

1 A bill to be entitled
 2 An act relating to campaign finance; repealing ss.
 3 106.30, 106.31, 106.32, 106.33, 106.34, 106.35,
 4 106.353, 106.355, and 106.36, F.S., relating to the
 5 Florida Election Campaign Financing Act; amending s.
 6 106.021, F.S.; conforming cross-references; amending
 7 ss. 106.141, 106.22, 328.72, and 607.1622, F.S.;
 8 conforming provisions to changes made by the act;
 9 providing a contingent effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Sections 106.30, 106.31, 106.32, 106.33,
 14 106.34, 106.35, 106.353, 106.355, and 106.36, Florida Statutes,
 15 are repealed.

16 Section 2. Paragraph (a) of subsection (1) of section
 17 106.021, Florida Statutes, is amended to read:

18 106.021 Campaign treasurers; deputies; primary and
 19 secondary depositories.—

20 (1) (a) Each candidate for nomination or election to office
 21 and each political committee shall appoint a campaign treasurer.
 22 Each person who seeks to qualify for nomination or election to,
 23 or retention in, office shall appoint a campaign treasurer and
 24 designate a primary campaign depository before qualifying for
 25 office. Any person who seeks to qualify for election or

26 nomination to any office by means of the petitioning process
27 shall appoint a treasurer and designate a primary depository on
28 or before the date he or she obtains the petitions. At the same
29 time a candidate designates a campaign depository and appoints a
30 treasurer, the candidate shall also designate the office for
31 which he or she is a candidate. If the candidate is running for
32 an office that will be grouped on the ballot with two or more
33 similar offices to be filled at the same election, the candidate
34 must indicate for which group or district office he or she is
35 running. This subsection does not prohibit a candidate, at a
36 later date, from changing the designation of the office for
37 which he or she is a candidate. However, if a candidate changes
38 the designated office for which he or she is a candidate, the
39 candidate must notify all contributors in writing of the intent
40 to seek a different office and offer to return pro rata, upon
41 their request, those contributions given in support of the
42 original office sought. This notification shall be given within
43 15 days after the filing of the change of designation and shall
44 include a standard form developed by the Division of Elections
45 for requesting the return of contributions. The notice
46 requirement does not apply to any change in a numerical
47 designation resulting solely from redistricting. If, within 30
48 days after being notified by the candidate of the intent to seek
49 a different office, the contributor notifies the candidate in
50 writing that the contributor wishes his or her contribution to

51 | be returned, the candidate shall return the contribution, on a
52 | pro rata basis, calculated as of the date the change of
53 | designation is filed. Up to a maximum of the contribution limits
54 | specified in s. 106.08, a candidate who runs for an office other
55 | than the office originally designated may use any contribution
56 | that a donor does not request be returned within the 30-day
57 | period for the newly designated office, provided the candidate
58 | disposes of any amount exceeding the contribution limit pursuant
59 | to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a),
60 | (b), or (d) ~~s. 106.141(4)(a)1., 2., or 4.~~; notwithstanding, the
61 | full amount of the contribution for the original office shall
62 | count toward the contribution limits specified in s. 106.08 for
63 | the newly designated office. A person may not accept any
64 | contribution or make any expenditure with a view to bringing
65 | about his or her nomination, election, or retention in public
66 | office, or authorize another to accept such contributions or
67 | make such expenditure on the person's behalf, unless such person
68 | has appointed a campaign treasurer and designated a primary
69 | campaign depository. A candidate for an office voted upon
70 | statewide may appoint not more than 15 deputy campaign
71 | treasurers, and any other candidate or political committee may
72 | appoint not more than 3 deputy campaign treasurers. The names
73 | and addresses of the campaign treasurer and deputy campaign
74 | treasurers so appointed shall be filed with the officer before
75 | whom such candidate is required to qualify or with whom such

76 political committee is required to register pursuant to s.
77 106.03.

78 Section 3. Subsection (4) of section 106.141, Florida
79 Statutes, is amended to read:

80 106.141 Disposition of surplus funds by candidates.—

81 ~~(4) (a) Except as provided in paragraph (b),~~ Any candidate
82 required to dispose of funds pursuant to this section shall, at
83 the option of the candidate, dispose of such funds by any of the
84 following means, or any combination thereof:

85 (a)1. Return pro rata to each contributor the funds that
86 have not been spent or obligated.

87 (b)2. Donate the funds that have not been spent or
88 obligated to a charitable organization or organizations that
89 meet the qualifications of s. 501(c)(3) of the Internal Revenue
90 Code.

