

1                   A bill to be entitled  
2       An act relating to elections; creating s. 97.0115, F.S.;  
3       providing that all matters in chapters 97 through 105,  
4       F.S., are preempted to the state, unless otherwise  
5       specified; amending s. 97.021, F.S.; defining the term  
6       "absent uniformed services voter"; revising the definition  
7       of the term "overseas voter"; amending s. 98.0981, F.S.,  
8       relating to statewide voter information; conforming a  
9       cross-reference; ; amending s. 101.111, F.S.; revising  
10      voter challenge oath requirements; providing circumstances  
11      under which a challenged voter may execute a change of  
12      legal residence, be directed to the proper precinct, or  
13      vote a provisional ballot; amending s. 101.56075, F.S.;  
14      extending the deadline by which persons with disabilities  
15      will be required to vote on voter interface devices  
16      meeting specified requirements; amending s. 101.5612,  
17      F.S.; requiring the supervisor of elections to publish on  
18      his or her website a notice of testing of tabulating  
19      equipment; requiring the use of certain ballots and  
20      technology for preelection testing of tabulating  
21      equipment; amending s. 101.62, F.S.; requiring the  
22      supervisor of elections to notify the absent uniformed  
23      services voter and overseas voter of the free access  
24      system for determining absentee ballot status; providing a  
25      timeframe for an absentee ballot to be sent to each absent  
26      uniformed services voter and overseas voter; providing  
27      acceptable formats for requesting an absentee ballot;  
28      modifying circumstances under which the department is

29        authorized to prescribe rules for a ballot to be sent to  
30        absent uniformed services voters and overseas voters;  
31        amending s. 101.694, F.S.; requiring a supervisor to send  
32        absentee ballots by specified means to certain persons  
33        upon receipt of a federal postcard application; deleting  
34        provisions relating to the period for which an absentee  
35        ballot request is valid; amending s. 101.6952, F.S.;  
36        revising responsibilities of the supervisor of elections  
37        when an absent uniformed services voter's or overseas  
38        voter's request for an absentee ballot includes an e-mail  
39        address; requiring the supervisor to record the e-mail  
40        address in the absentee ballot record and, via e-mail,  
41        confirm that the request was received, inform the voter of  
42        the estimated date the absentee ballot will be sent, and  
43        notify the voter when the voted absentee ballot is  
44        received; amending s. 101.71, F.S.; requiring the  
45        supervisor of elections to ensure the provision of  
46        adequate supplies, equipment, and personnel when precincts  
47        are collocated; requiring the supervisor of elections to  
48        publish the relocation of a polling place on his or her  
49        website; amending s. 102.012, F.S.; allowing the  
50        supervisor of elections to appoint one election board for  
51        collocated precincts and requiring the appointment of  
52        adequate personnel for the collocated precincts; amending  
53        s. 102.111, F.S.; clarifying that the Governor and Cabinet  
54        members shall serve ex officio on the Elections Canvassing  
55        Commission; establishing meeting times for the commission;  
56        amending s. 102.112, F.S.; conforming a cross-reference;

57        amending s. 102.141, F.S.; requiring the supervisor of  
58        elections to publish on his or her website notice of the  
59        time for canvassing absentee and provisional ballots;  
60        providing circumstances under which the Secretary of  
61        State, county canvassing board, or local board is  
62        responsible for ordering recounts in elections; specifying  
63        the time for filing returns for elections in which a  
64        recount was ordered; amending s. 102.166, F.S.; providing  
65        circumstances under which the Secretary of State, county  
66        canvassing board, or local board is responsible for  
67        ordering a manual recount of overvotes and undervotes;  
68        amending s. 106.25, F.S.; authorizing the Florida  
69        Elections Commission to determine whether a person's  
70        conduct was willful in an informal hearing following a  
71        finding of probable cause; providing a short title;  
72        amending s. 106.143, F.S.; providing an alternative  
73        statement that may be used to identify a candidate as the  
74        sponsor of a political advertisement under certain  
75        circumstances; providing circumstances under which certain  
76        campaign messages and political advertisements are not  
77        required to state or display specific information  
78        regarding the identity of the candidate, his or her party  
79        affiliation, and the office sought in the message or  
80        advertisement; authorizing a candidate or political  
81        committee to place a statement on a social networking  
82        website or account indicating that the site or account is  
83        an official site or account approved by the candidate or  
84        political committee; prohibiting an official designation

85 without the prior approval by the candidate or political  
86 committee; amending s. 106.011, F.S.; revising the  
87 definition of the term "political committee" to remove  
88 certain reporting requirements included in the exclusion  
89 of electioneering communications organizations from the  
90 definition; revising the definition of the term "filing  
91 officer" to expand applicability to electioneering  
92 communications organizations; revising the definition of  
93 the term "electioneering communication" to conform to  
94 certain federal requirements and to delineate what  
95 constitutes such a communication; revising the definition  
96 of the term "electioneering communications organization";  
97 amending s. 106.03, F.S.; revising the registration  
98 requirements for electioneering communications  
99 organizations; revising the statement of organization  
100 requirements; revising rule adoption requirements relating  
101 to dissolution of political committees and electioneering  
102 communications organizations; amending s. 106.0703, F.S.;  
103 consolidating reporting requirements in ch. 106, F.S.,  
104 applicable to electioneering communications organizations;  
105 providing penalties; conforming provisions; prohibiting  
106 the use of credit cards by electioneering communications  
107 organizations; amending s. 106.0705, F.S., relating to  
108 electronic filing of campaign treasurer's reports;  
109 conforming provisions; amending s. 106.071, F.S.;  
110 increasing the aggregate amount of expenditures required  
111 for filing certain reports related to independent  
112 expenditures or electioneering communications; amending s.

113        106.08, F.S.; removing certain limitations on  
114        contributions received by an electioneering communications  
115        organization; amending s. 106.1439, F.S.; providing  
116        identification requirements for certain electioneering  
117        communications; providing an exception for telephone  
118        calls; amending s. 106.147, F.S., relating to telephone  
119        solicitation disclosure requirements; removing  
120        requirements relating to electioneering communication, to  
121        conform; reenacting ss. 106.011(1)(b), (3), (4), (18), and  
122        (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703,  
123        106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439,  
124        and 106.17, F.S., relating to definitions, registered  
125        office and agent requirements, registration requirements,  
126        prohibited activities for committees of continuous  
127        existence, additional reporting requirements, electronic  
128        filing requirements, expenditure reports, penalties for  
129        violations pertaining to limitations on contributions,  
130        miscellaneous advertisements, electioneering  
131        communications disclaimers and penalties for failure to  
132        include disclaimers, and polls and surveys pertaining to  
133        candidacies, to cure and conform; amending s. 379.352,  
134        F.S., relating to recreational licenses and permits;  
135        conforming cross-references; providing effective dates.

136  
137        Be It Enacted by the Legislature of the State of Florida:

138  
139        Section 1.    Section 97.0115, Florida Statutes, is created  
140        to read:

141 97.0115 Preemption.—All matters set forth in chapters 97-  
142 105 are preempted to the state, except as otherwise specifically  
143 authorized by state or federal law. The conduct of municipal  
144 elections shall be governed by s. 100.3605.

145 Section 2. Present subsections (2) through (43) of section  
146 97.021, Florida Statutes, are renumbered as subsections (3)  
147 through (44), respectively, a new subsection (2) is added to  
148 that section, and present subsection (22) of that section is  
149 amended, to read:

150 97.021 Definitions.—For the purposes of this code, except  
151 where the context clearly indicates otherwise, the term:

152 (2) "Absent uniformed services voter" means:

153 (a) A member of a uniformed service on active duty who, by  
154 reason of such active duty, is absent from the place of  
155 residence where the member is otherwise qualified to vote;

156 (b) A member of the merchant marine who, by reason of  
157 service in the merchant marine, is absent from the place of  
158 residence where the member is otherwise qualified to vote; or

159 (c) A spouse or dependent of a member referred to in  
160 paragraph (a) or paragraph (b) who, by reason of the active duty  
161 or service of the member, is absent from the place of residence  
162 where the spouse or dependent is otherwise qualified to vote.

