



1 A bill to be entitled
2 An act relating to campaign finance; repealing s.
3 106.04, F.S., relating to the certification and
4 political activities of committees of continuous
5 existence; prohibiting a committee of continuous
6 existence from accepting a contribution after a
7 certain date; providing for revocation of the
8 certification of each committee of continuous
9 existence on a certain date; requiring the Division of
10 Elections to provide certain notifications to
11 committees of continuous existence; providing
12 procedures for disposition of funds and closing of the
13 committee account; providing penalties; providing for
14 the applicability of penalties incurred by the
15 committee of continuous existence; authorizing a
16 committee of continuous existence to make unlimited
17 contributions to a political committee; amending and
18 reordering s. 106.011, F.S., relating to definitions
19 applicable to provisions governing campaign financing;
20 deleting the definition of the term "committee of
21 continuous existence" to conform to changes made by
22 the act; revising the definition of the term
23 "election" to include the selection of members of
24 political party executive committees; conforming
25 cross-references; amending s. 106.021, F.S.; providing
26 requirements and restrictions on the use of
27 contributions received before a candidate changes his
28 or her candidacy to a different office; prohibiting a



29 | political committee from making an expenditure for the
30 | purpose of jointly endorsing three or more candidates
31 | outside the scope of the requirements of ch. 106,
32 | F.S.; amending s. 106.022, F.S.; conforming a
33 | provision to changes made by the act; amending s.
34 | 106.025, F.S.; providing that tickets or advertising
35 | for a campaign fundraiser must comply with the
36 | requirements of political advertisements circulated
37 | before an election; amending s. 106.03, F.S.;
38 | conforming provisions and cross-references to changes
39 | made by the act; amending s. 106.05, F.S.; revising
40 | the information that is required to appear on a bank
41 | account for deposit of funds; reenacting and amending
42 | s. 106.07, F.S., relating to reports by campaign
43 | treasurers; revising reporting requirements for
44 | candidates and political committees; conforming a
45 | cross-reference; creating s. 106.0702, F.S.; requiring
46 | certain individuals seeking a publicly elected
47 | position on a political party executive committee to
48 | file a report with the supervisor of elections before
49 | the primary election; providing filing and notice
50 | requirements; specifying the contents of the report;
51 | requiring the supervisor to make a specified form
52 | available to a reporting individual; requiring the
53 | reporting individual to certify to the correctness of
54 | the report; providing criminal penalties for a
55 | reporting individual who willfully files an incorrect,
56 | false, or incomplete report; providing for a fine



57 | under specified conditions; authorizing a reporting
58 | individual to appeal a fine to the Florida Elections
59 | Commission; requiring the supervisor to notify the
60 | commission of specified violations; amending s.
61 | 106.0703, F.S.; revising reporting requirements for
62 | electioneering communications organizations;
63 | reenacting and amending s. 106.0705, F.S., relating to
64 | the electronic filing of campaign treasurer's reports;
65 | conforming provisions and cross-references to changes
66 | made by the act; amending s. 106.08, F.S.; increasing
67 | the limitations on contributions made to certain
68 | candidates; removing limitations on contributions made
69 | to political committees; removing a limitation on
70 | contributions made by specified minors; revising
71 | limitations on contributions to nonstatewide
72 | candidates from specified political party committees;
73 | conforming provisions and cross-references to changes
74 | made by the act; reenacting and amending s. 106.11,
75 | F.S.; revising the information that is required to
76 | appear on bank account checks of candidates or
77 | political committees; revising information used to
78 | determine when debit cards are considered bank checks;
79 | amending s. 106.141, F.S.; prohibiting a candidate
80 | from giving more than a specified amount of surplus
81 | funds to an affiliated party committee or political
82 | party; increasing the amount of funds that certain
83 | candidates may transfer to an office account;
84 | specifying permissible expenses with office account



85 funds; defining the term "same office"; modifying
86 requirements and conditions for disposing of and
87 transferring surplus funds; authorizing certain
88 candidates to retain a specified amount of funds for
89 reelection to the same office; establishing
90 requirements and conditions for retained funds;
91 providing procedures for disposition of retained funds
92 in certain circumstances; making changes to conform to
93 the act; requiring the Division of Elections to submit
94 a proposal for a mandatory statewide electronic filing
95 system for certain state and local candidates to the
96 Legislature by a specified date; amending ss. 101.62,
97 102.031, 106.087, 106.12, 106.147, 106.17, 106.23,
98 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148,
99 112.3149, 1004.28, 1004.70, and 1004.71, F.S.;
100 conforming provisions and cross-references to changes
101 made by the act; reenacting s. 106.075(2), F.S.,
102 relating to contributions made to pay back campaign
103 loans incurred, to incorporate the amendment made to
104 s. 106.08, F.S., in a reference thereto; reenacting s.
105 106.19, F.S., relating to criminal and enhanced civil
106 penalties for certain campaign finance violations, to
107 incorporate the amendments made to s. 106.08, F.S., in
108 references thereto; providing appropriations;
109 authorizing specified numbers of full-time equivalent
110 positions with associated salary rates within the
111 Florida Elections Commission and the Division of
112 Elections; providing effective dates.



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

Section 1. Section 106.04, Florida Statutes, is repealed.

Section 2. (1) Effective August 1, 2013, a committee of continuous existence may not accept a contribution as defined in s. 106.011, Florida Statutes. By July 15, 2013, the Division of Elections of the Department of State shall notify each committee of continuous existence of the prohibition on accepting such a contribution as provided under this subsection.

(2) Effective September 30, 2013, the certification of each committee of continuous existence is revoked and all committee accounts must have a zero balance. By July 15, 2013, the Division of Elections of the Department of State shall notify each committee of continuous existence of the revocation of its certification pursuant to this subsection. Following the revocation of certification, each committee of continuous existence shall file any outstanding report as required by law.

(3) (a) A violation of this section or any other provision of chapter 106, Florida Statutes, constitutes a violation of chapter 106, Florida Statutes, regardless of whether the committee of continuous existence is legally dissolved.

(b) A political committee or electioneering communications organization that has received funds from a committee of continuous existence whose certification has been revoked and that is directly or indirectly established, maintained, or controlled by the same individual or group as the former committee of continuous existence, is responsible for any unpaid



141 fine or penalty incurred by the former committee of continuous
 142 existence. If no such political committee or electioneering
 143 communications organization exists, the principal officers of
 144 the former committee of continuous existence shall be jointly
 145 and severally liable for any fine or penalty.

146 (4) Notwithstanding any other provision of law, a
 147 committee of continuous existence may make unlimited
 148 contributions to a political committee.

149 (5) This section shall be effective upon this act becoming
 150 a law.

151 Section 3. Section 106.011, Florida Statutes, is reordered
 152 and amended to read:

153 106.011 Definitions.—As used in this chapter, the
 154 following terms have the following meanings unless the context
 155 clearly indicates otherwise:

156 (16)~~(1)~~ (a) "Political committee" means:

157 1. A combination of two or more individuals, or a person
 158 other than an individual, that, in an aggregate amount in excess
 159 of \$500 during a single calendar year:

160 a. Accepts contributions for the purpose of making
 161 contributions to any candidate, political committee, ~~committee~~
 162 ~~of continuous existence~~, affiliated party committee, or
 163 political party;

164 b. Accepts contributions for the purpose of expressly
 165 advocating the election or defeat of a candidate or the passage
 166 or defeat of an issue;

167 c. Makes expenditures that expressly advocate the election
 168 or defeat of a candidate or the passage or defeat of an issue;



169 or

170 d. Makes contributions to a common fund, other than a
171 joint checking account between spouses, from which contributions
172 are made to any candidate, political committee, ~~committee of~~
173 ~~continuous existence~~, affiliated party committee, or political
174 party;

175 2. The sponsor of a proposed constitutional amendment by
176 initiative who intends to seek the signatures of registered
177 electors.

178 (b) Notwithstanding paragraph (a), the following entities
179 are not considered political committees for purposes of this
180 chapter:

181 1. ~~Organizations which are certified by the Department of~~
182 ~~State as committees of continuous existence pursuant to s.~~
183 ~~106.04~~, National political parties, the state and county
184 executive committees of political parties, and affiliated party
185 committees regulated by chapter 103.

186 2. Corporations regulated by chapter 607 or chapter 617 or
187 other business entities formed for purposes other than to
188 support or oppose issues or candidates, if their political
189 activities are limited to contributions to candidates, political
190 parties, affiliated party committees, or political committees or
191 expenditures in support of or opposition to an issue from
192 corporate or business funds and if no contributions are received
193 by such corporations or business entities.

194 3. Electioneering communications organizations as defined
195 in subsection (9) ~~(19)~~.

196 ~~(2) "Committee of continuous existence" means any group,~~



197 ~~organization, association, or other such entity which is~~
198 ~~certified pursuant to the provisions of s. 106.04.~~

199 (5)~~(3)~~ "Contribution" means:

200 (a) A gift, subscription, conveyance, deposit, loan,
201 payment, or distribution of money or anything of value,
202 including contributions in kind having an attributable monetary
203 value in any form, made for the purpose of influencing the
204 results of an election or making an electioneering
205 communication.

206 (b) A transfer of funds between political committees,
207 ~~between committees of continuous existence,~~ between
208 electioneering communications organizations, or between any
209 combination of these groups.

210 (c) The payment, by a ~~any~~ person other than a candidate or
211 political committee, of compensation for the personal services
212 of another person which are rendered to a candidate or political
213 committee without charge to the candidate or committee for such
214 services.

215 (d) The transfer of funds by a campaign treasurer or
216 deputy campaign treasurer between a primary depository and a
217 separate interest-bearing account or certificate of deposit, and
218 the term includes ~~any~~ interest earned on such account or
219 certificate.

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221 Notwithstanding the foregoing meanings of "contribution," the
222 term may not be construed to include services, including, but
223 not limited to, legal and accounting services, provided without
224 compensation by individuals volunteering a portion or all of



225 | their time on behalf of a candidate or political committee or
 226 | editorial endorsements.

227 | (10)~~(4)~~(a) "Expenditure" means a purchase, payment,
 228 | distribution, loan, advance, transfer of funds by a campaign
 229 | treasurer or deputy campaign treasurer between a primary
 230 | depository and a separate interest-bearing account or
 231 | certificate of deposit, or gift of money or anything of value
 232 | made for the purpose of influencing the results of an election
 233 | or making an electioneering communication. However,
 234 | "expenditure" does not include a purchase, payment,
 235 | distribution, loan, advance, or gift of money or anything of
 236 | value made for the purpose of influencing the results of an
 237 | election when made by an organization, in existence before ~~prior~~
 238 | ~~to~~ the time during which a candidate qualifies or an issue is
 239 | placed on the ballot for that election, for the purpose of
 240 | printing or distributing such organization's newsletter,
 241 | containing a statement by such organization in support of or
 242 | opposition to a candidate or issue, which newsletter is
 243 | distributed only to members of such organization.

244 | (b) As used in this chapter, an "expenditure" for an
 245 | electioneering communication is made when the earliest of the
 246 | following occurs:

247 | 1. A person enters into a contract for applicable goods or
 248 | services;

249 | 2. A person makes payment, in whole or in part, for the
 250 | production or public dissemination of applicable goods or
 251 | services; or

252 | 3. The electioneering communication is publicly



253 disseminated.

254 (12)~~(5)~~(a) "Independent expenditure" means an expenditure
255 by a person for the purpose of expressly advocating the election
256 or defeat of a candidate or the approval or rejection of an
257 issue, which expenditure is not controlled by, coordinated with,
258 or made upon consultation with, any candidate, political
259 committee, or agent of such candidate or committee. An
260 expenditure for such purpose by a person having a contract with
261 the candidate, political committee, or agent of such candidate
262 or committee in a given election period is ~~shall not be deemed~~
263 an independent expenditure.

264 (b) An expenditure for the purpose of expressly advocating
265 the election or defeat of a candidate which is made by the
266 national, state, or county executive committee of a political
267 party, including any subordinate committee of the political
268 party, an affiliated party committee, a political committee, a
269 ~~committee of continuous existence,~~ or any other person is ~~shall~~
270 not ~~be~~ considered an independent expenditure if the committee or
271 person:

272 1. Communicates with the candidate, the candidate's
273 campaign, or an agent of the candidate acting on behalf of the
274 candidate, including a ~~any~~ pollster, media consultant,
275 advertising agency, vendor, advisor, or staff member, concerning
276 the preparation of, use of, or payment for, the specific
277 expenditure or advertising campaign at issue; ~~or~~

278 2. Makes a payment in cooperation, consultation, or
279 concert with, at the request or suggestion of, or pursuant to a
280 ~~any~~ general or particular understanding with the candidate, the



281 candidate's campaign, a political committee supporting the
 282 candidate, or an agent of the candidate relating to the specific
 283 expenditure or advertising campaign at issue; ~~or~~

284 3. Makes a payment for the dissemination, distribution, or
 285 republication, in whole or in part, of a any broadcast or a any
 286 written, graphic, or other form of campaign material prepared by
 287 the candidate, the candidate's campaign, or an agent of the
 288 candidate, including a any pollster, media consultant,
 289 advertising agency, vendor, advisor, or staff member; ~~or~~

290 4. Makes a payment based on information about the
 291 candidate's plans, projects, or needs communicated to a member
 292 of the committee or person by the candidate or an agent of the
 293 candidate, provided the committee or person uses the information
 294 in any way, in whole or in part, either directly or indirectly,
 295 to design, prepare, or pay for the specific expenditure or
 296 advertising campaign at issue; ~~or~~

297 5. After the last day of the qualifying period prescribed
 298 for the candidate, consults about the candidate's plans,
 299 projects, or needs in connection with the candidate's pursuit of
 300 election to office and the information is used in any way to
 301 plan, create, design, or prepare an independent expenditure or
 302 advertising campaign, with:

303 a. An Any officer, director, employee, or agent of a
 304 national, state, or county executive committee of a political
 305 party or an affiliated party committee that has made or intends
 306 to make expenditures in connection with or contributions to the
 307 candidate; or

308 b. A Any person whose professional services have been



309 retained by a national, state, or county executive committee of
 310 a political party or an affiliated party committee that has made
 311 or intends to make expenditures in connection with or
 312 contributions to the candidate; ~~or~~

313 6. After the last day of the qualifying period prescribed
 314 for the candidate, retains the professional services of a ~~any~~
 315 person also providing those services to the candidate in
 316 connection with the candidate's pursuit of election to office;
 317 or

318 7. Arranges, coordinates, or directs the expenditure, in
 319 any way, with the candidate or an agent of the candidate.

320 (7) ~~(6)~~ "Election" means a ~~any~~ primary election, special
 321 primary election, general election, special election, or
 322 municipal election held in this state for the purpose of
 323 nominating or electing candidates to public office, choosing
 324 delegates to the national nominating conventions of political
 325 parties, selecting a member of a political party executive
 326 committee, or submitting an issue to the electors for their
 327 approval or rejection.

328 (13) ~~(7)~~ "Issue" means a ~~any~~ proposition that ~~which~~ is
 329 required by the State Constitution, by law or resolution of the
 330 Legislature, or by the charter, ordinance, or resolution of a
 331 ~~any~~ political subdivision of this state to be submitted to the
 332 electors for their approval or rejection at an election, or a
 333 ~~any~~ proposition for which a petition is circulated in order to
 334 have such proposition placed on the ballot at an ~~any~~ election.

