

By Senator Ingoglia

11-00437-23

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1                   A bill to be entitled  
2       An act relating to campaign finance; creating s.  
3       106.38, F.S.; prohibiting a political committee from  
4       transferring funds to another political committee;  
5       amending s. 106.011, F.S.; revising the definition of  
6       the term "contribution" to conform to changes made by  
7       the act; amending s. 106.07, F.S.; conforming  
8       provisions to changes made by the act; providing an  
9       effective date.

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

12  
13       Section 1. Section 106.38, Florida Statutes, is created to  
14       read:

15       106.38 Transfer of political committee funds.—A political  
16       committee may not transfer funds to another political committee.

17       Section 2. Subsection (5) of section 106.011, Florida  
18       Statutes, is amended to read:

19       106.011 Definitions.—As used in this chapter, the following  
20       terms have the following meanings unless the context clearly  
21       indicates otherwise:

22       (5) "Contribution" means:

23       (a) A gift, subscription, conveyance, deposit, loan,  
24       payment, or distribution of money or anything of value,  
25       including contributions in kind having an attributable monetary  
26       value in any form, made for the purpose of influencing the  
27       results of an election or making an electioneering  
28       communication.

29       (b) A transfer of funds ~~between political committees,~~

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30 between electioneering communications organizations or between  
31 an electioneering communications organization and a political  
32 committee, or between any combination of these groups.

33 (c) The payment, by a person other than a candidate or  
34 political committee, of compensation for the personal services  
35 of another person which are rendered to a candidate or political  
36 committee without charge to the candidate or committee for such  
37 services.

38 (d) The transfer of funds by a campaign treasurer or deputy  
39 campaign treasurer between a primary depository and a separate  
40 interest-bearing account or certificate of deposit, and the term  
41 includes interest earned on such account or certificate.

42  
43 Notwithstanding the foregoing meanings of "contribution," the  
44 term may not be construed to include services, including, but  
45 not limited to, legal and accounting services, provided without  
46 compensation by individuals volunteering a portion or all of  
47 their time on behalf of a candidate or political committee or  
48 editorial endorsements.

49 Section 3. Paragraph (a) of subsection (4) of section  
50 106.07, Florida Statutes, is amended to read:

51 106.07 Reports; certification and filing.—

52 (4) (a) Except for daily reports, to which only the  
53 contributions provisions below apply, and except as provided in  
54 paragraph (b), each report required by this section must  
55 contain:

56 1. The full name, address, and occupation, if any, of each  
57 person who has made one or more contributions to or for such  
58 committee or candidate within the reporting period, together

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59 with the amount and date of such contributions. For  
60 corporations, the report must provide as clear a description as  
61 practicable of the principal type of business conducted by the  
62 corporation. However, if the contribution is \$100 or less or is  
63 from a relative, as defined in s. 112.312, provided that the  
64 relationship is reported, the occupation of the contributor or  
65 the principal type of business need not be listed.

66 2. The name and address of each political committee from  
67 which ~~the reporting committee or~~ the candidate received, or to  
68 which the ~~reporting committee or~~ candidate made, any transfer of  
69 funds, together with the amounts and dates of all transfers.

70 3. Each loan for campaign purposes to or from any person or  
71 political committee within the reporting period, together with  
72 the full names, addresses, and occupations, and principal places  
73 of business, if any, of the lender and endorsers, if any, and  
74 the date and amount of such loans.

75 4. A statement of each contribution, rebate, refund, or  
76 other receipt not otherwise listed under subparagraphs 1.  
77 through 3.

78 5. The total sums of all loans, in-kind contributions, and  
79 other receipts by or for such committee or candidate during the  
80 reporting period. The reporting forms must ~~shall~~ be designed to  
81 elicit separate totals for in-kind contributions, loans, and  
82 other receipts.

83 6. The full name and address of each person to whom  
84 expenditures have been made by or on behalf of the committee or  
85 candidate within the reporting period; the amount, date, and  
86 purpose of each such expenditure; and the name and address of,  
87 and office sought by, each candidate on whose behalf such

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88 expenditure was made. However, expenditures made from the petty  
89 cash fund provided by s. 106.12 need not be reported  
90 individually.

91 7. The full name and address of each person to whom an  
92 expenditure for personal services, salary, or reimbursement for  
93 authorized expenses as provided in s. 106.021(3) has been made  
94 and which is not otherwise reported, including the amount, date,  
95 and purpose of such expenditure. However, expenditures made from  
96 the petty cash fund provided for in s. 106.12 need not be  
97 reported individually. Receipts for reimbursement for authorized  
98 expenditures must ~~shall~~ be retained by the treasurer along with  
99 the records for the campaign account.

100 8. The total amount withdrawn and the total amount spent  
101 for petty cash purposes pursuant to this chapter during the  
102 reporting period.

103 9. The total sum of expenditures made by such committee or  
104 candidate during the reporting period.

105 10. The amount and nature of debts and obligations owed by  
106 or to the committee or candidate, which relate to the conduct of  
107 any political campaign.

108 11. Transaction information for each credit card purchase.  
109 Receipts for each credit card purchase must ~~shall~~ be retained by  
110 the treasurer with the records for the campaign account.

111 12. The amount and nature of any separate interest-bearing  
112 accounts or certificates of deposit and identification of the  
113 financial institution in which such accounts or certificates of  
114 deposit are located.

115 13. The primary purposes of an expenditure made indirectly  
116 through a campaign treasurer pursuant to s. 106.021(3) for goods

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117 and services such as communications media placement or  
118 procurement services, campaign signs, insurance, and other  
119 expenditures that include multiple components as part of the  
120 expenditure. The primary purpose of an expenditure is ~~shall be~~  
121 that purpose, including integral and directly related  
122 components, that comprises 80 percent of such expenditure.

123 Section 4. This act shall take effect July 1, 2023.