163 (23)-(22) "Overseas voter" means:

164 (a) An absent uniformed services voter who, by reason of  
165 active duty or service, is absent from the United States on the  
166 date of the election involved ~~Members of the uniformed services~~  
167 ~~while in the active service who are permanent residents of the~~  
168 ~~state and are temporarily residing outside the territorial~~

169 ~~limits of the United States and the District of Columbia;~~

170 (b) A person who resides outside the United States and is  
171 qualified to vote in the last place in which the person was  
172 domiciled before leaving the United States ~~Members of the~~  
173 ~~Merchant Marine of the United States who are permanent residents~~  
174 ~~of the state and are temporarily residing outside the~~  
175 ~~territorial limits of the United States and the District of~~  
176 ~~Columbia; or and~~

177 (c) A person who resides outside the United States and,  
178 but for such residence, would be qualified to vote in the last  
179 place in which the person was domiciled before leaving the  
180 United States ~~Other citizens of the United States who are~~  
181 ~~permanent residents of the state and are temporarily residing~~  
182 ~~outside the territorial limits of the United States and the~~  
183 ~~District of Columbia,~~

184  
185 ~~who are qualified and registered to vote as provided by law.~~

186 Section 3. Subsection (3) of section 98.0981, Florida  
187 Statutes, is amended to read:

188 98.0981 Reports; voting history; statewide voter  
189 registration system information; precinct-level election  
190 results; book closing statistics.—

191 (3) PRECINCT-LEVEL BOOK CLOSING STATISTICS.—After the date  
192 of book closing but before the date of an election as defined in  
193 s. 97.021 ~~s. 97.021(10)~~ to fill a national, state, county, or  
194 district office, or to vote on a proposed constitutional  
195 amendment, the department shall compile the following precinct-  
196 level statistical data for each county:

197 (a) Precinct numbers.

198 (b) Total number of active registered voters by party for  
199 each precinct.

200 Section 4. Section 101.111, Florida Statutes, is amended  
201 to read:

202 101.111 Voter challenges ~~Person desiring to vote may be~~  
203 ~~challenged; challenger to execute oath; oath of person~~  
204 ~~challenged; determination of challenge.~~—

205 (1)(a) Any registered elector or poll watcher of a county  
206 may challenge the right of a person to vote in that county. The  
207 challenge must be in writing and contain the following oath,  
208 which shall be delivered to the clerk or inspector:

209 OATH OF PERSON ENTERING CHALLENGE

210  
211 State of Florida

212 County of ....

213  
214 I do solemnly swear or affirm that my name is ....; that I am a  
215 member of the .... Party; that I am a registered voter or  
216 pollwatcher; that my residence address is ....., in the  
217 municipality of ....; and that I have reason to believe that  
218 .... is attempting to vote illegally and the reasons for my  
219 belief are set forth herein to wit:

220  
221  
222 ... (Signature of person challenging voter) ...

223  
224 Sworn and subscribed to before me this .... day of .....,

225 ... (year) ....

226 ... (Clerk of election) ...

227 (b) 1. The clerk or inspector shall immediately deliver to  
228 the challenged person a copy of the oath of the person entering  
229 the challenge, and the challenged voter shall be allowed to cast  
230 a provisional ballot in accordance with s. 101.048, except as  
231 provided in subparagraph 2.

232 2. If the basis for the challenge is that the person's  
233 legal residence is not in that precinct, the person shall first  
234 be given the opportunity to execute a change of legal residence  
235 in order to be able to vote a regular ballot in accordance with  
236 s. 101.045(2). If the change of legal residence is such that the  
237 person is then properly registered for that precinct, the person  
238 shall be allowed to vote a regular ballot. If the change of  
239 legal residence places the person in another precinct, the  
240 person shall be directed to the proper precinct to vote. If such  
241 person insists that he or she is currently in the proper  
242 precinct, the person shall be allowed to vote a provisional  
243 ballot in accordance with s. 101.048.

244 (c) Alternatively, a challenge in accordance with this  
245 section may be filed in advance with the supervisor of elections  
246 no sooner than 30 days before an election. The supervisor shall  
247 promptly provide the election board in the challenged voter's  
248 precinct with a copy of the oath of the person entering the  
249 challenge. The challenged voter shall be allowed to cast a  
250 provisional ballot in accordance with s. 101.048, subject to the  
251 provisions of subparagraph (b) 2.

252 (2) Any elector or poll watcher filing a frivolous

253 challenge of any person's right to vote commits a misdemeanor of  
254 the first degree, punishable as provided in s. 775.082 or s.  
255 775.083; however, electors or poll watchers shall not be subject  
256 to liability for any action taken in good faith and in  
257 furtherance of any activity or duty permitted of such electors  
258 or poll watchers by law. Each instance where any elector or poll  
259 watcher files a frivolous challenge of any person's right to  
260 vote constitutes a separate offense.

261       Section 5. Subsection (3) of section 101.56075, Florida  
262 Statutes, is amended to read:

263       101.56075 Voting methods.—

264       (3) By 2016 ~~2012~~, persons with disabilities shall vote on  
265 a voter interface device that meets the voter accessibility  
266 requirements for individuals with disabilities under s. 301 of  
267 the federal Help America Vote Act of 2002 and s. 101.56062 which  
268 are consistent with subsection (1) of this section.

269       Section 6. Subsections (2) and (5) of section 101.5612,  
270 Florida Statutes, are amended to read:

271       101.5612 Testing of tabulating equipment.—

272       (2) On any day not more than 10 days prior to the  
273 commencement of early voting as provided in s. 101.657, the  
274 supervisor of elections shall have the automatic tabulating  
275 equipment publicly tested to ascertain that the equipment will  
276 correctly count the votes cast for all offices and on all  
277 measures. If the ballots to be used at the polling place on  
278 election day are not available at the time of the testing, the  
279 supervisor may conduct an additional test not more than 10 days  
280 before election day. Public notice of the time and place of the

281 test shall be given at least 48 hours prior thereto by  
282 publication on the supervisor of elections' website and once in  
283 one or more newspapers of general circulation in the county or,  
284 if there is no newspaper of general circulation in the county,  
285 by posting the notice in at least four conspicuous places in the  
286 county. The supervisor or the municipal elections official may,  
287 at the time of qualifying, give written notice of the time and  
288 location of the public preelection test to each candidate  
289 qualifying with that office and obtain a signed receipt that the  
290 notice has been given. The Department of State shall give  
291 written notice to each statewide candidate at the time of  
292 qualifying, or immediately at the end of qualifying, that the  
293 voting equipment will be tested and advise each candidate to  
294 contact the county supervisor of elections as to the time and  
295 location of the public preelection test. The supervisor or the  
296 municipal elections official shall, at least 15 days prior to  
297 the commencement of early voting as provided in s. 101.657, send  
298 written notice by certified mail to the county party chair of  
299 each political party and to all candidates for other than  
300 statewide office whose names appear on the ballot in the county  
301 and who did not receive written notification from the supervisor  
302 or municipal elections official at the time of qualifying,  
303 stating the time and location of the public preelection test of  
304 the automatic tabulating equipment. The canvassing board shall  
305 convene, and each member of the canvassing board shall certify  
306 to the accuracy of the test. For the test, the canvassing board  
307 may designate one member to represent it. The test shall be open  
308 to representatives of the political parties, the press, and the

public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

(5) Any tests involving marksense ballots pursuant to this section shall employ test ~~preprinted~~ ballots created by the supervisor of elections using actual ballots that have been printed for the election. ~~If preprinted ballots will be used in the election, and~~ ballot-on-demand ballots will be used in the election, the supervisor shall also create test ballots using the, ~~if~~ ballot-on-demand technology that will be used to produce ballots in the election, using the same paper stock as will be used for ballots in the election ~~or both.~~

Section 7. Subsections (1), (3), (4), and (5) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall ~~may~~ accept a request for an absentee ballot from an elector in person or in writing. ~~Except as provided in s. 101.694,~~ One request shall be deemed sufficient to receive an absentee ballot for all elections through the next ~~two~~ regularly scheduled general election ~~elections~~, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

337 (b) The supervisor may accept a written or telephonic  
338 request for an absentee ballot from the elector, or, if directly  
339 instructed by the elector, a member of the elector's immediate  
340 family, or the elector's legal guardian. For purposes of this  
341 section, the term "immediate family" has the same meaning as  
342 specified in paragraph (4)(b). The person making the request  
343 must disclose:

- 344 1. The name of the elector for whom the ballot is  
345 requested.~~+~~
- 346 2. The elector's address.~~+~~
- 347 3. The elector's date of birth.~~+~~
- 348 4. The requester's name.~~+~~
- 349 5. The requester's address.~~+~~
- 350 6. The requester's driver's license number, if available.~~+~~
- 351 7. The requester's relationship to the elector.~~+~~ ~~and~~
- 352 8. The requester's signature (written requests only).

353 (c) Upon receiving a request for an absentee ballot from  
354 an absent voter, the supervisor of elections shall notify the  
355 voter of the free access system that has been designated by the  
356 department for determining the status of his or her absentee  
357 ballot.