335 (14) ~~(8)~~ "Person" means an individual or a corporation,
 336 association, firm, partnership, joint venture, joint stock



337 company, club, organization, estate, trust, business trust,
338 syndicate, or other combination of individuals having collective
339 capacity. The term includes a political party, affiliated party
340 committee, or political committee, ~~or committee of continuous~~
341 ~~existence.~~

342 ~~(2)-(9)~~ "Campaign treasurer" means an individual appointed
343 by a candidate or political committee as provided in this
344 chapter.

345 ~~(17)-(10)~~ "Public office" means a ~~any~~ state, county,
346 municipal, or school or other district office or position that
347 ~~which~~ is filled by vote of the electors.

348 ~~(1)-(11)~~ "Campaign fund raiser" means an ~~any~~ affair held to
349 raise funds to be used in a campaign for public office.

350 ~~(6)-(12)~~ "Division" means the Division of Elections of the
351 Department of State.

352 ~~(4)-(13)~~ "Communications media" means broadcasting
353 stations, newspapers, magazines, outdoor advertising facilities,
354 printers, direct mail, advertising agencies, the Internet, and
355 telephone companies; but with respect to telephones, an
356 expenditure is ~~shall be~~ deemed to be an expenditure for the use
357 of communications media only if made for the costs of
358 telephones, paid telephonists, or automatic telephone equipment
359 to be used by a candidate or a political committee to
360 communicate with potential voters but excluding the ~~any~~ costs of
361 telephones incurred by a volunteer for use of telephones by such
362 volunteer; however, with respect to the Internet, an expenditure
363 is ~~shall be~~ deemed an expenditure for use of communications
364 media only if made for the cost of creating or disseminating a



365 message on a computer information system accessible by more than
366 one person but excluding internal communications of a campaign
367 or of any group.

368 ~~(11)-(14)~~ "Filing officer" means the person before whom a
369 candidate qualifies or, the agency or officer with whom a
370 political committee or an electioneering communications
371 organization registers, ~~or the agency by whom a committee of~~
372 ~~continuous existence is certified.~~

373 ~~(18)-(15)~~ "Unopposed candidate" means a candidate for
374 nomination or election to an office who, after the last day on
375 which a ~~any~~ person, including a write-in candidate, may qualify,
376 is without opposition in the election at which the office is to
377 be filled or who is without such opposition after such date as a
378 result of a ~~any~~ primary election or of withdrawal by other
379 candidates seeking the same office. A candidate is not an
380 unopposed candidate if there is a vacancy to be filled under s.
381 100.111(3), if there is a legal proceeding pending regarding the
382 right to a ballot position for the office sought by the
383 candidate, or if the candidate is seeking retention as a justice
384 or judge.

385 ~~(3)-(16)~~ "Candidate" means a ~~any~~ person to whom any ~~one or~~
386 ~~more~~ of the following applies ~~apply~~:

387 (a) A ~~Any~~ person who seeks to qualify for nomination or
388 election by means of the petitioning process.

389 (b) A ~~Any~~ person who seeks to qualify for election as a
390 write-in candidate.

391 (c) A ~~Any~~ person who receives contributions or makes
392 expenditures, or consents for any other person to receive



393 contributions or make expenditures, with a view to bring about
394 his or her nomination or election to, or retention in, public
395 office.

396 (d) A ~~Any~~ person who appoints a treasurer and designates a
397 primary depository.

398 (e) A ~~Any~~ person who files qualification papers and
399 subscribes to a candidate's oath as required by law.

400

401 However, this definition does not include any candidate for a
402 political party executive committee. Expenditures related to
403 potential candidate polls as provided in s. 106.17 are not
404 contributions or expenditures for purposes of this subsection.

405 ~~(15)-(17)~~ "Political advertisement" means a paid expression
406 in a ~~any~~ communications media prescribed in subsection (4) ~~(13)~~,
407 whether radio, television, newspaper, magazine, periodical,
408 campaign literature, direct mail, or display or by means other
409 than the spoken word in direct conversation, which expressly
410 advocates the election or defeat of a candidate or the approval
411 or rejection of an issue. However, political advertisement does
412 not include:

413 (a) A statement by an organization, in existence before
414 ~~prior to~~ the time during which a candidate qualifies or an issue
415 is placed on the ballot for that election, in support of or
416 opposition to a candidate or issue, in that organization's
417 newsletter, which newsletter is distributed only to the members
418 of that organization.

419 (b) Editorial endorsements by a ~~any~~ newspaper, a radio or
420 television station, or any other recognized news medium.



421 (8)~~(18)~~(a) "Electioneering communication" means ~~any~~
422 communication that is publicly distributed by a television
423 station, radio station, cable television system, satellite
424 system, newspaper, magazine, direct mail, or telephone and that:

425 1. Refers to or depicts a clearly identified candidate for
426 office without expressly advocating the election or defeat of a
427 candidate but that is susceptible of no reasonable
428 interpretation other than an appeal to vote for or against a
429 specific candidate;

430 2. Is made within 30 days before a primary or special
431 primary election or 60 days before any other election for the
432 office sought by the candidate; and

433 3. Is targeted to the relevant electorate in the
434 geographic area the candidate would represent if elected.

435 (b) The term "electioneering communication" does not
436 include:

437 1. A communication disseminated through a means of
438 communication other than a television station, radio station,
439 cable television system, satellite system, newspaper, magazine,
440 direct mail, telephone, or statement or depiction by an
441 organization, in existence before ~~prior to~~ the time during which
442 a candidate named or depicted qualifies for that election, made
443 in that organization's newsletter, which newsletter is
444 distributed only to members of that organization.

445 2. A communication in a news story, commentary, or
446 editorial distributed through the facilities of a ~~any~~ radio
447 station, television station, cable television system, or
448 satellite system, unless the facilities are owned or controlled



449 by a ~~any~~ political party, political committee, or candidate. A
450 news story distributed through the facilities owned or
451 controlled by a ~~any~~ political party, political committee, or
452 candidate may nevertheless be exempt if it represents a bona
453 fide news account communicated through a licensed broadcasting
454 facility and the communication is part of a general pattern of
455 campaign-related news accounts that give reasonably equal
456 coverage to all opposing candidates in the area.

457 3. A communication that constitutes a public debate or
458 forum that includes at least two opposing candidates for an
459 office or one advocate and one opponent of an issue, or that
460 solely promotes such a debate or forum and is made by or on
461 behalf of the person sponsoring the debate or forum, provided
462 that:

463 a. The staging organization is either:

464 (I) A charitable organization that does not make other
465 electioneering communications and does not otherwise support or
466 oppose any political candidate or political party; or

467 (II) A newspaper, radio station, television station, or
468 other recognized news medium; and

469 b. The staging organization does not structure the debate
470 to promote or advance one candidate or issue position over
471 another.

472 (c) For purposes of this chapter, an expenditure made for,
473 or in furtherance of, an electioneering communication is ~~shall~~
474 not ~~be~~ considered a contribution to or on behalf of any
475 candidate.

476 (d) For purposes of this chapter, an electioneering



477 | communication does ~~shall~~ not constitute an independent
 478 | expenditure and is not ~~nor be~~ subject to the limitations
 479 | applicable to independent expenditures.

480 | ~~(9) (19)~~ "Electioneering communications organization" means
 481 | any group, other than a political party, affiliated party
 482 | committee, or political committee, ~~or committee of continuous~~
 483 | ~~existence,~~ whose election-related activities are limited to
 484 | making expenditures for electioneering communications or
 485 | accepting contributions for the purpose of making electioneering
 486 | communications and whose activities would not otherwise require
 487 | the group to register as a political party or, political
 488 | committee, ~~or committee of continuous existence~~ under this
 489 | chapter.

490 | Section 4. Paragraph (a) of subsection (1) and paragraph
 491 | (d) of subsection (3) of section 106.021, Florida Statutes, are
 492 | amended to read:

493 | 106.021 Campaign treasurers; deputies; primary and
 494 | secondary depositories.—

495 | (1) (a) Each candidate for nomination or election to office
 496 | and each political committee shall appoint a campaign treasurer.
 497 | Each person who seeks to qualify for nomination or election to,
 498 | or retention in, office shall appoint a campaign treasurer and
 499 | designate a primary campaign depository before ~~prior to~~
 500 | qualifying for office. Any person who seeks to qualify for
 501 | election or nomination to any office by means of the petitioning
 502 | process shall appoint a treasurer and designate a primary
 503 | depository on or before the date he or she obtains the
 504 | petitions. ~~Each candidate shall~~ At the same time a candidate ~~he~~



505 | ~~or she~~ designates a campaign depository and appoints a
506 | treasurer, the candidate shall also designate the office for
507 | which he or she is a candidate. If the candidate is running for
508 | an office that ~~which~~ will be grouped on the ballot with two or
509 | more similar offices to be filled at the same election, the
510 | candidate must indicate for which group or district office he or
511 | she is running. ~~Nothing in~~ This subsection does not ~~shall~~
512 | prohibit a candidate, at a later date, from changing the
513 | designation of the office for which he or she is a candidate.
514 | However, if a candidate changes the designated office for which
515 | he or she is a candidate, the candidate must notify all
516 | contributors in writing of the intent to seek a different office
517 | and offer to return pro rata, upon their request, those
518 | contributions given in support of the original office sought.
519 | This notification shall be given within 15 days after the filing
520 | of the change of designation and shall include a standard form
521 | developed by the Division of Elections for requesting the return
522 | of contributions. The notice requirement does ~~shall~~ not apply to
523 | any change in a numerical designation resulting solely from
524 | redistricting. If, within 30 days after being notified by the
525 | candidate of the intent to seek a different office, the
526 | contributor notifies the candidate in writing that the
527 | contributor wishes his or her contribution to be returned, the
528 | candidate shall return the contribution, on a pro rata basis,
529 | calculated as of the date the change of designation is filed. Up
530 | to a maximum of the contribution limits specified in s. 106.08,
531 | a candidate who runs for an office other than the office
532 | originally designated may use any contribution that a donor does



533 not request ~~Any contributions not requested to~~ be returned
534 within the 30-day period for the newly designated office,
535 provided the candidate disposes of any amount exceeding the
536 contribution limit pursuant to the options in s. 106.11(5)(b)
537 and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s.
538 106.141(4)(a)4.; notwithstanding, the full amount of the
539 contribution for the original office shall count toward the
540 contribution limits specified in s. 106.08 for the newly
541 designated office ~~may be used by the candidate for the newly~~
542 ~~designated office.~~ A ~~No~~ person may not ~~shall~~ accept any
543 contribution or make any expenditure with a view to bringing
544 about his or her nomination, election, or retention in public
545 office, or authorize another to accept such contributions or
546 make such expenditure on the person's behalf, unless such person
547 has appointed a campaign treasurer and designated a primary
548 campaign depository. A candidate for an office voted upon
549 statewide may appoint not more than 15 deputy campaign
550 treasurers, and any other candidate or political committee may
551 appoint not more than 3 deputy campaign treasurers. The names
552 and addresses of the campaign treasurer and deputy campaign
553 treasurers so appointed shall be filed with the officer before
554 whom such candidate is required to qualify or with whom such
555 political committee is required to register pursuant to s.
556 106.03.

557 (3) No contribution or expenditure, including
558 contributions or expenditures of a candidate or of the
559 candidate's family, shall be directly or indirectly made or
560 received in furtherance of the candidacy of any person for



561 nomination or election to political office in the state or on
562 behalf of any political committee except through the duly
563 appointed campaign treasurer of the candidate or political
564 committee, subject to the following exceptions:

565 (d) Expenditures made directly by any ~~political committee,~~
566 ~~affiliated party committee,~~ or political party regulated by
567 chapter 103 for obtaining time, space, or services in or by any
568 communications medium for the purpose of jointly endorsing three
569 or more candidates, and any such expenditure may ~~shall~~ not be
570 considered a contribution or expenditure to or on behalf of any
571 such candidates for the purposes of this chapter.

572 Section 5. Subsection (1) of section 106.022, Florida
573 Statutes, is amended to read:

574 106.022 Appointment of a registered agent; duties.—

575 (1) Each political committee, ~~committee of continuous~~
576 ~~existence,~~ or electioneering communications organization shall
577 have and continuously maintain in this state a registered office
578 and a registered agent and must file with the filing officer a
579 statement of appointment for the registered office and
580 registered agent. The statement of appointment must:

581 (a) Provide the name of the registered agent and the
582 street address and phone number for the registered office;

583 (b) Identify the entity for whom the registered agent
584 serves;

585 (c) Designate the address the registered agent wishes to
586 use to receive mail;

587 (d) Include the entity's undertaking to inform the filing
588 officer of any change in such designated address;



589 (e) Provide for the registered agent's acceptance of the
 590 appointment, which must confirm that the registered agent is
 591 familiar with and accepts the obligations of the position as set
 592 forth in this section; and

593 (f) Contain the signature of the registered agent and the
 594 entity engaging the registered agent.

595 Section 6. Paragraph (c) of subsection (1) of section
 596 106.025, Florida Statutes, is amended to read:

597 106.025 Campaign fund raisers.—

598 (1)

599 (c) Any tickets or advertising for ~~such~~ a campaign fund
 600 raiser must comply with ~~is exempt from~~ the requirements of s.
 601 106.143.

602 Section 7. Paragraph (b) of subsection (1) and subsection
 603 (2) of section 106.03, Florida Statutes, are amended to read:

604 106.03 Registration of political committees and
 605 electioneering communications organizations.—

606 (1)

607 (b)1. Each group shall file a statement of organization as
 608 an electioneering communications organization within 24 hours
 609 after the date on which it makes expenditures for an
 610 electioneering communication in excess of \$5,000, if such
 611 expenditures are made within the timeframes specified in s.
 612 106.011(8)(a)2. ~~106.011(18)(a)2.~~ If the group makes expenditures
 613 for an electioneering communication in excess of \$5,000 before
 614 the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~,
 615 it shall file the statement of organization within 24 hours
 616 after the 30th day before a primary or special primary election,



617 or within 24 hours after the 60th day before any other election,
618 whichever is applicable.

619 2.a. In a statewide, legislative, or multicounty election,
620 an electioneering communications organization shall file a
621 statement of organization with the Division of Elections.

622 b. In a countywide election or any election held on less
623 than a countywide basis, except as described in sub-subparagraph
624 c., an electioneering communications organization shall file a
625 statement of organization with the supervisor of elections of
626 the county in which the election is being held.

627 c. In a municipal election, an electioneering
628 communications organization shall file a statement of
629 organization with the officer before whom municipal candidates
630 qualify.

631 d. Any electioneering communications organization that
632 would be required to file a statement of organization in two or
633 more locations need only file a statement of organization with
634 the Division of Elections.