91 (c)3. Give not more than \$25,000 of the funds that have
92 not been spent or obligated to the affiliated party committee or
93 political party of which such candidate is a member.

94 (d)4. Give the funds that have not been spent or
95 obligated:

96 1.a. In the case of a candidate for state office, to the
97 state, to be deposited in ~~either the Election Campaign Financing~~
98 ~~Trust Fund or the General Revenue Fund, as designated by the~~
99 ~~candidate;~~ or

100 2.b. In the case of a candidate for an office of a

101 political subdivision, to such political subdivision, to be
102 deposited in the general fund thereof.

103 ~~(b) Any candidate required to dispose of funds pursuant to~~
104 ~~this section who has received contributions pursuant to the~~
105 ~~Florida Election Campaign Financing Act shall, after all~~
106 ~~monetary commitments pursuant to s. 106.11(5) (b) and (c) have~~
107 ~~been met, return all surplus campaign funds to the General~~
108 ~~Revenue Fund.~~

109 Section 4. Subsection (6) of section 106.22, Florida
110 Statutes, is amended to read:

111 106.22 Duties of the Division of Elections.—It is the duty
112 of the Division of Elections to:

113 (6) Make, from time to time, audits and field
114 investigations with respect to reports and statements filed
115 under the provisions of this chapter and with respect to alleged
116 failures to file any report or statement required under the
117 provisions of this chapter. ~~The division shall conduct a~~
118 ~~postelection audit of the campaign accounts of all candidates~~
119 ~~receiving contributions from the Election Campaign Financing~~
120 ~~Trust Fund.~~

121 Section 5. Subsection (11) of section 328.72, Florida
122 Statutes, is amended to read:

123 328.72 Classification; registration; fees and charges;
124 surcharge; disposition of fees; fines; marine turtle stickers.—

125 (11) VOLUNTARY CONTRIBUTIONS.—The application form for

126 boat registration shall include a provision to allow each
127 applicant to indicate a desire to pay an additional voluntary
128 contribution to the Save the Manatee Trust Fund to be used for
129 the purposes specified in s. 379.2431(4). This contribution
130 shall be in addition to all other fees and charges. The amount
131 of the request for a voluntary contribution solicited shall be
132 \$2 or \$5 per registrant. A registrant who provides a voluntary
133 contribution of \$5 or more shall be given a sticker or emblem by
134 the tax collector to display, which signifies support for the
135 Save the Manatee Trust Fund. All voluntary contributions shall
136 be deposited in the Save the Manatee Trust Fund and shall be
137 used for the purposes specified in s. 379.2431(4). ~~The form~~
138 ~~shall also include language permitting a voluntary contribution~~
139 ~~of \$5 per applicant, which contribution shall be transferred~~
140 ~~into the Election Campaign Financing Trust Fund. A statement~~
141 ~~providing an explanation of the purpose of the trust fund shall~~
142 ~~also be included.~~

143 Section 6. Subsection (1) of section 607.1622, Florida
144 Statutes, is amended to read:

145 607.1622 Annual report for Department of State.—

146 (1) Each domestic corporation and each foreign corporation
147 authorized to transact business in this state shall deliver to
148 the Department of State for filing a sworn annual report on such
149 forms as the Department of State prescribes that sets forth:

150 (a) The name of the corporation and the state or country

151 under the law of which it is incorporated;

152 (b) The date of incorporation or, if a foreign
153 corporation, the date on which it was admitted to do business in
154 this state;

155 (c) The address of its principal office and the mailing
156 address of the corporation;

157 (d) The corporation's federal employer identification
158 number, if any, or, if none, whether one has been applied for;

159 (e) The names and business street addresses of its
160 directors and principal officers;

161 (f) The street address of its registered office and the
162 name of its registered agent at that office in this state; and

163 ~~(g) Language permitting a voluntary contribution of \$5 per~~
164 ~~taxpayer, which contribution shall be transferred into the~~
165 ~~Election Campaign Financing Trust Fund. A statement providing an~~
166 ~~explanation of the purpose of the trust fund shall also be~~
167 ~~included; and~~

168 (g)(h) Such additional information as may be necessary or
169 appropriate to enable the Department of State to carry out the
170 provisions of this act.

171 Section 7. This act shall take effect on the effective
172 date of HJR 989, or a similar joint resolution having
173 substantially the same specific intent and purpose, if that
174 joint resolution is approved by the electors at the general
175 election to be held in November, 2018.