

Tab 1	SB 782 by Yarborough; (Identical to H 00965) Election Board Composition						
Tab 2	SB 850 by DiCeglie; (Similar to H 00919) Use of Artificial Intelligence in Political Advertising						
602590	A	S	RCS	EE, DiCeglie	Delete L.32 - 44:	01/16 12:35 PM	
Tab 3	SB 884 by Hutson; Audits of Campaign Finance Reports						
639232	A	S	RCS	EE, Hutson	Delete L.62 - 240:	01/16 12:35 PM	
Tab 4	SJR 1114 by Hutson; Public Financing for Campaigns of Candidates for Elective Statewide Office						
Tab 5	SB 1116 by Hutson; Campaign Finance						
Tab 6	SB 438 by Ingoglia; (Similar to H 00057) Term Limits						

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ETHICS AND ELECTIONS
Senator Burgess, Chair
Senator Rouson, Vice Chair

MEETING DATE: Tuesday, January 16, 2024
TIME: 8:30—10:30 a.m.
PLACE: *Mallory Horne Committee Room, 37 Senate Building*

MEMBERS: Senator Burgess, Chair; Senator Rouson, Vice Chair; Senators Avila, Grall, Ingoglia, Martin, Mayfield, Polsky, and Powell

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 782 Yarborough (Identical H 965)	Election Board Composition; Requiring an election board to include members from certain political parties, etc. EE 01/16/2024 Favorable CA RC	Favorable Yeas 8 Nays 0
2	SB 850 DiCeglie (Similar H 919)	Use of Artificial Intelligence in Political Advertising; Defining the term “generative artificial intelligence”; requiring that certain political advertisements, electioneering communications, or other miscellaneous advertisements include a specified disclaimer; providing for civil penalties; authorizing the filing of complaints regarding violations with the Florida Elections Commission, etc. EE 01/16/2024 Fav/CS RC	Fav/CS Yeas 5 Nays 3
3	SB 884 Hutson	Audits of Campaign Finance Reports; Authorizing certain candidates to request the Division of Elections of the Department of State to audit a specified report; requiring the division to conduct audits and field investigations with respect to candidates’ alleged failures to file certain reports or statements; requiring the division to conduct random audits of specified reports after each general election cycle; exempting aspects of the auditing process from the Administrative Procedure Act, etc. EE 01/16/2024 Fav/CS GO RC	Fav/CS Yeas 8 Nays 0
4	SJR 1114 Hutson (Linked S 1116)	Public Financing for Campaigns of Candidates for Elective Statewide Office; Proposing the repeal of Section 7 of Article VI of the State Constitution which requires the availability of public financing for campaigns of candidates for elective statewide office who agree to campaign spending limits, etc. EE 01/16/2024 Favorable JU RC	Favorable Yeas 5 Nays 3

COMMITTEE MEETING EXPANDED AGENDA

Ethics and Elections

Tuesday, January 16, 2024, 8:30—10:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	SB 1116 Hutson (Linked SJR 1114)	Campaign Finance; Repealing provisions relating to the Florida Election Campaign Financing Act; deleting provisions governing the public funding of campaigns for candidates for statewide office who agree to certain expenditure limits, etc. EE 01/16/2024 Favorable JU RC	Favorable Yeas 5 Nays 3
6	SB 438 Ingoglia (Similar H 57, Compare HJR 19)	Term Limits; Establishing term limits for county commissioners; prohibiting specified persons from seeking certain offices until after a specified timeframe, etc. EE 01/16/2024 Favorable CA RC	Favorable Yeas 5 Nays 3
Other Related Meeting Documents			

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SB 782

INTRODUCER: Senator Yarborough

SUBJECT: Election Board Composition

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cleary	Roberts	EE	Favorable
2.			CA	
3.			RC	

I. Summary:

SB 782 revises membership requirements for precinct election boards to require each board to include at least one member from each of the two largest political parties.

The proposed bill takes effect July 1, 2024.

II. Present Situation:

Precinct Election Boards

The supervisor of elections of each county must, at least 20 days prior to the holding of any election, appoint an election board composed of poll workers who serve as clerks¹ or inspectors for each precinct² in the county.³ Election boards have a number of statutory duties relating to the conduct of elections, including:⁴

- Attend the polling place by 6:00 a.m. of the day of the election.⁵

¹ The Florida Division of Elections Polling Place Procedure Manual, DS-DE 11 Eff. 04/2020, p. 5, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11592>, defines the “Clerk” as the person in charge of a polling place during an election. The term also refers to the supervisor or site manager at early voting sites.

² *Id.* The Polling Place Procedures Manual defines “Precinct” as the geographic areas that local government had divided for election purposes. The voter’s residential address within a particular geographic area determines which issues and offices a voter can vote upon in an election.

³ Section 102.012(1)(a), Fla. Stat. *See also* s. 102.012(1)(b), Fla. Stat. (If two or more precincts share the same building and voting place, the supervisor of elections may appoint one election board for the collocated precincts. The supervisor must provide that a sufficient number of poll workers are appointed to adequately handle the processing of the voters in the collocated precincts).

