report is incorrect, false, or
1104 incomplete commits a misdemeanor of the first degree, punishable
1105 as provided in s. 775.082 or s. 775.083.

1106 (6) Notwithstanding any other provisions of this chapter,
1107 the filing of the required report is waived if the reporting
1108 individual has not received contributions or expended any
1109 reportable funds.

1110 (7) (a) A reporting individual who fails to file a report on
1111 the designated due date is subject to a fine, and such fine
1112 shall be paid only from personal funds of the reporting
1113 individual. The fine shall be \$50 per day for the first 3 days
1114 late and, thereafter, \$500 per day for each late day, not to
1115 exceed 25 percent of the total receipts or expenditures,
1116 whichever is greater. The fine shall be assessed by the
1117 supervisor, and the moneys collected shall be deposited into the
1118 general revenue fund of the political subdivision.

1119 (b) The supervisor shall determine the amount of the fine
1120 due based upon the earliest of the following:

1121 1. When the report is actually received by the supervisor.
1122 2. When the report is postmarked;
1123 3. When the certificate of mailing is dated;
1124 4. When the receipt from an established courier company is
1125 dated; or

1126 5. When the report is completed and filed through the
1127 electronic filing system, if applicable.

1128
1129 Such fine shall be paid to the supervisor within 20 days after
1130 receipt of the notice of payment due unless appeal is made to
1131 the Florida Elections Commission pursuant to paragraph (c).

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1132 Notice is deemed complete upon proof of delivery of written
1133 notice to the mailing or street address on record with the
1134 supervisor. Such fine may not be an allowable campaign
1135 expenditure and shall be paid only from personal funds of the
1136 reporting individual.

1137 (c) A reporting individual may appeal or dispute the fine,
1138 based upon, but not limited to, unusual circumstances
1139 surrounding the failure to file on the designated due date, and
1140 may request and is entitled to a hearing before the Florida
1141 Elections Commission, which has the authority to waive the fine
1142 in whole or in part. The Florida Elections Commission must
1143 consider the mitigating and aggravating circumstances contained
1144 in s. 106.265(2) when determining the amount of a fine, if any,
1145 to be waived. Any such request shall be made within 20 days
1146 after receipt of the notice of payment due. In such case, the
1147 reporting individual must, within 20 days after receipt of the
1148 notice, notify the supervisor in writing of his or her intention
1149 to bring the matter before the commission.

1150 (d) The appropriate supervisor shall notify the Florida
1151 Elections Commission of the late filing by a reporting
1152 individual, the failure of a reporting individual to file a
1153 report after notice, or the failure to pay the fine imposed. The
1154 commission shall investigate only those alleged late filing
1155 violations specifically identified by the supervisor and as set
1156 forth in the notification. Any other alleged violations must be
1157 separately stated and reported by the division to the commission
1158 under s. 106.25(2).

1159 Section 11. Section 106.0703, Florida Statutes, is
1160 reenacted and amended to read:

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1161 106.0703 Electioneering communications organizations;
1162 reporting requirements; certification and filing; penalties.—

1163 (1) (a) Each electioneering communications organization
1164 shall file regular reports of all contributions received and all
1165 expenditures made by or on behalf of the organization. Except as
1166 provided in paragraphs (b) and (c), reports must ~~shall~~ be filed
1167 on the 10th day following the end of each calendar month ~~quarter~~
1168 from the time the organization is registered. However, if the
1169 10th day following the end of a calendar month ~~quarter~~ occurs on
1170 a Saturday, Sunday, or legal holiday, the report must ~~shall~~ be
1171 filed on the next following day that is not a Saturday, Sunday,
1172 or legal holiday. Monthly ~~Quarterly~~ reports must ~~shall~~ include
1173 all contributions received and expenditures made during the
1174 calendar month ~~quarter~~ that have not otherwise been reported
1175 pursuant to this section.

1176 (b) For an electioneering communications organization
1177 required to file reports with the division, reports must be
1178 filed:

1179 1. On the 60th day immediately preceding the primary
1180 election, and each week thereafter, with the last weekly report
1181 being filed on the 11th day immediately preceding the general
1182 election.

1183 2. On the 10th day immediately preceding the general
1184 election, and every day thereafter, with the last daily report
1185 being filed the day before the general election ~~Following the~~
1186 ~~last day of candidates qualifying for office, the reports shall~~
1187 ~~be filed on the 32nd, 18th, and 4th days immediately preceding~~
1188 ~~the primary election and on the 46th, 32nd, 18th, and 4th days~~
1189 ~~immediately preceding the general election.~~

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1190 (c) For an electioneering communications organization
1191 required to file reports with a filing officer other than the
1192 division, reports must be filed on the 60th day immediately
1193 preceding the primary election, and biweekly on each Friday
1194 thereafter through and including the 4th day immediately
1195 preceding the general election, with additional reports due on
1196 the 25th and 11th days before the primary election and the
1197 general election.

1198 (d)~~(e)~~ When a special election is called to fill a vacancy
1199 in office, all electioneering communications organizations
1200 making contributions or expenditures to influence the results of
1201 the special election shall file reports with the filing officer
1202 on the dates set by the Department of State pursuant to s.
1203 100.111.

1204 (e)~~(d)~~ In addition to the reports required by paragraph
1205 (a), an electioneering communications organization that is
1206 registered with the Department of State and that makes a
1207 contribution or expenditure to influence the results of a county
1208 or municipal election that is not being held at the same time as
1209 a state or federal election must file reports with the county or
1210 municipal filing officer on the same dates as county or
1211 municipal candidates or committees for that election. The
1212 electioneering communications organization must also include the
1213 expenditure in the next report filed with the Division of
1214 Elections pursuant to this section following the county or
1215 municipal election.

1216 (f)~~(e)~~ The filing officer shall make available to each
1217 electioneering communications organization a schedule
1218 designating the beginning and end of reporting periods as well

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1219 as the corresponding designated due dates.

1220 (2) (a) Except as provided in s. 106.0705, the reports
1221 required of an electioneering communications organization shall
1222 be filed with the filing officer not later than 5 p.m. of the
1223 day designated. However, any report postmarked by the United
1224 States Postal Service no later than midnight of the day
1225 designated is ~~shall be~~ deemed to have been filed in a timely
1226 manner. Any report received by the filing officer within 5 days
1227 after the designated due date that was delivered by the United
1228 States Postal Service is ~~shall be~~ deemed timely filed unless it
1229 has a postmark that indicates that the report was mailed after
1230 the designated due date. A certificate of mailing obtained from
1231 and dated by the United States Postal Service at the time of
1232 mailing, or a receipt from an established courier company, which
1233 bears a date on or before the date on which the report is due,
1234 suffices as ~~shall be~~ proof of mailing in a timely manner.
1235 Reports must ~~shall~~ contain information on ~~of~~ all previously
1236 unreported contributions received and expenditures made as of
1237 the preceding Friday, except that the final weekly or biweekly
1238 report filed on the Friday immediately preceding the election
1239 and each daily report must ~~shall~~ contain information on ~~of~~ all
1240 previously unreported contributions received and expenditures
1241 made as of the day preceding the designated due date. All such
1242 reports are ~~shall be~~ open to public inspection.

1243 (b)1. Any report that is deemed to be incomplete by the
1244 officer with whom the electioneering communications organization
1245 files shall be accepted on a conditional basis. The treasurer of
1246 the electioneering communications organization shall be
1247 notified, by certified mail or other common carrier that can

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1248 establish proof of delivery for the notice, as to why the report
1249 is incomplete. Within 7 days after receipt of such notice, the
1250 treasurer must file an addendum to the report providing all
1251 information necessary to complete the report in compliance with
1252 this section. Failure to file a complete report after such
1253 notice constitutes a violation of this chapter.

1254 2. Notice is deemed sufficient upon proof of delivery of
1255 written notice to the mailing or street address of the treasurer
1256 or registered agent of the electioneering communication
1257 organization on record with the filing officer.

1258 (3) (a) Each report required by this section must contain:

1259 1. The full name, address, and occupation, if any, of each
1260 person who has made one or more contributions to or for such
1261 electioneering communications organization within the reporting
1262 period, together with the amount and date of such contributions.
1263 For corporations, the report must provide as clear a description
1264 as practicable of the principal type of business conducted by
1265 the corporation. However, if the contribution is \$100 or less,
1266 the occupation of the contributor or the principal type of
1267 business need not be listed.

1268 2. The name and address of each political committee from
1269 which or to which the reporting electioneering communications
1270 organization made any transfer of funds, together with the
1271 amounts and dates of all transfers.

1272 3. Each loan for electioneering communication purposes to
1273 or from any person or political committee within the reporting
1274 period, together with the full names, addresses, and occupations
1275 and principal places of business, if any, of the lender and
1276 endorsers, if any, and the date and amount of such loans.

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1277 4. A statement of each contribution, rebate, refund, or
1278 other receipt not otherwise listed under subparagraphs 1.-3.

1279 5. The total sums of all loans, in-kind contributions, and
1280 other receipts by or for such electioneering communications
1281 organization during the reporting period. The reporting forms
1282 shall be designed to elicit separate totals for in-kind
1283 contributions, loans, and other receipts.

1284 6. The full name and address of each person to whom
1285 expenditures have been made by or on behalf of the
1286 electioneering communications organization within the reporting
1287 period and the amount, date, and purpose of each expenditure.