358 (3) For each request for an absentee ballot received, the  
359 supervisor shall record the date the request was made, the date  
360 the absentee ballot was delivered to the voter or the voter's  
361 designee or the date the absentee ballot was delivered to the  
362 post office or other carrier, the date the ballot was received  
363 by the supervisor, and such other information he or she may deem  
364 necessary. This information shall be provided in electronic

format as provided by rule adopted by the division. The information shall be updated and made available no later than noon of each day beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4) (a) No later than 45 days before each election, the supervisor of elections shall send an absentee ballot as provided in subparagraph (b)2. to each absent uniformed services voter and to each overseas voter who has requested an absentee ballot. ~~To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall mail an absentee ballot not less than 35 days before the primary election and not less than 45 days before the general election.~~

(b) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor, unless the elector specifies in the request that:

a. The elector is absent from the county and does not plan to return before the day of the election;

393           b. The elector is temporarily unable to occupy the  
394 residence because of hurricane, tornado, flood, fire, or other  
395 emergency or natural disaster; or

396           c. The elector is in a hospital, assisted living facility,  
397 nursing home, short-term medical or rehabilitation facility, or  
398 correctional facility,

399  
400 in which case the supervisor shall mail the ballot by  
401 nonforwardable, return-if-undeliverable mail to any other  
402 address the elector specifies in the request.

403           2. By forwardable mail, e-mail, or facsimile machine  
404 transmission to absent uniformed services voters and overseas  
405 voters who are entitled to vote by absentee ballot under the  
406 Uniformed and Overseas Citizens Absentee Voting Act. The absent  
407 uniformed services voter or overseas voter may designate in the  
408 absentee ballot request the preferred method of transmission. If  
409 the voter does not designate the method of transmission, the  
410 absentee ballot shall be mailed.

411           3. By personal delivery before 7 p.m. on election day to  
412 the elector, upon presentation of the identification required in  
413 s. 101.043.

414           4. By delivery to a designee on election day or up to 5  
415 days prior to the day of an election. Any elector may designate  
416 in writing a person to pick up the ballot for the elector;  
417 however, the person designated may not pick up more than two  
418 absentee ballots per election, other than the designee's own  
419 ballot, except that additional ballots may be picked up for  
420 members of the designee's immediate family. For purposes of this

section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

(5) ~~If In the event that the department Elections Canvassing Commission~~ is unable to certify candidates for the results of an election for a state office in time to comply with paragraph (4) (a) subsection (4), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed services voters and ~~electors~~ overseas voters.

Section 8. Subsection (1) of section 101.694, Florida Statutes, is amended to read:

101.694 Mailing of ballots upon receipt of federal postcard application.—

(1) Upon receipt of a federal postcard application for an absentee ballot executed by a person whose registration is in order or whose application is sufficient to register or update

449 the registration of that person, the supervisor shall send the  
450 ballot in accordance with s. 101.62(4) ~~mail to the applicant a~~  
451 ~~ballot, if the ballots are available for mailing. The federal~~  
452 ~~postcard application request for an absentee ballot shall be~~  
453 ~~effective for all elections through the next two regularly~~  
454 ~~scheduled general elections.~~

455 Section 9. Effective July 1, 2010, section 101.6952,  
456 Florida Statutes, is amended to read:

457 101.6952 Absentee ballots for absent uniformed services  
458 and overseas voters.—

459 (1) If an absent uniformed services voter's or an overseas  
460 voter's request for an absentee ballot includes an e-mail  
461 address, the supervisor of elections shall:

462 (a) Record the voter's e-mail address in the absentee  
463 ballot record;

464 (b) Confirm by e-mail that the absentee ballot request was  
465 received and include in that e-mail the estimated date the  
466 absentee ballot will be sent to the voter; and

467 (c) Notify the voter by e-mail when the voted absentee  
468 ballot is received by the supervisor of elections ~~inform the~~  
469 ~~voter of the names of candidates who will be on the ballots via~~  
470 ~~electronic transmission. The supervisor of elections shall e-~~  
471 ~~mail to the voter the list of candidates for the primary and~~  
472 ~~general election not later than 30 days before each election.~~

473 (2) For absentee ballots received from absent uniformed  
474 services voters or overseas voters, there is a presumption that  
475 the envelope was mailed on the date stated on the outside of the  
476 return envelope, regardless of the absence of a postmark on the

477 mailed envelope or the existence of a postmark date that is  
478 later than the date of the election.

479 Section 10. Subsection (2) of section 101.71, Florida  
480 Statutes, is amended to read:

481 101.71 Polling place.—

482 (2) Notwithstanding the provisions of subsection (1),  
483 whenever the supervisor of elections of any county determines  
484 that the accommodations for holding any election at a polling  
485 place designated for any precinct in the county are unavailable,  
486 are inadequate for the expeditious and efficient housing and  
487 handling of voting and voting paraphernalia, or do not comply  
488 with the requirements of s. 101.715, the supervisor shall, not  
489 less than 30 days prior to the holding of an election, provide  
490 for the voting place for such precinct to be moved to another  
491 site that is accessible to the public on election day in said  
492 precinct or, if such is not available, to another site that is  
493 accessible to the public on election day in a contiguous  
494 precinct. If such action of the supervisor results in the voting  
495 place for two or more precincts being located for the purposes  
496 of an election in one building, the supervisor of elections  
497 shall provide adequate supplies, equipment, and personnel are  
498 available to accommodate the voters for the precincts that are  
499 collocated ~~voting places for the several precincts involved~~  
500 ~~shall be established and maintained separate from each other in~~  
501 ~~said building~~. When any supervisor moves any polling place  
502 pursuant to this subsection, the supervisor shall, not more than  
503 30 days or fewer than 7 days prior to the holding of an  
504 election, give notice of the change of the polling place for the

precinct involved, with clear description of the voting place to which changed, at least once in a newspaper of general circulation in the said county and on the supervisor of elections' website. A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

Section 11. Subsection (1) of section 102.012, Florida Statutes, is amended to read:

102.012 Inspectors and clerks to conduct elections.—

(1) (a) The supervisor of elections of each county, at least 20 days prior to the holding of any election, shall appoint an election board comprised of poll workers who serve as clerks or inspectors for each precinct in the county. The clerk shall be in charge of, and responsible for, seeing that the election board carries out its duties and responsibilities. Each inspector and each clerk shall take and subscribe to an oath or affirmation, which shall be written or printed, to the effect that he or she will perform the duties of inspector or clerk of election, respectively, according to law and will endeavor to prevent all fraud, deceit, or abuse in conducting the election. The oath may be taken before an officer authorized to administer oaths or before any of the persons who are to act as inspectors, one of them to swear the others, and one of the others sworn thus, in turn, to administer the oath to the one who has not been sworn. The oaths shall be returned with the poll list and the returns of the election to the supervisor. In all questions that may arise before the members of an election board, the

533 decision of a majority of them shall decide the question. The  
534 supervisor of elections of each county shall be responsible for  
535 the attendance and diligent performance of his or her duties by  
536 each clerk and inspector.

537 (b) If two or more precincts share the same building and  
538 voting place, the supervisor of elections may appoint one  
539 election board for the collocated precincts. The supervisor  
540 shall provide a sufficient number of poll workers are appointed  
541 to adequately handle the processing of the voters in the  
542 collocated precincts.

543 Section 12. Section 102.111, Florida Statutes, is amended  
544 to read:

545 102.111 Elections Canvassing Commission.—

546 (1) The Elections Canvassing Commission shall consist of  
547 the Governor and two members of the Cabinet selected by the  
548 Governor, all of whom shall serve ex officio. If a member of the  
549 ~~Elections Canvassing~~ commission is unable to serve for any  
550 reason, the Governor shall appoint a remaining member of the  
551 Cabinet. If there is a further vacancy, the remaining members of  
552 the commission shall agree on another elected official to fill  
553 the vacancy.

554 (2) The Elections Canvassing Commission shall meet at 9  
555 a.m. on the 9th day after a primary election and at 9 a.m. on  
556 the 14th day after a general election to, ~~as soon as the~~  
557 ~~official results are compiled from all counties,~~ certify the  
558 returns of the election ~~and determine and declare who has been~~  
559 ~~elected~~ for each federal, state, and multicounty office. If a  
560 member of a county canvassing board that was constituted

pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

(3)~~(2)~~ The Division of Elections shall provide the staff services required by the Elections Canvassing Commission.

Section 13. Subsection (2) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.—

(2) Returns must be filed by 5 p.m. on the 7th day following a primary election and by noon on the 12th day following the general election. However, the Department of State may correct typographical errors, including the transposition of numbers, in any returns submitted to the Department of State pursuant to s. 102.111(2) ~~s. 102.111(1)~~.

