

By Senator Simmons

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1 A bill to be entitled
2 An act relating to campaign financing; amending s.
3 106.011, F.S.; redefining the terms "electioneering
4 communication," "electioneering communications
5 organization," and "political committee" to conform to
6 changes made by the act; defining the term
7 "independent electioneering communication"; amending
8 s. 106.03, F.S.; revising the threshold amount for
9 expenditures for which an electioneering
10 communications organization must file a statement of
11 organization; requiring a corporate or business entity
12 that makes expenditures exceeding a certain amount for
13 political activities to file a statement of
14 information within a certain timeframe; revising
15 required components of a statement of organization
16 filed by political committees or electioneering
17 communications organizations; prescribing requirements
18 for a statement of information filed by a corporate or
19 business entity; requiring specified individuals
20 affiliated with a committee, an organization, or a
21 corporate or business entity to certify the
22 correctness of each filed statement; providing a
23 penalty; conforming provisions to changes made by the
24 act; amending ss. 106.07 and 106.0703, F.S.; expanding
25 reporting requirements for candidates, political
26 committees, and electioneering communications
27 organizations; establishing reporting requirements for
28 specified corporate or business entities making
29 certain political expenditures; requiring specified

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30 individuals affiliated with the corporate or business
31 entity to certify the correctness of each report;
32 providing a penalty; amending s. 106.0705, F.S.;
33 requiring registration information to be filed
34 electronically using the Division of Elections'
35 electronic filing system; requiring a corporate or
36 business entity required to register or file reports
37 with the division to use the division's electronic
38 filing system; providing that specified individuals
39 affiliated with a corporate or business entity are
40 subject to penalties for the willful filing of an
41 incorrect statement or report; revising the division's
42 rulemaking authority to conform to changes made by the
43 act; creating s. 106.0708, F.S.; requiring the
44 division to implement and maintain an electronic
45 campaign finance database; specifying minimum
46 requirements and capabilities of the database;
47 requiring the division to adopt rules; amending s.
48 106.071, F.S.; revising the threshold amount for
49 reporting certain independent expenditures and
50 electioneering communications; requiring additional
51 information to be included in reports filed by certain
52 persons making independent expenditures or
53 expenditures for electioneering communications;
54 modifying the applicability of a provision requiring
55 disclaimers in a political advertisement paid for by
56 an independent expenditure; amending s. 106.08, F.S.;
57 restricting the amount of funds that a political
58 committee may transfer or contribute to a political

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59 party or an affiliated party committee; prohibiting a
60 political committee or an electioneering
61 communications organization from accepting a transfer
62 of funds or a contribution exceeding a certain amount
63 from specified entities; providing exceptions;
64 conforming provisions to changes made by the act;
65 amending s. 106.143, F.S.; revising requirements for
66 disclaimers for political advertisements, to conform;
67 amending s. 106.1439, F.S.; revising requirements for
68 disclaimers for electioneering communications, to
69 conform; requiring a candidate to approve in advance
70 an electioneering communication offered on his or her
71 behalf; requiring the candidate to provide a written
72 statement of authorization for each communication
73 distributed; requiring a person making an independent
74 electioneering communication to provide a written
75 statement for each communication distributed;
76 providing penalties; amending s. 106.147, F.S.;
77 revising disclosure requirements for telephone
78 solicitation; conforming provisions to changes made by
79 the act; amending s. 106.25, F.S.; removing certain
80 restrictions regarding complaints received, and the
81 investigation thereof, by the Florida Elections
82 Commission; amending s. 106.29, F.S.; conforming a
83 cross-reference; providing an effective date.

84
85 Be It Enacted by the Legislature of the State of Florida:

86
87 Section 1. Subsections (8) and (9) and present subsection

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88 (16) of section 106.011, Florida Statutes, are amended, present
89 subsections (12) through (18) of that section are renumbered as
90 subsections (13) through (19), respectively, and a new
91 subsection (12) is added to that section, to read:

92 106.011 Definitions.—As used in this chapter, the following
93 terms have the following meanings unless the context clearly
94 indicates otherwise:

95 (8) (a) "Electioneering communication" means communication
96 that is publicly distributed by a television station, radio
97 station, cable television system, satellite system, newspaper,
98 magazine, direct mail, or telephone and that:

99 1. Refers to or depicts a clearly identified candidate for
100 office without expressly advocating the election or defeat of a
101 candidate but that is susceptible of no reasonable
102 interpretation other than an appeal to vote for or against a
103 specific candidate;

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

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

109 (b) The term ~~"electioneering communication"~~ does not
110 include:

111 1. A communication disseminated through a means of
112 communication other than a television station, radio station,
113 cable television system, satellite system, newspaper, magazine,
114 direct mail, telephone, or statement or depiction by an
115 organization, in existence before the time during which a
116 candidate named or depicted qualifies for that election, made in

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117 that organization's newsletter, which newsletter is distributed
118 only to members of that organization.

119 2. A communication in a news story, commentary, or
120 editorial distributed through the facilities of a radio station,
121 television station, cable television system, or satellite
122 system, unless the facilities are owned or controlled by a
123 political party, political committee, or candidate. A news story
124 distributed through the facilities owned or controlled by a
125 political party, political committee, or candidate may
126 nevertheless be exempt if it represents a bona fide news account
127 communicated through a licensed broadcasting facility and the
128 communication is part of a general pattern of campaign-related
129 news accounts that give reasonably equal coverage to all
130 opposing candidates in the area.

131 3. A communication that constitutes a public debate or
132 forum that includes at least two opposing candidates for an
133 office or one advocate and one opponent of an issue, or that
134 solely promotes such a debate or forum and is made by or on
135 behalf of the person sponsoring the debate or forum, provided
136 that:

137 a. The staging organization is either:

138 (I) A charitable organization that does not make other
139 electioneering communications and does not otherwise support or
140 oppose any political candidate or political party; or

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

143 b. The staging organization does not structure the debate
144 to promote or advance one candidate or issue position over
145 another.

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146 ~~(c) For purposes of this chapter, an expenditure made for,~~
147 ~~or in furtherance of, an electioneering communication is not~~
148 ~~considered a contribution to or on behalf of any candidate.~~

149 ~~(d) For purposes of this chapter, an electioneering~~
150 ~~communication does not constitute an independent expenditure and~~
151 ~~is not subject to the limitations applicable to independent~~
152 ~~expenditures.~~

153 (9) "Electioneering communications organization" means any
154 group, other than a corporate or business entity described in
155 sub-subparagraph (17) (b) 2.b., a political party, an affiliated
156 party committee, or a political committee, whose election-
157 related activities are limited to making expenditures for
158 electioneering communications or accepting contributions for the
159 purpose of making electioneering communications and whose
160 activities would not otherwise require the group to register as
161 a political party or political committee under this chapter.

162 (12) "Independent electioneering communication" means an
163 expenditure by a person for an electioneering communication
164 which, but for lack of express advocacy or approval language,
165 meets the definition of an independent expenditure.

