

By Senator Perry

8-01394-19

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1 A bill to be entitled
2 An act relating to the disposition of surplus funds by
3 candidates; amending s. 106.141, F.S.; prohibiting a
4 candidate, or the candidate's spouse, parent, child,
5 or sibling, from receiving anything of value in
6 exchange for a donation of surplus funds to a
7 charitable organization; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (a) of subsection (4) of section
12 106.141, Florida Statutes, is amended to read:

13 106.141 Disposition of surplus funds by candidates.—

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

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

20 2. Donate the funds that have not been spent or obligated
21 to a charitable organization or organizations that meet the
22 qualifications of s. 501(c) (3) of the Internal Revenue Code. If
23 a donation is made to any charitable organization, the
24 candidate, or the candidate's spouse, parent, child, or sibling,
25 may not receive, either directly or indirectly, anything of
26 value, including a gift, loan, reward, promise of future
27 employment, favor, or service, in exchange for such donation.

28 3. Give not more than \$25,000 of the funds that have not
29 been spent or obligated to the affiliated party committee or

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30 political party of which such candidate is a member.

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

32 a. In the case of a candidate for state office, to the
33 state, to be deposited in either the Election Campaign Financing
34 Trust Fund or the General Revenue Fund, as designated by the
35 candidate; or

36 b. In the case of a candidate for an office of a political
37 subdivision, to such political subdivision, to be deposited in
38 the general fund thereof.

39 Section 2. This act shall take effect July 1, 2019.