Florida Senate - 2007

By Senator Justice

16-724A-07

1	A bill to be entitled
2	An act relating to campaign financing; creating
3	s. 106.113, F.S.; defining the terms "local
4	government" and "public funds"; prohibiting a
5	local government from expending, directly or
6	indirectly, public funds to support or oppose
7	an issue, referendum, or amendment that is
8	subject to a vote of the electors; prohibiting
9	a person or group from accepting public funds
10	from a local government that are intended to
11	support or oppose an issue, referendum, or
12	amendment that is subject to a vote of the
13	electors; prohibiting a local government from
14	expending public funds for a political
15	advertisement; providing an exception for a
16	communication from a local government which
17	factually and objectively describes the
18	purposes of an issue, referendum, or amendment
19	and does not advocate for the passage or defeat
20	of the issue, referendum, or amendment;
21	providing an effective date.
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23	Be It Enacted by the Legislature of the State of Florida:
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25	Section 1. Section 106.113, Florida Statutes, is
26	created to read:
27	106.113 Expenditures by local governments
28	(1) As used in this section, the term:
29	<u>(a) "Local government" means:</u>
30	1. A county, municipality, school district, or other
31	political subdivision in this state; and
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1 Any department, agency, board, bureau, district, 2 commission, authority, or similar body of a county, municipality, school district, or other political subdivision 3 4 of this state. 5 (b) "Public funds" means all moneys under the 6 jurisdiction or control of the local government. 7 (2) A local government or a person acting on behalf of 8 a local government may not expend, directly or indirectly, 9 public funds to support or oppose an issue, referendum, or 10 amendment that is subject to a vote of the electors. (3) A person or group may not accept public funds from 11 12 a local government or a person acting on behalf of a local 13 government which are intended to support or oppose an issue, referendum, or amendment that is subject to a vote of the 14 15 electors. 16 (4) A local government or a person acting on behalf of 17 a local government may not expend or authorize the expenditure 18 of public funds for a political advertisement. 19 (5) This section does not apply to a communication 20 from a local government or a person acting on behalf of a 21 local government which factually and objectively describes the purpose of an issue, referendum, or amendment and does not 2.2 23 advocate for the passage or defeat of the issue, referendum, or amendment. However, before a communication authorized under 2.4 this subsection may be disseminated, the communication must be 25 approved by a majority of the members of the elected body of 26 27 the local government. 2.8 (6) This section does not prohibit the use of public meeting places that are under the control of the local 29 government by candidates, political organizations, or others 30 if the meeting places are made available to all candidates, 31

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1 political organizations, or others on an equal basis. However, 2 this subsection does not create a right of a candidate or political organization to use such public meeting places. 3 4 Section 2. This act shall take effect July 1, 2007. 5 ****** б 7 SENATE SUMMARY 8 Prohibits a local government from expending, directly or indirectly, public funds to support or oppose an issue, referendum, or amendment that is subject to a vote of the 9 electors. Prohibits a person or group from accepting 10 public funds from a local government that are intended to support or oppose an issue, referendum, or amendment that is subject to a vote of the electors. Prohibits a local 11 government from expending public funds for a political 12 advertisement. Provides an exception for a communication from a local government which factually and objectively describes the purposes of an issue, referendum, or amendment and does not advocate for the passage or defeat of the issue, referendum, or amendment. 13 14 15 16 17 18 19 20 21 22 23 2.4 25 26 27 28 29 30 31

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