Section 14. Subsections (2) and (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(2) The county canvassing board shall meet in a building accessible to the public in the county where the election occurred at a time and place to be designated by the supervisor of elections to publicly canvass the absentee electors' ballots as provided for in s. 101.68 and provisional ballots as provided

589 by ss. 101.048, 101.049, and 101.6925. Provisional ballots cast  
590 pursuant to s. 101.049 shall be canvassed in a manner that votes  
591 for candidates and issues on those ballots can be segregated  
592 from other votes. Public notice of the time and place at which  
593 the county canvassing board shall meet to canvass the absentee  
594 electors' ballots and provisional ballots shall be given at  
595 least 48 hours prior thereto by publication on the supervisor of  
596 elections' website and once in one or more newspapers of general  
597 circulation in the county or, if there is no newspaper of  
598 general circulation in the county, by posting such notice in at  
599 least four conspicuous places in the county. As soon as the  
600 absentee electors' ballots and the provisional ballots are  
601 canvassed, the board shall proceed to publicly canvass the vote  
602 given each candidate, nominee, constitutional amendment, or  
603 other measure submitted to the electorate of the county, as  
604 shown by the returns then on file in the office of the  
605 supervisor of elections ~~and the office of the county court~~  
606 ~~judge.~~

607 (7) If the unofficial returns reflect that a candidate for  
608 any office was defeated or eliminated by one-half of a percent  
609 or less of the votes cast for such office, that a candidate for  
610 retention to a judicial office was retained or not retained by  
611 one-half of a percent or less of the votes cast on the question  
612 of retention, or that a measure appearing on the ballot was  
613 approved or rejected by one-half of a percent or less of the  
614 votes cast on such measure, ~~the board responsible for certifying~~  
615 ~~the results of the vote on such race or measure shall order a~~  
616 recount shall be ordered of the votes cast with respect to such

617 office or measure. The Secretary of State Elections Canvassing  
618 ~~Commission~~ is ~~the board~~ responsible for ordering recounts in  
619 federal, state, and multicounty rac~~es~~ recounts. The county  
620 canvassing board or the local board responsible for certifying  
621 the election is responsible for ordering recounts in all other  
622 rac~~es~~. A recount need not be ordered with respect to the returns  
623 for any office, however, if the candidate or candidates defeated  
624 or eliminated from contention for such office by one-half of a  
625 percent or less of the votes cast for such office request in  
626 writing that a recount not be made.

627 (a) Each canvassing board responsible for conducting a  
628 recount shall put each marksense ballot through automatic  
629 tabulating equipment and determine whether the returns correctly  
630 reflect the votes cast. If any marksense ballot is physically  
631 damaged so that it cannot be properly counted by the automatic  
632 tabulating equipment during the recount, a true duplicate shall  
633 be made of the damaged ballot pursuant to the procedures in s.  
634 101.5614(5). Immediately before the start of the recount, a test  
635 of the tabulating equipment shall be conducted as provided in s.  
636 101.5612. If the test indicates no error, the recount tabulation  
637 of the ballots cast shall be presumed correct and such votes  
638 shall be canvassed accordingly. If an error is detected, the  
639 cause therefor shall be ascertained and corrected and the  
640 recount repeated, as necessary. The canvassing board shall  
641 immediately report the error, along with the cause of the error  
642 and the corrective measures being taken, to the Department of  
643 State. No later than 11 days after the election, the canvassing  
644 board shall file a separate incident report with the Department

645 of State, detailing the resolution of the matter and identifying  
646 any measures that will avoid a future recurrence of the error.

647 (b) Each canvassing board responsible for conducting a  
648 recount where touchscreen ballots were used shall examine the  
649 counters on the precinct tabulators to ensure that the total of  
650 the returns on the precinct tabulators equals the overall  
651 election return. If there is a discrepancy between the overall  
652 election return and the counters of the precinct tabulators, the  
653 counters of the precinct tabulators shall be presumed correct  
654 and such votes shall be canvassed accordingly.

655 (c) The canvassing board shall submit on forms or in  
656 formats provided by the division a second set of unofficial  
657 returns to the Department of State for each federal, statewide,  
658 state, or multicounty office or ballot measure. The returns  
659 shall be filed no later than 3 p.m. on the 5th ~~fifth~~ day after  
660 any primary election and no later than 3 p.m. on the 9th ~~ninth~~  
661 day after any general election in which a recount was ordered by  
662 the Secretary of State ~~conducted pursuant to this subsection~~. If  
663 the canvassing board is unable to complete the recount  
664 prescribed in this subsection by the deadline, the second set of  
665 unofficial returns submitted by the canvassing board shall be  
666 identical to the initial unofficial returns and the submission  
667 shall also include a detailed explanation of why it was unable  
668 to timely complete the recount. However, the canvassing board  
669 shall complete the recount prescribed in this subsection, along  
670 with any manual recount prescribed in s. 102.166, and certify  
671 election returns in accordance with the requirements of this  
672 chapter.

673 (d) The Department of State shall adopt detailed rules  
674 prescribing additional recount procedures for each certified  
675 voting system, which shall be uniform to the extent practicable.

676 Section 15. Subsection (1) of section 102.166, Florida  
677 Statutes, is amended to read:

678 102.166 Manual recounts of overvotes and undervotes.—

679 (1) If the second set of unofficial returns pursuant to s.  
680 102.141 indicates that a candidate for any office was defeated  
681 or eliminated by one-quarter of a percent or less of the votes  
682 cast for such office, that a candidate for retention to a  
683 judicial office was retained or not retained by one-quarter of a  
684 percent or less of the votes cast on the question of retention,  
685 or that a measure appearing on the ballot was approved or  
686 rejected by one-quarter of a percent or less of the votes cast  
687 on such measure, ~~the board responsible for certifying the~~  
688 ~~results of the vote on such race or measure shall order~~ a manual  
689 recount of the overvotes and undervotes cast in the entire  
690 geographic jurisdiction of such office or ballot measure shall  
691 be ordered unless:— A manual recount may not be ordered,  
692 however, if

693 (a) The candidate or candidates defeated or eliminated  
694 from contention by one-quarter of 1 percent or fewer of the  
695 votes cast for such office request in writing that a recount not  
696 be made; or

697 (b) The number of overvotes ~~and~~ undervotes, ~~and~~  
698 ~~provisional ballots~~ is fewer than the number of votes needed to  
699 change the outcome of the election.  
700

701 The Secretary of State is responsible for ordering a manual  
702 recount for federal, state, and multicounty races. The county  
703 canvassing board or local board responsible for certifying the  
704 election is responsible for ordering a manual recount for all  
705 other races.

706 Section 16. Subsection (3) of section 106.25, Florida  
707 Statutes, is amended to read:

708 106.25 Reports of alleged violations to Florida Elections  
709 Commission; disposition of findings.—

710 (3) For the purposes of commission jurisdiction, a  
711 violation shall mean the willful performance of an act  
712 prohibited by this chapter or chapter 104 or the willful failure  
713 to perform an act required by this chapter or chapter 104.  
714 Willfulness is a determination of fact; however, at the request  
715 of the respondent at any time after probable cause is found,  
716 willfulness may be considered and determined in an informal  
717 hearing before the commission.

718 Section 17. Section 18 of this act may be cited as the  
719 "Technology in Elections Act."

720 Section 18. Subsection (1) of section 106.143, Florida  
721 Statutes, is amended, present subsection (8) of that section is  
722 renumbered as subsection (9), and a new subsection (8) is added  
723 to that section, to read:

724 106.143 Political advertisements circulated prior to  
725 election; requirements.—

726 (1)(a) Any political advertisement that is paid for by a  
727 candidate and that is published, displayed, or circulated before  
728 ~~prior to~~, or on the day of, any election must prominently state:

729        1. "Political advertisement paid for and approved by  
730        ...(name of candidate)..., ...(party affiliation)..., for  
731        ...(office sought)...."; or

732        2. "Paid by ...(name of candidate)..., ...(party  
733        affiliation)..., for ...(office sought)...."

734        (b) Any other political advertisement published,  
735        displayed, or circulated before ~~prior to~~, or on the day of, any  
736        election must prominently:

737            1. Be marked "paid political advertisement" or with the  
738            abbreviation "pd. pol. adv."

739            2. State the name and address of the persons sponsoring  
740            the advertisement.

741            3.a.(I) State whether the advertisement and the cost of  
742            production is paid for or provided in kind by or at the expense  
743            of the entity publishing, displaying, broadcasting, or  
744            circulating the political advertisement; or

745            (II) State who provided or paid for the advertisement and  
746            cost of production, if different from the source of sponsorship.

747            b. This subparagraph does not apply if the source of the  
748            sponsorship is patently clear from the content or format of the  
749            political advertisement.

750            (c) Any political advertisement made pursuant to s.  
751            106.021(3) (d) must be marked "paid political advertisement" or  
752            with the abbreviation "pd. pol. adv." and must prominently  
753            state, "Paid for and sponsored by ...(name of person paying for  
754            political advertisement).... Approved by ...(names of persons,  
755            party affiliation, and offices sought in the political  
756            advertisement)...."

~~This subsection does not apply to campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.~~

(8) This section does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:

(a) Designed to be worn by a person.

(b) Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).

(c) Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).

(d) Placed at no cost on an Internet website for which there is no cost to post content for public users.

(e) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the

785 candidate or political committee. A website or account may not  
786 be marked as official without prior approval by the candidate or  
787 political committee.

788 (f) Distributed as a text message or other message via  
789 Short Message Service, provided the message is no more than 200  
790 characters in length or requires the recipient to sign up or opt  
791 in to receive it.