166 (17) (a) ~~(16) (a)~~ "Political committee" means:

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

170 a. Accepts contributions for the purpose of making
171 contributions to any candidate, political committee, affiliated
172 party committee, or political party;

173 b. Accepts contributions for the purpose of expressly
174 advocating the election or defeat of a candidate or the passage

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175 or defeat of an issue;

176 c. Makes expenditures that expressly advocate the election
177 or defeat of a candidate or the passage or defeat of an issue;
178 or

179 d. Makes contributions to a common fund, other than a joint
180 checking account between spouses, from which contributions are
181 made to any candidate, political committee, affiliated party
182 committee, or political party;

183 2. The sponsor of a proposed constitutional amendment by
184 initiative who intends to seek the signatures of registered
185 electors.

186 (b) Notwithstanding paragraph (a), the following entities
187 are not considered political committees for purposes of this
188 chapter:

189 1. National political parties, the state and county
190 executive committees of political parties, and affiliated party
191 committees regulated by chapter 103.

192 2. Provided that they do not receive contributions,
193 corporations regulated by chapter 607 or chapter 617 or other
194 business entities formed for purposes other than to support or
195 oppose issues or candidates, if their political activities are
196 limited to:

197 a. Contributions to candidates, political parties,
198 affiliated party committees, or political committees;

199 b. Expenditures from corporate or business funds for
200 independent electioneering communications or independent
201 expenditures supporting or opposing a candidate; or

202 c. Expenditures in support of or opposition to an issue
203 from corporate or business funds ~~and if no contributions are~~

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204 ~~received by such corporations or business entities.~~

205 3. Electioneering communications organizations as defined
206 in subsection (9).

207 Section 2. Section 106.03, Florida Statutes, is amended to
208 read:

209 106.03 Registration of political committees, and
210 electioneering communications organizations, and certain
211 business entities.-

212 (1) (a) Each political committee that receives contributions
213 or makes expenditures during a calendar year in an aggregate
214 amount exceeding \$500 or that seeks the signatures of registered
215 electors in support of an initiative shall file a statement of
216 organization as provided in subsection (2) ~~(3)~~ within 10 days
217 after its organization. If a political committee is organized
218 within 10 days of any election, it shall immediately file the
219 statement of organization required by this section.

220 ~~(b)1.~~ Each electioneering communications organization group
221 shall file a statement of organization ~~as an electioneering~~
222 ~~communications organization~~ within 24 hours after the date on
223 which it makes expenditures for an electioneering communication
224 in excess of \$500 ~~\$5,000~~, if such expenditures are made within
225 the timeframes specified in s. 106.011(8) (a)2. If the group
226 makes expenditures for an electioneering communication in excess
227 of \$500 ~~\$5,000~~ before the timeframes specified in s.
228 106.011(8) (a)2., it must ~~shall~~ file the statement of
229 organization within 24 hours after the 30th day before a primary
230 or special primary election, or within 24 hours after the 60th
231 day before any other election, whichever is applicable.

232 (c) Each corporate or business entity that makes

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233 expenditures for political activities described in s.
234 106.011(17)(b)2.b. in an aggregate amount exceeding \$500 per
235 calendar year shall file the statement of information as
236 provided in subsection (3) within 10 days after reaching the
237 \$500 threshold. If this occurs within 10 days of any election,
238 the corporate or business entity must immediately file the
239 statement of information required by this section. However, if
240 the corporate or business entity's expenditures are limited
241 solely to electioneering communications before the timeframes
242 specified in s. 106.011(8)(a)2., it must file the statement of
243 information within 24 hours after the 30th day before a primary
244 or special primary election, or within 24 hours after the 60th
245 day before any other election, whichever is applicable.

246 ~~2.a. In a statewide, legislative, or multicounty election,~~
247 ~~an electioneering communications organization shall file a~~
248 ~~statement of organization with the Division of Elections.~~

249 ~~b. In a countywide election or any election held on less~~
250 ~~than a countywide basis, except as described in sub-subparagraph~~
251 ~~e., an electioneering communications organization shall file a~~
252 ~~statement of organization with the supervisor of elections of~~
253 ~~the county in which the election is being held.~~

254 ~~e. In a municipal election, an electioneering~~
255 ~~communications organization shall file a statement of~~
256 ~~organization with the officer before whom municipal candidates~~
257 ~~qualify.~~

258 ~~d. Any electioneering communications organization that~~
259 ~~would be required to file a statement of organization in two or~~
260 ~~more locations need only file a statement of organization with~~
261 ~~the Division of Elections.~~

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262 (2) The political committee's or electioneering
263 communications organization's statement of organization must
264 shall include all of the following:

265 (a) The committee's or organization's name, which must
266 incorporate the full name of the sponsoring entity, if any. An
267 acronym or abbreviation may be used in other communications if
268 the acronym or abbreviation is commonly known or clearly
269 recognized by the general public.

270 (b) The committee's or organization's mailing, street, and
271 e-mail addresses. address, and street address of the committee
272 or electioneering communications organization;

273 (c) The address for the committee's or organization's
274 principal website, if any.

275 (d) ~~(b)~~ The names, street addresses, and relationships of
276 affiliated or connected organizations, including any affiliated
277 sponsors. If none, the committee or organization shall specify
278 the trade, profession, or principal interest of its top or
279 primarily targeted contributors.

280 (e) ~~(c)~~ The committee's or organization's area, scope, or
281 jurisdiction. of the committee or electioneering communications
282 organization;

283 (f) ~~(d)~~ The name; mailing, street, and e-mail addresses;
284 address, street address, and position; telephone number;
285 occupation; and principal place of business, if different from
286 the street address, of the custodian of books and accounts.

287 (g) ~~(e)~~ The name; mailing, street, and e-mail addresses;
288 address, street address, and position; telephone number;
289 occupation; and principal place of business, if different from
290 the street address, of other principal officers, including the

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291 chairperson, treasurer, and deputy treasurer, if any.~~†~~

292 (h)~~(f)~~ The name, address, office sought, and party
293 affiliation of:

294 1. Each candidate whom the committee or organization is
295 supporting; and

296 2. Any other individual, if any, whom the committee or
297 organization is supporting for nomination for election, or
298 election, to any public office whatever.~~†~~

299 (i)~~(g)~~ Any issue or issues the committee or organization is
300 supporting or opposing.~~†~~

301 (j)~~(h)~~ If the committee or organization is supporting the
302 entire ticket of any party, a statement to that effect and the
303 name of the party.~~†~~

304 (k)~~(i)~~ A statement of whether the committee or organization
305 is a continuing one.~~†~~

306 (l)~~(j)~~ Plans for the disposition of residual funds which
307 will be made in the event of dissolution.~~†~~

308 (m)~~(k)~~ A listing of all banks, safe-deposit boxes, or other
309 depositories used for committee or ~~electioneering communications~~
310 organization funds.~~†~~

311 (n)~~(l)~~ A statement of the reports required to be filed by
312 the committee or the ~~electioneering communications~~ organization
313 with federal officials, if any, and the names, addresses, and
314 positions of such officials.~~†~~ ~~and~~

315 (o)~~(m)~~ A statement of whether the electioneering
316 communications organization was formed as a newly created
317 organization during the current calendar quarter or was formed
318 from an organization existing before ~~prior to~~ the current
319 calendar quarter. For purposes of this subsection, calendar

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320 quarters end the last day of March, June, September, and
321 December.

322 (p) For political committees, a statement of whether the
323 committee will be making expenditures solely for independent
324 electioneering communications or independent expenditures.

325 (q) For electioneering communications organizations, a
326 statement of whether the organization will be making
327 expenditures solely for independent electioneering
328 communications.