1288 7. The full name and address of each person to whom an
1289 expenditure for personal services, salary, or reimbursement for
1290 expenses has been made and that is not otherwise reported,
1291 including the amount, date, and purpose of the expenditure.

1292 8. The total sum of expenditures made by the electioneering
1293 communications organization during the reporting period.

1294 9. The amount and nature of debts and obligations owed by
1295 or to the electioneering communications organization that relate
1296 to the conduct of any electioneering communication.

1297 10. Transaction information for each credit card purchase.
1298 Receipts for each credit card purchase shall be retained by the
1299 electioneering communications organization.

1300 11. The amount and nature of any separate interest-bearing
1301 accounts or certificates of deposit and identification of the
1302 financial institution in which such accounts or certificates of
1303 deposit are located.

1304 12. The primary purposes of an expenditure made indirectly
1305 through an electioneering communications organization for goods

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1306 and services, such as communications media placement or
1307 procurement services and other expenditures that include
1308 multiple components as part of the expenditure. The primary
1309 purpose of an expenditure shall be that purpose, including
1310 integral and directly related components, that comprises 80
1311 percent of such expenditure.

1312 (b) The filing officer shall make available to any
1313 electioneering communications organization a reporting form
1314 which the electioneering communications organization may use to
1315 indicate contributions received by the electioneering
1316 communications organization but returned to the contributor
1317 before deposit.

1318 (4) The treasurer of the electioneering communications
1319 organization shall certify as to the correctness of each report,
1320 and each person so certifying shall bear the responsibility for
1321 the accuracy and veracity of each report. Any treasurer who
1322 willfully certifies the correctness of any report while knowing
1323 that such report is incorrect, false, or incomplete commits a
1324 misdemeanor of the first degree, punishable as provided in s.
1325 775.082 or s. 775.083.

1326 (5) The electioneering communications organization
1327 depository shall provide statements reflecting deposits and
1328 expenditures from the account to the treasurer, who shall retain
1329 the records pursuant to s. 106.06. The records maintained by the
1330 depository with respect to the account shall be subject to
1331 inspection by an agent of the Division of Elections or the
1332 Florida Elections Commission at any time during normal banking
1333 hours, and such depository shall furnish certified copies of any
1334 such records to the Division of Elections or the Florida

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1335 Elections Commission upon request.

1336 (6) Notwithstanding any other provisions of this chapter,
1337 in any reporting period during which an electioneering
1338 communications organization has not received funds, made any
1339 contributions, or expended any reportable funds, the treasurer
1340 shall file a written report with the filing officer by the
1341 prescribed reporting date that no reportable contributions or
1342 expenditures were made during the reporting period.

1343 (7) (a) Any electioneering communications organization
1344 failing to file a report on the designated due date shall be
1345 subject to a fine as provided in paragraph (b) for each late
1346 day. The fine shall be assessed by the filing officer, and the
1347 moneys collected shall be deposited:

1348 1. In the General Revenue Fund, in the case of an
1349 electioneering communications organization that registers with
1350 the Division of Elections; or

1351 2. In the general revenue fund of the political
1352 subdivision, in the case of an electioneering communications
1353 organization that registers with an officer of a political
1354 subdivision.

1355
1356 No separate fine shall be assessed for failure to file a copy of
1357 any report required by this section.

1358 (b) Upon determining that a report is late, the filing
1359 officer shall immediately notify the electioneering
1360 communications organization as to the failure to file a report
1361 by the designated due date and that a fine is being assessed for
1362 each late day. The fine shall be \$50 per day for the first 3
1363 days late and, thereafter, \$500 per day for each late day, not

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

- 1375 1. When the report is actually received by such officer.
- 1376 2. When the report is postmarked.
- 1377 3. When the certificate of mailing is dated.
- 1378 4. When the receipt from an established courier company is
1379 dated.
- 1380 5. When the electronic receipt issued pursuant to s.
1381 106.0705 or other electronic filing system authorized in this
1382 section is dated.

1383
1384 Such fine shall be paid to the filing officer within 20 days
1385 after receipt of the notice of payment due, unless appeal is
1386 made to the Florida Elections Commission pursuant to paragraph
1387 (c). Notice is deemed sufficient upon proof of delivery of
1388 written notice to the mailing or street address on record with
1389 the filing officer. An officer or member of an electioneering
1390 communications organization shall not be personally liable for
1391 such fine.

1392 (c) The treasurer of an electioneering communications

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1393 organization may appeal or dispute the fine, based upon, but not
1394 limited to, unusual circumstances surrounding the failure to
1395 file on the designated due date, and may request and shall be
1396 entitled to a hearing before the Florida Elections Commission,
1397 which shall have the authority to waive the fine in whole or in
1398 part. The Florida Elections Commission must consider the
1399 mitigating and aggravating circumstances contained in s.
1400 106.265(2) when determining the amount of a fine, if any, to be
1401 waived. Any such request shall be made within 20 days after
1402 receipt of the notice of payment due. In such case, the
1403 treasurer of the electioneering communications organization
1404 shall, within the 20-day period, notify the filing officer in
1405 writing of his or her intention to bring the matter before the
1406 commission.

1407 (d) The appropriate filing officer shall notify the Florida
1408 Elections Commission of the repeated late filing by an
1409 electioneering communications organization, the failure of an
1410 electioneering communications organization to file a report
1411 after notice, or the failure to pay the fine imposed. The
1412 commission shall investigate only those alleged late filing
1413 violations specifically identified by the filing officer and as
1414 set forth in the notification. Any other alleged violations must
1415 be stated separately and reported by the division to the
1416 commission under s. 106.25(2).

1417 (8) Electioneering communications organizations shall not
1418 use credit cards.

1419 Section 12. Section 106.0705, Florida Statutes, is
1420 reenacted and amended to read:

1421 106.0705 Electronic filing of campaign treasurer's

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1422 reports.-

1423 (1) As used in this section, "electronic filing system"
1424 means an Internet system for recording and reporting campaign
1425 finance activity by reporting period.

1426 (2) (a) Each individual who is required to file reports with
1427 the division pursuant to s. 106.07 or s. 106.141 must file such
1428 reports by means of the division's electronic filing system.

1429 (b) Each political committee, ~~committee of continuous~~
1430 ~~existence~~, electioneering communications organization,
1431 affiliated party committee, or state executive committee that is
1432 required to file reports with the division under ~~s. 106.04~~, s.
1433 106.07, s. 106.0703, or s. 106.29, as applicable, must file such
1434 reports with the division by means of the division's electronic
1435 filing system.

1436 (c) Each person or organization that is required to file
1437 reports with the division under s. 106.071 must file such
1438 reports by means of the division's electronic filing system.

1439 (3) Reports filed pursuant to this section shall be
1440 completed and filed through the electronic filing system not
1441 later than midnight of the day designated. Reports not filed by
1442 midnight of the day designated are late filed and are subject to
1443 the penalties under ~~s. 106.04(9)~~, s. 106.07(8), s. 106.0703(7),
1444 or s. 106.29(3), as applicable.

1445 (4) Each report filed pursuant to this section is
1446 considered to be under oath by the candidate and treasurer, the
1447 chair and treasurer, the treasurer under s. 106.0703, or the
1448 leader and treasurer under s. 103.092, whichever is applicable,
1449 and such persons are subject to the provisions of ~~s.~~
1450 ~~106.04(4)(d)~~, s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as

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1451 applicable. Persons given a secure sign-on to the electronic
1452 filing system are responsible for protecting such from
1453 disclosure and are responsible for all filings using such
1454 credentials, unless they have notified the division that their
1455 credentials have been compromised.

1456 (5) The electronic filing system developed by the division
1457 must:

1458 (a) Be based on access by means of the Internet.

1459 (b) Be accessible by anyone with Internet access using
1460 standard web-browsing software.

1461 (c) Provide for direct entry of campaign finance
1462 information as well as upload of such information from campaign
1463 finance software certified by the division.

1464 (d) Provide a method that prevents unauthorized access to
1465 electronic filing system functions.

1466 (6) The division shall adopt rules ~~pursuant to ss.~~
1467 ~~120.536(1) and 120.54~~ to administer this section and provide for
1468 the reports required to be filed pursuant to this section. Such
1469 rules shall, at a minimum, provide:

1470 (a) Alternate filing procedures in case the division's
1471 electronic filing system is not operable.

1472 (b) For the issuance of an electronic receipt to the person
1473 submitting the report indicating and verifying that the report
1474 has been filed.

1475 Section 13. Section 106.08, Florida Statutes, is amended to
1476 read:

1477 106.08 Contributions; limitations on.-

1478 (1) (a) Except for political parties or affiliated party
1479 committees, no person or, political committee, ~~or committee of~~

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1480 ~~continuous existence~~ may, in any election, make contributions in
1481 excess of \$500 to any candidate for election to or retention in
1482 office ~~or to any political committee supporting or opposing one~~
1483 ~~or more candidates~~. Candidates for the offices of Governor and
1484 Lieutenant Governor on the same ticket are considered a single
1485 candidate for the purpose of this section.

1486 (b)~~1~~. The contribution limits provided in this subsection
1487 do not apply to contributions made by a state or county
1488 executive committee of a political party or affiliated party
1489 committee regulated by chapter 103 or to amounts contributed by
1490 a candidate to his or her own campaign.