792 (g) Connected with or included in any software application  
793 or accompanying function, provided that the user signs up, opts  
794 in, downloads, or otherwise accesses the application from or  
795 through a website that complies with subsection (1).

796 (h) Sent by a third-party user from or through a campaign  
797 or committee's website, provided the website complies with  
798 subsection (1).

799 (i) Contained in or distributed through any other  
800 technology-related item, service, or device for which compliance  
801 with subsection (1) is not reasonably practical due to the size  
802 or nature of such item, service, or device as available, or the  
803 means of displaying the message or advertisement makes  
804 compliance with subsection (1) impracticable.

805 (9) ~~(8)~~ Any person who willfully violates any provision of  
806 this section is subject to the civil penalties prescribed in s.  
807 106.265.

808 Section 19. Paragraph (b) of subsection (1) of section  
809 106.011, Florida Statutes, is reenacted and amended, subsections  
810 (3) and (4) of that section are reenacted, subsection (14) of  
811 that section is amended, and subsections (18) and (19) of that  
812 section are reenacted and amended, to read:

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

(1)

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

1. Organizations which are certified by the Department of State as committees of continuous existence pursuant to s. 106.04, national political parties, and the state and county executive committees of political parties regulated by chapter 103.

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

3. Electioneering communications organizations as defined in subsection (19); ~~however, such organizations shall be required to register with and report expenditures and contributions, including contributions received from committees of continuous existence, to the Division of Elections in the same manner, at the same time, and subject to the same penalties as a political committee supporting or opposing an issue or a legislative candidate, except as otherwise specifically provided~~

841 ~~in this chapter.~~

842 (3) "Contribution" means:

843 (a) A gift, subscription, conveyance, deposit, loan,  
844 payment, or distribution of money or anything of value,  
845 including contributions in kind having an attributable monetary  
846 value in any form, made for the purpose of influencing the  
847 results of an election or making an electioneering  
848 communication.

849 (b) A transfer of funds between political committees,  
850 between committees of continuous existence, between  
851 electioneering communications organizations, or between any  
852 combination of these groups.

853 (c) The payment, by any person other than a candidate or  
854 political committee, of compensation for the personal services  
855 of another person which are rendered to a candidate or political  
856 committee without charge to the candidate or committee for such  
857 services.

858 (d) The transfer of funds by a campaign treasurer or  
859 deputy campaign treasurer between a primary depository and a  
860 separate interest-bearing account or certificate of deposit, and  
861 the term includes any interest earned on such account or  
862 certificate.

863  
864 Notwithstanding the foregoing meanings of "contribution," the  
865 word shall not be construed to include services, including, but  
866 not limited to, legal and accounting services, provided without  
867 compensation by individuals volunteering a portion or all of  
868 their time on behalf of a candidate or political committee. This

869 definition shall not be construed to include editorial  
870 endorsements.

871       (4) (a) "Expenditure" means a purchase, payment,  
872 distribution, loan, advance, transfer of funds by a campaign  
873 treasurer or deputy campaign treasurer between a primary  
874 depository and a separate interest-bearing account or  
875 certificate of deposit, or gift of money or anything of value  
876 made for the purpose of influencing the results of an election  
877 or making an electioneering communication. However,  
878 "expenditure" does not include a purchase, payment,  
879 distribution, loan, advance, or gift of money or anything of  
880 value made for the purpose of influencing the results of an  
881 election when made by an organization, in existence prior to the  
882 time during which a candidate qualifies or an issue is placed on  
883 the ballot for that election, for the purpose of printing or  
884 distributing such organization's newsletter, containing a  
885 statement by such organization in support of or opposition to a  
886 candidate or issue, which newsletter is distributed only to  
887 members of such organization.

888       (b) As used in this chapter, an "expenditure" for an  
889 electioneering communication is made when the earliest of the  
890 following occurs:

891       1. A person enters into a contract for applicable goods or  
892 services;

893       2. A person makes payment, in whole or in part, for the  
894 production or public dissemination of applicable goods or  
895 services; or

896       3. The electioneering communication is publicly

897 disseminated.

898 (14) "Filing officer" means the person before whom a  
899 candidate qualifies, the agency or officer with whom a political  
900 committee or an electioneering communications organization  
901 registers, or the agency by whom a committee of continuous  
902 existence is certified.

903 (18)(a) "Electioneering communication" means any  
904 communication that is publicly distributed by a television  
905 station, radio station, cable television system, satellite  
906 system, newspaper, magazine, direct mail, or telephone and a  
907 ~~paid expression in any communications media prescribed in~~  
908 ~~subsection (13) by means other than the spoken word in direct~~  
909 ~~conversation that:~~

910 1. Refers to or depicts a clearly identified candidate for  
911 office ~~or contains a clear reference indicating that an issue is~~  
912 ~~to be voted on at an election,~~ without expressly advocating the  
913 election or defeat of a candidate but that is susceptible of no  
914 reasonable interpretation other than an appeal to vote for or  
915 against a specific candidate; ~~or the passage or defeat of an~~  
916 ~~issue.~~

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

920 3. Is ~~For communications referring to or depicting a~~  
921 ~~clearly identified candidate for office, is targeted to the~~  
922 ~~relevant electorate. A communication is considered targeted if~~  
923 ~~1,000 or more persons~~ in the geographic area the candidate would  
924 represent if elected ~~will receive the communication.~~

925       ~~3. For communications containing a clear reference~~  
926 ~~indicating that an issue is to be voted on at an election, is~~  
927 ~~published after the issue is designated a ballot position or 120~~  
928 ~~days before the date of the election on the issue, whichever~~  
929 ~~occurs first.~~

930       (b) The term "electioneering communication" does not  
931 include:

932       1. A communication disseminated through a means of  
933 communication other than a television station, radio station,  
934 cable television system, satellite system, newspaper, magazine,  
935 direct mail, telephone, or statement or depiction by an  
936 organization, in existence prior to the time during which a  
937 candidate named or depicted qualifies ~~or an issue identified is~~  
938 ~~placed on the ballot~~ for that election, made in that  
939 organization's newsletter, which newsletter is distributed only  
940 to members of that organization.

941       2. A communication in a news story, commentary, or  
942 editorial distributed through the facilities of any radio  
943 station, television station, cable television system, or  
944 satellite system, unless the facilities are owned or controlled  
945 by any political party, political committee, or candidate. A  
946 news story distributed through the facilities owned or  
947 controlled by any political party, political committee, or  
948 candidate may nevertheless be exempt if it represents a bona  
949 fide news account communicated through a licensed broadcasting  
950 facility and the communication is part of a general pattern of  
951 campaign-related news accounts that give reasonably equal  
952 coverage to all opposing candidates in the area. ~~An editorial~~

953 ~~endorsement, news story, commentary, or editorial by any~~  
954 ~~newspaper, radio, television station, or other recognized news~~  
955 ~~medium.~~

956 3. A communication that constitutes a public debate or  
957 forum that includes at least two opposing candidates for an  
958 office or one advocate and one opponent of an issue, or that  
959 solely promotes such a debate or forum and is made by or on  
960 behalf of the person sponsoring the debate or forum, provided  
961 that:

962 a. The staging organization is either:

963 (I) A charitable organization that does not make other  
964 electioneering communications and does not otherwise support or  
965 oppose any political candidate or political party; or

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

968 b. The staging organization does not structure the debate  
969 to promote or advance one candidate or issue position over  
970 another.

971 (c) For purposes of this chapter, an expenditure made for,  
972 or in furtherance of, an electioneering communication shall not  
973 be considered a contribution to or on behalf of any candidate.

974 (d) For purposes of this chapter, an electioneering  
975 communication shall not constitute an independent expenditure  
976 nor be subject to the limitations applicable to independent  
977 expenditures.

978 (19) "Electioneering communications organization" means  
979 any group, other than a political party, political committee, or  
980 committee of continuous existence, whose election-related

981 activities are limited to making expenditures for electioneering  
982 communications or accepting contributions for the purpose of  
983 making electioneering communications and whose activities would  
984 not otherwise require the group to register as a political  
985 party, political committee, or committee of continuous existence  
986 under this chapter.

987 Section 20. Subsection (1) of section 106.022, Florida  
988 Statutes, is reenacted to read:

989 106.022 Appointment of a registered agent; duties.—

990 (1) Each political committee, committee of continuous  
991 existence, or electioneering communications organization shall  
992 have and continuously maintain in this state a registered office  
993 and a registered agent and must file with the division a  
994 statement of appointment for the registered office and  
995 registered agent. The statement of appointment must:

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

998 (b) Identify the entity for whom the registered agent  
999 serves;

1000 (c) Designate the address the registered agent wishes to  
1001 use to receive mail;

1002 (d) Include the entity's undertaking to inform the  
1003 division of any change in such designated address;

1004 (e) Provide for the registered agent's acceptance of the  
1005 appointment, which must confirm that the registered agent is  
1006 familiar with and accepts the obligations of the position as set  
1007 forth in this section; and

1008 (f) Contain the signature of the registered agent and the

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entity engaging the registered agent.

