

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: CS/SB 2130

SPONSOR: Committee on Ethics and Elections and Senator Sebesta

SUBJECT: Political advertising; sponsorship disclaimers

DATE: March 24, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fox</u>	<u>Rubinas</u>	<u>EE</u>	<u>Fav/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Senate Bill 2130 creates a simplified, uniform political advertising disclaimer for candidate ads.

This bill substantially amends section 106.143 of the Florida Statutes.

II. Present Situation:

Florida law requires political advertisements that support or oppose a candidate to carry a sponsorship disclaimer.¹ The statutes do not provide specific language for the entire disclaimer, but do provide requirements. The disclaimer must:

- Be marked “Paid political advertisement” or “Pd. Pol. Adv.”;
- Identify the persons or organizations sponsoring the ad;
- State whether the ad and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the ad; or, state who paid for the ad and the cost of production, if different from the sponsor. (These requirements only attach if the source of the sponsorship is not patently clear from the content or format of the political advertisement.)
- Political advertisements that are not independent expenditures must state that the ad was approved by the candidate; otherwise, the ad must state that it was not approved by any candidate.

¹ Sections 106.011(17); 106.143, F.S.

III. Effect of Proposed Changes:

Committee Substitute for Senate Bill 2130 simplifies the political advertising disclaimer for ads paid for by candidates. The sponsorship disclaimer on such ads must state: “Political advertisement paid for and approved by ... (name of candidate) ..., ...(party affiliation) ..., for ... (office sought)”

The bill maintains the current requirements for all other political advertisements.

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:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