1491 ~~2. Notwithstanding the limits provided in this subsection,~~
1492 ~~an unemancipated child under the age of 18 years of age may not~~
1493 ~~make a contribution in excess of \$100 to any candidate or to any~~
1494 ~~political committee supporting one or more candidates.~~

1495 (c) The contribution limits of this subsection apply to
1496 each election. For purposes of this subsection, the primary
1497 election and general election are separate elections so long as
1498 the candidate is not an unopposed candidate as defined in s.
1499 106.011 ~~106.011(15)~~. However, for the purpose of contribution
1500 limits with respect to candidates for retention as a justice or
1501 judge, there is only one election, which is the general
1502 election.

1503 (2) (a) A candidate may not accept contributions from a
1504 county executive committee of a political party whose
1505 contributions in the aggregate exceed \$50,000, or from the
1506 national, or state, or county executive committees of a
1507 political party, including any subordinate committee of such
1508 political party or affiliated party committees, whose ~~which~~

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1509 contributions in the aggregate exceed \$50,000.

1510 (b) A candidate for statewide office may not accept
1511 contributions from national, state, or county executive
1512 committees of a political party, including any subordinate
1513 committee of the political party, or affiliated party
1514 committees, which contributions in the aggregate exceed
1515 \$250,000. Polling services, research services, costs for
1516 campaign staff, professional consulting services, and telephone
1517 calls are not contributions to be counted toward the
1518 contribution limits of paragraph (a) or this paragraph. Any item
1519 not expressly identified in this paragraph as nonallocable is a
1520 contribution in an amount equal to the fair market value of the
1521 item and must be counted as allocable toward the contribution
1522 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
1523 contributions must be reported by the candidate under s. 106.07
1524 and by the political party or affiliated party committee under
1525 s. 106.29.

1526 (3) (a) Any contribution received by a candidate with
1527 opposition in an election or by the campaign treasurer or a
1528 deputy campaign treasurer of such a candidate on the day of that
1529 election or less than 5 days before ~~prior to~~ the day of that
1530 election must be returned by him or her to the person or
1531 committee contributing it and may not be used or expended by or
1532 on behalf of the candidate.

1533 (b) Any contribution received by a candidate or by the
1534 campaign treasurer or a deputy campaign treasurer of a candidate
1535 after the date at which the candidate withdraws his or her
1536 candidacy, or after the date the candidate is defeated, becomes
1537 unopposed, or is elected to office must be returned to the

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1538 person or committee contributing it and may not be used or
1539 expended by or on behalf of the candidate.

1540 (4) Any contribution received by the chair, campaign
1541 treasurer, or deputy campaign treasurer of a political committee
1542 supporting or opposing a candidate with opposition in an
1543 election or supporting or opposing an issue on the ballot in an
1544 election on the day of that election or less than 5 days before
1545 ~~prior to~~ the day of that election may not be obligated or
1546 expended by the committee until after the date of the election.

1547 (5) (a) A person may not make any contribution through or in
1548 the name of another, directly or indirectly, in any election.

1549 (b) Candidates, political committees, affiliated party
1550 committees, and political parties may not solicit contributions
1551 from any religious, charitable, civic, or other causes or
1552 organizations established primarily for the public good.

1553 (c) Candidates, political committees, affiliated party
1554 committees, and political parties may not make contributions, in
1555 exchange for political support, to any religious, charitable,
1556 civic, or other cause or organization established primarily for
1557 the public good. It is not a violation of this paragraph for:

1558 1. A candidate, political committee, affiliated party
1559 committee, or political party executive committee to make gifts
1560 of money in lieu of flowers in memory of a deceased person;

1561 2. A candidate to continue membership in, or make regular
1562 donations from personal or business funds to, religious,
1563 political party, affiliated party committee, civic, or
1564 charitable groups of which the candidate is a member or to which
1565 the candidate has been a regular donor for more than 6 months;
1566 or

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1567 3. A candidate to purchase, with campaign funds, tickets,
1568 admission to events, or advertisements from religious, civic,
1569 political party, affiliated party committee, or charitable
1570 groups.

1571 (6) (a) A political party or affiliated party committee may
1572 not accept any contribution that has been specifically
1573 designated for the partial or exclusive use of a particular
1574 candidate. Any contribution so designated must be returned to
1575 the contributor and may not be used or expended by or on behalf
1576 of the candidate. Funds contributed to an affiliated party
1577 committee may ~~shall~~ not be ~~deemed as~~ designated for the partial
1578 or exclusive use of a leader as defined in s. 103.092.

1579 (b) 1. A political party or affiliated party committee may
1580 not accept any in-kind contribution that fails to provide a
1581 direct benefit to the political party or affiliated party
1582 committee. A "direct benefit" includes, but is not limited to,
1583 fundraising or furthering the objectives of the political party
1584 or affiliated party committee.

1585 2.a. An in-kind contribution to a state political party may
1586 be accepted only by the chairperson of the state political party
1587 or by the chairperson's designee or designees whose names are on
1588 file with the division in a form acceptable to the division
1589 before ~~prior to~~ the date of the written notice required in sub-
1590 subparagraph b. An in-kind contribution to a county political
1591 party may be accepted only by the chairperson of the county
1592 political party or by the county chairperson's designee or
1593 designees whose names are on file with the supervisor of
1594 elections of the respective county before ~~prior to~~ the date of
1595 the written notice required in sub-subparagraph b. An in-kind

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1596 contribution to an affiliated party committee may be accepted
1597 only by the leader of the affiliated party committee as defined
1598 in s. 103.092 or by the leader's designee or designees whose
1599 names are on file with the division in a form acceptable to the
1600 division before ~~prior to~~ the date of the written notice required
1601 in sub-subparagraph b.

1602 b. A person making an in-kind contribution to a state or
1603 county political party or affiliated party committee must
1604 provide prior written notice of the contribution to a person
1605 described in sub-subparagraph a. The prior written notice must
1606 be signed and dated and may be provided by an electronic or
1607 facsimile message. However, prior written notice is not required
1608 for an in-kind contribution that consists of food and beverage
1609 in an aggregate amount not exceeding \$1,500 which is consumed at
1610 a single sitting or event if such in-kind contribution is
1611 accepted in advance by a person specified in sub-subparagraph a.

1612 c. A person described in sub-subparagraph a. may accept an
1613 in-kind contribution requiring prior written notice only in a
1614 writing that is dated before the in-kind contribution is made.
1615 Failure to obtain the required written acceptance of an in-kind
1616 contribution to a state or county political party or affiliated
1617 party committee constitutes a refusal of the contribution.

1618 d. A copy of each prior written acceptance required under
1619 sub-subparagraph c. must be filed at the time the regular
1620 reports of contributions and expenditures required under s.
1621 106.29 are filed by the state executive committee, county
1622 executive committee, and affiliated party committee. A state
1623 executive committee and an affiliated party committee must file
1624 with the division. A county executive committee must file with

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1625 the county's supervisor of elections.

1626 e. An in-kind contribution may not be given to a state or
1627 county political party or affiliated party committee unless the
1628 in-kind contribution is made as provided in this subparagraph.

1629 (7) (a) Any person who knowingly and willfully makes or
1630 accepts no more than one contribution in violation of subsection
1631 (1) or subsection (5), or any person who knowingly and willfully
1632 fails or refuses to return any contribution as required in
1633 subsection (3), commits a misdemeanor of the first degree,
1634 punishable as provided in s. 775.082 or s. 775.083. If any
1635 corporation, partnership, or other business entity or any
1636 political party, affiliated party committee, political
1637 committee, ~~committee of continuous existence~~, or electioneering
1638 communications organization is convicted of knowingly and
1639 willfully violating any provision punishable under this
1640 paragraph, it shall be fined not less than \$1,000 and not more
1641 than \$10,000. If it is a domestic entity, it may be ordered
1642 dissolved by a court of competent jurisdiction; if it is a
1643 foreign or nonresident business entity, its right to do business
1644 in this state may be forfeited. Any officer, partner, agent,
1645 attorney, or other representative of a corporation, partnership,
1646 or other business entity, or of a political party, affiliated
1647 party committee, political committee, ~~committee of continuous~~
1648 ~~existence~~, electioneering communications organization, or
1649 organization exempt from taxation under s. 527 or s. 501(c)(4)
1650 of the Internal Revenue Code, who aids, abets, advises, or
1651 participates in a violation of any provision punishable under
1652 this paragraph commits a misdemeanor of the first degree,
1653 punishable as provided in s. 775.082 or s. 775.083.

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1654 (b) Any person who knowingly and willfully makes or accepts
1655 two or more contributions in violation of subsection (1) or
1656 subsection (5) commits a felony of the third degree, punishable
1657 as provided in s. 775.082, s. 775.083, or s. 775.084. If any
1658 corporation, partnership, or other business entity or any
1659 political party, affiliated party committee, political
1660 committee, ~~committee of continuous existence~~, or electioneering
1661 communications organization is convicted of knowingly and
1662 willfully violating any provision punishable under this
1663 paragraph, it shall be fined not less than \$10,000 and not more
1664 than \$50,000. If it is a domestic entity, it may be ordered
1665 dissolved by a court of competent jurisdiction; if it is a
1666 foreign or nonresident business entity, its right to do business
1667 in this state may be forfeited. Any officer, partner, agent,
1668 attorney, or other representative of a corporation, partnership,
1669 or other business entity, or of a political committee, ~~committee~~
1670 ~~of continuous existence~~, political party, affiliated party
1671 committee, or electioneering communications organization, or
1672 organization exempt from taxation under s. 527 or s. 501(c)(4)
1673 of the Internal Revenue Code, who aids, abets, advises, or
1674 participates in a violation of any provision punishable under
1675 this paragraph commits a felony of the third degree, punishable
1676 as provided in s. 775.082, s. 775.083, or s. 775.084.