635 (2) The statement of organization shall include:

636 (a) The name, mailing address, and street address of the
637 committee or electioneering communications organization;

638 (b) The names, street addresses, and relationships of
639 affiliated or connected organizations, including any affiliated
640 sponsors;

641 (c) The area, scope, or jurisdiction of the committee or
642 electioneering communications organization;

643 (d) The name, mailing address, street address, and
644 position of the custodian of books and accounts;



- 645 (e) The name, mailing address, street address, and
646 position of other principal officers, including the treasurer
647 and deputy treasurer, if any;
- 648 (f) The name, address, office sought, and party
649 affiliation of:
- 650 1. Each candidate whom the committee is supporting;
 - 651 2. Any other individual, if any, whom the committee is
652 supporting for nomination for election, or election, to any
653 public office whatever;
- 654 (g) Any issue or issues the committee is supporting or
655 opposing;
- 656 (h) If the committee is supporting the entire ticket of
657 any party, a statement to that effect and the name of the party;
- 658 (i) A statement of whether the committee is a continuing
659 one;
- 660 (j) Plans for the disposition of residual funds which will
661 be made in the event of dissolution;
- 662 (k) A listing of all banks, safe-deposit boxes, or other
663 depositories used for committee or electioneering communications
664 organization funds;
- 665 (l) A statement of the reports required to be filed by the
666 committee or the electioneering communications organization with
667 federal officials, if any, and the names, addresses, and
668 positions of such officials; and
- 669 (m) A statement of whether the electioneering
670 communications organization was formed as a newly created
671 organization during the current calendar quarter or was formed
672 from an organization existing prior to the current calendar



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673 quarter. For purposes of this subsection, calendar quarters end
674 the last day of March, June, September, and December.

675 Section 8. Section 106.05, Florida Statutes, is amended to
676 read:

677 106.05 Deposit of contributions; statement of campaign
678 treasurer.—All funds received by the campaign treasurer of any
679 candidate or political committee shall, prior to the end of the
680 5th business day following the receipt thereof, Saturdays,
681 Sundays, and legal holidays excluded, be deposited in a campaign
682 depository designated pursuant to s. 106.021, in an account that
683 contains the designated "...(name of the candidate or
684 committee.)... ~~Campaign Account.~~" Except for contributions to
685 political committees made by payroll deduction, all deposits
686 shall be accompanied by a bank deposit slip containing the name
687 of each contributor and the amount contributed by each. If a
688 contribution is deposited in a secondary campaign depository,
689 the depository shall forward the full amount of the deposit,
690 along with a copy of the deposit slip accompanying the deposit,
691 to the primary campaign depository prior to the end of the 1st
692 business day following the deposit.

693 Section 9. Section 106.07, Florida Statutes, is reenacted
694 and amended to read:

695 106.07 Reports; certification and filing.—

696 (1) Each campaign treasurer designated by a candidate or
697 political committee pursuant to s. 106.021 shall file regular
698 reports of all contributions received, and all expenditures
699 made, by or on behalf of such candidate or political committee.
700 Except as provided in paragraphs (a) and (b) ~~for the third~~



701 ~~calendar quarter immediately preceding a general election,~~
702 reports shall be filed on the 10th day following the end of each
703 calendar month ~~quarter~~ from the time the campaign treasurer is
704 appointed, except that, if the 10th day following the end of a
705 calendar month ~~quarter~~ occurs on a Saturday, Sunday, or legal
706 holiday, the report shall be filed on the next following day
707 that ~~which~~ is not a Saturday, Sunday, or legal holiday. Monthly
708 ~~Quarterly~~ reports shall include all contributions received and
709 expenditures made during the calendar month ~~quarter~~ which have
710 not otherwise been reported pursuant to this section.

711 (a) A statewide candidate or a political committee
712 required to file reports with the division must file reports:

713 1. On the 60th day immediately preceding the primary
714 election, and each week thereafter, with the last weekly report
715 being filed on the 4th day immediately preceding the general
716 election.

717 2. On the 10th day immediately preceding the general
718 election, and each day thereafter, with the last daily report
719 being filed the 5th day immediately preceding the general
720 election ~~Except as provided in paragraph (b), the reports shall~~
721 ~~also be filed on the 32nd, 18th, and 4th days immediately~~
722 ~~preceding the primary and on the 46th, 32nd, 18th, and 4th days~~
723 ~~immediately preceding the election, for a candidate who is~~
724 ~~opposed in seeking nomination or election to any office, for a~~
725 ~~political committee, or for a committee of continuous existence.~~

726 (b) Any other candidate or a political committee required
727 to file reports with a filing officer other than the division
728 must file reports on the 60th day immediately preceding the



729 primary election, and biweekly on each Friday thereafter through
730 and including the 4th day immediately preceding the general
731 election, with additional reports due on the 25th and 11th days
732 before the primary election and the general election ~~Any~~
733 ~~statewide candidate who has requested to receive contributions~~
734 ~~pursuant to the Florida Election Campaign Financing Act or any~~
735 ~~statewide candidate in a race with a candidate who has requested~~
736 ~~to receive contributions pursuant to the act shall also file~~
737 ~~reports on the 4th, 11th, 18th, 25th, and 32nd days prior to the~~
738 ~~primary election, and on the 4th, 11th, 18th, 25th, 32nd, 39th,~~
739 ~~46th, and 53rd days prior to the general election.~~

740 (c) Following the last day of qualifying for office, any
741 unopposed candidate need only file a report within 90 days after
742 the date such candidate became unopposed. Such report shall
743 contain all previously unreported contributions and expenditures
744 as required by this section and shall reflect disposition of
745 funds as required by s. 106.141.

746 (d)1. When a special election is called to fill a vacancy
747 in office, all political committees making contributions or
748 expenditures to influence the results of such special election
749 or the preceding special primary election shall file campaign
750 treasurers' reports with the filing officer on the dates set by
751 the Department of State pursuant to s. 100.111.

752 2. When an election is called for an issue to appear on
753 the ballot at a time when no candidates are scheduled to appear
754 on the ballot, all political committees making contributions or
755 expenditures in support of or in opposition to such issue shall
756 file reports on the 18th and 4th days before ~~prior to~~ such



757 election.

758 (e) The filing officer shall provide each candidate with a
759 schedule designating the beginning and end of reporting periods
760 as well as the corresponding designated due dates.

761 (2)(a)1. All reports required of a candidate by this
762 section shall be filed with the officer before whom the
763 candidate is required by law to qualify. All candidates who file
764 with the Department of State shall file their reports pursuant
765 to s. 106.0705. Except as provided in s. 106.0705, reports shall
766 be filed not later than 5 p.m. of the day designated; however,
767 any report postmarked by the United States Postal Service no
768 later than midnight of the day designated is ~~shall be~~ deemed to
769 have been filed in a timely manner. Any report received by the
770 filing officer within 5 days after the designated due date that
771 was delivered by the United States Postal Service is ~~shall be~~
772 deemed timely filed unless it has a postmark that indicates that
773 the report was mailed after the designated due date. A
774 certificate of mailing obtained from and dated by the United
775 States Postal Service at the time of mailing, or a receipt from
776 an established courier company, which bears a date on or before
777 the date on which the report is due, suffices as ~~shall be~~ proof
778 of mailing in a timely manner. Reports other than daily reports
779 must ~~shall~~ contain information on ~~of~~ all previously unreported
780 contributions received and expenditures made as of the preceding
781 Friday, except that the report filed on the Friday immediately
782 preceding the election must ~~shall~~ contain information on ~~of~~
783 previously unreported contributions received and expenditures
784 made as of the day preceding that designated due date; daily



785 reports must contain information on all previously unreported
786 contributions received as of the preceding day. All such reports
787 are ~~shall be~~ open to public inspection.

788 2. This subsection does not prohibit the governing body of
789 a political subdivision, by ordinance or resolution, from
790 imposing upon its own officers and candidates electronic filing
791 requirements not in conflict with s. 106.0705. Expenditure of
792 public funds for such purpose is deemed to be for a valid public
793 purpose.

794 (b)1. Any report that is deemed to be incomplete by the
795 officer with whom the candidate qualifies must ~~shall~~ be accepted
796 on a conditional basis. The campaign treasurer shall be notified
797 by certified mail or by another method using a common carrier
798 that provides a proof of delivery of the notice as to why the
799 report is incomplete and within 7 days after receipt of such
800 notice must file an addendum to the report providing all
801 information necessary to complete the report in compliance with
802 this section. Failure to file a complete report after such
803 notice constitutes a violation of this chapter.

804 2. Notice is deemed complete upon proof of delivery of a
805 written notice to the mailing or street address of the campaign
806 treasurer or registered agent of record with the filing officer.

807 (3) Reports required of a political committee shall be
808 filed with the agency or officer before whom such committee
809 registers pursuant to s. 106.03(3) and shall be subject to the
810 same filing conditions as established for candidates' reports.
811 Incomplete reports by political committees shall be treated in
812 the manner provided for incomplete reports by candidates in



813 subsection (2).

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

818 1. The full name, address, and occupation, if any of each
819 person who has made one or more contributions to or for such
820 committee or candidate within the reporting period, together
821 with the amount and date of such contributions. For
822 corporations, the report must provide as clear a description as
823 practicable of the principal type of business conducted by the
824 corporation. However, if the contribution is \$100 or less or is
825 from a relative, as defined in s. 112.312, provided that the
826 relationship is reported, the occupation of the contributor or
827 the principal type of business need not be listed.

828 2. The name and address of each political committee from
829 which the reporting committee or the candidate received, or to
830 which the reporting committee or candidate made, any transfer of
831 funds, together with the amounts and dates of all transfers.

832 3. Each loan for campaign purposes to or from any person
833 or political committee within the reporting period, together
834 with the full names, addresses, and occupations, and principal
835 places of business, if any, of the lender and endorsers, if any,
836 and the date and amount of such loans.

837 4. A statement of each contribution, rebate, refund, or
838 other receipt not otherwise listed under subparagraphs 1.
839 through 3.

840 5. The total sums of all loans, in-kind contributions, and



841 other receipts by or for such committee or candidate during the
842 reporting period. The reporting forms shall be designed to
843 elicit separate totals for in-kind contributions, loans, and
844 other receipts.

845 6. The full name and address of each person to whom
846 expenditures have been made by or on behalf of the committee or
847 candidate within the reporting period; the amount, date, and
848 purpose of each such expenditure; and the name and address of,
849 and office sought by, each candidate on whose behalf such
850 expenditure was made. However, expenditures made from the petty
851 cash fund provided by s. 106.12 need not be reported
852 individually.

853 7. The full name and address of each person to whom an
854 expenditure for personal services, salary, or reimbursement for
855 authorized expenses as provided in s. 106.021(3) has been made
856 and which is not otherwise reported, including the amount, date,
857 and purpose of such expenditure. However, expenditures made from
858 the petty cash fund provided for in s. 106.12 need not be
859 reported individually. Receipts for reimbursement for authorized
860 expenditures shall be retained by the treasurer along with the
861 records for the campaign account.

862 8. The total amount withdrawn and the total amount spent
863 for petty cash purposes pursuant to this chapter during the
864 reporting period.

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

867 10. The amount and nature of debts and obligations owed by
868 or to the committee or candidate, which relate to the conduct of



869 any political campaign.

870 11. Transaction information for each credit card purchase.
871 Receipts for each credit card purchase shall be retained by the
872 treasurer with the records for the campaign account.

873 12. The amount and nature of any separate interest-bearing
874 accounts or certificates of deposit and identification of the
875 financial institution in which such accounts or certificates of
876 deposit are located.

877 13. The primary purposes of an expenditure made indirectly
878 through a campaign treasurer pursuant to s. 106.021(3) for goods
879 and services such as communications media placement or
880 procurement services, campaign signs, insurance, and other
881 expenditures that include multiple components as part of the
882 expenditure. The primary purpose of an expenditure shall be that
883 purpose, including integral and directly related components,
884 that comprises 80 percent of such expenditure.

885 (b) Multiple uniform contributions from the same person,
886 aggregating no more than \$250 per calendar year, collected by an
887 organization that is the affiliated sponsor of a political
888 committee, may be reported by the political committee in an
889 aggregate amount listing the number of contributors together
890 with the amount contributed by each and the total amount
891 contributed during the reporting period. The identity of each
892 person making such uniform contribution must be reported to the
893 filing officer as provided in subparagraph (a)1. by July 1 of
894 each calendar year, or, in a general election year, no later
895 than the 60th day immediately preceding the primary election.

896 (c) ~~(b)~~ The filing officer shall make available to any



897 candidate or committee a reporting form which the candidate or
898 committee may use to indicate contributions received by the
899 candidate or committee but returned to the contributor before
900 deposit.

901 (5) The candidate and his or her campaign treasurer, in
902 the case of a candidate, or the political committee chair and
903 campaign treasurer of the committee, in the case of a political
904 committee, shall certify as to the correctness of each report;
905 and each person so certifying shall bear the responsibility for
906 the accuracy and veracity of each report. Any campaign
907 treasurer, candidate, or political committee chair who willfully
908 certifies the correctness of any report while knowing that such
909 report is incorrect, false, or incomplete commits a misdemeanor
910 of the first degree, punishable as provided in s. 775.082 or s.
911 775.083.

912 (6) The records maintained by the campaign depository with
913 respect to any campaign account regulated by this chapter are
914 subject to inspection by an agent of the Division of Elections
915 or the Florida Elections Commission at any time during normal
916 banking hours, and such depository shall furnish certified
917 copies of any of such records to the Division of Elections or
918 Florida Elections Commission upon request.

919 (7) Notwithstanding any other provisions of this chapter,
920 in any reporting period during which a candidate or political
921 committee, ~~or committee of continuous existence~~ has not received
922 funds, made any contributions, or expended any reportable funds,
923 the filing of the required report for that period is waived.
924 However, the next report filed must specify that the report



925 covers the entire period between the last submitted report and
 926 the report being filed, and any candidate or political
 927 committee, ~~or committee of continuous existence~~ not reporting by
 928 virtue of this subsection on dates prescribed elsewhere in this
 929 chapter shall notify the filing officer in writing on the
 930 prescribed reporting date that no report is being filed on that
 931 date.

932 (8) (a) Any candidate or political committee failing to
 933 file a report on the designated due date is subject to a fine as
 934 provided in paragraph (b) for each late day, and, in the case of
 935 a candidate, such fine shall be paid only from personal funds of
 936 the candidate. The fine shall be assessed by the filing officer
 937 and the moneys collected shall be deposited:

938 1. In the General Revenue Fund, in the case of a candidate
 939 for state office or a political committee that registers with
 940 the Division of Elections; or

941 2. In the general revenue fund of the political
 942 subdivision, in the case of a candidate for an office of a
 943 political subdivision or a political committee that registers
 944 with an officer of a political subdivision.

945
 946 No separate fine shall be assessed for failure to file a copy of
 947 any report required by this section.

948 (b) Upon determining that a report is late, the filing
 949 officer shall immediately notify the candidate or chair of the
 950 political committee as to the failure to file a report by the
 951 designated due date and that a fine is being assessed for each
 952 late day. The fine is ~~shall be~~ \$50 per day for the first 3 days



953 late and, thereafter, \$500 per day for each late day, not to
954 exceed 25 percent of the total receipts or expenditures,
955 whichever is greater, for the period covered by the late report.
956 However, for the reports immediately preceding each special
957 primary election, special election, primary election, and
958 general election, the fine is ~~shall be~~ \$500 per day for each
959 late day, not to exceed 25 percent of the total receipts or
960 expenditures, whichever is greater, for the period covered by
961 the late report. For reports required under s. 106.141(8)
962 ~~106.141(7)~~, the fine is \$50 per day for each late day, not to
963 exceed 25 percent of the total receipts or expenditures,
964 whichever is greater, for the period covered by the late report.
965 Upon receipt of the report, the filing officer shall determine
966 the amount of the fine which is due and shall notify the
967 candidate or chair or registered agent of the political
968 committee. The filing officer shall determine the amount of the
969 fine due based upon the earliest of the following:

- 970 1. When the report is actually received by such officer.
- 971 2. When the report is postmarked.
- 972 3. When the certificate of mailing is dated.
- 973 4. When the receipt from an established courier company is
974 dated.
- 975 5. When the electronic receipt issued pursuant to s.
976 106.0705 or other electronic filing system authorized in this
977 section is dated.