329 (3) The corporate or business entity's statement of
330 information must include all of the following:

331 (a) The entity's name; mailing, street, and e-mail
332 addresses; and telephone number.

333 (b) The address for the entity's principal website, if any.

334 (c) The type of corporate or business entity, such as a
335 corporation regulated pursuant to chapter 607 or chapter 617, a
336 partnership, or a limited liability corporation.

337 (d) A description of the entity's principal business or
338 businesses.

339 (e) The entity's tax-exempt status and, if tax exempt, the
340 section of the Internal Revenue Code under which the entity is
341 exempt from federal income tax.

342 (f) The name; street, mailing, and e-mail addresses; and
343 relationship of any affiliated corporation or group, including
344 whether the affiliate is owned, operated, or controlled by the
345 entity.

346 (g) The name and title of the principal owner or
347 stockholder of the entity, along with the percentage of the
348 ownership interest.

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349 (h) The name and title, if any, of any person who holds,
350 owns, controls, or otherwise has direct or indirect beneficial
351 ownership of 5 percent or more of the total equity, outstanding
352 voting shares, membership units, or other applicable ownership
353 interest of the entity.

354 (i) The name; mailing, street, and e-mail addresses; title;
355 telephone number; and principal place of business, if different
356 from the street address, of the individual who exercises control
357 over the entity, such as the president, managing member, or
358 chief executive officer, along with a description of that
359 individual's role in controlling the entity.

360 (j) The name; mailing, street, and e-mail addresses; title;
361 telephone number; and principal place of business, if different
362 from the street address, of each officer and board member of the
363 entity, including the custodian of records and chief financial
364 officer.

365 (k) The name; mailing, street, and e-mail addresses; title;
366 telephone number; and principal place of business, if different
367 from the street address, of each individual responsible for
368 decisions regarding reportable political expenditures.

369 (l) The name, address, office sought, and party affiliation
370 of:

371 1. Each candidate whom the committee is supporting; and

372 2. Any other individual, if any, whom the committee is
373 supporting for nomination for election, or election, to any
374 public office whatever.

375 (m) Any issue or issues the entity is supporting or
376 opposing.

377 (n) If the entity is supporting the entire ticket of any

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378 party, a statement to that effect and the name of the party.

379 (4) (a) ~~(3) (a)~~ A political committee, an electioneering
380 communications organization, or a corporate or business entity
381 that supports or opposes ~~which is organized to support or oppose~~
382 statewide, legislative, or multicounty candidates or issues to
383 be voted upon on a statewide or multicounty basis shall file a
384 statement of organization or a statement of information, as
385 applicable, with the division of Elections.

386 (b) Except as provided in paragraph (c), a political
387 committee, an electioneering communications organization, or a
388 corporate or business entity that supports or opposes ~~which is~~
389 ~~organized to support or oppose~~ candidates or issues to be voted
390 on in a countywide election or ~~candidates or issues in~~ any
391 election held on less than a countywide basis shall file a
392 statement of organization or a statement of information, as
393 applicable, with the supervisor of elections of the county in
394 which such election is being held.

395 (c) A political committee, an electioneering communications
396 organization, or a corporate or business entity that supports or
397 opposes ~~which is organized to support or oppose~~ only candidates
398 for municipal office or issues to be voted on in a municipal
399 election shall file a statement of organization or a statement
400 of information, as applicable, with the officer before whom
401 municipal candidates qualify.

402 (d) Any political committee, electioneering communications
403 organization, or corporate or business entity that ~~which~~ would
404 be required under this subsection to file a statement of
405 organization or a statement of information in two or more
406 locations need file only with the division ~~of Elections.~~

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407 (5)~~(4)~~ Any change in information previously submitted in a
408 statement of organization or a statement of information must
409 ~~shall~~ be reported to the agency or officer with whom such
410 committee, ~~or~~ electioneering communications organization, or
411 corporate or business entity is required to register within 10
412 days following the change.

413 (6) (a) The chairperson and treasurer of the political
414 committee or electioneering communications organization shall
415 certify as to the correctness of each registration filing, and
416 each person so certifying shall bear the responsibility for the
417 accuracy and veracity of each statement. Any chairperson or
418 treasurer who willfully certifies the correctness of any filing
419 while knowing that such report is incorrect, false, or
420 incomplete commits a misdemeanor of the first degree, punishable
421 as provided in s. 775.082 or s. 775.083.

422 (b) The chief financial officer of the corporate or
423 business entity and each person identified in paragraph (3) (k)
424 as a decisionmaker with regard to political expenditures shall
425 certify as to the correctness of each registration filing, and
426 each person so certifying shall bear the responsibility for the
427 accuracy and veracity of each statement. If the decisionmaker is
428 a board or group, the principal officer of the board or group
429 shall so certify. Any person who willfully certifies the
430 correctness of any filing while knowing that such report is
431 incorrect, false, or incomplete commits a misdemeanor of the
432 first degree, punishable as provided in s. 775.082 or s.
433 775.083.

434 (7)~~(5)~~ Any committee or organization that ~~which,~~ after
435 having filed one or more statements of organization, or any

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436 corporate or business entity that after having filed one or more
437 statements of information, disbands, dissolves, or determines it
438 will no longer receive contributions or make expenditures during
439 the calendar year in an aggregate amount exceeding \$500 shall so
440 notify the agency or officer with whom such committee,
441 organization, or entity is required to file the statement of
442 organization or statement of information.

443 (8) (a) ~~(6)~~ If the filing officer finds that:

444 1. A ~~political~~ committee or an organization has filed its
445 statement of organization consistent with the requirements of
446 subsection (2), the filing officer ~~it~~ shall notify the committee
447 or organization in writing that it has been registered as a
448 political committee or an electioneering communications
449 organization.

450 2. A corporate or a business entity that makes expenditures
451 for political activities as described in s. 106.011(17) (b)2. has
452 filed its statement of information consistent with the
453 requirements of subsection (3), the filing officer shall notify
454 the corporate or business entity in writing that its
455 registration is complete.

456 (b) If the filing officer finds that a ~~political~~
457 ~~committee's~~ statement of organization or statement of
458 information does not meet the requirements of subsection (2) or
459 subsection (3), the filing officer ~~it~~ shall notify the
460 appropriate committee, organization, or entity of such finding
461 and shall state in writing the reasons for rejection of the
462 statement of organization or statement of information.

463 (9) ~~(7)~~ The division of Elections shall adopt rules to
464 prescribe the manner in which corporate or business entities may

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465 have their registrations canceled, and political committees and
466 electioneering communications organizations may be dissolved and
467 have their registrations ~~registration~~ canceled. Such rules must
468 ~~shall~~, at a minimum, provide for:

469 (a) Notice containing ~~which shall contain~~ the facts and
470 conduct that ~~which~~ warrant the intended action, including but
471 not limited to failure to file reports and limited activity.

472 (b) Adequate opportunity to respond.

473 (c) Appeal of the decision to the Florida Elections
474 Commission. Such appeals are ~~shall be~~ exempt from the
475 confidentiality provisions of s. 106.25.

