

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 470
 SPONSOR: Senator Klein
 SUBJECT: Campaign Financing
 DATE: March 8, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Bradshaw	EE	Favorable
2.	_____	_____	APJ	_____
3.	_____	_____	AP	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 470 increases the criminal penalties for making or accepting certain cash contributions (including cashier's checks) in excess of \$100. Current law designates such offenses, irrespective of the amount, as a first-degree misdemeanor. The bill makes it a third-degree felony to knowingly and willfully make or accept a cash contribution exceeding \$5,000, while maintaining the first-degree misdemeanor penalty for making or accepting a cash contribution of more than \$100.

This bill substantially amends section 106.09 of the Florida Statutes.

II. Present Situation:

It is a first-degree misdemeanor to make or accept a campaign contribution in cash or cashier's check which exceeds \$100. s. 106.09, F.S. (1999). The same criminal penalty attaches for each violation, regardless of the amount. Therefore, someone making a cash contribution of \$100,000 would be guilty of the same offense as someone who made a cash contribution of \$150 --- a first-degree misdemeanor.

III. Effect of Proposed Changes:

Senate Bill 470 makes it a third-degree felony to *knowingly and willfully* make or accept a cash contribution exceeding \$5,000. The bill maintains the current first-degree misdemeanor penalty for making or accepting a cash contribution in excess of \$100.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

It is unlikely that the bill will have a significant impact on the state's resources or prison population, given the relatively small pool of potential offenders subject to a felony offense.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.