978

979 Such fine shall be paid to the filing officer within 20 days
980 after receipt of the notice of payment due, unless appeal is



981 made to the Florida Elections Commission pursuant to paragraph
982 (c). Notice is deemed complete upon proof of delivery of written
983 notice to the mailing or street address on record with the
984 filing officer. In the case of a candidate, such fine is ~~shall~~
985 not ~~be~~ an allowable campaign expenditure and shall be paid only
986 from personal funds of the candidate. An officer or member of a
987 political committee is ~~shall~~ not ~~be~~ personally liable for such
988 fine.

989 (c) Any candidate or chair of a political committee may
990 appeal or dispute the fine, based upon, but not limited to,
991 unusual circumstances surrounding the failure to file on the
992 designated due date, and may request and shall be entitled to a
993 hearing before the Florida Elections Commission, which shall
994 have the authority to waive the fine in whole or in part. The
995 Florida Elections Commission must consider the mitigating and
996 aggravating circumstances contained in s. 106.265(2) when
997 determining the amount of a fine, if any, to be waived. Any such
998 request shall be made within 20 days after receipt of the notice
999 of payment due. In such case, the candidate or chair of the
1000 political committee shall, within the 20-day period, notify the
1001 filing officer in writing of his or her intention to bring the
1002 matter before the commission.

1003 (d) The appropriate filing officer shall notify the
1004 Florida Elections Commission of the repeated late filing by a
1005 candidate or political committee, the failure of a candidate or
1006 political committee to file a report after notice, or the
1007 failure to pay the fine imposed. The commission shall
1008 investigate only those alleged late filing violations



1009 specifically identified by the filing officer and as set forth
1010 in the notification. Any other alleged violations must be
1011 separately stated and reported by the division to the commission
1012 under s. 106.25(2).

1013 (9) The Department of State may prescribe by rule the
1014 requirements for filing campaign treasurers' reports as set
1015 forth in this chapter.

1016 Section 10. Section 106.0702, Florida Statutes, is created
1017 to read:

1018 106.0702 Reporting; political party executive committee
1019 candidates.-

1020 (1) An individual seeking a publicly elected position on a
1021 political party executive committee who receives a contribution
1022 or makes an expenditure shall file a report of all contributions
1023 received and all expenditures made. The report shall be filed on
1024 the 4th day immediately preceding the primary election.

1025 (2) (a) The report shall be filed with the supervisor of
1026 elections of the appropriate county. Reports shall be filed no
1027 later than 5 p.m. of the day designated; however, any report
1028 postmarked by the United States Postal Service by the day
1029 designated shall be deemed to have been filed in a timely
1030 manner. Any report received by the filing officer within 5 days
1031 after the designated due date shall be deemed timely filed
1032 unless it has a postmark that indicates that the report was
1033 mailed after the designated due date. A certificate of mailing
1034 obtained from and dated by the United States Postal Service at
1035 the time of mailing, or a receipt from an established courier
1036 company, which bears a date on or before the date on which the



1037 report is due is proof of mailing in a timely manner. The report
1038 filed must contain information of all contributions received and
1039 expenditures made as of the day preceding the designated due
1040 date. All such reports must be open to public inspection.

1041 (b) A reporting individual may submit the report required
1042 under this section through an electronic filing system, if used
1043 by the supervisor for other candidates, in order to satisfy the
1044 filing requirement. Such reports shall be completed and filed
1045 through the electronic filing system not later than midnight on
1046 the 4th day immediately preceding the primary election.

1047 (3) (a) A report that is deemed to be incomplete by the
1048 supervisor shall be accepted on a conditional basis. The
1049 supervisor shall send a notice to the reporting individual by
1050 certified mail or by another method using a common carrier that
1051 provides proof of delivery as to why the report is incomplete.
1052 Within 7 days after receipt of such notice, the reporting
1053 individual must file an addendum to the report providing all
1054 information necessary to complete the report in compliance with
1055 this section. Failure to file a complete report after such
1056 notice constitutes a violation of this chapter.

1057 (b) Notice is deemed complete upon proof of delivery of a
1058 written notice to the mailing or street address that is on
1059 record with the supervisor.

1060 (4) (a) Each report required by this section must contain:
1061 1. The full name, address, and occupation of each person
1062 who has made one or more contributions to or for the reporting
1063 individual within the reporting period, together with the amount
1064 and date of such contributions. For corporations, the report



1065 must provide as clear a description as practicable of the
1066 principal type of business conducted by the corporations.
1067 However, if the contribution is \$100 or less or is from a
1068 relative, as defined in s. 112.312, provided that the
1069 relationship is reported, the occupation of the contributor or
1070 the principal type of business need not be listed.

1071 2. The name and address of each political committee from
1072 which the reporting individual has received, or to which the
1073 reporting individual has made, any transfer of funds within the
1074 reporting period, together with the amounts and dates of all
1075 transfers.

1076 3. Each loan for campaign purposes from any person or
1077 political committee within the reporting period, together with
1078 the full name, address, and occupation, and principal place of
1079 business, if any, of the lender and endorser, if any, and the
1080 date and amount of such loans.

1081 4. A statement of each contribution, rebate, refund, or
1082 other receipt not otherwise listed under subparagraphs 1.-3.

1083 5. The total sums of all loans, in-kind contributions, and
1084 other receipts by or for such reporting individual during the
1085 reporting period. The reporting forms shall be designed to
1086 elicit separate totals for in-kind contributions, loans, and
1087 other receipts.

1088 6. The full name and address of each person to whom
1089 expenditures have been made by or on behalf of the reporting
1090 individual within the reporting period; the amount, date, and
1091 purpose of each such expenditure; and the name and address of,
1092 and office sought by, each reporting individual on whose behalf



1093 such expenditure was made.

1094 7. The amount and nature of debts and obligations owed by
1095 or to the reporting individual which relate to the conduct of
1096 any political campaign.

1097 8. Transaction information for each credit card purchase.
1098 Receipts for each credit card purchase shall be retained by the
1099 reporting individual.

1100 9. The amount and nature of any separate interest-bearing
1101 accounts or certificates of deposit and identification of the
1102 financial institution in which such accounts or certificates of
1103 deposit are located.

1104 (b) The supervisor shall make available to any reporting
1105 individual a reporting form that the reporting individual may
1106 use to indicate contributions received by the reporting
1107 individual but returned to the contributor before deposit.

1108 (5) The reporting individual shall certify as to the
1109 correctness of the report and shall bear the responsibility for
1110 the accuracy and veracity of each report. Any reporting
1111 individual who willfully certifies the correctness of the report
1112 while knowing that such report is incorrect, false, or
1113 incomplete commits a misdemeanor of the first degree, punishable
1114 as provided in s. 775.082 or s. 775.083.

1115 (6) Notwithstanding any other provisions of this chapter,
1116 the filing of the required report is waived if the reporting
1117 individual has not received contributions or expended any
1118 reportable funds.

1119 (7) (a) A reporting individual who fails to file a report
1120 on the designated due date is subject to a fine, and such fine



1121 shall be paid only from personal funds of the reporting
1122 individual. The fine shall be \$50 per day for the first 3 days
1123 late and, thereafter, \$500 per day for each late day, not to
1124 exceed 25 percent of the total receipts or expenditures,
1125 whichever is greater. The fine shall be assessed by the
1126 supervisor, and the moneys collected shall be deposited into the
1127 general revenue fund of the political subdivision.

1128 (b) The supervisor shall determine the amount of the fine
1129 due based upon the earliest of the following:

1130 1. When the report is actually received by the supervisor;
1131 2. When the report is postmarked;
1132 3. When the certificate of mailing is dated;
1133 4. When the receipt from an established courier company is
1134 dated; or

1135 5. When the report is completed and filed through the
1136 electronic filing system, if applicable.

1137
1138 Such fine shall be paid to the supervisor within 20 days after
1139 receipt of the notice of payment due unless appeal is made to
1140 the Florida Elections Commission pursuant to paragraph (c).
1141 Notice is deemed complete upon proof of delivery of written
1142 notice to the mailing or street address on record with the
1143 supervisor. Such fine may not be an allowable campaign
1144 expenditure and shall be paid only from personal funds of the
1145 reporting individual.

1146 (c) A reporting individual may appeal or dispute the fine,
1147 based upon, but not limited to, unusual circumstances
1148 surrounding the failure to file on the designated due date, and



1149 may request and is entitled to a hearing before the Florida
1150 Elections Commission, which has the authority to waive the fine
1151 in whole or in part. The Florida Elections Commission must
1152 consider the mitigating and aggravating circumstances contained
1153 in s. 106.265(2) when determining the amount of a fine, if any,
1154 to be waived. Any such request shall be made within 20 days
1155 after receipt of the notice of payment due. In such case, the
1156 reporting individual must, within 20 days after receipt of the
1157 notice, notify the supervisor in writing of his or her intention
1158 to bring the matter before the commission.

1159 (d) The appropriate supervisor shall notify the Florida
1160 Elections Commission of the late filing by a reporting
1161 individual, the failure of a reporting individual to file a
1162 report after notice, or the failure to pay the fine imposed. The
1163 commission shall investigate only those alleged late filing
1164 violations specifically identified by the supervisor and as set
1165 forth in the notification. Any other alleged violations must be
1166 separately stated and reported by the division to the commission
1167 under s. 106.25(2).

1168 Section 11. Section 106.0703, Florida Statutes, is
1169 reenacted and amended to read:

1170 106.0703 Electioneering communications organizations;
1171 reporting requirements; certification and filing; penalties.—

1172 (1) (a) Each electioneering communications organization
1173 shall file regular reports of all contributions received and all
1174 expenditures made by or on behalf of the organization. Except as
1175 provided in paragraphs (b) and (c), reports must ~~shall~~ be filed
1176 on the 10th day following the end of each calendar month ~~quarter~~



1177 from the time the organization is registered. However, if the
 1178 10th day following the end of a calendar month ~~quarter~~ occurs on
 1179 a Saturday, Sunday, or legal holiday, the report must ~~shall~~ be
 1180 filed on the next following day that is not a Saturday, Sunday,
 1181 or legal holiday. Monthly ~~Quarterly~~ reports must ~~shall~~ include
 1182 all contributions received and expenditures made during the
 1183 calendar month ~~quarter~~ that have not otherwise been reported
 1184 pursuant to this section.

1185 (b) For an electioneering communications organization
 1186 required to file reports with the division, reports must be
 1187 filed:

1188 1. On the 60th day immediately preceding the primary
 1189 election, and each week thereafter, with the last weekly report
 1190 being filed on the 4th day immediately preceding the general
 1191 election.

1192 2. On the 10th day immediately preceding the general
 1193 election, and every day thereafter excluding the 4th day
 1194 immediately preceding the general election, with the last daily
 1195 report being filed the day before the general election ~~Following~~
 1196 ~~the last day of candidates qualifying for office, the reports~~
 1197 ~~shall be filed on the 32nd, 18th, and 4th days immediately~~
 1198 ~~preceding the primary election and on the 46th, 32nd, 18th, and~~
 1199 ~~4th days immediately preceding the general election.~~

1200 (c) For an electioneering communications organization
 1201 required to file reports with a filing officer other than the
 1202 division, reports must be filed on the 60th day immediately
 1203 preceding the primary election, and biweekly on each Friday
 1204 thereafter through and including the 4th day immediately



1205 preceding the general election, with additional reports due on
1206 the 25th and 11th days before the primary election and the
1207 general election.

1208 (d)~~(e)~~ When a special election is called to fill a vacancy
1209 in office, all electioneering communications organizations
1210 making contributions or expenditures to influence the results of
1211 the special election shall file reports with the filing officer
1212 on the dates set by the Department of State pursuant to s.
1213 100.111.

1214 (e)~~(d)~~ In addition to the reports required by paragraph
1215 (a), an electioneering communications organization that is
1216 registered with the Department of State and that makes a
1217 contribution or expenditure to influence the results of a county
1218 or municipal election that is not being held at the same time as
1219 a state or federal election must file reports with the county or
1220 municipal filing officer on the same dates as county or
1221 municipal candidates or committees for that election. The
1222 electioneering communications organization must also include the
1223 expenditure in the next report filed with the Division of
1224 Elections pursuant to this section following the county or
1225 municipal election.

1226 (f)~~(e)~~ The filing officer shall make available to each
1227 electioneering communications organization a schedule
1228 designating the beginning and end of reporting periods as well
1229 as the corresponding designated due dates.

1230 (2) (a) Except as provided in s. 106.0705, the reports
1231 required of an electioneering communications organization shall
1232 be filed with the filing officer not later than 5 p.m. of the



1233 day designated. However, any report postmarked by the United
1234 States Postal Service no later than midnight of the day
1235 designated is ~~shall be~~ deemed to have been filed in a timely
1236 manner. Any report received by the filing officer within 5 days
1237 after the designated due date that was delivered by the United
1238 States Postal Service is ~~shall~~ be deemed timely filed unless it
1239 has a postmark that indicates that the report was mailed after
1240 the designated due date. A certificate of mailing obtained from
1241 and dated by the United States Postal Service at the time of
1242 mailing, or a receipt from an established courier company, which
1243 bears a date on or before the date on which the report is due,
1244 suffices as ~~shall be~~ proof of mailing in a timely manner.
1245 Reports other than daily reports must ~~shall~~ contain information
1246 on ~~of~~ all previously unreported contributions received and
1247 expenditures made as of the preceding Friday, except that the
1248 report filed on the Friday immediately preceding the election
1249 must ~~shall~~ contain information on ~~of~~ all previously unreported
1250 contributions received and expenditures made as of the day
1251 preceding the designated due date; daily reports must contain
1252 information on all previously unreported contributions received
1253 as of the preceding day. All such reports are ~~shall be~~ open to
1254 public inspection.

1255 (b)1. Any report that is deemed to be incomplete by the
1256 officer with whom the electioneering communications organization
1257 files shall be accepted on a conditional basis. The treasurer of
1258 the electioneering communications organization shall be
1259 notified, by certified mail or other common carrier that can
1260 establish proof of delivery for the notice, as to why the report



1261 is incomplete. Within 7 days after receipt of such notice, the
1262 treasurer must file an addendum to the report providing all
1263 information necessary to complete the report in compliance with
1264 this section. Failure to file a complete report after such
1265 notice constitutes a violation of this chapter.

1266 2. Notice is deemed sufficient upon proof of delivery of
1267 written notice to the mailing or street address of the treasurer
1268 or registered agent of the electioneering communication
1269 organization on record with the filing officer.

1270 (3) (a) Except for daily reports, to which only the
1271 contribution provisions below apply, each report required by
1272 this section must contain:

1273 1. The full name, address, and occupation, if any, of each
1274 person who has made one or more contributions to or for such
1275 electioneering communications organization within the reporting
1276 period, together with the amount and date of such contributions.
1277 For corporations, the report must provide as clear a description
1278 as practicable of the principal type of business conducted by
1279 the corporation. However, if the contribution is \$100 or less,
1280 the occupation of the contributor or the principal type of
1281 business need not be listed.