1677 (8) Except when otherwise provided in subsection (7), any
1678 person who knowingly and willfully violates any provision of
1679 this section shall, in addition to any other penalty prescribed
1680 by this chapter, pay to the state a sum equal to twice the
1681 amount contributed in violation of this chapter. Each campaign
1682 treasurer shall pay all amounts contributed in violation of this

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1683 section to the state for deposit in the General Revenue Fund.

1684 (9) This section does not apply to the transfer of funds
1685 between a primary campaign depository and a savings account or
1686 certificate of deposit or to any interest earned on such account
1687 or certificate.

1688 (10) Contributions to a political committee ~~or committee of~~
1689 ~~continuous existence~~ may be received by an affiliated
1690 organization and transferred to the bank account of the
1691 political committee ~~or committee of continuous existence~~ via
1692 check written from the affiliated organization if such
1693 contributions are specifically identified as intended to be
1694 contributed to the political committee ~~or committee of~~
1695 ~~continuous existence~~. All contributions received in this manner
1696 shall be reported pursuant to s. 106.07 by the political
1697 committee ~~or committee of continuous existence~~ as having been
1698 made by the original contributor.

1699 Section 14. Section 106.11, Florida Statutes, is reenacted
1700 and amended to read:

1701 106.11 Expenses of and expenditures by candidates and
1702 political committees.—Each candidate and each political
1703 committee which designates a primary campaign depository
1704 pursuant to s. 106.021(1) shall make expenditures from funds on
1705 deposit in such primary campaign depository only in the
1706 following manner, with the exception of expenditures made from
1707 petty cash funds provided by s. 106.12:

1708 (1) (a) 1. The campaign treasurer or deputy campaign
1709 treasurer of a candidate or political committee shall make
1710 expenditures from funds on deposit in the primary campaign
1711 depository only by means of a bank check drawn upon the campaign

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1712 account of the candidate or political committee. The campaign
1713 account shall be separate from any personal or other account and
1714 shall be used only for the purpose of depositing contributions
1715 and making expenditures for the candidate or political
1716 committee.

1717 2. An expenditure by a political committee must also be
1718 primarily related to raising or making a contribution,
1719 influencing the results of an election, making an electioneering
1720 communication, or other political activity authorized by this
1721 chapter. A violation of this subparagraph is punishable solely
1722 as provided in s. 106.19(2).

1723 (b) The checks for such account shall contain, as a
1724 minimum, the following information:

1725 1. The ~~statement "... (name of the campaign account of the~~
1726 ~~candidate or political committee.) ... Campaign Account."~~

1727 2. The account number and the name of the bank.

1728 3. The exact amount of the expenditure.

1729 4. The signature of the campaign treasurer or deputy
1730 treasurer.

1731 5. The exact purpose for which the expenditure is
1732 authorized.

1733 6. The name of the payee.

1734 (2) (a) For purposes of this section, debit cards are
1735 considered bank checks, if:

1736 1. Debit cards are obtained from the same bank that has
1737 been designated as the candidate's or political committee's
1738 primary campaign depository.

1739 2. Debit cards are issued in the name of the treasurer,
1740 deputy treasurer, or authorized user and contain the state

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1741 ~~"... (name of the campaign account of the candidate or political~~
1742 ~~committee.)... Campaign Account."~~

1743 3. No more than three debit cards are requested and issued.

1744 4. The person using the debit card does not receive cash as
1745 part of, or independent of, any transaction for goods or
1746 services.

1747 5. All receipts for debit card transactions contain:

1748 a. The last four digits of the debit card number.

1749 b. The exact amount of the expenditure.

1750 c. The name of the payee.

1751 d. The signature of the campaign treasurer, deputy
1752 treasurer, or authorized user.

1753 e. The exact purpose for which the expenditure is
1754 authorized.

1755

1756 Any information required by this subparagraph but not included
1757 on the debit card transaction receipt may be handwritten on, or
1758 attached to, the receipt by the authorized user before
1759 submission to the treasurer.

1760 (b) Debit cards are not subject to the requirements of
1761 paragraph (1) (b).

1762 (3) The campaign treasurer, deputy treasurer, or authorized
1763 user who signs the check shall be responsible for the
1764 completeness and accuracy of the information on such check and
1765 for insuring that such expenditure is an authorized expenditure.

1766 (4) No candidate, campaign manager, treasurer, deputy
1767 treasurer, or political committee or any officer or agent
1768 thereof, or any person acting on behalf of any of the foregoing,
1769 shall authorize any expenses, nor shall any campaign treasurer

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1770 or deputy treasurer sign a check drawn on the primary campaign
1771 account for any purpose, unless there are sufficient funds on
1772 deposit in the primary depository account of the candidate or
1773 political committee to pay the full amount of the authorized
1774 expense, to honor all other checks drawn on such account, which
1775 checks are outstanding, and to meet all expenses previously
1776 authorized but not yet paid. However, an expense may be incurred
1777 for the purchase of goods or services if there are sufficient
1778 funds on deposit in the primary depository account to pay the
1779 full amount of the incurred expense, to honor all checks drawn
1780 on such account, which checks are outstanding, and to meet all
1781 other expenses previously authorized but not yet paid, provided
1782 that payment for such goods or services is made upon final
1783 delivery and acceptance of the goods or services; and an
1784 expenditure from petty cash pursuant to the provisions of s.
1785 106.12 may be authorized, if there is a sufficient amount of
1786 money in the petty cash fund to pay for such expenditure.
1787 Payment for credit card purchases shall be made pursuant to s.
1788 106.125. Any expense incurred or authorized in excess of such
1789 funds on deposit shall, in addition to other penalties provided
1790 by law, constitute a violation of this chapter. As used in this
1791 subsection, the term "sufficient funds on deposit in the primary
1792 depository account of the candidate or political committee"
1793 means that the funds at issue have been delivered for deposit to
1794 the financial institution at which such account is maintained.
1795 The term shall not be construed to mean that such funds are
1796 available for withdrawal in accordance with the deposit rules or
1797 the funds availability policies of such financial institution.

1798 (5) A candidate who withdraws his or her candidacy, becomes

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1799 an unopposed candidate, or is eliminated as a candidate or
1800 elected to office may expend funds from the campaign account to:

1801 (a) Purchase "thank you" advertising for up to 75 days
1802 after he or she withdraws, becomes unopposed, or is eliminated
1803 or elected.

1804 (b) Pay for items which were obligated before he or she
1805 withdrew, became unopposed, or was eliminated or elected.

1806 (c) Pay for expenditures necessary to close down the
1807 campaign office and to prepare final campaign reports.

1808 (d) Dispose of surplus funds as provided in s. 106.141.

1809 (6) A candidate who makes a loan to his or her campaign and
1810 reports the loan as required by s. 106.07 may be reimbursed for
1811 the loan at any time the campaign account has sufficient funds
1812 to repay the loan and satisfy its other obligations.

1813 Section 15. Section 106.141, Florida Statutes, is amended
1814 to read:

1815 106.141 Disposition of surplus funds by candidates.—

1816 (1) Except as provided in subsection (6), each candidate
1817 who withdraws his or her candidacy, becomes an unopposed
1818 candidate, or is eliminated as a candidate or elected to office
1819 shall, within 90 days, dispose of the funds on deposit in his or
1820 her campaign account and file a report reflecting the
1821 disposition of all remaining funds. Such candidate may ~~shall~~ not
1822 accept any contributions, nor may ~~shall~~ any person accept
1823 contributions on behalf of such candidate, after the candidate
1824 withdraws his or her candidacy, becomes unopposed, or is
1825 eliminated or elected. However, if a candidate receives a refund
1826 check after all surplus funds have been disposed of, the check
1827 may be endorsed by the candidate and the refund disposed of

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1828 under this section. An amended report must be filed showing the
1829 refund and subsequent disposition.

1830 (2) Any candidate required to dispose of funds pursuant to
1831 this section may, before ~~prior to~~ such disposition, be
1832 reimbursed by the campaign, in full or in part, for any reported
1833 contributions by the candidate to the campaign.

1834 (3) The campaign treasurer of a candidate who withdraws his
1835 or her candidacy, becomes unopposed, or is eliminated as a
1836 candidate or elected to office and who has funds on deposit in a
1837 separate interest-bearing account or certificate of deposit
1838 shall, within 7 days after the date of becoming unopposed or the
1839 date of such withdrawal, elimination, or election, transfer such
1840 funds and the accumulated interest earned thereon to the
1841 campaign account of the candidate for disposal under this
1842 section. However, if the funds are in an account in which
1843 penalties will apply for withdrawal within the 7-day period, the
1844 campaign treasurer shall transfer such funds and the accumulated
1845 interest earned thereon as soon as the funds can be withdrawn
1846 without penalty, or within 90 days after the candidate becomes
1847 unopposed, withdraws his or her candidacy, or is eliminated or
1848 elected, whichever comes first.