476 Section 3. Subsections (1) and (3), paragraph (a) of
477 subsection (4), and subsection (5) of section 106.07, Florida
478 Statutes, are amended to read:

479 106.07 Reports; certification and filing.—

480 (1) Each campaign treasurer designated by a candidate or
481 political committee pursuant to s. 106.021 shall file regular
482 reports of all contributions received, and all expenditures
483 made, by or on behalf of such candidate or political committee.
484 Except as otherwise provided in this section, each corporate or
485 business entity required to register pursuant to s. 106.03,
486 other than one that makes expenditures solely for independent
487 electioneering communications, shall file regular reports of all
488 expenditures as if it were a political committee and its chief
489 financial officer were the committee's treasurer. Except for the
490 third calendar quarter immediately preceding a general election
491 and as provided in paragraphs (a) and (b), reports shall be
492 filed on the 10th day following the end of each calendar month
493 from the time the campaign treasurer is appointed, except that,

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494 if the 10th day following the end of a calendar month occurs on
495 a Saturday, Sunday, or legal holiday, the report shall be filed
496 on the next following day that is not a Saturday, Sunday, or
497 legal holiday. Monthly reports must ~~shall~~ include all
498 contributions received and expenditures made during the calendar
499 month which have not otherwise been reported pursuant to this
500 section.

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

503 1. On the 60th day immediately preceding the primary
504 election, and each week thereafter, with the last weekly report
505 being filed on the 4th day immediately preceding the general
506 election.

507 2. On the 10th day immediately preceding the general
508 election, and each day thereafter, with the last daily report
509 being filed the 5th day immediately preceding the general
510 election.

511 (b) Any other candidate or a political committee required
512 to file reports with a filing officer other than the division
513 must file reports on the 60th day immediately preceding the
514 primary election, and biweekly on each Friday thereafter through
515 and including the 4th day immediately preceding the general
516 election, with additional reports due on the 25th and 11th days
517 before the primary election and the general election.

518 (c) Following the last day of qualifying for office, any
519 unopposed candidate need only file a report within 90 days after
520 the date such candidate became unopposed. Such report shall
521 contain all previously unreported contributions and expenditures
522 as required by this section and shall reflect disposition of

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523 funds as required by s. 106.141.

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

530 2. When an election is called for an issue to appear on the
531 ballot at a time when no candidates are scheduled to appear on
532 the ballot, all political committees making contributions or
533 expenditures in support of or in opposition to such issue shall
534 file reports on the 18th and 4th days before such election.

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

538 (3) Reports required of a political committee shall be
539 filed with the agency or officer before whom such committee
540 registers pursuant to s. 106.03(4) ~~s. 106.03(3)~~ and are ~~shall be~~
541 subject to the same filing conditions as established for
542 candidates' reports. Incomplete reports by political committees
543 shall be treated in the manner provided for incomplete reports
544 by candidates in subsection (2).

545 (4) (a) Except for daily reports, to which only the
546 contributions provisions below apply, and except as provided in
547 paragraph (b), each report required by this section must
548 contain:

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

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552 with the amount and date of such contributions. For
553 corporations, the report must provide as clear a description as
554 practicable of the principal type of business conducted by the
555 corporation. However, if the contribution is \$100 or less or is
556 from a relative, as defined in s. 112.312, provided that the
557 relationship is reported, the occupation of the contributor or
558 the principal type of business need not be listed.

559 2. The name and address of each political committee from
560 which the reporting committee or the candidate received, or to
561 which the reporting committee or candidate made, any transfer of
562 funds, together with the amounts and dates of all transfers.

563 3. Each loan for campaign purposes to or from any person or
564 political committee within the reporting period, together with
565 the full names, addresses, and occupations, and principal places
566 of business, if any, of the lender and endorsers, if any, and
567 the date and amount of such loans.

568 4. A statement of each contribution, rebate, refund, or
569 other receipt not otherwise listed under subparagraphs 1.
570 through 3.

571 5. The total sums of all loans, in-kind contributions, and
572 other receipts by or for such committee or candidate during the
573 reporting period. The reporting forms shall be designed to
574 elicit separate totals for in-kind contributions, loans, and
575 other receipts.

576 6. The full name and address of each person to whom
577 expenditures, including independent expenditures specifically
578 designated as such, have been made by or on behalf of the
579 committee or candidate within the reporting period; the amount,
580 date, and purpose of each such expenditure; a description of the

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581 services or goods obtained by each such expenditure; the issue
582 to which the expenditure relates; a description of the content
583 of the independent expenditure or political advertisement to
584 which the expenditure relates; and the name and address of, and
585 office sought by, each candidate on whose behalf such
586 expenditure was made. However, expenditures made from the petty
587 cash fund provided by s. 106.12 need not be reported
588 individually.

589 7. For independent expenditures by corporate or business
590 entities:

591 a. The value of any current contract, or any contract the
592 entity expects to bid on in the next 12 months, which the
593 entity, or an affiliate owned, operated, or controlled by the
594 entity, has with a governmental body for the provision of goods
595 or services valued in excess of \$5,000.

596 b. The date, or expected date, of the contract.

597 c. The parties, or anticipated parties, to the contract.

598 d. A description of the goods or services provided or to be
599 provided.

600 e. For existing contracts, a statement as to whether the
601 contract was subject to the applicable competitive bidding
602 process.

603 f. Whether the entity, or an affiliate owned, operated, or
604 controlled by the entity, is, or employs, a lobbyist or lobbying
605 firm required to register pursuant to s. 11.045 or s. 112.3215;
606 if so, the name of the agencies or governmental bodies lobbied,
607 along with the names of any registered lobbyists.

608 8. The full name and address of each person to whom an
609 expenditure for personal services, salary, or reimbursement for

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610 authorized expenses as provided in s. 106.021(3) has been made
611 and which is not otherwise reported, including the amount, date,
612 and purpose of such expenditure. However, expenditures made from
613 the petty cash fund provided for in s. 106.12 need not be
614 reported individually. Receipts for reimbursement for authorized
615 expenditures shall be retained by the treasurer along with the
616 records for the campaign account.

617 ~~9.8.~~ The total amount withdrawn and the total amount spent
618 for petty cash purposes pursuant to this chapter during the
619 reporting period.

620 ~~10.9.~~ The total sum of expenditures made by such committee
621 or candidate during the reporting period.

622 ~~11.10.~~ The amount and nature of debts and obligations owed
623 by or to the committee or candidate, which relate to the conduct
624 of any political campaign.

625 ~~12.11.~~ Except for a corporate or business entity,
626 transaction information for each credit card purchase. Receipts
627 for each credit card purchase shall be retained by the treasurer
628 with the records for the campaign account.

629 ~~13.12.~~ Except for a corporate or business entity, the
630 amount and nature of any separate interest-bearing accounts or
631 certificates of deposit and identification of the financial
632 institution in which such accounts or certificates of deposit
633 are located.

634 ~~14.13.~~ The primary purposes of an expenditure made
635 indirectly through a campaign treasurer ~~pursuant to s.~~
636 ~~106.021(3)~~ for goods and services, such as communications media
637 placement or procurement services, campaign signs, and
638 insurance; fees for consultants, advertising agencies, and

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639 similar firms; and other expenditures that include multiple
640 components as part of the expenditure. The primary purpose of an
641 expenditure shall be that purpose, including integral and
642 directly related components, that comprises 80 percent of such
643 expenditure. Such expenditures shall be reported with sufficient
644 specificity to permit a reasonable person to determine the
645 ultimate intended recipient of the expenditure.