1282 2. The name and address of each political committee from
1283 which or to which the reporting electioneering communications
1284 organization made any transfer of funds, together with the
1285 amounts and dates of all transfers.

1286 3. Each loan for electioneering communication purposes to
1287 or from any person or political committee within the reporting
1288 period, together with the full names, addresses, and occupations



1289 and principal places of business, if any, of the lender and
 1290 endorsers, if any, and the date and amount of such loans.

1291 4. A statement of each contribution, rebate, refund, or
 1292 other receipt not otherwise listed under subparagraphs 1.-3.

1293 5. The total sums of all loans, in-kind contributions, and
 1294 other receipts by or for such electioneering communications
 1295 organization during the reporting period. The reporting forms
 1296 shall be designed to elicit separate totals for in-kind
 1297 contributions, loans, and other receipts.

1298 6. The full name and address of each person to whom
 1299 expenditures have been made by or on behalf of the
 1300 electioneering communications organization within the reporting
 1301 period and the amount, date, and purpose of each expenditure.

1302 7. The full name and address of each person to whom an
 1303 expenditure for personal services, salary, or reimbursement for
 1304 expenses has been made and that is not otherwise reported,
 1305 including the amount, date, and purpose of the expenditure.

1306 8. The total sum of expenditures made by the
 1307 electioneering communications organization during the reporting
 1308 period.

1309 9. The amount and nature of debts and obligations owed by
 1310 or to the electioneering communications organization that relate
 1311 to the conduct of any electioneering communication.

1312 10. Transaction information for each credit card purchase.
 1313 Receipts for each credit card purchase shall be retained by the
 1314 electioneering communications organization.

1315 11. The amount and nature of any separate interest-bearing
 1316 accounts or certificates of deposit and identification of the



1317 financial institution in which such accounts or certificates of
1318 deposit are located.

1319 12. The primary purposes of an expenditure made indirectly
1320 through an electioneering communications organization for goods
1321 and services, such as communications media placement or
1322 procurement services and other expenditures that include
1323 multiple components as part of the expenditure. The primary
1324 purpose of an expenditure shall be that purpose, including
1325 integral and directly related components, that comprises 80
1326 percent of such expenditure.

1327 (b) The filing officer shall make available to any
1328 electioneering communications organization a reporting form
1329 which the electioneering communications organization may use to
1330 indicate contributions received by the electioneering
1331 communications organization but returned to the contributor
1332 before deposit.

1333 (4) The treasurer of the electioneering communications
1334 organization shall certify as to the correctness of each report,
1335 and each person so certifying shall bear the responsibility for
1336 the accuracy and veracity of each report. Any treasurer who
1337 willfully certifies the correctness of any report while knowing
1338 that such report is incorrect, false, or incomplete commits a
1339 misdemeanor of the first degree, punishable as provided in s.
1340 775.082 or s. 775.083.

1341 (5) The electioneering communications organization
1342 depository shall provide statements reflecting deposits and
1343 expenditures from the account to the treasurer, who shall retain
1344 the records pursuant to s. 106.06. The records maintained by the



1345 depository with respect to the account shall be subject to
 1346 inspection by an agent of the Division of Elections or the
 1347 Florida Elections Commission at any time during normal banking
 1348 hours, and such depository shall furnish certified copies of any
 1349 such records to the Division of Elections or the Florida
 1350 Elections Commission upon request.

1351 (6) Notwithstanding any other provisions of this chapter,
 1352 in any reporting period during which an electioneering
 1353 communications organization has not received funds, made any
 1354 contributions, or expended any reportable funds, the treasurer
 1355 shall file a written report with the filing officer by the
 1356 prescribed reporting date that no reportable contributions or
 1357 expenditures were made during the reporting period.

1358 (7) (a) Any electioneering communications organization
 1359 failing to file a report on the designated due date shall be
 1360 subject to a fine as provided in paragraph (b) for each late
 1361 day. The fine shall be assessed by the filing officer, and the
 1362 moneys collected shall be deposited:

1363 1. In the General Revenue Fund, in the case of an
 1364 electioneering communications organization that registers with
 1365 the Division of Elections; or

1366 2. In the general revenue fund of the political
 1367 subdivision, in the case of an electioneering communications
 1368 organization that registers with an officer of a political
 1369 subdivision.

1370
 1371 No separate fine shall be assessed for failure to file a copy of
 1372 any report required by this section.



1373 (b) Upon determining that a report is late, the filing
1374 officer shall immediately notify the electioneering
1375 communications organization as to the failure to file a report
1376 by the designated due date and that a fine is being assessed for
1377 each late day. The fine shall be \$50 per day for the first 3
1378 days late and, thereafter, \$500 per day for each late day, not
1379 to exceed 25 percent of the total receipts or expenditures,
1380 whichever is greater, for the period covered by the late report.
1381 However, for the reports immediately preceding each primary and
1382 general election, the fine shall be \$500 per day for each late
1383 day, not to exceed 25 percent of the total receipts or
1384 expenditures, whichever is greater, for the period covered by
1385 the late report. Upon receipt of the report, the filing officer
1386 shall determine the amount of the fine which is due and shall
1387 notify the electioneering communications organization. The
1388 filing officer shall determine the amount of the fine due based
1389 upon the earliest of the following:

- 1390 1. When the report is actually received by such officer.
- 1391 2. When the report is postmarked.
- 1392 3. When the certificate of mailing is dated.
- 1393 4. When the receipt from an established courier company is
1394 dated.
- 1395 5. When the electronic receipt issued pursuant to s.
1396 106.0705 or other electronic filing system authorized in this
1397 section is dated.

1398
1399 Such fine shall be paid to the filing officer within 20 days
1400 after receipt of the notice of payment due, unless appeal is



1401 made to the Florida Elections Commission pursuant to paragraph
1402 (c). Notice is deemed sufficient upon proof of delivery of
1403 written notice to the mailing or street address on record with
1404 the filing officer. An officer or member of an electioneering
1405 communications organization shall not be personally liable for
1406 such fine.

1407 (c) The treasurer of an electioneering communications
1408 organization may appeal or dispute the fine, based upon, but not
1409 limited to, unusual circumstances surrounding the failure to
1410 file on the designated due date, and may request and shall be
1411 entitled to a hearing before the Florida Elections Commission,
1412 which shall have the authority to waive the fine in whole or in
1413 part. The Florida Elections Commission must consider the
1414 mitigating and aggravating circumstances contained in s.
1415 106.265(2) when determining the amount of a fine, if any, to be
1416 waived. Any such request shall be made within 20 days after
1417 receipt of the notice of payment due. In such case, the
1418 treasurer of the electioneering communications organization
1419 shall, within the 20-day period, notify the filing officer in
1420 writing of his or her intention to bring the matter before the
1421 commission.

1422 (d) The appropriate filing officer shall notify the
1423 Florida Elections Commission of the repeated late filing by an
1424 electioneering communications organization, the failure of an
1425 electioneering communications organization to file a report
1426 after notice, or the failure to pay the fine imposed. The
1427 commission shall investigate only those alleged late filing
1428 violations specifically identified by the filing officer and as



1429 set forth in the notification. Any other alleged violations must
1430 be stated separately and reported by the division to the
1431 commission under s. 106.25(2).

1432 (8) Electioneering communications organizations shall not
1433 use credit cards.

1434 Section 12. Section 106.0705, Florida Statutes, is
1435 reenacted and amended to read:

1436 106.0705 Electronic filing of campaign treasurer's
1437 reports.—

1438 (1) As used in this section, "electronic filing system"
1439 means an Internet system for recording and reporting campaign
1440 finance activity by reporting period.

1441 (2)(a) Each individual who is required to file reports
1442 with the division pursuant to s. 106.07 or s. 106.141 must file
1443 such reports by means of the division's electronic filing
1444 system.

1445 (b) Each political committee, ~~committee of continuous~~
1446 ~~existence~~, electioneering communications organization,
1447 affiliated party committee, or state executive committee that is
1448 required to file reports with the division under ~~s. 106.04~~, s.
1449 106.07, s. 106.0703, or s. 106.29, as applicable, must file such
1450 reports with the division by means of the division's electronic
1451 filing system.

1452 (c) Each person or organization that is required to file
1453 reports with the division under s. 106.071 must file such
1454 reports by means of the division's electronic filing system.

1455 (3) Reports filed pursuant to this section shall be
1456 completed and filed through the electronic filing system not



1457 later than midnight of the day designated. Reports not filed by
1458 midnight of the day designated are late filed and are subject to
1459 the penalties under ~~s. 106.04(9)~~, s. 106.07(8), s. 106.0703(7),
1460 or s. 106.29(3), as applicable.

1461 (4) Each report filed pursuant to this section is
1462 considered to be under oath by the candidate and treasurer, the
1463 chair and treasurer, the treasurer under s. 106.0703, or the
1464 leader and treasurer under s. 103.092, whichever is applicable,
1465 and such persons are subject to the provisions of ~~s.~~
1466 ~~106.04(4)(d)~~, s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as
1467 applicable. Persons given a secure sign-on to the electronic
1468 filing system are responsible for protecting such from
1469 disclosure and are responsible for all filings using such
1470 credentials, unless they have notified the division that their
1471 credentials have been compromised.

1472 (5) The electronic filing system developed by the division
1473 must:

1474 (a) Be based on access by means of the Internet.

1475 (b) Be accessible by anyone with Internet access using
1476 standard web-browsing software.

1477 (c) Provide for direct entry of campaign finance
1478 information as well as upload of such information from campaign
1479 finance software certified by the division.

1480 (d) Provide a method that prevents unauthorized access to
1481 electronic filing system functions.

1482 (6) The division shall adopt rules ~~pursuant to ss.~~
1483 ~~120.536(1) and 120.54~~ to administer this section and provide for
1484 the reports required to be filed pursuant to this section. Such



1485 rules shall, at a minimum, provide:

1486 (a) Alternate filing procedures in case the division's
1487 electronic filing system is not operable.

1488 (b) For the issuance of an electronic receipt to the
1489 person submitting the report indicating and verifying that the
1490 report has been filed.

1491 Section 13. Section 106.08, Florida Statutes, is amended
1492 to read:

1493 106.08 Contributions; limitations on.—

1494 (1)(a) Except for political parties or affiliated party
1495 committees, no person or, political committee, ~~or committee of~~
1496 ~~continuous existence~~ may, in any election, make contributions in
1497 excess of the following amounts: in excess of \$500 to any
1498 ~~candidate for election to or retention in office or to any~~
1499 ~~political committee supporting or opposing one or more~~
1500 ~~candidates.~~

1501 1. To a candidate for statewide office or for retention as
1502 a justice of the Supreme Court, \$3,000. Candidates for the
1503 offices of Governor and Lieutenant Governor on the same ticket
1504 are considered a single candidate for the purpose of this
1505 section.

1506 2. To a candidate for retention as a judge of a district
1507 court of appeal; a candidate for legislative office; a candidate
1508 for multicounty office; a candidate for countywide office or in
1509 any election conducted on less than a countywide basis; or a
1510 candidate for county court judge or circuit judge, \$1,000.

1511 (b)~~1.~~ The contribution limits provided in this subsection
1512 do not apply to contributions made by a state or county



1513 executive committee of a political party or affiliated party
1514 committee regulated by chapter 103 or to amounts contributed by
1515 a candidate to his or her own campaign.

1516 ~~2. Notwithstanding the limits provided in this subsection,~~
1517 ~~an unemancipated child under the age of 18 years of age may not~~
1518 ~~make a contribution in excess of \$100 to any candidate or to any~~
1519 ~~political committee supporting one or more candidates.~~

1520 (c) The contribution limits of this subsection apply to
1521 each election. For purposes of this subsection, the primary
1522 election and general election are separate elections so long as
1523 the candidate is not an unopposed candidate as defined in s.
1524 106.011 ~~106.011(15)~~. However, for the purpose of contribution
1525 limits with respect to candidates for retention as a justice or
1526 judge, there is only one election, which is the general
1527 election.

1528 (2) (a) A candidate may not accept contributions from a
1529 county executive committee of a political party whose
1530 contributions in the aggregate exceed \$50,000, or from the
1531 national ~~or~~ state, or county executive committees of a
1532 political party, including any subordinate committee of such
1533 political party or affiliated party committees, whose ~~which~~
1534 contributions in the aggregate exceed \$50,000.

1535 (b) A candidate for statewide office may not accept
1536 contributions from national, state, or county executive
1537 committees of a political party, including any subordinate
1538 committee of the political party, or affiliated party
1539 committees, which contributions in the aggregate exceed
1540 \$250,000. Polling services, research services, costs for



1541 campaign staff, professional consulting services, and telephone
1542 calls are not contributions to be counted toward the
1543 contribution limits of paragraph (a) or this paragraph. Any item
1544 not expressly identified in this paragraph as nonallocable is a
1545 contribution in an amount equal to the fair market value of the
1546 item and must be counted as allocable toward the contribution
1547 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
1548 contributions must be reported by the candidate under s. 106.07
1549 and by the political party or affiliated party committee under
1550 s. 106.29.

1551 (3) (a) Any contribution received by a candidate with
1552 opposition in an election or by the campaign treasurer or a
1553 deputy campaign treasurer of such a candidate on the day of that
1554 election or less than 5 days before ~~prior to~~ the day of that
1555 election must be returned by him or her to the person or
1556 committee contributing it and may not be used or expended by or
1557 on behalf of the candidate.

1558 (b) Any contribution received by a candidate or by the
1559 campaign treasurer or a deputy campaign treasurer of a candidate
1560 after the date at which the candidate withdraws his or her
1561 candidacy, or after the date the candidate is defeated, becomes
1562 unopposed, or is elected to office must be returned to the
1563 person or committee contributing it and may not be used or
1564 expended by or on behalf of the candidate.

1565 (4) Any contribution received by the chair, campaign
1566 treasurer, or deputy campaign treasurer of a political committee
1567 supporting or opposing a candidate with opposition in an
1568 election or supporting or opposing an issue on the ballot in an



1569 election on the day of that election or less than 5 days before
 1570 ~~prior to~~ the day of that election may not be obligated or
 1571 expended by the committee until after the date of the election.

1572 (5) (a) A person may not make any contribution through or
 1573 in the name of another, directly or indirectly, in any election.

1574 (b) Candidates, political committees, affiliated party
 1575 committees, and political parties may not solicit contributions
 1576 from any religious, charitable, civic, or other causes or
 1577 organizations established primarily for the public good.

1578 (c) Candidates, political committees, affiliated party
 1579 committees, and political parties may not make contributions, in
 1580 exchange for political support, to any religious, charitable,
 1581 civic, or other cause or organization established primarily for
 1582 the public good. It is not a violation of this paragraph for:

1583 1. A candidate, political committee, affiliated party
 1584 committee, or political party executive committee to make gifts
 1585 of money in lieu of flowers in memory of a deceased person;

1586 2. A candidate to continue membership in, or make regular
 1587 donations from personal or business funds to, religious,
 1588 political party, affiliated party committee, civic, or
 1589 charitable groups of which the candidate is a member or to which
 1590 the candidate has been a regular donor for more than 6 months;
 1591 or

1592 3. A candidate to purchase, with campaign funds, tickets,
 1593 admission to events, or advertisements from religious, civic,
 1594 political party, affiliated party committee, or charitable
 1595 groups.