1849 (4) (a) Except as provided in paragraph (b), any candidate
1850 required to dispose of funds pursuant to this section shall, at
1851 the option of the candidate, dispose of such funds by any of the
1852 following means, or any combination thereof:

1853 1. Return pro rata to each contributor the funds that have
1854 not been spent or obligated.

1855 2. Donate the funds that have not been spent or obligated
1856 to a charitable organization or organizations that meet the

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1857 qualifications of s. 501(c)(3) of the Internal Revenue Code.

1858 3. Give not more than \$25,000 of the funds that have not
1859 been spent or obligated to the affiliated party committee or
1860 political party of which such candidate is a member.

1861 4. Give the funds that have not been spent or obligated:

1862 a. In the case of a candidate for state office, to the
1863 state, to be deposited in either the Election Campaign Financing
1864 Trust Fund or the General Revenue Fund, as designated by the
1865 candidate; or

1866 b. In the case of a candidate for an office of a political
1867 subdivision, to such political subdivision, to be deposited in
1868 the general fund thereof.

1869 (b) Any candidate required to dispose of funds pursuant to
1870 this section who has received contributions pursuant to the
1871 Florida Election Campaign Financing Act shall, after all
1872 monetary commitments pursuant to s. 106.11(5)(b) and (c) have
1873 been met, return all surplus campaign funds to the General
1874 Revenue Fund.

1875 (5) A candidate elected to office or a candidate who will
1876 be elected to office by virtue of his or her being unopposed
1877 may, in addition to the disposition methods provided in
1878 subsection (4), transfer from the campaign account to an office
1879 account any amount of the funds on deposit in such campaign
1880 account up to:

1881 (a) Fifty ~~Twenty~~ thousand dollars, for a candidate for
1882 statewide office. The Governor and Lieutenant Governor shall be
1883 considered separate candidates for the purpose of this section.

1884 (b) Ten ~~Five~~ thousand dollars, for a candidate for
1885 multicounty office.

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1886 (c) Ten ~~Five~~ thousand dollars multiplied by the number of
1887 years in the term of office for which elected, for a candidate
1888 for legislative office.

1889 (d) Five thousand ~~Two thousand five hundred~~ dollars
1890 multiplied by the number of years in the term of office for
1891 which elected, for a candidate for county office or for a
1892 candidate in any election conducted on less than a countywide
1893 basis.

1894 (e) Six thousand dollars, for a candidate for retention as
1895 a justice of the Supreme Court.

1896 (f) Three thousand dollars, for a candidate for retention
1897 as a judge of a district court of appeal.

1898 (g) Three thousand ~~One thousand five hundred~~ dollars, for a
1899 candidate for county court judge or circuit judge.

1900

1901 The office account established pursuant to this subsection shall
1902 be separate from any personal or other account. Any funds so
1903 transferred by a candidate shall be used only for legitimate
1904 expenses in connection with the candidate's public office. Such
1905 expenses may include travel expenses incurred by the officer or
1906 a staff member; personal taxes payable on office account funds
1907 by the candidate or elected public official; professional
1908 services provided by a certified public accountant or attorney
1909 for preparation of the elected public official's financial
1910 disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs
1911 to prepare, print, produce, and mail holiday cards or
1912 newsletters about the elected public official's public business
1913 to constituents, if such correspondence does not constitute a
1914 political advertisement, independent expenditure, or

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1915 electioneering communication as provided in s. 106.011; fees or
1916 dues to religious, civic, or charitable organizations of which
1917 the elected public official is a member; items of modest value
1918 such as flowers, greeting cards, or personal notes given as a
1919 substitute for, or in association with, an elected public
1920 official's personal attendance at a constituent's special event
1921 or family occasion, such as the birth of a child, graduation,
1922 wedding, or funeral; personal expenses incurred by the elected
1923 public official in connection with attending a constituent
1924 meeting or event where public policy is discussed, if such
1925 meetings or events are limited to no more than once a week;~~7~~ or
1926 expenses incurred in the operation of the elected public
1927 official's ~~his or her~~ office, including the employment of
1928 additional staff. The funds may be deposited in a savings
1929 account; however, all deposits, withdrawals, and interest earned
1930 thereon shall be reported at the appropriate reporting period.
1931 If a candidate is reelected to office or elected to another
1932 office and has funds remaining in his or her office account, he
1933 or she may transfer surplus campaign funds to the office
1934 account. At no time may the funds in the office account exceed
1935 the limitation imposed by this subsection. Upon leaving public
1936 office, any person who has funds in an office account pursuant
1937 to this subsection remaining on deposit shall give such funds to
1938 a charitable organization that meets ~~or organizations which meet~~
1939 the requirements of s. 501(c)(3) of the Internal Revenue Code
1940 or, in the case of a state officer, to the state to be deposited
1941 in the General Revenue Fund or, in the case of an officer of a
1942 political subdivision, to the political subdivision to be
1943 deposited in the general fund thereof.

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1944 (6) (a) For purposes of this subsection, the term "same
1945 office" with respect to legislative office means an office in
1946 the same legislative body, irrespective of district number or
1947 designation or geographic boundary.

1948 (b) A candidate elected to state office or a candidate who
1949 will be elected to state office by virtue of his or her being
1950 unopposed after candidate qualifying ends, may retain up to
1951 \$20,000 in his or her campaign account, or in an interest-
1952 bearing account or certificate of deposit, for use in his or her
1953 next campaign for the same office, in addition to the
1954 disposition methods provided in subsections (4) and (5). All
1955 requirements applicable to candidate campaign accounts under
1956 this chapter, including disclosure requirements applicable to
1957 candidate campaign accounts, limitations on expenditures, and
1958 limitations on contributions, apply to any retained funds.

1959 (c) If a candidate who has retained funds under this
1960 subsection does not qualify as a candidate for reelection to the
1961 same office, all retained funds shall be disposed of as
1962 otherwise required by this section or s. 106.11(5) within 90
1963 days after the last day of candidate qualifying for that office.
1964 Requirements in this section applicable to the disposal of
1965 surplus funds, including reporting requirements, are applicable
1966 to the disposal of retained funds.

1967 (7) ~~(6)~~ Before ~~Prior to~~ disposing of funds pursuant to
1968 subsection (4), ~~or~~ transferring funds into an office account
1969 pursuant to subsection (5), or retaining funds for reelection
1970 pursuant to subsection (6), any candidate who filed an oath
1971 stating that he or she was unable to pay the ~~election assessment~~
1972 ~~or~~ fee for verification of petition signatures without imposing

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1973 an undue burden on his or her personal resources or on resources
1974 otherwise available to him or her, ~~or who filed both such oaths,~~
1975 ~~or who qualified by the petition process and was not required to~~
1976 ~~pay an election assessment,~~ shall reimburse the state or local
1977 governmental entity, whichever is applicable, for such waived
1978 ~~assessment or fee or both. Such reimbursement shall be made~~
1979 ~~first for the cost of petition verification and then, if funds~~
1980 ~~are remaining, for the amount of the election assessment. If~~
1981 there are insufficient funds in the account to pay the full
1982 amount of ~~either the assessment or the fee or both,~~ the
1983 remaining funds shall be disbursed in the above manner until no
1984 funds remain. All funds disbursed pursuant to this subsection
1985 shall be remitted to the qualifying officer. Any reimbursement
1986 for petition verification costs which are reimbursable by the
1987 state shall be forwarded by the qualifying officer to the state
1988 for deposit in the General Revenue Fund. ~~All reimbursements for~~
1989 ~~the amount of the election assessment shall be forwarded by the~~
1990 ~~qualifying officer to the Department of State for deposit in the~~
1991 ~~General Revenue Fund.~~

1992 (8) (a) ~~(7) (a)~~ Any candidate required to dispose of campaign
1993 funds pursuant to this section shall do so within the time
1994 required by this section and ~~shall~~, on or before the date by
1995 which such disposition is to have been made, shall file with the
1996 officer with whom reports are required to be filed pursuant to
1997 s. 106.07 a form prescribed by the Division of Elections
1998 listing:

1999 1. The name and address of each person or unit of
2000 government to whom any of the funds were distributed and the
2001 amounts thereof;

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2002 2. The name and address of each person to whom an
2003 expenditure was made, together with the amount thereof and
2004 purpose therefor; ~~and~~

2005 3. The amount of such funds transferred to an office
2006 account by the candidate, together with the name and address of
2007 the bank, savings and loan association, or credit union in which
2008 the office account is located; and

2009 4. The amount of such funds retained pursuant to subsection
2010 (6), together with the name and address of the bank, savings and
2011 loan association, or credit union in which the retained funds
2012 are located.

2013
2014 Such report shall be signed by the candidate and the campaign
2015 treasurer and certified as true and correct pursuant to s.
2016 106.07.

2017 (b) The filing officer shall notify each candidate at least
2018 14 days before the date the report is due.

2019 (c) Any candidate failing to file a report on the
2020 designated due date shall be subject to a fine as provided in s.
2021 106.07 for submitting late termination reports.