646 15. For committees making only independent expenditures and
647 independent electioneering communications, certification of that
648 fact.

649 (5) (a) The candidate and his or her campaign treasurer, in
650 the case of a candidate, or the political committee chair and
651 campaign treasurer of the committee, in the case of a political
652 committee, shall certify as to the correctness of each report;
653 and each person so certifying shall bear the responsibility for
654 the accuracy and veracity of each report. Any campaign
655 treasurer, candidate, or political committee chair who willfully
656 certifies the correctness of any report while knowing that such
657 report is incorrect, false, or incomplete commits a misdemeanor
658 of the first degree, punishable as provided in s. 775.082 or s.
659 775.083.

660 (b) The chief financial officer of the corporate or
661 business entity and each person identified in s. 106.03(3)(k) as
662 a decisionmaker with regard to political expenditures shall
663 certify as to the correctness of each report, and each person so
664 certifying shall bear the responsibility for the accuracy and
665 veracity of each report. If the decisionmaker is a board or
666 group, the principal officer of the board or group shall so
667 certify. Any person who willfully certifies the correctness of

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668 any report while knowing that such report is incorrect, false,
669 or incomplete commits a misdemeanor of the first degree,
670 punishable as provided in s. 775.082 or s. 775.083.

671 Section 4. Paragraph (a) of subsection (1), paragraph (a)
672 of subsection (3), and subsection (4) of section 106.0703,
673 Florida Statutes, are amended to read:

674 106.0703 Electioneering communications organizations;
675 reporting requirements; certification and filing; penalties.—

676 (1) (a) Each electioneering communications organization
677 shall file regular reports of all contributions received and all
678 expenditures made by or on behalf of the organization. Except as
679 otherwise provided in this section, each corporate or business
680 entity required to register pursuant to s. 106.03 which makes
681 expenditures solely for independent electioneering
682 communications must file regular reports of all expenditures as
683 if it were an electioneering communications organization and its
684 chief financial officer were the organization's treasurer.

685 Except for the third calendar quarter immediately preceding a
686 general election and as provided in paragraphs (b) and (c),
687 reports must be filed on the 10th day following the end of each
688 calendar month from the time the organization is registered.
689 However, if the 10th day following the end of a calendar month
690 occurs on a Saturday, Sunday, or legal holiday, the report must
691 be filed on the next following day that is not a Saturday,
692 Sunday, or legal holiday. Monthly reports must include all
693 contributions received and expenditures made during the calendar
694 month that have not otherwise been reported pursuant to this
695 section.

696 (3) (a) Except for daily reports, to which only the

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697 contribution provisions below apply, each report required by
698 this section must contain:

699 1. The full name, address, and occupation, if any, of each
700 person who has made one or more contributions to or for such
701 electioneering communications organization within the reporting
702 period, together with the amount and date of such contributions.
703 For corporations, the report must provide as clear a description
704 as practicable of the principal type of business conducted by
705 the corporation. However, if the contribution is \$100 or less,
706 the occupation of the contributor or the principal type of
707 business need not be listed.

708 2. The name and address of each political committee from
709 which or to which the reporting electioneering communications
710 organization made any transfer of funds, together with the
711 amounts and dates of all transfers.

712 3. Each loan for electioneering communication purposes to
713 or from any person or political committee within the reporting
714 period, together with the full names, addresses, and occupations
715 and principal places of business, if any, of the lender and
716 endorsers, if any, and the date and amount of such loans.

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

719 5. The total sums of all loans, in-kind contributions, and
720 other receipts by or for such electioneering communications
721 organization during the reporting period. The reporting forms
722 shall be designed to elicit separate totals for in-kind
723 contributions, loans, and other receipts.

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

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726 electioneering communications organization within the reporting
727 period; ~~and~~ the amount, date, and purpose of each expenditure; a
728 description of the services or goods obtained by each such
729 expenditure; the issue to which the expenditure relates; a
730 description of the content of the electioneering communication
731 to which the expenditure relates; the name and address of, and
732 office sought by, each candidate on whose behalf such
733 expenditure was made; and whether the expenditure was for an
734 independent electioneering communication.

735 7. For independent expenditures by corporate or business
736 entities:

737 a. The value of any current contract, or any contract the
738 entity expects to bid on in the next 12 months, which the
739 entity, or an affiliate owned, operated, or controlled by the
740 entity, has with a governmental body for the provision of goods
741 or services valued in excess of \$5,000.

742 b. The date, or expected date, of the contract.

743 c. The parties, or anticipated parties, to the contract.

744 d. A description of the goods or services provided or to be
745 provided.

746 e. For existing contracts, a statement as to whether the
747 contract was subject to the applicable competitive bidding
748 process.

749 f. Whether the entity, or an affiliate owned, operated, or
750 controlled by the entity, is, or employs, a lobbyist or lobbying
751 firm required to register pursuant to s. 11.045 or s. 112.3215;
752 if so, the name of the agencies or governmental bodies lobbied,
753 along with the names of any registered lobbyists.

754 8. The full name and address of each person to whom an

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755 expenditure for personal services, salary, or reimbursement for
756 expenses has been made and that is not otherwise reported,
757 including the amount, date, and purpose of the expenditure.

758 ~~9.8.~~ The total sum of expenditures made by the
759 electioneering communications organization during the reporting
760 period.

761 ~~10.9.~~ The amount and nature of debts and obligations owed
762 by or to the electioneering communications organization that
763 relate to the conduct of any electioneering communication.

764 ~~11.10.~~ Except for a corporate or business entity,
765 transaction information for each credit card purchase. Receipts
766 for each credit card purchase shall be retained by the
767 electioneering communications organization.

768 ~~12.11.~~ Except for a corporate or business entity, the
769 amount and nature of any separate interest-bearing accounts or
770 certificates of deposit and identification of the financial
771 institution in which such accounts or certificates of deposit
772 are located.

773 ~~13.12.~~ The primary purposes of an expenditure made
774 indirectly through an electioneering communications organization
775 for goods and services, such as communications media placement
776 or procurement services; fees for consultants, advertising
777 agencies, and similar firms; and other expenditures that include
778 multiple components as part of the expenditure. The primary
779 purpose of an expenditure shall be that purpose, including
780 integral and directly related components, that comprises 80
781 percent of such expenditure. Such expenditures shall be reported
782 with sufficient specificity to permit a reasonable person to
783 determine the ultimate intended recipient of the expenditure.

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784 14. For electioneering communications organizations making
785 only independent electioneering communications, certification of
786 that fact.

787 (4) (a) The treasurer of the electioneering communications
788 organization shall certify as to the correctness of each report,
789 and each person so certifying shall bear the responsibility for
790 the accuracy and veracity of each report. Any treasurer who
791 willfully certifies the correctness of any report while knowing
792 that such report is incorrect, false, or incomplete commits a
793 misdemeanor of the first degree, punishable as provided in s.
794 775.082 or s. 775.083.

795 (b) The chief financial officer of the corporate or
796 business entity and each person identified in s. 106.03(3)(k) as
797 a decisionmaker with regard to political expenditures shall
798 certify as to the correctness of each report, and each person so
799 certifying shall bear the responsibility for the accuracy and
800 veracity of each report. If the decisionmaker is a board or
801 group, the principal officer of the board or group shall so
802 certify. Any person who willfully certifies the correctness of
803 any report while knowing that such report is incorrect, false,
804 or incomplete commits a misdemeanor of the first degree,
805 punishable as provided in s. 775.082 or s. 775.083.

