

1                                   A bill to be entitled  
 2           An act relating to relating to the disposition of  
 3           surplus funds by candidates; amending s. 106.141,  
 4           F.S.; prohibiting a candidate or the candidate's  
 5           spouse, parent, child, or sibling from receiving  
 6           anything of value in exchange for a donation of  
 7           surplus funds to a charitable organization; providing  
 8           an effective date.

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

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

14           106.141 Disposition of surplus funds by candidates.—

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

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

21           2. Donate the funds that have not been spent or obligated  
 22 to a charitable organization or organizations that meet the  
 23 qualifications of s. 501(c)(3) of the Internal Revenue Code. If  
 24 a donation is made to any charitable organization, the candidate  
 25 or the candidate's spouse, parent, child, or sibling may not

26 | receive, either directly or indirectly, anything of value,  
27 | including a gift, loan, reward, promise of future employment,  
28 | favor, or service, in exchange for such donation.

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

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

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

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

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