Section 21. Paragraph (b) of subsection (1) of section 106.03, Florida Statutes, is reenacted and amended, and subsections (2), (4), and (7) of that section are amended, to read:

106.03 Registration of political committees and  
electioneering communications organizations.—

(1)

(b)1. Each electioneering communications organization that receives ~~anticipates receiving~~ contributions or makes ~~making~~ expenditures during a calendar year in an aggregate amount exceeding \$5,000 shall file a statement of organization as provided in subparagraph 2. ~~subsection (3)~~ by expedited delivery within 24 hours after its organization or, if later, within 24 hours after the date on which it receives ~~has information that causes the organization to anticipate that it will receive~~ contributions or makes ~~make~~ expenditures for an electioneering communication in excess of \$5,000.

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

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

c. In a municipal election, an electioneering communications organization shall file a statement of

1037 organization with the officer before whom municipal candidates  
1038 qualify.

1039 d. Any electioneering communications organization that  
1040 would be required to file a statement of organization in two or  
1041 more locations by reason of the organization's intention to  
1042 support or oppose candidates at state or multicounty and local  
1043 levels of government need only file a statement of organization  
1044 with the Division of Elections.

1045 (2) The statement of organization shall include:

1046 (a) The name, mailing address, and street address of the  
1047 committee or electioneering communications organization;

1048 (b) The names, street addresses, and relationships of  
1049 affiliated or connected organizations;

1050 (c) The area, scope, or jurisdiction of the committee or  
1051 electioneering communications organization;

1052 (d) The name, mailing address, street address, and  
1053 position of the custodian of books and accounts;

1054 (e) The name, mailing address, street address, and  
1055 position of other principal officers, including the treasurer  
1056 and deputy treasurer ~~including officers and members of the~~  
1057 ~~finance committee~~, if any;

1058 (f) The name, address, office sought, and party  
1059 affiliation of:

1060 1. Each candidate whom the committee is supporting;

1061 2. Any other individual, if any, whom the committee is  
1062 supporting for nomination for election, or election, to any  
1063 public office whatever;

1064 (g) Any issue or issues the committee ~~such organization~~ is

supporting or opposing;

(h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party;

(i) A statement of whether the committee is a continuing one;

(j) Plans for the disposition of residual funds which will be made in the event of dissolution;

(k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds; ~~and~~

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials; and

(m) A statement of whether the electioneering communications organization was formed as a newly created organization during the current calendar quarter or was formed from an organization existing prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

(4) Any change in information previously submitted in a statement of organization shall be reported to the agency or officer with whom such committee or electioneering communications organization is required to register ~~pursuant to subsection (3),~~ within 10 days following the change.

(7) The Division of Elections shall adopt ~~promulgate~~ rules to prescribe the manner in which ~~inactive~~ committees and electioneering communications organizations may be dissolved and

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1093 have their registration canceled. Such rules shall, at a  
1094 minimum, provide for:

1095       (a) Notice which shall contain the facts and conduct which  
1096 warrant the intended action, including but not limited to  
1097 failure to file reports and limited activity.

1098       (b) Adequate opportunity to respond.

1099       (c) Appeal of the decision to the Florida Elections  
1100 Commission. Such appeals shall be exempt from the  
1101 confidentiality provisions of s. 106.25.

1102       Section 22. Subsection (5) of section 106.04, Florida  
1103 Statutes, is reenacted to read:

1104       106.04 Committees of continuous existence.—

1105       (5) No committee of continuous existence shall make an  
1106 electioneering communication, contribute to any candidate or  
1107 political committee an amount in excess of the limits contained  
1108 in s. 106.08(1), or participate in any activity which is  
1109 prohibited by this chapter. If any violation occurs, it shall be  
1110 punishable as provided in this chapter for the given offense. No  
1111 funds of a committee of continuous existence shall be expended  
1112 on behalf of a candidate, except by means of a contribution made  
1113 through the duly appointed campaign treasurer of a candidate. No  
1114 such committee shall make expenditures in support of, or in  
1115 opposition to, an issue unless such committee first registers as  
1116 a political committee pursuant to this chapter and undertakes  
1117 all the practices and procedures required thereof; provided such  
1118 committee may make contributions in a total amount not to exceed  
1119 25 percent of its aggregate income, as reflected in the annual  
1120 report filed for the previous year, to one or more political

1121 committees registered pursuant to s. 106.03 and formed to  
1122 support or oppose issues.

1123 Section 23. Section 106.0703, Florida Statutes, is  
1124 reenacted and amended to read:

1125 106.0703 Electioneering communications organizations;  
1126 ~~additional~~ reporting requirements; certification and filing;  
1127 penalties.—

1128 (1) (a) Each electioneering communications organization  
1129 shall file regular reports of all contributions received and all  
1130 expenditures made by or on behalf of the organization. Reports  
1131 shall be filed on the 10th day following the end of each  
1132 calendar quarter from the time the organization is registered.  
1133 However, if the 10th day following the end of a calendar quarter  
1134 occurs on a Saturday, Sunday, or legal holiday, the report shall  
1135 be filed on the next following day that is not a Saturday,  
1136 Sunday, or legal holiday. Quarterly reports shall include all  
1137 contributions received and expenditures made during the calendar  
1138 quarter that have not otherwise been reported pursuant to this  
1139 section.

1140 (b) Following the last day of candidates qualifying for  
1141 office, the reports shall be filed on the 32nd, 18th, and 4th  
1142 days immediately preceding the primary election and on the 46th,  
1143 32nd, 18th, and 4th days immediately preceding the general  
1144 election.

1145 (c) When a special election is called to fill a vacancy in  
1146 office, all electioneering communications organizations making  
1147 contributions or expenditures to influence the results of the  
1148 special election shall file reports with the filing officer on

the dates set by the Department of State pursuant to s. 100.111.

(d) In addition, an electioneering communications organization that is registered with the Department of State and that makes a contribution or expenditure to influence the results of a county or municipal election that is not being held at the same time as a state or federal election must file reports with the county or municipal filing officer on the same dates as county or municipal candidates or committees for that election. The electioneering communications organization must also include the expenditure in the next report filed with the Division of Elections pursuant to this section following the county or municipal election.

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

(2) (a) Except as provided in s. 106.0705, the reports required of an electioneering communications organization shall be filed with the filing officer not later than 5 p.m. of the day designated. However, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of

1177 mailing, or a receipt from an established courier company, which  
1178 bears a date on or before the date on which the report is due,  
1179 shall be proof of mailing in a timely manner. Reports shall  
1180 contain information of all previously unreported contributions  
1181 received and expenditures made as of the preceding Friday,  
1182 except that the report filed on the Friday immediately preceding  
1183 the election shall contain information of all previously  
1184 unreported contributions received and expenditures made as of  
1185 the day preceding the designated due date. All such reports  
1186 shall be open to public inspection.

1187 (b)1. Any report that is deemed to be incomplete by the  
1188 officer with whom the electioneering communications organization  
1189 files shall be accepted on a conditional basis. The treasurer of  
1190 the electioneering communications organization shall be  
1191 notified, by certified mail or other common carrier that can  
1192 establish proof of delivery for the notice, as to why the report  
1193 is incomplete. Within 7 days after receipt of such notice, the  
1194 treasurer must file an addendum to the report providing all  
1195 information necessary to complete the report in compliance with  
1196 this section. Failure to file a complete report after such  
1197 notice constitutes a violation of this chapter.

1198 2. Notice is deemed sufficient upon proof of delivery of  
1199 written notice to the mailing or street address of the treasurer  
1200 or registered agent of the electioneering communication  
1201 organization on record with the filing officer.

1202 (3) (a) Each report required by this section must contain:  
1203 1. The full name, address, and occupation, if any, of each  
1204 person who has made one or more contributions to or for such

1205 electioneering communications organization within the reporting  
1206 period, together with the amount and date of such contributions.  
1207 For corporations, the report must provide as clear a description  
1208 as practicable of the principal type of business conducted by  
1209 the corporation. However, if the contribution is \$100 or less,  
1210 the occupation of the contributor or the principal type of  
1211 business need not be listed.

1212 2. The name and address of each political committee from  
1213 which or to which the reporting electioneering communications  
1214 organization made any transfer of funds, together with the  
1215 amounts and dates of all transfers.

1216 3. Each loan for electioneering communication purposes to  
1217 or from any person or political committee within the reporting  
1218 period, together with the full names, addresses, and occupations  
1219 and principal places of business, if any, of the lender and  
1220 endorers, if any, and the date and amount of such loans.

1221 4. A statement of each contribution, rebate, refund, or  
1222 other receipt not otherwise listed under subparagraphs 1.-3.

