

By the Committee on Ethics and Elections; and Senator Ingoglia

582-02876-23

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1 A bill to be entitled
2 An act relating to political advertisements for
3 nonpartisan office; amending s. 97.021, F.S.; revising
4 the definition of the term "nonpartisan office";
5 amending s. 106.143, F.S.; requiring that a political
6 advertisement paid for by a candidate for nonpartisan
7 office include a certain statement; deleting
8 provisions that prohibit political advertisements for
9 candidates running for nonpartisan office from
10 disclosing the candidates' political party affiliation
11 and that prohibit such candidates from campaigning
12 based on party affiliation; providing an effective
13 date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Subsection (23) of section 97.021, Florida
18 Statutes, is amended to read:

19 97.021 Definitions.—For the purposes of this code, except
20 where the context clearly indicates otherwise, the term:

21 (23) "Nonpartisan office" means an office for which a
22 candidate is prohibited from ~~campaigning or~~ qualifying for
23 election or retention in office based on party affiliation.

24 Section 2. Subsections (1) and (3) of section 106.143,
25 Florida Statutes, are amended to read:

26 106.143 Political advertisements circulated prior to
27 election; requirements.—

28 (1)(a) Any political advertisement that is paid for by a
29 candidate running for partisan office, except a write-in

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30 candidate, and that is published, displayed, or circulated
31 before, or on the day of, any election must prominently state:

32 1. "Political advertisement paid for and approved by
33 ...(name of candidate)..., ...(party affiliation)..., for
34 ...(office sought)..."; or

35 2. "Paid by ...(name of candidate)..., ...(party
36 affiliation)..., for ...(office sought)..."

37 (b) Any political advertisement that is paid for by a
38 candidate running for nonpartisan office, except a write-in
39 candidate, and that is published, displayed, or circulated
40 before, or on the day of, any election must prominently state:

41 1. "Political advertisement paid for and approved by
42 ...(name of candidate)... for ...(office sought)..."; or

43 2. "Paid by ...(name of candidate)... for ...(office
44 sought)..."

45 (c)~~(b)~~ Any political advertisement that is paid for by a
46 write-in candidate and that is published, displayed, or
47 circulated before, or on the day of, any election must
48 prominently state:

49 1. "Political advertisement paid for and approved by
50 ...(name of candidate)..., write-in candidate, for ...(office
51 sought)..."; or

52 2. "Paid by ...(name of candidate)..., write-in candidate,
53 for ...(office sought)..."

54 (d)~~(e)~~ Any other political advertisement published,
55 displayed, or circulated before, or on the day of, any election
56 must prominently:

57 1. Be marked "paid political advertisement" or with the
58 abbreviation "pd. pol. adv."

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59 2. State the name and address of the persons paying for the
60 advertisement.

61 3. State whether the advertisement and the cost of
62 production is paid for or provided in kind by or at the expense
63 of the entity publishing, displaying, broadcasting, or
64 circulating the political advertisement.

65 (e)~~(d)~~ Any political advertisement made pursuant to s.
66 106.021(3) (d) must prominently state the name and address of the
67 political committee or political party paying for the
68 advertisement.

69 (3) Any political advertisement of a candidate running for
70 partisan office shall express the name of the political party of
71 which the candidate is seeking nomination or is the nominee. If
72 the candidate for partisan office is running as a candidate with
73 no party affiliation, any political advertisement of the
74 candidate must state that the candidate has no party
75 affiliation. ~~A political advertisement of a candidate running
76 for nonpartisan office may not state the candidate's political
77 party affiliation. This section does not prohibit a political
78 advertisement from stating the candidate's partisan-related
79 experience. A candidate for nonpartisan office is prohibited
80 from campaigning based on party affiliation.~~

81 Section 3. This act shall take effect July 1, 2023.