1596 (6) (a) A political party or affiliated party committee may



1597 not accept any contribution that has been specifically
 1598 designated for the partial or exclusive use of a particular
 1599 candidate. Any contribution so designated must be returned to
 1600 the contributor and may not be used or expended by or on behalf
 1601 of the candidate. Funds contributed to an affiliated party
 1602 committee may ~~shall~~ not be ~~deemed as~~ designated for the partial
 1603 or exclusive use of a leader as defined in s. 103.092.

1604 (b)1. A political party or affiliated party committee may
 1605 not accept any in-kind contribution that fails to provide a
 1606 direct benefit to the political party or affiliated party
 1607 committee. A "direct benefit" includes, but is not limited to,
 1608 fundraising or furthering the objectives of the political party
 1609 or affiliated party committee.

1610 2.a. An in-kind contribution to a state political party
 1611 may be accepted only by the chairperson of the state political
 1612 party or by the chairperson's designee or designees whose names
 1613 are on file with the division in a form acceptable to the
 1614 division before ~~prior to~~ the date of the written notice required
 1615 in sub-subparagraph b. An in-kind contribution to a county
 1616 political party may be accepted only by the chairperson of the
 1617 county political party or by the county chairperson's designee
 1618 or designees whose names are on file with the supervisor of
 1619 elections of the respective county before ~~prior to~~ the date of
 1620 the written notice required in sub-subparagraph b. An in-kind
 1621 contribution to an affiliated party committee may be accepted
 1622 only by the leader of the affiliated party committee as defined
 1623 in s. 103.092 or by the leader's designee or designees whose
 1624 names are on file with the division in a form acceptable to the



1625 division before ~~prior to~~ the date of the written notice required
1626 in sub-subparagraph b.

1627 b. A person making an in-kind contribution to a state or
1628 county political party or affiliated party committee must
1629 provide prior written notice of the contribution to a person
1630 described in sub-subparagraph a. The prior written notice must
1631 be signed and dated and may be provided by an electronic or
1632 facsimile message. However, prior written notice is not required
1633 for an in-kind contribution that consists of food and beverage
1634 in an aggregate amount not exceeding \$1,500 which is consumed at
1635 a single sitting or event if such in-kind contribution is
1636 accepted in advance by a person specified in sub-subparagraph a.

1637 c. A person described in sub-subparagraph a. may accept an
1638 in-kind contribution requiring prior written notice only in a
1639 writing that is dated before the in-kind contribution is made.
1640 Failure to obtain the required written acceptance of an in-kind
1641 contribution to a state or county political party or affiliated
1642 party committee constitutes a refusal of the contribution.

1643 d. A copy of each prior written acceptance required under
1644 sub-subparagraph c. must be filed at the time the regular
1645 reports of contributions and expenditures required under s.
1646 106.29 are filed by the state executive committee, county
1647 executive committee, and affiliated party committee. A state
1648 executive committee and an affiliated party committee must file
1649 with the division. A county executive committee must file with
1650 the county's supervisor of elections.

1651 e. An in-kind contribution may not be given to a state or
1652 county political party or affiliated party committee unless the



1653 in-kind contribution is made as provided in this subparagraph.
1654 (7) (a) Any person who knowingly and willfully makes or
1655 accepts no more than one contribution in violation of subsection
1656 (1) or subsection (5), or any person who knowingly and willfully
1657 fails or refuses to return any contribution as required in
1658 subsection (3), commits a misdemeanor of the first degree,
1659 punishable as provided in s. 775.082 or s. 775.083. If any
1660 corporation, partnership, or other business entity or any
1661 political party, affiliated party committee, political
1662 committee, ~~committee of continuous existence~~, or electioneering
1663 communications organization is convicted of knowingly and
1664 willfully violating any provision punishable under this
1665 paragraph, it shall be fined not less than \$1,000 and not more
1666 than \$10,000. If it is a domestic entity, it may be ordered
1667 dissolved by a court of competent jurisdiction; if it is a
1668 foreign or nonresident business entity, its right to do business
1669 in this state may be forfeited. Any officer, partner, agent,
1670 attorney, or other representative of a corporation, partnership,
1671 or other business entity, or of a political party, affiliated
1672 party committee, political committee, ~~committee of continuous~~
1673 ~~existence~~, electioneering communications organization, or
1674 organization exempt from taxation under s. 527 or s. 501(c)(4)
1675 of the Internal Revenue Code, who aids, abets, advises, or
1676 participates in a violation of any provision punishable under
1677 this paragraph commits a misdemeanor of the first degree,
1678 punishable as provided in s. 775.082 or s. 775.083.
1679 (b) Any person who knowingly and willfully makes or
1680 accepts two or more contributions in violation of subsection (1)



1681 or subsection (5) commits a felony of the third degree,
1682 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1683 If any corporation, partnership, or other business entity or any
1684 political party, affiliated party committee, political
1685 committee, ~~committee of continuous existence~~, or electioneering
1686 communications organization is convicted of knowingly and
1687 willfully violating any provision punishable under this
1688 paragraph, it shall be fined not less than \$10,000 and not more
1689 than \$50,000. If it is a domestic entity, it may be ordered
1690 dissolved by a court of competent jurisdiction; if it is a
1691 foreign or nonresident business entity, its right to do business
1692 in this state may be forfeited. Any officer, partner, agent,
1693 attorney, or other representative of a corporation, partnership,
1694 or other business entity, or of a political committee, ~~committee~~
1695 ~~of continuous existence~~, political party, affiliated party
1696 committee, or electioneering communications organization, or
1697 organization exempt from taxation under s. 527 or s. 501(c)(4)
1698 of the Internal Revenue Code, who aids, abets, advises, or
1699 participates in a violation of any provision punishable under
1700 this paragraph commits a felony of the third degree, punishable
1701 as provided in s. 775.082, s. 775.083, or s. 775.084.

1702 (8) Except when otherwise provided in subsection (7), any
1703 person who knowingly and willfully violates any provision of
1704 this section shall, in addition to any other penalty prescribed
1705 by this chapter, pay to the state a sum equal to twice the
1706 amount contributed in violation of this chapter. Each campaign
1707 treasurer shall pay all amounts contributed in violation of this
1708 section to the state for deposit in the General Revenue Fund.



1709 (9) This section does not apply to the transfer of funds
 1710 between a primary campaign depository and a savings account or
 1711 certificate of deposit or to any interest earned on such account
 1712 or certificate.

1713 (10) Contributions to a political committee ~~or committee~~
 1714 ~~of continuous existence~~ may be received by an affiliated
 1715 organization and transferred to the bank account of the
 1716 political committee ~~or committee of continuous existence~~ via
 1717 check written from the affiliated organization if such
 1718 contributions are specifically identified as intended to be
 1719 contributed to the political committee ~~or committee of~~
 1720 ~~continuous existence~~. All contributions received in this manner
 1721 shall be reported pursuant to s. 106.07 by the political
 1722 committee ~~or committee of continuous existence~~ as having been
 1723 made by the original contributor.

1724 Section 14. Section 106.11, Florida Statutes, is reenacted
 1725 and amended to read:

1726 106.11 Expenses of and expenditures by candidates and
 1727 political committees.—Each candidate and each political
 1728 committee which designates a primary campaign depository
 1729 pursuant to s. 106.021(1) shall make expenditures from funds on
 1730 deposit in such primary campaign depository only in the
 1731 following manner, with the exception of expenditures made from
 1732 petty cash funds provided by s. 106.12:

1733 (1) (a) The campaign treasurer or deputy campaign treasurer
 1734 of a candidate or political committee shall make expenditures
 1735 from funds on deposit in the primary campaign depository only by
 1736 means of a bank check drawn upon the campaign account of the



1737 candidate or political committee. The campaign account shall be
 1738 separate from any personal or other account and shall be used
 1739 only for the purpose of depositing contributions and making
 1740 expenditures for the candidate or political committee.

1741 (b) The checks for such account shall contain, as a
 1742 minimum, the following information:

1743 1. The ~~statement "... (name of the campaign account of the~~
 1744 ~~candidate or political committee.) ... Campaign Account."~~

1745 2. The account number and the name of the bank.

1746 3. The exact amount of the expenditure.

1747 4. The signature of the campaign treasurer or deputy
 1748 treasurer.

1749 5. The exact purpose for which the expenditure is
 1750 authorized.

1751 6. The name of the payee.

1752 (2) (a) For purposes of this section, debit cards are
 1753 considered bank checks, if:

1754 1. Debit cards are obtained from the same bank that has
 1755 been designated as the candidate's or political committee's
 1756 primary campaign depository.

1757 2. Debit cards are issued in the name of the treasurer,
 1758 deputy treasurer, or authorized user and contain the state
 1759 "... (name of the campaign account of the candidate or political
 1760 committee.) ... Campaign Account."

1761 3. No more than three debit cards are requested and
 1762 issued.

1763 4. The person using the debit card does not receive cash
 1764 as part of, or independent of, any transaction for goods or



1765 services.

1766 5. All receipts for debit card transactions contain:

1767 a. The last four digits of the debit card number.

1768 b. The exact amount of the expenditure.

1769 c. The name of the payee.

1770 d. The signature of the campaign treasurer, deputy
1771 treasurer, or authorized user.

1772 e. The exact purpose for which the expenditure is
1773 authorized.

1774

1775 Any information required by this subparagraph but not included
1776 on the debit card transaction receipt may be handwritten on, or
1777 attached to, the receipt by the authorized user before
1778 submission to the treasurer.

1779 (b) Debit cards are not subject to the requirements of
1780 paragraph (1) (b).

1781 (3) The campaign treasurer, deputy treasurer, or
1782 authorized user who signs the check shall be responsible for the
1783 completeness and accuracy of the information on such check and
1784 for insuring that such expenditure is an authorized expenditure.

1785 (4) No candidate, campaign manager, treasurer, deputy
1786 treasurer, or political committee or any officer or agent
1787 thereof, or any person acting on behalf of any of the foregoing,
1788 shall authorize any expenses, nor shall any campaign treasurer
1789 or deputy treasurer sign a check drawn on the primary campaign
1790 account for any purpose, unless there are sufficient funds on
1791 deposit in the primary depository account of the candidate or
1792 political committee to pay the full amount of the authorized



1793 | expense, to honor all other checks drawn on such account, which
 1794 | checks are outstanding, and to meet all expenses previously
 1795 | authorized but not yet paid. However, an expense may be incurred
 1796 | for the purchase of goods or services if there are sufficient
 1797 | funds on deposit in the primary depository account to pay the
 1798 | full amount of the incurred expense, to honor all checks drawn
 1799 | on such account, which checks are outstanding, and to meet all
 1800 | other expenses previously authorized but not yet paid, provided
 1801 | that payment for such goods or services is made upon final
 1802 | delivery and acceptance of the goods or services; and an
 1803 | expenditure from petty cash pursuant to the provisions of s.
 1804 | 106.12 may be authorized, if there is a sufficient amount of
 1805 | money in the petty cash fund to pay for such expenditure.
 1806 | Payment for credit card purchases shall be made pursuant to s.
 1807 | 106.125. Any expense incurred or authorized in excess of such
 1808 | funds on deposit shall, in addition to other penalties provided
 1809 | by law, constitute a violation of this chapter. As used in this
 1810 | subsection, the term "sufficient funds on deposit in the primary
 1811 | depository account of the candidate or political committee"
 1812 | means that the funds at issue have been delivered for deposit to
 1813 | the financial institution at which such account is maintained.
 1814 | The term shall not be construed to mean that such funds are
 1815 | available for withdrawal in accordance with the deposit rules or
 1816 | the funds availability policies of such financial institution.
 1817 | (5) A candidate who withdraws his or her candidacy,
 1818 | becomes an unopposed candidate, or is eliminated as a candidate
 1819 | or elected to office may expend funds from the campaign account
 1820 | to:



1821 (a) Purchase "thank you" advertising for up to 75 days
1822 after he or she withdraws, becomes unopposed, or is eliminated
1823 or elected.

1824 (b) Pay for items which were obligated before he or she
1825 withdrew, became unopposed, or was eliminated or elected.

1826 (c) Pay for expenditures necessary to close down the
1827 campaign office and to prepare final campaign reports.

1828 (d) Dispose of surplus funds as provided in s. 106.141.

1829 (6) A candidate who makes a loan to his or her campaign
1830 and reports the loan as required by s. 106.07 may be reimbursed
1831 for the loan at any time the campaign account has sufficient
1832 funds to repay the loan and satisfy its other obligations.

1833 Section 15. Section 106.141, Florida Statutes, is amended
1834 to read:

1835 106.141 Disposition of surplus funds by candidates.—

1836 (1) Except as provided in subsection (6), each candidate
1837 who withdraws his or her candidacy, becomes an unopposed
1838 candidate, or is eliminated as a candidate or elected to office
1839 shall, within 90 days, dispose of the funds on deposit in his or
1840 her campaign account and file a report reflecting the
1841 disposition of all remaining funds. Such candidate may ~~shall~~ not
1842 accept any contributions, nor may ~~shall~~ any person accept
1843 contributions on behalf of such candidate, after the candidate
1844 withdraws his or her candidacy, becomes unopposed, or is
1845 eliminated or elected. However, if a candidate receives a refund
1846 check after all surplus funds have been disposed of, the check
1847 may be endorsed by the candidate and the refund disposed of
1848 under this section. An amended report must be filed showing the



1849 refund and subsequent disposition.

1850 (2) Any candidate required to dispose of funds pursuant to
1851 this section may, before ~~prior to~~ such disposition, be
1852 reimbursed by the campaign, in full or in part, for any reported
1853 contributions by the candidate to the campaign.

1854 (3) The campaign treasurer of a candidate who withdraws
1855 his or her candidacy, becomes unopposed, or is eliminated as a
1856 candidate or elected to office and who has funds on deposit in a
1857 separate interest-bearing account or certificate of deposit
1858 shall, within 7 days after the date of becoming unopposed or the
1859 date of such withdrawal, elimination, or election, transfer such
1860 funds and the accumulated interest earned thereon to the
1861 campaign account of the candidate for disposal under this
1862 section. However, if the funds are in an account in which
1863 penalties will apply for withdrawal within the 7-day period, the
1864 campaign treasurer shall transfer such funds and the accumulated
1865 interest earned thereon as soon as the funds can be withdrawn
1866 without penalty, or within 90 days after the candidate becomes
1867 unopposed, withdraws his or her candidacy, or is eliminated or
1868 elected, whichever comes first.

1869 (4) (a) Except as provided in paragraph (b), any candidate
1870 required to dispose of funds pursuant to this section shall, at
1871 the option of the candidate, dispose of such funds by any of the
1872 following means, or any combination thereof:

1873 1. Return pro rata to each contributor the funds that have
1874 not been spent or obligated.

1875 2. Donate the funds that have not been spent or obligated
1876 to a charitable organization or organizations that meet the



1877 qualifications of s. 501(c)(3) of the Internal Revenue Code.

1878 3. Give not more than \$25,000 of the funds that have not
1879 been spent or obligated to the affiliated party committee or
1880 political party of which such candidate is a member.

