

By the Committee on Ethics and Elections; and Senators Perry and Baxley

582-03290-19

20191428c1

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 serving as a principal of a  
6 charitable organization that receives surplus funds or  
7 from receiving a direct financial benefit from such  
8 organization in exchange for the donation of surplus  
9 funds; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Paragraph (a) of subsection (4) of section  
14 106.141, Florida Statutes, is amended to read:

15 106.141 Disposition of surplus funds by candidates.—

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

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

22 2. Donate the funds that have not been spent or obligated  
23 to a charitable organization or organizations that meet the  
24 qualifications of s. 501(c)(3) of the Internal Revenue Code. If  
25 a donation is made to any charitable organization, the  
26 candidate, or the candidate's spouse, parent, child, or sibling,  
27 may not be a principal of the organization, and he or she may  
28 not receive a direct benefit in the form of compensation, such  
29 as any earnings, stipend, tips, or paid employment, from the

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30 organization in exchange for such donation.

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

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

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

39 b. In the case of a candidate for an office of a political  
40 subdivision, to such political subdivision, to be deposited in  
41 the general fund thereof.

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