1223 5. The total sums of all loans, in-kind contributions, and  
1224 other receipts by or for such electioneering communications  
1225 organization during the reporting period. The reporting forms  
1226 shall be designed to elicit separate totals for in-kind  
1227 contributions, loans, and other receipts.

1228 6. The full name and address of each person to whom  
1229 expenditures have been made by or on behalf of the  
1230 electioneering communications organization within the reporting  
1231 period and the amount, date, and purpose of each expenditure.

1232 7. The full name and address of each person to whom an

1233 expenditure for personal services, salary, or reimbursement for  
1234 expenses has been made and that is not otherwise reported,  
1235 including the amount, date, and purpose of the expenditure.

1236 8. The total sum of expenditures made by the  
1237 electioneering communications organization during the reporting  
1238 period.

1239 9. The amount and nature of debts and obligations owed by  
1240 or to the electioneering communications organization that relate  
1241 to the conduct of any electioneering communication.

1242 10. The amount and nature of any separate interest-bearing  
1243 accounts or certificates of deposit and identification of the  
1244 financial institution in which such accounts or certificates of  
1245 deposit are located.

1246 11. The primary purposes of an expenditure made indirectly  
1247 through an electioneering communications organization for goods  
1248 and services, such as communications media placement or  
1249 procurement services and other expenditures that include  
1250 multiple components as part of the expenditure. The primary  
1251 purpose of an expenditure shall be that purpose, including  
1252 integral and directly related components, that comprises 80  
1253 percent of such expenditure.

1254 (b) The filing officer shall make available to any  
1255 electioneering communications organization a reporting form  
1256 which the electioneering communications organization may use to  
1257 indicate contributions received by the electioneering  
1258 communications organization but returned to the contributor  
1259 before deposit.

1260 (4) The treasurer of the electioneering communications

1261 organization shall certify as to the correctness of each report,  
1262 and each person so certifying shall bear the responsibility for  
1263 the accuracy and veracity of each report. Any treasurer who  
1264 willfully certifies the correctness of any report while knowing  
1265 that such report is incorrect, false, or incomplete commits a  
1266 misdemeanor of the first degree, punishable as provided in s.  
1267 775.082 or s. 775.083.

1268 (5) The electioneering communications organization  
1269 depository shall provide statements reflecting deposits and  
1270 expenditures from the account to the treasurer, who shall retain  
1271 the records pursuant to s. 106.06. The records maintained by the  
1272 depository with respect to the account shall be subject to  
1273 inspection by an agent of the Division of Elections or the  
1274 Florida Elections Commission at any time during normal banking  
1275 hours, and such depository shall furnish certified copies of any  
1276 such records to the Division of Elections or the Florida  
1277 Elections Commission upon request.

1278 (6) Notwithstanding any other provisions of this chapter,  
1279 in any reporting period during which an electioneering  
1280 communications organization has not received funds, made any  
1281 contributions, or expended any reportable funds, the treasurer  
1282 shall file a written report with the filing officer by the  
1283 prescribed reporting date that no reportable contributions or  
1284 expenditures were made during the reporting period.

1285 (7) (a) Any electioneering communications organization  
1286 failing to file a report on the designated due date shall be  
1287 subject to a fine as provided in paragraph (b) for each late  
1288 day. The fine shall be assessed by the filing officer and the

1289 moneys collected shall be deposited:

1290 1. In the General Revenue Fund, in the case of an  
1291 electioneering communications organization that registers with  
1292 the Division of Elections; or

1293 2. In the general revenue fund of the political  
1294 subdivision, in the case of an electioneering communications  
1295 organization that registers with an officer of a political  
1296 subdivision.

1297  
1298 No separate fine shall be assessed for failure to file a copy of  
1299 any report required by this section.

1300 (b) Upon determining that a report is late, the filing  
1301 officer shall immediately notify the electioneering  
1302 communications organization as to the failure to file a report  
1303 by the designated due date and that a fine is being assessed for  
1304 each late day. The fine shall be \$50 per day for the first 3  
1305 days late and, thereafter, \$500 per day for each late day, not  
1306 to exceed 25 percent of the total receipts or expenditures,  
1307 whichever is greater, for the period covered by the late report.  
1308 However, for the reports immediately preceding each primary and  
1309 general election, the fine shall be \$500 per day for each late  
1310 day, not to exceed 25 percent of the total receipts or  
1311 expenditures, whichever is greater, for the period covered by  
1312 the late report. Upon receipt of the report, the filing officer  
1313 shall determine the amount of the fine which is due and shall  
1314 notify the electioneering communications organization. The  
1315 filing officer shall determine the amount of the fine due based  
1316 upon the earliest of the following:

- 1317        1. When the report is actually received by such officer.  
1318        2. When the report is postmarked.  
1319        3. When the certificate of mailing is dated.  
1320        4. When the receipt from an established courier company is  
1321 dated.  
1322        5. When the electronic receipt issued pursuant to s.  
1323 106.0705 or other electronic filing system authorized in this  
1324 section is dated.

1325  
1326 Such fine shall be paid to the filing officer within 20 days  
1327 after receipt of the notice of payment due, unless appeal is  
1328 made to the Florida Elections Commission pursuant to paragraph  
1329 (c). Notice is deemed sufficient upon proof of delivery of  
1330 written notice to the mailing or street address on record with  
1331 the filing officer. An officer or member of an electioneering  
1332 communications organization shall not be personally liable for  
1333 such fine.

1334        (c) The treasurer of an electioneering communications  
1335 organization may appeal or dispute the fine, based upon, but not  
1336 limited to, unusual circumstances surrounding the failure to  
1337 file on the designated due date, and may request and shall be  
1338 entitled to a hearing before the Florida Elections Commission,  
1339 which shall have the authority to waive the fine in whole or in  
1340 part. The Florida Elections Commission must consider the  
1341 mitigating and aggravating circumstances contained in s.  
1342 106.265(1) when determining the amount of a fine, if any, to be  
1343 waived. Any such request shall be made within 20 days after  
1344 receipt of the notice of payment due. In such case, the

1345 treasurer of the electioneering communications organization  
1346 shall, within the 20-day period, notify the filing officer in  
1347 writing of his or her intention to bring the matter before the  
1348 commission.

1349 (d) The appropriate filing officer shall notify the  
1350 Florida Elections Commission of the repeated late filing by an  
1351 electioneering communications organization, the failure of an  
1352 electioneering communications organization to file a report  
1353 after notice, or the failure to pay the fine imposed. The  
1354 commission shall investigate only those alleged late filing  
1355 violations specifically identified by the filing officer and as  
1356 set forth in the notification. Any other alleged violations must  
1357 be stated separately and reported by the division to the  
1358 commission under s. 106.25(2).

1359 (8) In addition to the reporting requirements in s.  
1360 106.07, An electioneering communications organization shall,  
1361 within 2 days after receiving its initial password or secure  
1362 sign-on from the Department of State allowing confidential  
1363 access to the department's electronic campaign finance filing  
1364 system, electronically file the periodic ~~campaign finance~~  
1365 reports that would have been required pursuant to this section  
1366 s. 106.07 for reportable activities that occurred since the date  
1367 of the last general election.

1368 (9) Electioneering communications organizations shall not  
1369 use credit cards.

1370 Section 24. Paragraph (b) of subsection (2) of section  
1371 106.0705, Florida Statutes, is reenacted, and subsections (3)  
1372 and (4) of that section are amended, to read:

1373 106.0705 Electronic filing of campaign treasurer's  
1374 reports.—

1375 (2)

1376 (b) Each political committee, committee of continuous  
1377 existence, electioneering communications organization, or state  
1378 executive committee that is required to file reports with the  
1379 division under s. 106.04, s. 106.07, s. 106.0703, or s. 106.29,  
1380 as applicable, must file such reports with the division by means  
1381 of the division's electronic filing system.

1382 (3) Reports filed pursuant to this section shall be  
1383 completed and filed through the electronic filing system not  
1384 later than midnight of the day designated. Reports not filed by  
1385 midnight of the day designated are late filed and are subject to  
1386 the penalties under s. 106.04(8), s. 106.07(8), s. 106.0703(7),  
1387 or s. 106.29(3), as applicable.

1388 (4) Each report filed pursuant to this section is  
1389 considered to be under oath by the candidate and treasurer, ~~or~~  
1390 the chair and treasurer, or the treasurer under s. 106.0703,  
1391 whichever is applicable, and such persons are subject to the  
1392 provisions of s. 106.04(4)(d), s. 106.07(5), s. 106.0703(4), or  
1393 s. 106.29(2), as applicable. Persons given a secure sign-on to  
1394 the electronic filing system are responsible for protecting such  
1395 from disclosure and are responsible for all filings using such  
1396 credentials, unless they have notified the division that their  
1397 credentials have been compromised.