1881 4. Give the funds that have not been spent or obligated:

1882 a. In the case of a candidate for state office, to the
1883 state, to be deposited in either the Election Campaign Financing
1884 Trust Fund or the General Revenue Fund, as designated by the
1885 candidate; or

1886 b. In the case of a candidate for an office of a political
1887 subdivision, to such political subdivision, to be deposited in
1888 the general fund thereof.

1889 (b) Any candidate required to dispose of funds pursuant to
1890 this section who has received contributions pursuant to the
1891 Florida Election Campaign Financing Act shall, after all
1892 monetary commitments pursuant to s. 106.11(5)(b) and (c) have
1893 been met, return all surplus campaign funds to the General
1894 Revenue Fund.

1895 (5) A candidate elected to office or a candidate who will
1896 be elected to office by virtue of his or her being unopposed
1897 may, in addition to the disposition methods provided in
1898 subsection (4), transfer from the campaign account to an office
1899 account any amount of the funds on deposit in such campaign
1900 account up to:

1901 (a) Fifty ~~Twenty~~ thousand dollars, for a candidate for
1902 statewide office. The Governor and Lieutenant Governor shall be
1903 considered separate candidates for the purpose of this section.

1904 (b) Ten ~~Five~~ thousand dollars, for a candidate for



1905 multicounty office.

1906 (c) Ten ~~Five~~ thousand dollars multiplied by the number of
 1907 years in the term of office for which elected, for a candidate
 1908 for legislative office.

1909 (d) Five thousand ~~Two thousand five hundred~~ dollars
 1910 multiplied by the number of years in the term of office for
 1911 which elected, for a candidate for county office or for a
 1912 candidate in any election conducted on less than a countywide
 1913 basis.

1914 (e) Six thousand dollars, for a candidate for retention as
 1915 a justice of the Supreme Court.

1916 (f) Three thousand dollars, for a candidate for retention
 1917 as a judge of a district court of appeal.

1918 (g) Three thousand ~~One thousand five hundred~~ dollars, for
 1919 a candidate for county court judge or circuit judge.

1920
 1921 The office account established pursuant to this subsection shall
 1922 be separate from any personal or other account. Any funds so
 1923 transferred by a candidate shall be used only for legitimate
 1924 expenses in connection with the candidate's public office. Such
 1925 expenses may include travel expenses incurred by the officer or
 1926 a staff member; personal taxes payable on office account funds
 1927 by the candidate or elected public official; professional
 1928 services provided by a certified public accountant or attorney
 1929 for preparation of the elected public official's financial
 1930 disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs
 1931 to prepare, print, produce, and mail holiday cards or
 1932 newsletters about the elected public official's public business



1933 | to constituents if such correspondence does not constitute a
1934 | political advertisement, independent expenditure, or
1935 | electioneering communication as provided in s. 106.011; fees or
1936 | dues to religious, civic, or charitable organizations of which
1937 | the elected public official is a member; items of modest value
1938 | such as flowers, greeting cards, or personal notes given as a
1939 | substitute for, or in association with, an elected public
1940 | official's personal attendance at a constituent's special event
1941 | or family occasion, such as the birth of a child, graduation,
1942 | wedding, or funeral; personal expenses incurred by the elected
1943 | public official in connection with attending a constituent
1944 | meeting or event where public policy is discussed, if such
1945 | meetings or events are limited to no more than once a week;~~7~~ or
1946 | expenses incurred in the operation of the elected public
1947 | official's ~~his or her~~ office, including the employment of
1948 | additional staff. The funds may be deposited in a savings
1949 | account; however, all deposits, withdrawals, and interest earned
1950 | thereon shall be reported at the appropriate reporting period.
1951 | If a candidate is reelected to office or elected to another
1952 | office and has funds remaining in his or her office account, he
1953 | or she may transfer surplus campaign funds to the office
1954 | account. At no time may the funds in the office account exceed
1955 | the limitation imposed by this subsection. Upon leaving public
1956 | office, any person who has funds in an office account pursuant
1957 | to this subsection remaining on deposit shall use such funds to
1958 | pay for professional services provided by a certified public
1959 | accountant or attorney for preparation of the elected public
1960 | official's final financial disclosure filing pursuant to s.



1961 | 112.3144 or s. 112.3145, or give such funds to a charitable
 1962 | organization that meets ~~or organizations which meet~~ the
 1963 | requirements of s. 501(c) (3) of the Internal Revenue Code or, in
 1964 | the case of a state officer, to the state to be deposited in the
 1965 | General Revenue Fund or, in the case of an officer of a
 1966 | political subdivision, to the political subdivision to be
 1967 | deposited in the general fund thereof.

1968 | (6) (a) For purposes of this subsection, the term "same
 1969 | office" with respect to legislative office means an office in
 1970 | the same legislative body, irrespective of district number or
 1971 | designation or geographic boundary.

1972 | (b) A candidate elected to state office or a candidate who
 1973 | will be elected to state office by virtue of his or her being
 1974 | unopposed after candidate qualifying ends, may retain up to
 1975 | \$20,000 in his or her campaign account, or in an interest-
 1976 | bearing account or certificate of deposit, for use in his or her
 1977 | next campaign for the same office, in addition to the
 1978 | disposition methods provided in subsections (4) and (5). All
 1979 | requirements applicable to candidate campaign accounts under
 1980 | this chapter, including disclosure requirements applicable to
 1981 | candidate campaign accounts, limitations on expenditures, and
 1982 | limitations on contributions, apply to any retained funds.

1983 | (c) If a candidate who has retained funds under this
 1984 | subsection does not qualify as a candidate for reelection to the
 1985 | same office, all retained funds shall be disposed of as
 1986 | otherwise required by this section or s. 106.11(5) within 90
 1987 | days after the last day of candidate qualifying for that office.
 1988 | Requirements in this section applicable to the disposal of



1989 surplus funds, including reporting requirements, are applicable
 1990 to the disposal of retained funds.

1991 (7)-(6) Before ~~Prior to~~ disposing of funds pursuant to
 1992 subsection (4), ~~or~~ transferring funds into an office account
 1993 pursuant to subsection (5), or retaining funds for reelection
 1994 pursuant to subsection (6), any candidate who filed an oath
 1995 stating that he or she was unable to pay the ~~election assessment~~
 1996 ~~or~~ fee for verification of petition signatures without imposing
 1997 an undue burden on his or her personal resources or on resources
 1998 otherwise available to him or her, ~~or who filed both such oaths,~~
 1999 ~~or who qualified by the petition process and was not required to~~
 2000 ~~pay an election assessment,~~ shall reimburse the state or local
 2001 governmental entity, whichever is applicable, for such waived
 2002 ~~assessment or fee or both. Such reimbursement shall be made~~
 2003 ~~first for the cost of petition verification and then, if funds~~
 2004 ~~are remaining, for the amount of the election assessment. If~~
 2005 there are insufficient funds in the account to pay the full
 2006 amount of either ~~the assessment or the fee or both,~~ the
 2007 remaining funds shall be disbursed in the above manner until no
 2008 funds remain. All funds disbursed pursuant to this subsection
 2009 shall be remitted to the qualifying officer. Any reimbursement
 2010 for petition verification costs which are reimbursable by the
 2011 state shall be forwarded by the qualifying officer to the state
 2012 for deposit in the General Revenue Fund. ~~All reimbursements for~~
 2013 ~~the amount of the election assessment shall be forwarded by the~~
 2014 ~~qualifying officer to the Department of State for deposit in the~~
 2015 ~~General Revenue Fund.~~

2016 (8) (a)-(7)-(a) Any candidate required to dispose of campaign



2017 funds pursuant to this section shall do so within the time
 2018 required by this section and ~~shall~~, on or before the date by
 2019 which such disposition is to have been made, shall file with the
 2020 officer with whom reports are required to be filed pursuant to
 2021 s. 106.07 a form prescribed by the Division of Elections
 2022 listing:

2023 1. The name and address of each person or unit of
 2024 government to whom any of the funds were distributed and the
 2025 amounts thereof;

2026 2. The name and address of each person to whom an
 2027 expenditure was made, together with the amount thereof and
 2028 purpose therefor; ~~and~~

2029 3. The amount of such funds transferred to an office
 2030 account by the candidate, together with the name and address of
 2031 the bank, savings and loan association, or credit union in which
 2032 the office account is located; and

2033 4. The amount of such funds retained pursuant to
 2034 subsection (6), together with the name and address of the bank,
 2035 savings and loan association, or credit union in which the
 2036 retained funds are located.

2037
 2038 Such report shall be signed by the candidate and the campaign
 2039 treasurer and certified as true and correct pursuant to s.
 2040 106.07.

2041 (b) The filing officer shall notify each candidate at
 2042 least 14 days before the date the report is due.

2043 (c) Any candidate failing to file a report on the
 2044 designated due date shall be subject to a fine as provided in s.



2045 106.07 for submitting late termination reports.

2046 (9)~~(8)~~ Any candidate elected to office who transfers
 2047 surplus campaign funds into an office account pursuant to
 2048 subsection (5) shall file a report on the 10th day following the
 2049 end of each calendar quarter until the account is closed. Such
 2050 reports shall contain the name and address of each person to
 2051 whom any disbursement of funds was made, together with the
 2052 amount thereof and the purpose therefor, and the name and
 2053 address of any person from whom the elected candidate received
 2054 any refund or reimbursement and the amount thereof. Such reports
 2055 shall be on forms prescribed by the Division of Elections,
 2056 signed by the elected candidate, certified as true and correct,
 2057 and filed with the officer with whom campaign reports were filed
 2058 pursuant to s. 106.07(2).

2059 (10)~~(9)~~ Any candidate, or any person on behalf of a
 2060 candidate, who accepts contributions after such candidate has
 2061 withdrawn his or her candidacy, after the candidate has become
 2062 an unopposed candidate, or after the candidate has been
 2063 eliminated as a candidate or elected to office commits a
 2064 misdemeanor of the first degree, punishable as provided in s.
 2065 775.082 or s. 775.083.

2066 (11)~~(10)~~ Any candidate who is required by the provisions
 2067 of this section to dispose of funds in his or her campaign
 2068 account and who fails to dispose of the funds in the manner
 2069 provided in this section commits a misdemeanor of the first
 2070 degree, punishable as provided in s. 775.082 or s. 775.083.

2071 Section 16. By December 1, 2013, the Division of Elections
 2072 shall submit a proposal to the President of the Senate and the



2073 Speaker of the House of Representatives for a mandatory
 2074 statewide electronic filing system for all state and local
 2075 campaign filings required by s. 106.07, s. 106.0703, or s.
 2076 106.29.

2077 Section 17. Subsection (3) of section 101.62, Florida
 2078 Statutes, is amended to read:

2079 101.62 Request for absentee ballots.—

2080 (3) For each request for an absentee ballot received, the
 2081 supervisor shall record the date the request was made, the date
 2082 the absentee ballot was delivered to the voter or the voter's
 2083 designee or the date the absentee ballot was delivered to the
 2084 post office or other carrier, the date the ballot was received
 2085 by the supervisor, and such other information he or she may deem
 2086 necessary. This information shall be provided in electronic
 2087 format as provided by rule adopted by the division. The
 2088 information shall be updated and made available no later than 8
 2089 a.m. of each day, including weekends, beginning 60 days before
 2090 the primary until 15 days after the general election and shall
 2091 be contemporaneously provided to the division. This information
 2092 shall be confidential and exempt from the provisions of s.

2093 119.07(1) and shall be made available to or reproduced only for
 2094 the voter requesting the ballot, a canvassing board, an election
 2095 official, a political party or official thereof, a candidate who
 2096 has filed qualification papers and is opposed in an upcoming
 2097 election, and registered political committees ~~or registered~~
 2098 ~~committees of continuous existence~~, for political purposes only.

2099 Section 18. Paragraph (a) of subsection (4) of section
 2100 102.031, Florida Statutes, is amended to read:



2101 | 102.031 Maintenance of good order at polls; authorities;
 2102 | persons allowed in polling rooms and early voting areas;
 2103 | unlawful solicitation of voters.-

2104 | (4) (a) No person, political committee, ~~committee of~~
 2105 | ~~continuous existence~~, or other group or organization may solicit
 2106 | voters inside the polling place or within 100 feet of the
 2107 | entrance to any polling place, or polling room where the polling
 2108 | place is also a polling room, or early voting site. Before the
 2109 | opening of the polling place or early voting site, the clerk or
 2110 | supervisor shall designate the no-solicitation zone and mark the
 2111 | boundaries.

2112 | Section 19. Subsection (2) of section 106.087, Florida
 2113 | Statutes, is amended to read:

2114 | 106.087 Independent expenditures; contribution limits;
 2115 | restrictions on political parties and, political committees, ~~and~~
 2116 | ~~committees of continuous existence~~.-

2117 | (2) (a) Any political committee ~~or committee of continuous~~
 2118 | ~~existence~~ that accepts the use of public funds, equipment,
 2119 | personnel, or other resources to collect dues from its members
 2120 | agrees not to make independent expenditures in support of or
 2121 | opposition to a candidate or elected public official. However,
 2122 | expenditures may be made for the sole purpose of jointly
 2123 | endorsing three or more candidates.

2124 | (b) Any political committee ~~or committee of continuous~~
 2125 | ~~existence~~ that violates this subsection is liable for a civil
 2126 | fine of up to \$5,000 to be determined by the Florida Elections
 2127 | Commission or the entire amount of the expenditures, whichever
 2128 | is greater.



2129 Section 20. Subsection (3) of section 106.12, Florida
 2130 Statutes, is amended to read:

2131 106.12 Petty cash funds allowed.—

2132 (3) The petty cash fund so provided may ~~shall~~ be spent
 2133 only in amounts less than \$100 and only for office supplies,
 2134 transportation expenses, and other necessities. Petty cash may
 2135 ~~shall~~ not be used for the purchase of time, space, or services
 2136 from communications media as defined in s. 106.011 ~~106.011(13)~~.

2137 Section 21. Paragraph (b) of subsection (3) of section
 2138 106.147, Florida Statutes, is amended to read:

2139 106.147 Telephone solicitation; disclosure requirements;
 2140 prohibitions; exemptions; penalties.—

2141 (3)

2142 (b) For purposes of paragraph (a), the term "person"
 2143 includes any candidate; any officer of any political committee,
 2144 ~~committee of continuous existence,~~ affiliated party committee,
 2145 or political party executive committee; any officer, partner,
 2146 attorney, or other representative of a corporation, partnership,
 2147 or other business entity; and any agent or other person acting
 2148 on behalf of any candidate, political committee, ~~committee of~~
 2149 ~~continuous existence,~~ affiliated party committee, political
 2150 party executive committee, or corporation, partnership, or other
 2151 business entity.

2152 Section 22. Section 106.17, Florida Statutes, is amended
 2153 to read:

2154 106.17 Polls and surveys relating to candidacies.—Any
 2155 candidate, political committee, ~~committee of continuous~~
 2156 ~~existence,~~ electioneering communication organization, affiliated



2157 party committee, or state or county executive committee of a
 2158 political party may authorize or conduct a political poll,
 2159 survey, index, or measurement of any kind relating to candidacy
 2160 for public office so long as the candidate, political committee,
 2161 ~~committee of continuous existence,~~ electioneering communication
 2162 organization, affiliated party committee, or political party
 2163 maintains complete jurisdiction over the poll in all its
 2164 aspects. State and county executive committees of a political
 2165 party or an affiliated party committee may authorize and conduct
 2166 political polls for the purpose of determining the viability of
 2167 potential candidates. Such poll results may be shared with
 2168 potential candidates, and expenditures incurred by state and
 2169 county executive committees or an affiliated party committee for
 2170 potential candidate polls are not contributions to the potential
 2171 candidates.