806 Section 5. Paragraph (b) of subsection (2) and subsections
807 (4) and (6) of section 106.0705, Florida Statutes, are amended
808 to read:

809 106.0705 Electronic filing of campaign treasurer's
810 reports.-

811 (2)

812 (b) Each political committee, electioneering communications

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813 organization, corporate or business entity, affiliated party
814 committee, or state executive committee that is required to file
815 registration statements with the division under s. 106.03 or
816 file reports with the division under s. 106.07, s. 106.0703, or
817 s. 106.29, as applicable, must file such statements or reports
818 with the division by means of the division's electronic filing
819 system.

820 (4) Each statement or report filed pursuant to this section
821 is considered to be under oath by the candidate and treasurer,
822 the chair and treasurer, the chief financial officer and primary
823 political expenditure decisionmaker specified in s.
824 106.03(3)(k), the treasurer under s. 106.0703, or the leader and
825 treasurer under s. 103.092, whichever is applicable, and such
826 persons are subject to the provisions of s. 106.03(6), s.
827 106.07(5), s. 106.0703(4), or s. 106.29(2), as applicable.
828 Persons given a secure sign-on to the electronic filing system
829 are responsible for protecting such from disclosure and are
830 responsible for all filings using such credentials, unless they
831 have notified the division that their credentials have been
832 compromised.

833 (6) The division shall adopt rules to administer this
834 section and provide for the statements and reports required to
835 be filed pursuant to this section. Such rules shall, at a
836 minimum, provide:

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

839 (b) For the issuance of an electronic receipt to the person
840 submitting the statement or report indicating and verifying that
841 the report has been filed.

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842 Section 6. Section 106.0708, Florida Statutes, is created
843 to read:

844 106.0708 Electronic searchable database.—

845 (1) The division shall implement and maintain an electronic
846 campaign finance database accessible through its website which
847 provides users the ability to search and retrieve all
848 registration statements, reports, and other filings required to
849 be filed electronically with the division pursuant to this
850 chapter.

851 (2) The database must allow, at a minimum, a user to search
852 in the following basic categories: contribution records,
853 expenditure records, fund transfer records, other distribution
854 records, and business records. Further, the database must
855 contain the maximum amount of meaningful subsets, cross-
856 references, and categories of information available to enable
857 the efficient sorting of data.

858 (3) The database must be user-friendly and organized in
859 such a manner that a person of reasonable intelligence and
860 Internet skills may efficiently aggregate relevant information
861 that will inform the person about the sources of funding for
862 candidates, political committees, electioneering communications
863 organizations, political parties, affiliated party committees,
864 and all forms of publicly disseminated political communications,
865 such as political advertisements, independent expenditures, and
866 electioneering communications, in order to determine who is
867 advocating in favor of or against a candidate or an issue.

868 (4) The database must retain, at a minimum, the level of
869 functionality and searchability which exists on the division's
870 searchable electronic campaign finance database as of January 1,

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871 2018.872 (5) The division shall adopt rules to administer this
873 section.874 Section 7. Subsections (1) and (2) of section 106.071,
875 Florida Statutes, are amended to read:876 106.071 Independent expenditures; electioneering
877 communications; reports; disclaimers.-878 (1) Each person who makes an independent expenditure or
879 ~~with respect to any candidate or issue, and each individual who~~
880 ~~makes~~ an expenditure for an electioneering communication which
881 is not otherwise reported pursuant to this chapter, which
882 expenditure, in the aggregate, is in the amount of \$500 ~~\$5,000~~
883 or more, shall file periodic reports of such expenditures in the
884 same manner, at the same time, subject to the same penalties,
885 and with the same officer as an electioneering communications
886 organization or a political committee supporting or opposing
887 such candidate or issue, as appropriate. The report shall
888 contain the full name and address of the person making the
889 expenditure; the full name and address of each person to whom
890 and for whom each such expenditure has been made; the amount,
891 date, and purpose of each such expenditure; a description of the
892 services or goods obtained by each such expenditure; the issue
893 to which the expenditure relates; a description of the content
894 of the independent expenditure or electioneering communication
895 to which the expenditure relates; and the name and address of,
896 and office sought by, each candidate on whose behalf such
897 expenditure was made.898 (2) Any political advertisement paid for by an independent
899 expenditure reportable pursuant to this section must ~~shall~~

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900 prominently state "Paid political advertisement paid for by
901 ... (Name and address of person paying for advertisement) ...
902 independently of any ... (candidate or committee)"

903 Section 8. Subsection (3) and present subsections (7) and
904 (8) of section 106.08, Florida Statutes, are amended, present
905 subsections (4) through (10) of that section are renumbered as
906 subsections (5) through (11), respectively, and a new subsection
907 (4) is added to that section, to read:

908 106.08 Contributions; limitations on.-

909 (3) (a) A political committee may not make a transfer or
910 contribution of more than \$1,000 to a political party or an
911 affiliated party committee.

912 (b) A political committee or an electioneering
913 communications organization may not accept a transfer or
914 contribution of more than \$1,000 from another political
915 committee or electioneering communications organization, or from
916 a political party or an affiliated party committee.

917 (c) Paragraph (b) does not apply when the receiving
918 committee is:

919 1. A political committee that is not, in whole or in part,
920 established, maintained, or controlled by a candidate and whose
921 election-related activities are limited to making independent
922 expenditures or expenditures for independent electioneering
923 communications or accepting contributions for the purpose of
924 making such expenditures; or

925 2. An electioneering communications organization that is
926 not, in whole or in part, established, maintained, or controlled
927 by a candidate and whose election-related activities are limited
928 to making expenditures for independent electioneering

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929 communications or accepting contributions for the purpose of
930 making such electioneering communications.

931 (4) (a) Any contribution received by a candidate with
932 opposition in an election or by the campaign treasurer or a
933 deputy campaign treasurer of such a candidate on the day of that
934 election or less than 5 days before the day of that election
935 must be returned by him or her to the person or committee
936 contributing it and may not be used or expended by or on behalf
937 of the candidate.

938 (b) Any contribution received by a candidate or by the
939 campaign treasurer or a deputy campaign treasurer of a candidate
940 after the date at which the candidate withdraws his or her
941 candidacy, or after the date the candidate is defeated, becomes
942 unopposed, or is elected to office must be returned to the
943 person or committee contributing it and may not be used or
944 expended by or on behalf of the candidate.

945 (8) (a) ~~(7) (a)~~ Any person who knowingly and willfully makes
946 or accepts no more than one contribution in violation of
947 subsection (1), subsection (3), or subsection (6) ~~subsection (1)~~
948 ~~or subsection (5)~~, or any person who knowingly and willfully
949 fails or refuses to return any contribution as required in
950 subsection (4) ~~(3)~~, commits a misdemeanor of the first degree,
951 punishable as provided in s. 775.082 or s. 775.083. If any
952 corporation, partnership, or other business entity or any
953 political party, affiliated party committee, political
954 committee, or electioneering communications organization is
955 convicted of knowingly and willfully violating any provision
956 punishable under this paragraph, it shall be fined not less than
957 \$1,000 and not more than \$10,000. If it is a domestic entity, it

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958 may be ordered dissolved by a court of competent jurisdiction;
 959 if it is a foreign or nonresident business entity, its right to
 960 do business in this state may be forfeited. Any officer,
 961 partner, agent, attorney, or other representative of a
 962 corporation, partnership, or other business entity, or of a
 963 political party, an affiliated party committee, a political
 964 committee, an electioneering communications organization, or an
 965 organization exempt from taxation under s. 527 or s. 501(c)(4)
 966 of the Internal Revenue Code, who aids, abets, advises, or
 967 participates in a violation of any provision punishable under
 968 this paragraph commits a misdemeanor of the first degree,
 969 punishable as provided in s. 775.082 or s. 775.083.

