

By Senator Leek

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1 A bill to be entitled
2 An act relating to campaign communications; amending
3 s. 106.147, F.S.; prohibiting campaign-related
4 telephone calls and text messages to specified voters;
5 requiring candidates and other persons or
6 organizations to cease immediately all communications
7 with certain voters; specifying how a voter indicates
8 that he or she no longer consents to such
9 communications; authorizing a voter to bring a certain
10 action in a court of competent jurisdiction; providing
11 that such voter is entitled to reasonable attorney
12 fees and costs under a specified circumstance;
13 specifying applicable penalties; providing an
14 effective date.

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

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18 Section 1. Present subsection (4) of section 106.147,
19 Florida Statutes, is redesignated as subsection (5), a new
20 subsection (4) is added to that section, and present subsection
21 (4) of that section is amended, to read:

22 106.147 Text message and telephone solicitation; disclosure
23 requirements; prohibitions; exemptions; penalties.—

24 (4) (a) A voter who indicates that he or she does not
25 consent to receive communications, whether by telephone call or
26 text message, may not be sent any communication pursuant to this
27 section. The candidate, person, or organization responsible for
28 such communications shall cease all communications with such
29 voter immediately upon receipt of the voter's indication that he

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30 or she does not consent to receive such communication. For the
31 purposes of this subsection, a voter may indicate that he or she
32 no longer consents to receive such communications, in the case
33 of a telephone call, upon the voter indicating on the call that
34 he or she no longer wishes to receive such calls, or, in the
35 case of a text message, upon the voter responding to the text
36 message with "Stop."

37 (b) If the candidate, person, or organization does not
38 cease communicating with the voter after receiving his or her
39 indication pursuant to paragraph (a), the voter may bring an
40 action in a court of competent jurisdiction to enjoin the
41 violation. A voter who successfully enjoins the violation is
42 entitled to reasonable attorney fees and costs.

43 (5) (a) ~~(4) (a)~~ A Any person who willfully violates this
44 section commits a misdemeanor of the first degree, punishable as
45 provided in s. 775.082 or s. 775.083.

46 (b) For purposes of paragraph (a), the term "person"
47 includes any individual or organization making an independent
48 expenditure; any candidate; any officer of any political
49 committee, affiliated party committee, or political party
50 executive committee; any officer, partner, attorney, or other
51 representative of a corporation, partnership, or other business
52 entity; and any agent or other person acting on behalf of any
53 candidate, political committee, affiliated party committee,
54 political party executive committee, or corporation,
55 partnership, or other business entity.

56 Section 2. This act shall take effect July 1, 2025.