2022 (9) ~~(8)~~ Any candidate elected to office who transfers
2023 surplus campaign funds into an office account pursuant to
2024 subsection (5) shall file a report on the 10th day following the
2025 end of each calendar quarter until the account is closed. Such
2026 reports shall contain the name and address of each person to
2027 whom any disbursement of funds was made, together with the
2028 amount thereof and the purpose therefor, and the name and
2029 address of any person from whom the elected candidate received
2030 any refund or reimbursement and the amount thereof. Such reports

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2031 shall be on forms prescribed by the Division of Elections,
2032 signed by the elected candidate, certified as true and correct,
2033 and filed with the officer with whom campaign reports were filed
2034 pursuant to s. 106.07(2).

2035 (10)~~(9)~~ Any candidate, or any person on behalf of a
2036 candidate, who accepts contributions after such candidate has
2037 withdrawn his or her candidacy, after the candidate has become
2038 an unopposed candidate, or after the candidate has been
2039 eliminated as a candidate or elected to office commits a
2040 misdemeanor of the first degree, punishable as provided in s.
2041 775.082 or s. 775.083.

2042 (11)~~(10)~~ Any candidate who is required by the provisions of
2043 this section to dispose of funds in his or her campaign account
2044 and who fails to dispose of the funds in the manner provided in
2045 this section commits a misdemeanor of the first degree,
2046 punishable as provided in s. 775.082 or s. 775.083.

2047 Section 16. Section 106.29, Florida Statutes, is reenacted
2048 and amended to read:

2049 106.29 Reports by political parties and affiliated party
2050 committees; restrictions on contributions and expenditures;
2051 penalties.—

2052 (1) (a) The state executive committee and each county
2053 executive committee of each political party and any affiliated
2054 party committee regulated by chapter 103 shall file regular
2055 reports of all contributions received and all expenditures made
2056 by such committee. However, the reports may ~~shall~~ not include
2057 contributions and expenditures that are reported to the Federal
2058 Election Commission.

2059 (b) Each state executive committee and affiliated party

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2060 committee shall file regular reports with the Division of
2061 Elections. Such reports must contain the same information as
2062 reports required of candidates by s. 106.07 and must be filed at
2063 the same times and subject to the same filing conditions
2064 established by s. 106.07(1) and (2) for statewide candidate
2065 reports filed with the division. Each county executive committee
2066 shall file reports with the supervisor of elections in the
2067 county in which such committee exists. Such reports must contain
2068 the same information as reports required of candidates by s.
2069 106.07 and must be filed at the same times and subject to the
2070 same filing conditions established by s. 106.07(1) and (2) for
2071 county candidate reports filed with the supervisor of elections.
2072 In addition, when a special election is called to fill a vacancy
2073 in office, each state executive committee, each affiliated party
2074 committee, and each county executive committee making
2075 contributions or expenditures to influence the results of the
2076 special election or the preceding special primary election must
2077 file campaign treasurers' reports on the dates set by the
2078 Department of State pursuant to s. 100.111. ~~Such reports shall~~
2079 ~~contain the same information as do reports required of~~
2080 ~~candidates by s. 106.07 and shall be filed on the 10th day~~
2081 ~~following the end of each calendar quarter, except that, during~~
2082 ~~the period from the last day for candidate qualifying until the~~
2083 ~~general election, such reports shall be filed on the Friday~~
2084 ~~immediately preceding each special primary election, special~~
2085 ~~election, primary election, and general election.~~

2086 (c) In addition to the reports filed under this section,
2087 the state executive committee, each county executive committee,
2088 and each affiliated party committee shall file a copy of each

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2089 prior written acceptance of an in-kind contribution given by the
2090 committee during the preceding calendar quarter as required
2091 under s. 106.08(6). ~~Each state executive committee and~~
2092 ~~affiliated party committee shall file its reports with the~~
2093 ~~Division of Elections. Each county executive committee shall~~
2094 ~~file its reports with the supervisor of elections in the county~~
2095 ~~in which such committee exists.~~

2096 (d) Any state or county executive committee or affiliated
2097 party committee failing to file a report on the designated due
2098 date ~~is shall be~~ subject to a fine as provided in subsection
2099 (3). ~~A No~~ separate fine may not ~~shall~~ be assessed for failure to
2100 file a copy of any report required by this section.

2101 (2) The chair and treasurer of each state or county
2102 executive committee shall certify as to the correctness of each
2103 report filed by them on behalf of such committee. The leader and
2104 treasurer of each affiliated party committee under s. 103.092
2105 shall certify as to the correctness of each report filed by them
2106 on behalf of such committee. Any committee chair, leader, or
2107 treasurer who certifies the correctness of any report while
2108 knowing that such report is incorrect, false, or incomplete
2109 commits a felony of the third degree, punishable as provided in
2110 s. 775.082, s. 775.083, or s. 775.084.

2111 (3) (a) A ~~Any~~ state or county executive committee or
2112 affiliated party committee that fails ~~failing~~ to file a report
2113 on the designated due date ~~is shall be~~ subject to a fine as
2114 provided in paragraph (b) for each late day. The fine shall be
2115 assessed by the filing officer, and the moneys collected shall
2116 be deposited in the General Revenue Fund.

2117 (b) Upon determining that a report is late, the filing

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2118 officer shall immediately notify the chair of the executive
2119 committee or the leader of the affiliated party committee as
2120 defined in s. 103.092 as to the failure to file a report by the
2121 designated due date and that a fine is being assessed for each
2122 late day. The fine is ~~shall be~~ \$1,000 for a state executive
2123 committee, \$1,000 for an affiliated party committee, and \$50 for
2124 a county executive committee, per day for each late day, not to
2125 exceed 25 percent of the total receipts or expenditures,
2126 whichever is greater, for the period covered by the late report.
2127 However, if an executive committee or an affiliated party
2128 committee fails to file a report on the Friday immediately
2129 preceding the special election or general election, the fine is
2130 ~~shall be~~ \$10,000 per day for each day a state executive
2131 committee is late, \$10,000 per day for each day an affiliated
2132 party committee is late, and \$500 per day for each day a county
2133 executive committee is late. Upon receipt of the report, the
2134 filing officer shall determine the amount of the fine which is
2135 due and shall notify the chair or leader as defined in s.
2136 103.092. Notice is deemed complete upon proof of delivery of
2137 written notice to the mailing or street address on record with
2138 the filing officer. The filing officer shall determine the
2139 amount of the fine due based upon the earliest of the following:
2140 1. When the report is actually received by such officer.
2141 2. When the report is postmarked.
2142 3. When the certificate of mailing is dated.
2143 4. When the receipt from an established courier company is
2144 dated.
2145 5. When the electronic receipt issued pursuant to s.
2146 106.0705 is dated.

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2147
2148 Such fine shall be paid to the filing officer within 20 days
2149 after receipt of the notice of payment due, unless appeal is
2150 made to the Florida Elections Commission pursuant to paragraph
2151 (c). An officer or member of an executive committee is not ~~shall~~
2152 ~~not be~~ personally liable for such fine.

2153 (c) The chair of an executive committee or the leader of an
2154 affiliated party committee as defined in s. 103.092 may appeal
2155 or dispute the fine, based upon unusual circumstances
2156 surrounding the failure to file on the designated due date, and
2157 may request and is ~~shall be~~ entitled to a hearing before the
2158 Florida Elections Commission, which has ~~shall have~~ the authority
2159 to waive the fine in whole or in part. Any such request shall be
2160 made within 20 days after receipt of the notice of payment due.
2161 In such case, the chair of the executive committee or the leader
2162 of the affiliated party committee as defined in s. 103.092
2163 shall, within the 20-day period, notify the filing officer in
2164 writing of his or her intention to bring the matter before the
2165 commission.

2166 (d) The appropriate filing officer shall notify the Florida
2167 Elections Commission of the repeated late filing by an executive
2168 committee or affiliated party committee, the failure of an
2169 executive committee or affiliated party committee to file a
2170 report after notice, or the failure to pay the fine imposed.

2171 (4) Any contribution received by a state or county
2172 executive committee or affiliated party committee less than 5
2173 days before an election may ~~shall~~ not be used or expended in
2174 behalf of any candidate, issue, affiliated party committee, or
2175 political party participating in such election.

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2176 (5) A ~~No~~ state or county executive committee or affiliated
2177 party committee, in the furtherance of any candidate or
2178 political party, directly or indirectly, may not ~~shall~~ give,
2179 pay, or expend any money, give or pay anything of value,
2180 authorize any expenditure, or become pecuniarily liable for any
2181 expenditure prohibited by this chapter. However, the
2182 contribution of funds by one executive committee to another or
2183 to established party organizations for legitimate party or
2184 campaign purposes is not prohibited, but all such contributions
2185 shall be recorded and accounted for in the reports of the
2186 contributor and recipient.

2187 (6) (a) The national, state, and county executive committees
2188 of a political party and affiliated party committees may not
2189 contribute to any candidate any amount in excess of the limits
2190 contained in s. 106.08(2), and all contributions required to be
2191 reported under s. 106.08(2) by the national executive committee
2192 of a political party shall be reported by the state executive
2193 committee of that political party.

2194 (b) A violation of the contribution limits contained in s.
2195 106.08(2) is a misdemeanor of the first degree, punishable as
2196 provided in s. 775.082 or s. 775.083. A civil penalty equal to
2197 three times the amount in excess of the limits contained in s.
2198 106.08(2) shall be assessed against any executive committee
2199 found in violation thereof.