970 (b) Any person who knowingly and willfully makes or accepts
 971 two or more contributions in violation of subsection (1),
 972 subsection (3), or subsection (6) ~~subsection (1) or subsection~~
 973 ~~(5)~~ commits a felony of the third degree, punishable as provided
 974 in s. 775.082, s. 775.083, or s. 775.084. If any corporation,
 975 partnership, or other business entity or any political party,
 976 affiliated party committee, political committee, or
 977 electioneering communications organization is convicted of
 978 knowingly and willfully violating any provision punishable under
 979 this paragraph, it shall be fined not less than \$10,000 and not
 980 more than \$50,000. If it is a domestic entity, it may be ordered
 981 dissolved by a court of competent jurisdiction; if it is a
 982 foreign or nonresident business entity, its right to do business
 983 in this state may be forfeited. Any officer, partner, agent,
 984 attorney, or other representative of a corporation, partnership,
 985 or other business entity, or of a political committee, a
 986 political party, an affiliated party committee, or an

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987 electioneering communications organization, or an organization
 988 exempt from taxation under s. 527 or s. 501(c)(4) of the
 989 Internal Revenue Code, who aids, abets, advises, or participates
 990 in a violation of any provision punishable under this paragraph
 991 commits a felony of the third degree, punishable as provided in
 992 s. 775.082, s. 775.083, or s. 775.084.

993 ~~(9)~~~~(8)~~ Except when otherwise provided in subsection (8)
 994 ~~(7)~~, any person who knowingly and willfully violates any
 995 provision of this section shall, in addition to any other
 996 penalty prescribed by this chapter, pay to the state a sum equal
 997 to twice the amount contributed in violation of this chapter.
 998 Each campaign treasurer shall pay all amounts contributed in
 999 violation of this section to the state for deposit in the
 1000 General Revenue Fund.

1001 Section 9. Paragraph (a) of subsection (5) of section
 1002 106.143, Florida Statutes, is amended, and paragraph (e) is
 1003 added to subsection (1) of that section, to read:

1004 106.143 Political advertisements circulated prior to
 1005 election; requirements.—

1006 (1)

1007 (e)1. Any political advertisement paid for by an
 1008 independent expenditure must prominently state "Paid political
 1009 advertisement paid for by ... (Name and address of person paying
 1010 for advertisement)... independently of any ... (candidate or
 1011 committee)...."

1012 2. If the sponsor is an affiliate or a subsidiary of a
 1013 corporate or business entity required to register pursuant to s.
 1014 106.03, the disclaimer must identify the sponsor as: ... "a/an
 1015 (insert affiliate or subsidiary) of (insert name of parent

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1016 corporation or entity)...."

1017 (5) (a) Any political advertisement not paid for by a
 1018 candidate, including those paid for by a political party or an
 1019 affiliated party committee, other than an independent
 1020 expenditure, offered on behalf of a candidate must be approved
 1021 in advance by the candidate. Such political advertisement must
 1022 expressly state that the content of the advertisement was
 1023 approved by the candidate, unless the political advertisement is
 1024 published, displayed, or circulated in support of, or in
 1025 opposition to, a write-in candidate ~~in compliance with~~
 1026 ~~subparagraph (1) (a) 2., and must state who paid for the~~
 1027 ~~advertisement.~~ The candidate shall provide a written statement
 1028 of authorization to the newspaper, radio station, television
 1029 station, or other medium for each such advertisement submitted
 1030 for publication, display, broadcast, or other distribution.

1031 Section 10. Section 106.1439, Florida Statutes, is amended
 1032 to read:

1033 106.1439 Electioneering communications; disclaimers.-

1034 (1) (a) Any independent electioneering communication
 1035 reportable pursuant to this chapter, other than a telephone
 1036 call, must ~~shall~~ prominently state: "Paid electioneering
 1037 communication paid for by ... (Name and address of person paying
 1038 for the communication) ... independently of any candidate or
 1039 committee."

1040 (b) Any other electioneering communication, other than a
 1041 telephone call, must prominently state: "Paid electioneering
 1042 communication paid for by... (Name and address of person paying
 1043 for the communication) ... in coordination with... (insert name of
 1044 candidate, committee, or organization)...."

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1045 (2) (a) Any electioneering communication, other than an
1046 independent electioneering communication, offered on behalf of a
1047 candidate must be approved in advance by the candidate. Such
1048 communication must expressly state that the content of the
1049 communication was approved by the candidate, unless the
1050 communication is published, displayed, or circulated in support
1051 of, or opposition to, a write-in candidate. The candidate shall
1052 provide a written statement of authorization to the newspaper,
1053 radio station, television station, or other medium for each such
1054 communication submitted for publication, display, broadcast, or
1055 other distribution.

1056 (b) Any person who makes an independent electioneering
1057 communication shall provide a written statement to the
1058 newspaper, radio station, television station, or other medium
1059 that no candidate has approved the communication for each such
1060 communication submitted for publication, display, broadcast, or
1061 other distribution. Any electioneering communication telephone
1062 call shall identify the persons or organizations sponsoring the
1063 call by stating either: "Paid for by ... (insert name of persons
1064 or organizations sponsoring the call)...." or "Paid for on
1065 behalf of ... (insert name of persons or organizations
1066 authorizing call)...." This subsection does not apply to any
1067 telephone call in which the individual making the call is not
1068 being paid and the individuals participating in the call know
1069 each other prior to the call.

1070 (3) Any person who willfully violates this section ~~fails to~~
1071 ~~include the disclaimer prescribed in this section in any~~
1072 ~~electioneering communication that is required to contain such~~
1073 ~~disclaimer~~ commits a misdemeanor of the first degree, punishable

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1074 as provided in s. 775.082 or s. 775.083.

1075 Section 11. Section 106.147, Florida Statutes, is amended
1076 to read:

1077 106.147 Telephone solicitation; disclosure requirements;
1078 prohibitions; exemptions; penalties.—

1079 (1) (a) Any telephone call supporting or opposing a
1080 candidate, an elected public official, or a ballot proposal must
1081 identify the persons or organizations sponsoring the call by
1082 stating either: "paid for by" (insert name of persons or
1083 organizations sponsoring the call) or "paid for on behalf of
1084" (insert name of persons or organizations authorizing
1085 call). If the call is conducted by independent expenditure or
1086 independent electioneering communication, the statement must be
1087 followed by the phrase "independently of any candidate,
1088 committee, or organization." Otherwise, the statement must be
1089 followed by the phrase "in coordination with ... (insert name of
1090 candidate, committee, or organization)...."