2172 Section 23. Subsection (2) of section 106.23, Florida
 2173 Statutes, is amended to read:

2174 106.23 Powers of the Division of Elections.—

2175 (2) The Division of Elections shall provide advisory
 2176 opinions when requested by any supervisor of elections,
 2177 candidate, local officer having election-related duties,
 2178 political party, affiliated party committee, political
 2179 committee, ~~committee of continuous existence,~~ or other person or
 2180 organization engaged in political activity, relating to any
 2181 provisions or possible violations of Florida election laws with
 2182 respect to actions such supervisor, candidate, local officer
 2183 having election-related duties, political party, affiliated
 2184 party committee, committee, person, or organization has taken or



2185 | proposes to take. Requests for advisory opinions must be
 2186 | submitted in accordance with rules adopted by the Department of
 2187 | State. A written record of all such opinions issued by the
 2188 | division, sequentially numbered, dated, and indexed by subject
 2189 | matter, shall be retained. A copy shall be sent to said person
 2190 | or organization upon request. Any such person or organization,
 2191 | acting in good faith upon such an advisory opinion, shall not be
 2192 | subject to any criminal penalty provided for in this chapter.
 2193 | The opinion, until amended or revoked, shall be binding on any
 2194 | person or organization who sought the opinion or with reference
 2195 | to whom the opinion was sought, unless material facts were
 2196 | omitted or misstated in the request for the advisory opinion.

2197 | Section 24. Subsections (2) and (3) of section 106.265,
 2198 | Florida Statutes, are amended to read:

2199 | 106.265 Civil penalties.—

2200 | (2) In determining the amount of such civil penalties, the
 2201 | commission or administrative law judge shall consider, among
 2202 | other mitigating and aggravating circumstances:

2203 | (a) The gravity of the act or omission;

2204 | (b) Any previous history of similar acts or omissions;

2205 | (c) The appropriateness of such penalty to the financial
 2206 | resources of the person, political committee, ~~committee of~~
 2207 | ~~continuous existence~~, affiliated party committee, electioneering
 2208 | communications organization, or political party; and

2209 | (d) Whether the person, political committee, ~~committee of~~
 2210 | ~~continuous existence~~, affiliated party committee, electioneering
 2211 | communications organization, or political party has shown good
 2212 | faith in attempting to comply with the provisions of this



2213 chapter or chapter 104.

2214 (3) If any person, political committee, ~~committee of~~
 2215 ~~continuous existence~~, affiliated party committee, electioneering
 2216 communications organization, or political party fails or refuses
 2217 to pay to the commission any civil penalties assessed pursuant
 2218 to the provisions of this section, the commission shall be
 2219 responsible for collecting the civil penalties resulting from
 2220 such action.

2221 Section 25. Subsection (2) of section 106.27, Florida
 2222 Statutes, is amended to read:

2223 106.27 Determinations by commission; legal disposition.—

2224 (2) Civil actions may be brought by the commission for
 2225 relief, including permanent or temporary injunctions,
 2226 restraining orders, or any other appropriate order for the
 2227 imposition of civil penalties provided by this chapter. Such
 2228 civil actions shall be brought by the commission in the
 2229 appropriate court of competent jurisdiction, and the venue shall
 2230 be in the county in which the alleged violation occurred or in
 2231 which the alleged violator or violators are found, reside, or
 2232 transact business. Upon a proper showing that such person,
 2233 political committee, ~~committee of continuous existence~~,
 2234 affiliated party committee, or political party has engaged, or
 2235 is about to engage, in prohibited acts or practices, a permanent
 2236 or temporary injunction, restraining order, or other order shall
 2237 be granted without bond by such court, and the civil fines
 2238 provided by this chapter may be imposed.

2239 Section 26. Subsection (3) of section 106.32, Florida
 2240 Statutes, is amended to read:



2241 106.32 Election Campaign Financing Trust Fund.—
 2242 (3) Proceeds from assessments pursuant to ss. ~~106.04,~~
 2243 106.07~~r~~ and 106.29 shall be deposited into the Election Campaign
 2244 Financing Trust Fund as designated in those sections.

2245 Section 27. Section 106.33, Florida Statutes, is amended
 2246 to read:

2247 106.33 Election campaign financing; eligibility.—Each
 2248 candidate for the office of Governor or member of the Cabinet
 2249 who desires to receive contributions from the Election Campaign
 2250 Financing Trust Fund ~~shall~~, upon qualifying for office, shall
 2251 file a request for such contributions with the filing officer on
 2252 forms provided by the Division of Elections. If a candidate
 2253 requesting contributions from the fund desires to have such
 2254 funds distributed by electronic fund transfers, the request
 2255 shall include information necessary to implement that procedure.
 2256 For the purposes of ss. 106.30-106.36, the respective candidates
 2257 running for Governor and Lieutenant Governor on the same ticket
 2258 shall be considered as a single candidate. To be eligible to
 2259 receive contributions from the fund, a candidate may not be an
 2260 unopposed candidate as defined in s. 106.011 ~~106.011(15)~~ and
 2261 must:

2262 (1) Agree to abide by the expenditure limits provided in
 2263 s. 106.34.

2264 (2) (a) Raise contributions as follows:

2265 1. One hundred fifty thousand dollars for a candidate for
 2266 Governor.

2267 2. One hundred thousand dollars for a candidate for
 2268 Cabinet office.



2269 (b) Contributions from individuals who at the time of
 2270 contributing are not state residents may not be used to meet the
 2271 threshold amounts in paragraph (a). For purposes of this
 2272 paragraph, any person validly registered to vote in this state
 2273 shall be considered a state resident.

2274 (3) Limit loans or contributions from the candidate's
 2275 personal funds to \$25,000 and contributions from national,
 2276 state, and county executive committees of a political party to
 2277 \$250,000 in the aggregate, which loans or contributions do ~~shall~~
 2278 not qualify for meeting the threshold amounts in subsection (2).

2279 (4) Submit to a postelection audit of the campaign account
 2280 by the division.

2281 Section 28. Section 111.075, Florida Statutes, is amended
 2282 to read:

2283 111.075 Elected officials; prohibition concerning certain
 2284 committees.—Elected officials are prohibited from being employed
 2285 by, or acting as a consultant for compensation to, a political
 2286 committee ~~or committee of continuous existence.~~

2287 Section 29. Subsections (3) and (4) and paragraph (a) of
 2288 subsection (5) of section 112.3148, Florida Statutes, are
 2289 amended to read:

2290 112.3148 Reporting and prohibited receipt of gifts by
 2291 individuals filing full or limited public disclosure of
 2292 financial interests and by procurement employees.—

2293 (3) A reporting individual or procurement employee is
 2294 prohibited from soliciting any gift from a political committee
 2295 ~~or committee of continuous existence~~, as defined in s. 106.011,
 2296 or from a lobbyist who lobbies the reporting individual's or



2297 procurement employee's agency, or the partner, firm, employer,
 2298 or principal of such lobbyist, where such gift is for the
 2299 personal benefit of the reporting individual or procurement
 2300 employee, another reporting individual or procurement employee,
 2301 or any member of the immediate family of a reporting individual
 2302 or procurement employee.

2303 (4) A reporting individual or procurement employee or any
 2304 other person on his or her behalf is prohibited from knowingly
 2305 accepting, directly or indirectly, a gift from a political
 2306 ~~committee or committee of continuous existence~~, as defined in s.
 2307 106.011, or from a lobbyist who lobbies the reporting
 2308 individual's or procurement employee's agency, or directly or
 2309 indirectly on behalf of the partner, firm, employer, or
 2310 principal of a lobbyist, if he or she knows or reasonably
 2311 believes that the gift has a value in excess of \$100; however,
 2312 such a gift may be accepted by such person on behalf of a
 2313 governmental entity or a charitable organization. If the gift is
 2314 accepted on behalf of a governmental entity or charitable
 2315 organization, the person receiving the gift shall not maintain
 2316 custody of the gift for any period of time beyond that
 2317 reasonably necessary to arrange for the transfer of custody and
 2318 ownership of the gift.

2319 (5) (a) A political committee ~~or a committee of continuous~~
 2320 ~~existence~~, as defined in s. 106.011; a lobbyist who lobbies a
 2321 reporting individual's or procurement employee's agency; the
 2322 partner, firm, employer, or principal of a lobbyist; or another
 2323 on behalf of the lobbyist or partner, firm, principal, or
 2324 employer of the lobbyist is prohibited from giving, either



2325 directly or indirectly, a gift that has a value in excess of
2326 \$100 to the reporting individual or procurement employee or any
2327 other person on his or her behalf; however, such person may give
2328 a gift having a value in excess of \$100 to a reporting
2329 individual or procurement employee if the gift is intended to be
2330 transferred to a governmental entity or a charitable
2331 organization.

2332 Section 30. Subsections (3) and (4) of section 112.3149,
2333 Florida Statutes, are amended to read:

2334 112.3149 Solicitation and disclosure of honoraria.—

2335 (3) A reporting individual or procurement employee is
2336 prohibited from knowingly accepting an honorarium from a
2337 political committee ~~or committee of continuous existence~~, as
2338 defined in s. 106.011, from a lobbyist who lobbies the reporting
2339 individual's or procurement employee's agency, or from the
2340 employer, principal, partner, or firm of such a lobbyist.

2341 (4) A political committee ~~or committee of continuous~~
2342 ~~existence~~, as defined in s. 106.011, a lobbyist who lobbies a
2343 reporting individual's or procurement employee's agency, or the
2344 employer, principal, partner, or firm of such a lobbyist is
2345 prohibited from giving an honorarium to a reporting individual
2346 or procurement employee.

2347 Section 31. Subsection (4) of section 1004.28, Florida
2348 Statutes, is amended to read:

2349 1004.28 Direct-support organizations; use of property;
2350 board of directors; activities; audit; facilities.—

2351 (4) ACTIVITIES; RESTRICTION.—A university direct-support
2352 organization is prohibited from giving, either directly or



2353 indirectly, any gift to a political committee ~~or committee of~~
 2354 ~~continuous existence~~ as defined in s. 106.011 for any purpose
 2355 other than those certified by a majority roll call vote of the
 2356 governing board of the direct-support organization at a
 2357 regularly scheduled meeting as being directly related to the
 2358 educational mission of the university.

2359 Section 32. Paragraph (d) of subsection (4) of section
 2360 1004.70, Florida Statutes, is amended to read:

2361 1004.70 Florida College System institution direct-support
 2362 organizations.—

2363 (4) ACTIVITIES; RESTRICTIONS.—

2364 (d) A Florida College System institution direct-support
 2365 organization is prohibited from giving, either directly or
 2366 indirectly, any gift to a political committee ~~or committee of~~
 2367 ~~continuous existence~~ as defined in s. 106.011 for any purpose
 2368 other than those certified by a majority roll call vote of the
 2369 governing board of the direct-support organization at a
 2370 regularly scheduled meeting as being directly related to the
 2371 educational mission of the Florida College System institution.

2372 Section 33. Paragraph (c) of subsection (4) of section
 2373 1004.71, Florida Statutes, is amended to read:

2374 1004.71 Statewide Florida College System institution
 2375 direct-support organizations.—

2376 (4) RESTRICTIONS.—

2377 (c) A statewide Florida College System institution direct-
 2378 support organization is prohibited from giving, either directly
 2379 or indirectly, any gift to a political committee ~~or committee of~~
 2380 ~~continuous existence~~ as defined in s. 106.011 for any purpose



2381 other than those certified by a majority roll call vote of the
2382 governing board of the direct-support organization at a
2383 regularly scheduled meeting as being directly related to the
2384 educational mission of the State Board of Education.

2385 Section 34. For the purpose of incorporating the amendment
2386 made by this act into section 106.08, Florida Statutes, in a
2387 reference thereto, subsection (2) of section 106.075, Florida
2388 Statutes, is reenacted to read:

2389 106.075 Elected officials; report of loans made in year
2390 preceding election; limitation on contributions to pay loans.—

2391 (2) Any person who makes a contribution to an individual
2392 to pay all or part of a loan incurred, in the 12 months
2393 preceding the election, to be used for the individual's
2394 campaign, may not contribute more than the amount which is
2395 allowed in s. 106.08(1).

2396 Section 35. For the purpose of incorporating the
2397 amendments made by this act to section 106.08, Florida Statutes,
2398 in references thereto, section 106.19, Florida Statutes, is
2399 reenacted to read:

2400 106.19 Violations by candidates, persons connected with
2401 campaigns, and political committees.—

2402 (1) Any candidate; campaign manager, campaign treasurer,
2403 or deputy treasurer of any candidate; committee chair, vice
2404 chair, campaign treasurer, deputy treasurer, or other officer of
2405 any political committee; agent or person acting on behalf of any
2406 candidate or political committee; or other person who knowingly
2407 and willfully:

2408 (a) Accepts a contribution in excess of the limits



2409 prescribed by s. 106.08;

2410 (b) Fails to report any contribution required to be

2411 reported by this chapter;

2412 (c) Falsely reports or deliberately fails to include any

2413 information required by this chapter; or

2414 (d) Makes or authorizes any expenditure in violation of s.

2415 106.11(4) or any other expenditure prohibited by this chapter;

2416

2417 is guilty of a misdemeanor of the first degree, punishable as

2418 provided in s. 775.082 or s. 775.083.

2419 (2) Any candidate, campaign treasurer, or deputy

2420 treasurer; any chair, vice chair, or other officer of any

2421 political committee; any agent or person acting on behalf of any

2422 candidate or political committee; or any other person who

2423 violates paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d)

2424 shall be subject to a civil penalty equal to three times the

2425 amount involved in the illegal act. Such penalty may be in

2426 addition to the penalties provided by subsection (1) and shall

2427 be paid into the General Revenue Fund of this state.

2428 (3) A political committee sponsoring a constitutional

2429 amendment proposed by initiative which submits a petition form

2430 gathered by a paid petition circulator which does not provide

2431 the name and address of the paid petition circulator on the form

2432 is subject to the civil penalties prescribed in s. 106.265.

2433 (4) Except as otherwise expressly stated, the failure by a

2434 candidate to comply with the requirements of this chapter has no

2435 effect upon whether the candidate has qualified for the office

2436 the candidate is seeking.



2437 Section 36. (1) For the 2013-2014 fiscal year, one full-
2438 time equivalent position, with associated salary rate of 33,000,
2439 is authorized, and \$42,900 in recurring funds from the Elections
2440 Commission Trust Fund within the Department of Legal Affairs is
2441 appropriated to the Florida Elections Commission to carry out
2442 the provisions of this act.

2443 (2) For the 2013-2014 fiscal year, two full-time
2444 equivalent positions, with associated salary rate of 57,297, are
2445 authorized, and \$85,000 in recurring funds from the General
2446 Revenue Fund is appropriated to the Division of Elections of the
2447 Department of State to carry out the provisions of this act.

2448 (3) This section shall take effect July 1, 2013.

2449 Section 37. Except as otherwise expressly provided in this
2450 act and except for this section, which shall take effect upon
2451 becoming a law, this act shall take effect November 1, 2013.