2200 Section 17. By December 1, 2013, the Division of Elections
2201 shall submit a proposal to the President of the Senate and the
2202 Speaker of the House of Representatives for a mandatory
2203 statewide electronic filing system for all state and local
2204 campaign filings required by s. 106.07, s. 106.0703, s. 106.141,

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2205 or s. 106.29.2206 Section 18. Subsection (3) of section 101.62, Florida
2207 Statutes, is amended to read:

2208 101.62 Request for absentee ballots.—

2209 (3) For each request for an absentee ballot received, the
2210 supervisor shall record the date the request was made, the date
2211 the absentee ballot was delivered to the voter or the voter's
2212 designee or the date the absentee ballot was delivered to the
2213 post office or other carrier, the date the ballot was received
2214 by the supervisor, and such other information he or she may deem
2215 necessary. This information shall be provided in electronic
2216 format as provided by rule adopted by the division. The
2217 information shall be updated and made available no later than 8
2218 a.m. of each day, including weekends, beginning 60 days before
2219 the primary until 15 days after the general election and shall
2220 be contemporaneously provided to the division. This information
2221 shall be confidential and exempt from the provisions of s.
2222 119.07(1) and shall be made available to or reproduced only for
2223 the voter requesting the ballot, a canvassing board, an election
2224 official, a political party or official thereof, a candidate who
2225 has filed qualification papers and is opposed in an upcoming
2226 election, and registered political committees ~~or registered~~
2227 ~~committees of continuous existence~~, for political purposes only.

2228 Section 19. Paragraph (a) of subsection (4) of section
2229 102.031, Florida Statutes, is amended to read:

2230 102.031 Maintenance of good order at polls; authorities;
2231 persons allowed in polling rooms and early voting areas;
2232 unlawful solicitation of voters.—

2233 (4) (a) No person, political committee, ~~committee of~~

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2234 ~~continuous existence,~~ or other group or organization may solicit
2235 voters inside the polling place or within 100 feet of the
2236 entrance to any polling place, or polling room where the polling
2237 place is also a polling room, or early voting site. Before the
2238 opening of the polling place or early voting site, the clerk or
2239 supervisor shall designate the no-solicitation zone and mark the
2240 boundaries.

2241 Section 20. Subsection (2) of section 106.087, Florida
2242 Statutes, is amended to read:

2243 106.087 Independent expenditures; contribution limits;
2244 restrictions on political parties and, political committees, ~~and~~
2245 ~~committees of continuous existence.~~

2246 (2) (a) Any political committee ~~or committee of continuous~~
2247 ~~existence~~ that accepts the use of public funds, equipment,
2248 personnel, or other resources to collect dues from its members
2249 agrees not to make independent expenditures in support of or
2250 opposition to a candidate or elected public official. However,
2251 expenditures may be made for the sole purpose of jointly
2252 endorsing three or more candidates.

2253 (b) Any political committee ~~or committee of continuous~~
2254 ~~existence~~ that violates this subsection is liable for a civil
2255 fine of up to \$5,000 to be determined by the Florida Elections
2256 Commission or the entire amount of the expenditures, whichever
2257 is greater.

2258 Section 21. Subsection (3) of section 106.12, Florida
2259 Statutes, is amended to read:

2260 106.12 Petty cash funds allowed.-

2261 (3) The petty cash fund so provided may ~~shall~~ be spent only
2262 in amounts less than \$100 and only for office supplies,

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2263 transportation expenses, and other necessities. Petty cash may
2264 ~~shall~~ not be used for the purchase of time, space, or services
2265 from communications media as defined in s. 106.011 ~~106.011(13)~~.

2266 Section 22. Paragraph (b) of subsection (3) of section
2267 106.147, Florida Statutes, is amended to read:

2268 106.147 Telephone solicitation; disclosure requirements;
2269 prohibitions; exemptions; penalties.—

2270 (3)

2271 (b) For purposes of paragraph (a), the term "person"
2272 includes any candidate; any officer of any political committee,
2273 ~~committee of continuous existence,~~ affiliated party committee,
2274 or political party executive committee; any officer, partner,
2275 attorney, or other representative of a corporation, partnership,
2276 or other business entity; and any agent or other person acting
2277 on behalf of any candidate, political committee, ~~committee of~~
2278 ~~continuous existence,~~ affiliated party committee, political
2279 party executive committee, or corporation, partnership, or other
2280 business entity.

2281 Section 23. Section 106.17, Florida Statutes, is amended to
2282 read:

2283 106.17 Polls and surveys relating to candidacies.—Any
2284 candidate, political committee, ~~committee of continuous~~
2285 ~~existence,~~ electioneering communication organization, affiliated
2286 party committee, or state or county executive committee of a
2287 political party may authorize or conduct a political poll,
2288 survey, index, or measurement of any kind relating to candidacy
2289 for public office so long as the candidate, political committee,
2290 ~~committee of continuous existence,~~ electioneering communication
2291 organization, affiliated party committee, or political party

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2292 maintains complete jurisdiction over the poll in all its
2293 aspects. State and county executive committees of a political
2294 party or an affiliated party committee may authorize and conduct
2295 political polls for the purpose of determining the viability of
2296 potential candidates. Such poll results may be shared with
2297 potential candidates, and expenditures incurred by state and
2298 county executive committees or an affiliated party committee for
2299 potential candidate polls are not contributions to the potential
2300 candidates.

2301 Section 24. Subsection (2) of section 106.23, Florida
2302 Statutes, is amended to read:

2303 106.23 Powers of the Division of Elections.—

2304 (2) The Division of Elections shall provide advisory
2305 opinions when requested by any supervisor of elections,
2306 candidate, local officer having election-related duties,
2307 political party, affiliated party committee, political
2308 committee, ~~committee of continuous existence~~, or other person or
2309 organization engaged in political activity, relating to any
2310 provisions or possible violations of Florida election laws with
2311 respect to actions such supervisor, candidate, local officer
2312 having election-related duties, political party, affiliated
2313 party committee, committee, person, or organization has taken or
2314 proposes to take. Requests for advisory opinions must be
2315 submitted in accordance with rules adopted by the Department of
2316 State. A written record of all such opinions issued by the
2317 division, sequentially numbered, dated, and indexed by subject
2318 matter, shall be retained. A copy shall be sent to said person
2319 or organization upon request. Any such person or organization,
2320 acting in good faith upon such an advisory opinion, shall not be

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2321 subject to any criminal penalty provided for in this chapter.
2322 The opinion, until amended or revoked, shall be binding on any
2323 person or organization who sought the opinion or with reference
2324 to whom the opinion was sought, unless material facts were
2325 omitted or misstated in the request for the advisory opinion.

2326 Section 25. Subsections (2) and (3) of section 106.265,
2327 Florida Statutes, are amended to read:

2328 106.265 Civil penalties.—

2329 (2) In determining the amount of such civil penalties, the
2330 commission or administrative law judge shall consider, among
2331 other mitigating and aggravating circumstances:

2332 (a) The gravity of the act or omission;

2333 (b) Any previous history of similar acts or omissions;

2334 (c) The appropriateness of such penalty to the financial
2335 resources of the person, political committee, ~~committee of~~
2336 ~~continuous existence~~, affiliated party committee, electioneering
2337 communications organization, or political party; and

2338 (d) Whether the person, political committee, ~~committee of~~
2339 ~~continuous existence~~, affiliated party committee, electioneering
2340 communications organization, or political party has shown good
2341 faith in attempting to comply with the provisions of this
2342 chapter or chapter 104.

2343 (3) If any person, political committee, ~~committee of~~
2344 ~~continuous existence~~, affiliated party committee, electioneering
2345 communications organization, or political party fails or refuses
2346 to pay to the commission any civil penalties assessed pursuant
2347 to the provisions of this section, the commission shall be
2348 responsible for collecting the civil penalties resulting from
2349 such action.

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2350 Section 26. Subsection (2) of section 106.27, Florida
2351 Statutes, is amended to read:

2352 106.27 Determinations by commission; legal disposition.—

2353 (2) Civil actions may be brought by the commission for
2354 relief, including permanent or temporary injunctions,
2355 restraining orders, or any other appropriate order for the
2356 imposition of civil penalties provided by this chapter. Such
2357 civil actions shall be brought by the commission in the
2358 appropriate court of competent jurisdiction, and the venue shall
2359 be in the county in which the alleged violation occurred or in
2360 which the alleged violator or violators are found, reside, or
2361 transact business. Upon a proper showing that such person,
2362 political committee, ~~committee of continuous existence,~~
2363 affiliated party committee, or political party has engaged, or
2364 is about to engage, in prohibited acts or practices, a permanent
2365 or temporary injunction, restraining order, or other order shall
2366 be granted without bond by such court, and the civil fines
2367 provided by this chapter may be imposed.

2368 Section 27. Subsection (3) of section 106.32, Florida
2369 Statutes, is amended to read:

2370 106.32 Election Campaign Financing Trust Fund.—

2371 (3) Proceeds from assessments pursuant to ss. ~~106.04,~~
2372 ~~106.07,~~ and 106.29 shall be deposited into the Election Campaign
2373 Financing Trust Fund as designated in those sections.