1091 (b) If the sponsor is an affiliate or a subsidiary of a
1092 corporate or business entity required to register pursuant to s.
1093 106.03, the disclaimer must identify the sponsor as: "...a/an
1094 (affiliate or subsidiary) of (insert name of parent corporation
1095 or entity)...."

1096 (2) Subsection (1) ~~This paragraph~~ does not apply to:

1097 (a) Any telephone call in which both the individual making
1098 the call is not being paid and the individuals participating in
1099 the call know each other prior to the call.

1100 (b) Any telephone call conducted for the purpose of polling
1101 respondents concerning a candidate or an elected public official
1102 which is a part of a series of like telephone calls that

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1103 consists of fewer than 1,000 completed calls and averages more
 1104 than 2 minutes in duration which is presumed to be a political
 1105 poll ~~and not subject to the provisions of paragraph (a).~~

1106 ~~(3)(e)~~ A ~~No~~ telephone call may not ~~shall~~ state or imply
 1107 that the caller represents:

1108 (a) Any person or organization, unless the person or
 1109 organization so represented has given specific approval in
 1110 writing to make such representation.

1111 ~~(b)(d)~~ ~~No telephone call shall state or imply that the~~
 1112 ~~caller represents~~ A nonexistent person or organization.

1113 (4)(2) Any telephone call, not conducted by independent
 1114 expenditure or independent electioneering communication, which
 1115 supports or opposes a ballot proposal or expressly advocates for
 1116 or against a candidate, except a noncandidate call involving a
 1117 write-in candidate, ~~or ballot proposal~~ requires prior written
 1118 authorization by the candidate or sponsor of the ballot proposal
 1119 that the call supports. A copy of such written authorization
 1120 must be placed on file with the qualifying officer by the
 1121 candidate or sponsor of the ballot proposal prior to the time
 1122 the calls commence.

1123 (5)(a)(3)(a) Any person who willfully violates any
 1124 provision of this section commits a misdemeanor of the first
 1125 degree, punishable as provided in s. 775.082 or s. 775.083.

1126 (b) For purposes of paragraph (a), the term "person"
 1127 includes any candidate; any officer of any political committee,
 1128 electioneering communications organization, affiliated party
 1129 committee, or political party executive committee; any officer,
 1130 partner, attorney, or other representative of a corporation,
 1131 partnership, or other business entity; and any agent or other

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1132 person acting on behalf of any candidate, political committee,
1133 electioneering communications organization, affiliated party
1134 committee, political party executive committee, or corporation,
1135 partnership, or other business entity.

1136 Section 12. Subsection (2) of section 106.25, Florida
1137 Statutes, is amended to read:

1138 106.25 Reports of alleged violations to Florida Elections
1139 Commission; disposition of findings.—

1140 (2) The commission shall investigate all violations of this
1141 chapter and chapter 104, but only after having received either a
1142 sworn complaint or information reported to it under this
1143 subsection by the division ~~of Elections~~. ~~Such sworn complaint~~
1144 ~~must be based upon personal information or information other~~
1145 ~~than hearsay~~. Any person, other than the division, having
1146 information of any violation of this chapter or chapter 104
1147 shall file a sworn complaint with the commission. ~~The commission~~
1148 ~~shall investigate only those alleged violations specifically~~
1149 ~~contained within the sworn complaint. If any complainant fails~~
1150 ~~to allege all violations that arise from the facts or~~
1151 ~~allegations alleged in a complaint, the commission shall be~~
1152 ~~barred from investigating a subsequent complaint from such~~
1153 ~~complainant that is based upon such facts or allegations that~~
1154 ~~were raised or could have been raised in the first complaint. If~~
1155 the complaint includes allegations of violations relating to
1156 expense items reimbursed by a candidate, committee, or
1157 organization to the campaign account before a sworn complaint is
1158 filed, the commission shall be barred from investigating such
1159 allegations. Such sworn complaint shall state whether a
1160 complaint of the same violation has been made to any state

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1161 attorney. Within 5 days after receipt of a sworn complaint, the
1162 commission shall transmit a copy of the complaint to the alleged
1163 violator. The respondent shall have 14 days after receipt of the
1164 complaint to file an initial response, and the executive
1165 director may not determine the legal sufficiency of the
1166 complaint during that time period. If the executive director
1167 finds that the complaint is legally sufficient, the respondent
1168 shall be notified of such finding by letter, which sets forth
1169 the statutory provisions alleged to have been violated and the
1170 alleged factual basis that supports the finding. All sworn
1171 complaints alleging violations of the Florida Election Code over
1172 which the commission has jurisdiction shall be filed with the
1173 commission within 2 years after the alleged violations. The
1174 period of limitations is tolled on the day a sworn complaint is
1175 filed with the commission. The complainant may withdraw the
1176 sworn complaint at any time prior to a probable cause hearing if
1177 good cause is shown. Withdrawal shall be requested in writing,
1178 signed by the complainant, and witnessed by a notary public,
1179 stating the facts and circumstances constituting good cause. The
1180 executive director shall prepare a written recommendation
1181 regarding disposition of the request which shall be given to the
1182 commission together with the request. "Good cause" shall be
1183 determined based upon the legal sufficiency or insufficiency of
1184 the complaint to allege a violation and the reasons given by the
1185 complainant for wishing to withdraw the complaint. If withdrawal
1186 is permitted, the commission must close the investigation and
1187 the case. No further action may be taken. The complaint will
1188 become a public record at the time of withdrawal.

1189 Section 13. Subsection (1) of section 106.29, Florida

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1190 Statutes, is amended to read:

1191 106.29 Reports by political parties and affiliated party
1192 committees; restrictions on contributions and expenditures;
1193 penalties.—

1194 (1) The state executive committee and each county executive
1195 committee of each political party and any affiliated party
1196 committee regulated by chapter 103 shall file regular reports of
1197 all contributions received and all expenditures made by such
1198 committee. However, the reports shall not include contributions
1199 and expenditures that are reported to the Federal Election
1200 Commission. In addition, when a special election is called to
1201 fill a vacancy in office, each state executive committee, each
1202 affiliated party committee, and each county executive committee
1203 making contributions or expenditures to influence the results of
1204 the special election or the preceding special primary election
1205 must file campaign treasurers' reports on the dates set by the
1206 Department of State pursuant to s. 100.111. Such reports shall
1207 contain the same information as do reports required of
1208 candidates by s. 106.07 and shall be filed on the 10th day
1209 following the end of each calendar quarter, except that, during
1210 the period from the last day for candidate qualifying until the
1211 general election, such reports shall be filed on the Friday
1212 immediately preceding each special primary election, special
1213 election, primary election, and general election. In addition to
1214 the reports filed under this section, the state executive
1215 committee, each county executive committee, and each affiliated
1216 party committee shall file a copy of each prior written
1217 acceptance of an in-kind contribution given by the committee
1218 during the preceding calendar quarter as required under s.

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1219 106.08(7) ~~s. 106.08(6)~~. Each state executive committee and
1220 affiliated party committee shall file its reports with the
1221 Division of Elections. Each county executive committee shall
1222 file its reports with the supervisor of elections in the county
1223 in which such committee exists. Any state or county executive
1224 committee or affiliated party committee failing to file a report
1225 on the designated due date shall be subject to a fine as
1226 provided in subsection (3). No separate fine shall be assessed
1227 for failure to file a copy of any report required by this
1228 section.

1229 Section 14. This act shall take effect January 1, 2019.