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LEGISLATIVE ACTION

Senate

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House

The Committee on Ethics and Elections (Taddeo) recommended the following:

Senate Amendment (with title amendment)

Between lines 164 and 165

insert:

Section 3. Section 97.0292, Florida Statutes, is created to read:

97.0292 Recovery of public funds; investigation of false claims regarding conduct of an election.—The Secretary of State or the Attorney General may seek recovery in a court of competent jurisdiction of any public funds expended toward any



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11 investigations of any knowingly false claims regarding the
12 outcome or the conduct of an election in this state which are
13 disseminated or distributed in this state by any person,
14 organization, media outlet, publisher, or other entity. A court
15 may also award punitive damages to the state equal to an amount
16 treble the full cost of public funds expended if the state
17 demonstrates to the court that a reasonable basis exists to
18 support such an award. The Secretary of State or the Attorney
19 General shall remit any portion of recovered public funds to any
20 affected supervisor of elections, law enforcement agency, or
21 other agency involved in the investigation of such false claims.

22
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete line 12

26 and insert:

27 certain election-related expenses; creating s.
28 97.0292, F.S.; authorizing the Secretary of State and
29 the Attorney General to seek recovery of public funds
30 expended in investigating false election claims
31 disseminated or distributed by certain parties;
32 authorizing a court to award punitive damages if
33 certain conditions exist; requiring the Secretary of
34 State or the Attorney General to remit any portion of
35 the recovered funds to an affected supervisor of
36 elections, law enforcement agency, or other agency;
37 amending s. 97.057,