2374 Section 28. Section 106.33, Florida Statutes, is amended to
2375 read:

2376 106.33 Election campaign financing; eligibility.—Each
2377 candidate for the office of Governor or member of the Cabinet
2378 who desires to receive contributions from the Election Campaign

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2379 Financing Trust Fund ~~shall~~, upon qualifying for office, shall
2380 file a request for such contributions with the filing officer on
2381 forms provided by the Division of Elections. If a candidate
2382 requesting contributions from the fund desires to have such
2383 funds distributed by electronic fund transfers, the request
2384 shall include information necessary to implement that procedure.
2385 For the purposes of ss. 106.30-106.36, the respective candidates
2386 running for Governor and Lieutenant Governor on the same ticket
2387 shall be considered as a single candidate. To be eligible to
2388 receive contributions from the fund, a candidate may not be an
2389 unopposed candidate as defined in s. 106.011 ~~106.011(15)~~ and
2390 must:

2391 (1) Agree to abide by the expenditure limits provided in s.
2392 106.34.

2393 (2) (a) Raise contributions as follows:

2394 1. One hundred fifty thousand dollars for a candidate for
2395 Governor.

2396 2. One hundred thousand dollars for a candidate for Cabinet
2397 office.

2398 (b) Contributions from individuals who at the time of
2399 contributing are not state residents may not be used to meet the
2400 threshold amounts in paragraph (a). For purposes of this
2401 paragraph, any person validly registered to vote in this state
2402 shall be considered a state resident.

2403 (3) Limit loans or contributions from the candidate's
2404 personal funds to \$25,000 and contributions from national,
2405 state, and county executive committees of a political party to
2406 \$250,000 in the aggregate, which loans or contributions do ~~shall~~
2407 not qualify for meeting the threshold amounts in subsection (2).

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2408 (4) Submit to a postelection audit of the campaign account
2409 by the division.

2410 Section 29. Section 111.075, Florida Statutes, is amended
2411 to read:

2412 111.075 Elected officials; prohibition concerning certain
2413 committees.—Elected officials are prohibited from being employed
2414 by, or acting as a consultant for compensation to, a political
2415 committee ~~or committee of continuous existence.~~

2416 Section 30. Subsections (3) and (4) and paragraph (a) of
2417 subsection (5) of section 112.3148, Florida Statutes, are
2418 amended to read:

2419 112.3148 Reporting and prohibited receipt of gifts by
2420 individuals filing full or limited public disclosure of
2421 financial interests and by procurement employees.—

2422 (3) A reporting individual or procurement employee is
2423 prohibited from soliciting any gift from a political committee
2424 ~~or committee of continuous existence~~, as defined in s. 106.011,
2425 or from a lobbyist who lobbies the reporting individual's or
2426 procurement employee's agency, or the partner, firm, employer,
2427 or principal of such lobbyist, where such gift is for the
2428 personal benefit of the reporting individual or procurement
2429 employee, another reporting individual or procurement employee,
2430 or any member of the immediate family of a reporting individual
2431 or procurement employee.

2432 (4) A reporting individual or procurement employee or any
2433 other person on his or her behalf is prohibited from knowingly
2434 accepting, directly or indirectly, a gift from a political
2435 committee ~~or committee of continuous existence~~, as defined in s.
2436 106.011, or from a lobbyist who lobbies the reporting

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2437 individual's or procurement employee's agency, or directly or
2438 indirectly on behalf of the partner, firm, employer, or
2439 principal of a lobbyist, if he or she knows or reasonably
2440 believes that the gift has a value in excess of \$100; however,
2441 such a gift may be accepted by such person on behalf of a
2442 governmental entity or a charitable organization. If the gift is
2443 accepted on behalf of a governmental entity or charitable
2444 organization, the person receiving the gift shall not maintain
2445 custody of the gift for any period of time beyond that
2446 reasonably necessary to arrange for the transfer of custody and
2447 ownership of the gift.

2448 (5) (a) A political committee ~~or a committee of continuous~~
2449 ~~existence~~, as defined in s. 106.011; a lobbyist who lobbies a
2450 reporting individual's or procurement employee's agency; the
2451 partner, firm, employer, or principal of a lobbyist; or another
2452 on behalf of the lobbyist or partner, firm, principal, or
2453 employer of the lobbyist is prohibited from giving, either
2454 directly or indirectly, a gift that has a value in excess of
2455 \$100 to the reporting individual or procurement employee or any
2456 other person on his or her behalf; however, such person may give
2457 a gift having a value in excess of \$100 to a reporting
2458 individual or procurement employee if the gift is intended to be
2459 transferred to a governmental entity or a charitable
2460 organization.

2461 Section 31. Subsections (3) and (4) of section 112.3149,
2462 Florida Statutes, are amended to read:

2463 112.3149 Solicitation and disclosure of honoraria.—

2464 (3) A reporting individual or procurement employee is
2465 prohibited from knowingly accepting an honorarium from a

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2466 political committee ~~or committee of continuous existence~~, as
2467 defined in s. 106.011, from a lobbyist who lobbies the reporting
2468 individual's or procurement employee's agency, or from the
2469 employer, principal, partner, or firm of such a lobbyist.

2470 (4) A political committee ~~or committee of continuous~~
2471 ~~existence~~, as defined in s. 106.011, a lobbyist who lobbies a
2472 reporting individual's or procurement employee's agency, or the
2473 employer, principal, partner, or firm of such a lobbyist is
2474 prohibited from giving an honorarium to a reporting individual
2475 or procurement employee.

2476 Section 32. Subsection (4) of section 1004.28, Florida
2477 Statutes, is amended to read:

2478 1004.28 Direct-support organizations; use of property;
2479 board of directors; activities; audit; facilities.—

2480 (4) ACTIVITIES; RESTRICTION.—A university direct-support
2481 organization is prohibited from giving, either directly or
2482 indirectly, any gift to a political committee ~~or committee of~~
2483 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2484 other than those certified by a majority roll call vote of the
2485 governing board of the direct-support organization at a
2486 regularly scheduled meeting as being directly related to the
2487 educational mission of the university.

2488 Section 33. Paragraph (d) of subsection (4) of section
2489 1004.70, Florida Statutes, is amended to read:

2490 1004.70 Florida College System institution direct-support
2491 organizations.—

2492 (4) ACTIVITIES; RESTRICTIONS.—

2493 (d) A Florida College System institution direct-support
2494 organization is prohibited from giving, either directly or

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2495 indirectly, any gift to a political committee ~~or committee of~~
2496 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2497 other than those certified by a majority roll call vote of the
2498 governing board of the direct-support organization at a
2499 regularly scheduled meeting as being directly related to the
2500 educational mission of the Florida College System institution.

2501 Section 34. Paragraph (c) of subsection (4) of section
2502 1004.71, Florida Statutes, is amended to read:

2503 1004.71 Statewide Florida College System institution
2504 direct-support organizations.—

2505 (4) RESTRICTIONS.—

2506 (c) A statewide Florida College System institution direct-
2507 support organization is prohibited from giving, either directly
2508 or indirectly, any gift to a political committee ~~or committee of~~
2509 ~~continuous existence~~ as defined in s. 106.011 for any purpose
2510 other than those certified by a majority roll call vote of the
2511 governing board of the direct-support organization at a
2512 regularly scheduled meeting as being directly related to the
2513 educational mission of the State Board of Education.

2514 Section 35. For the purpose of incorporating the amendments
2515 made by this act to sections 106.08 and 106.11, Florida
2516 Statutes, in references thereto, section 106.19, Florida
2517 Statutes, is reenacted to read:

2518 106.19 Violations by candidates, persons connected with
2519 campaigns, and political committees.—

2520 (1) Any candidate; campaign manager, campaign treasurer, or
2521 deputy treasurer of any candidate; committee chair, vice chair,
2522 campaign treasurer, deputy treasurer, or other officer of any
2523 political committee; agent or person acting on behalf of any

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2524 candidate or political committee; or other person who knowingly
2525 and willfully:

2526 (a) Accepts a contribution in excess of the limits
2527 prescribed by s. 106.08;

2528 (b) Fails to report any contribution required to be
2529 reported by this chapter;

2530 (c) Falsely reports or deliberately fails to include any
2531 information required by this chapter; or

2532 (d) Makes or authorizes any expenditure in violation of s.
2533 106.11(4) or any other expenditure prohibited by this chapter;

2534
2535 is guilty of a misdemeanor of the first degree, punishable as
2536 provided in s. 775.082 or s. 775.083.

2537 (2) Any candidate, campaign treasurer, or deputy treasurer;
2538 any chair, vice chair, or other officer of any political
2539 committee; any agent or person acting on behalf of any candidate
2540 or political committee; or any other person who violates
2541 paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) shall be
2542 subject to a civil penalty equal to three times the amount
2543 involved in the illegal act. Such penalty may be in addition to
2544 the penalties provided by subsection (1) and shall be paid into
2545 the General Revenue Fund of this state.

2546 (3) A political committee sponsoring a constitutional
2547 amendment proposed by initiative which submits a petition form
2548 gathered by a paid petition circulator which does not provide
2549 the name and address of the paid petition circulator on the form
2550 is subject to the civil penalties prescribed in s. 106.265.

2551 (4) Except as otherwise expressly stated, the failure by a
2552 candidate to comply with the requirements of this chapter has no

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2553 effect upon whether the candidate has qualified for the office
2554 the candidate is seeking.

2555 Section 36. Except as otherwise expressly provided in this
2556 act and except for this section, which shall take effect upon
2557 becoming a law, this act shall take effect November 1, 2013.