1398 Section 25. Subsection (1) of section 106.071, Florida  
1399 Statutes, is reenacted and amended to read:

1400 106.071 Independent expenditures; electioneering

1401 communications; reports; disclaimers.—

1402       (1) Each person who makes an independent expenditure with  
1403 respect to any candidate or issue, and each individual who makes  
1404 an expenditure for an electioneering communication which is not  
1405 otherwise reported pursuant to this chapter, which expenditure,  
1406 in the aggregate, is in the amount of \$5,000 ~~\$100~~ or more, shall  
1407 file periodic reports of such expenditures in the same manner,  
1408 at the same time, subject to the same penalties, and with the  
1409 same officer as a political committee supporting or opposing  
1410 such candidate or issue. The report shall contain the full name  
1411 and address of the person making the expenditure; the full name  
1412 and address of each person to whom and for whom each such  
1413 expenditure has been made; the amount, date, and purpose of each  
1414 such expenditure; a description of the services or goods  
1415 obtained by each such expenditure; the issue to which the  
1416 expenditure relates; and the name and address of, and office  
1417 sought by, each candidate on whose behalf such expenditure was  
1418 made.

1419       Section 26. Subsections (4) and (5) of section 106.08,  
1420 Florida Statutes, are amended, and subsection (7) of that  
1421 section is reenacted, to read:

1422       106.08 Contributions; limitations on.—

1423       (4)~~(a)~~ Any contribution received by the chair, campaign  
1424 treasurer, or deputy campaign treasurer of a political committee  
1425 supporting or opposing a candidate with opposition in an  
1426 election or supporting or opposing an issue on the ballot in an  
1427 election on the day of that election or less than 5 days prior  
1428 to the day of that election may not be obligated or expended by

the committee until after the date of the election.

~~(b) Any contribution received by an electioneering communications organization on the day of an election or less than 5 days prior to the day of that election may not be obligated or expended by the organization until after the date of the election and may not be expended to pay for any obligation arising prior to the election.~~

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

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

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

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

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

3. A candidate to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic,

1457 political party, or charitable groups.

1458 ~~(d) An electioneering communications organization may not~~  
1459 ~~accept a contribution from an organization exempt from taxation~~  
1460 ~~under s. 527 or s. 501(c)(4) of the Internal Revenue Code, other~~  
1461 ~~than a political committee, committee of continuous existence,~~  
1462 ~~or political party, unless the contributing organization has~~  
1463 ~~registered as if the organization were an electioneering~~  
1464 ~~communications organization pursuant to s. 106.03 and has filed~~  
1465 ~~all campaign finance reports required of electioneering~~  
1466 ~~communications organizations pursuant to ss. 106.07 and~~  
1467 ~~106.0703.~~

1468 (7)(a) Any person who knowingly and willfully makes or  
1469 accepts no more than one contribution in violation of subsection  
1470 (1) or subsection (5), or any person who knowingly and willfully  
1471 fails or refuses to return any contribution as required in  
1472 subsection (3), commits a misdemeanor of the first degree,  
1473 punishable as provided in s. 775.082 or s. 775.083. If any  
1474 corporation, partnership, or other business entity or any  
1475 political party, political committee, committee of continuous  
1476 existence, or electioneering communications organization is  
1477 convicted of knowingly and willfully violating any provision  
1478 punishable under this paragraph, it shall be fined not less than  
1479 \$1,000 and not more than \$10,000. If it is a domestic entity, it  
1480 may be ordered dissolved by a court of competent jurisdiction;  
1481 if it is a foreign or nonresident business entity, its right to  
1482 do business in this state may be forfeited. Any officer,  
1483 partner, agent, attorney, or other representative of a  
1484 corporation, partnership, or other business entity, or of a

1485 political party, political committee, committee of continuous  
1486 existence, electioneering communications organization, or  
1487 organization exempt from taxation under s. 527 or s. 501(c)(4)  
1488 of the Internal Revenue Code, who aids, abets, advises, or  
1489 participates in a violation of any provision punishable under  
1490 this paragraph commits a misdemeanor of the first degree,  
1491 punishable as provided in s. 775.082 or s. 775.083.

1492 (b) Any person who knowingly and willfully makes or  
1493 accepts two or more contributions in violation of subsection (1)  
1494 or subsection (5) commits a felony of the third degree,  
1495 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
1496 If any corporation, partnership, or other business entity or any  
1497 political party, political committee, committee of continuous  
1498 existence, or electioneering communications organization is  
1499 convicted of knowingly and willfully violating any provision  
1500 punishable under this paragraph, it shall be fined not less than  
1501 \$10,000 and not more than \$50,000. If it is a domestic entity,  
1502 it may be ordered dissolved by a court of competent  
1503 jurisdiction; if it is a foreign or nonresident business entity,  
1504 its right to do business in this state may be forfeited. Any  
1505 officer, partner, agent, attorney, or other representative of a  
1506 corporation, partnership, or other business entity, or of a  
1507 political committee, committee of continuous existence,  
1508 political party, or electioneering communications organization,  
1509 or organization exempt from taxation under s. 527 or s.  
1510 501(c)(4) of the Internal Revenue Code, who aids, abets,  
1511 advises, or participates in a violation of any provision  
1512 punishable under this paragraph commits a felony of the third

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1513 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
1514 775.084.

1515 Section 27. Section 106.1437, Florida Statutes, is  
1516 reenacted to read:

1517 106.1437 Miscellaneous advertisements.—Any advertisement,  
1518 other than a political advertisement, independent expenditure,  
1519 or electioneering communication, on billboards, bumper stickers,  
1520 radio, or television, or in a newspaper, a magazine, or a  
1521 periodical, intended to influence public policy or the vote of a  
1522 public official, shall clearly designate the sponsor of such  
1523 advertisement by including a clearly readable statement of  
1524 sponsorship. If the advertisement is broadcast on television,  
1525 the advertisement shall also contain a verbal statement of  
1526 sponsorship. This section shall not apply to an editorial  
1527 endorsement.

1528 Section 28. Section 106.1439, Florida Statutes, is  
1529 reenacted and amended to read:

1530 106.1439 Electioneering communications; disclaimers.—

1531 (1) Any electioneering communication, other than a  
1532 telephone call, shall prominently state: "Paid electioneering  
1533 communication paid for by ...(Name and address of person paying  
1534 for the communication)...."

1535 (2) Any electioneering communication telephone call shall  
1536 identify the persons or organizations sponsoring the call by  
1537 stating either: "Paid for by ...(insert name of persons or  
1538 organizations sponsoring the call)...." or "Paid for on behalf  
1539 of ...(insert name of persons or organizations authorizing  
1540 call)...." This subsection does not apply to any telephone call

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1541 in which the individual making the call is not being paid and  
1542 the individuals participating in the call know each other prior  
1543 to the call.

1544 (3)~~(2)~~ Any person who fails to include the disclaimer  
1545 prescribed in this section in any electioneering communication  
1546 that is required to contain such disclaimer commits a  
1547 misdemeanor of the first degree, punishable as provided in s.  
1548 775.082 or s. 775.083.

1549 Section 29. Paragraphs (a) and (e) of subsection (1) of  
1550 section 106.147, Florida Statutes, are amended to read:

1551 106.147 Telephone solicitation; disclosure requirements;  
1552 prohibitions; exemptions; penalties.—

1553 (1)(a) ~~Any electioneering communication telephone call or~~  
1554 ~~any~~ telephone call supporting or opposing a candidate, elected  
1555 public official, or ballot proposal must identify the persons or  
1556 organizations sponsoring the call by stating either: "paid for  
1557 by ...." (insert name of persons or organizations sponsoring the  
1558 call) or "paid for on behalf of ...." (insert name of persons or  
1559 organizations authorizing call). This paragraph does not apply  
1560 to any telephone call in which both the individual making the  
1561 call is not being paid and the individuals participating in the  
1562 call know each other prior to the call.

1563 ~~(e) Any electioneering communication paid for with public~~  
1564 ~~funds must include a disclaimer containing the words "paid for~~  
1565 ~~by ... (Name of the government entity paying for the~~  
1566 ~~communication)...."~~

1567 Section 30. Section 106.17, Florida Statutes, is reenacted  
1568 to read:

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106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, committee of continuous existence, electioneering communication organization, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, committee of continuous existence, electioneering communication organization, or political party maintains complete jurisdiction over the poll in all its aspects.

Section 31. Subsection (11) of section 379.352, Florida Statutes, is amended to read:

379.352 Recreational licenses, permits, and authorization numbers to take wild animal life, freshwater aquatic life, and marine life; issuance; costs; reporting.—

(11) When acting in its official capacity pursuant to this section, neither the commission nor a subagent is deemed a third-party registration organization, as defined in s. 97.021 ~~s. 97.021(36)~~, or a voter registration agency, as defined in s. 97.021 ~~s. 97.021(40)~~, and is not authorized to solicit, accept, or collect voter registration applications or provide voter registration services.

Section 32. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.