⁴ *See also* Florida Division of Elections Polling Place Procedure Manual, DS-DE 11 Eff. 04/2020, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11592> (Rule 1S-2.034, F.A.C. requires the Department of State, Division of Elections to create a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws).

⁵ Section 102.012(4), Fla. Stat.

- Arrange the furniture, stationery, and voting equipment.⁶
- Conduct the voting, beginning and closing at the time set forth in statute.⁷
- Counting ballots cast and securing the voting devices against further voting.⁸
- Counting the votes and proclaiming the results.⁹

Election boards are empowered to conduct elections in a proper manner and vested with the police power in this regard.¹⁰ Such boards have full authority to maintain order at the polls and to enforce obedience to their lawful commands during an election and during the canvass of the votes.¹¹ In all questions that may arise before the members of an election board, the decision of a majority will decide the question.¹²

The clerk is in charge of and responsible for seeing that the election board carries out its duties and responsibilities.¹³ The supervisor of elections must conduct training for inspectors, clerks, and deputy sheriffs prior to each primary, general, and special election for the purpose of instructing such persons in their duties and responsibilities as election officials.¹⁴ The supervisor of elections of each county is responsible for the attendance and diligent performance of his or her duties by each clerk and inspector.¹⁵

No election board shall be composed solely of members of one political party.¹⁶ A person whose name appears on the ballot as an opposed candidate is not eligible to serve on an election board.¹⁷ In any primary in which only one party has candidates appearing on the ballot, all clerks and inspectors may be of that party.¹⁸ Each member of the election board must be able to read and write the English language and be a registered qualified elector of the county in which the member is appointed or a person who has preregistered to vote, pursuant to s. 97.041(1)(b).¹⁹

Each inspector and each clerk must take and subscribe to an oath or affirmation, which must be written or printed, to the effect that such individual will perform the duties of inspector or clerk of election according to law and will endeavor to prevent all fraud, deceit, or abuse in conducting the election.²⁰

⁶ *Id.*

⁷ *Id.*, referring to s. 100.011, Fla. Stat.

⁸ Section 101.5614(1), Fla. Stat.

⁹ Section 102.071, Fla. Stat.

¹⁰ *See Joughin v. Parks*, 107 Fla. 833, 147 So. 273 (1933).

¹¹ Section 102.031(1), Fla. Stat.

¹² Section 102.012(1)(a), Fla. Stat.

¹³ *Id.*

¹⁴ Section 102.014, Fla. Stat.

¹⁵ Section 102.012(1)(a), Fla. Stat.

¹⁶ Section 102.012(2), Fla. Stat.

¹⁷ *Id.*; *See State ex rel. Thursby v. Gessner*, 124 Fla. 321, 168 So. 529 (1936 (Where more than one political party has become subject to primary election laws, this section requiring selection of inspectors of election from different political parties should be followed, where it is practicable to secure services of qualified persons belonging to more than one of participating parties.)).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Section 102.012(1)(a), Fla. Stat.

III. Effect of Proposed Changes:

SB 782 revises membership requirements for precinct election boards to require each board to include at least one member from each of the two largest political parties.²¹

The proposed bill takes effect July 1, 2024.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

²¹ Currently in Florida there are two Major Political Parties registered with the state of Florida: The Republican Party of Florida and The Florida Democratic Party. There are several Minor Political Parties registered in Florida. (See Florida Department of State, Division of Election, *Political Parties* (Last visited January 10, 2024), <https://dos.fl.gov/elections/candidates-committees/political-parties/>). A person registered to vote without a party affiliation, is designated to reflect no party affiliation or “NPA.” The NPA designation does not constitute a political party. The Florida Constitution provides that political party functions may be regulated by law. (See Art. VI, s. 1, Fla. Const.) Under the Florida Election Code, a minor political party is any group as specified by statute under section 103.095, which on January 1, preceding a primary election does not have registered as members 5% of the total registered electors of the state. (See s. 97.021(20), Fla. Stat.)

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 102.012, Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Yarborough

4-00396-24

2024782__

1 A bill to be entitled
2 An act relating to election board composition;
3 amending s. 102.012, F.S.; requiring an election board
4 to include members from certain political parties;
5 providing an effective date.
6
7 Be It Enacted by the Legislature of the State of Florida:
8
9 Section 1. Subsection (2) of section 102.012, Florida
10 Statutes, is amended to read:
11 102.012 Inspectors and clerks to conduct elections.—
12 (2) Each member of the election board shall be able to read
13 and write the English language and shall be a registered
14 qualified elector of the county in which the member is appointed
15 or a person who has preregistered to vote, pursuant to s.
16 97.041(1)(b), in the county in which the member is appointed. An
17 ~~Ne~~ election board may not shall be composed solely of members of
18 one political party and must include at least one member from
19 each of the two largest political parties in the state; however,
20 in any primary in which only one party has candidates appearing
21 on the ballot, all clerks and inspectors may be of that party.
22 Any person whose name appears as an opposed candidate for any
23 office shall not be eligible to serve on an election board.
24 Section 2. This act shall take effect July 1, 2024.

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/16/24
Meeting Date

Ethics/Elections
Committee

SB 782
Bill Number or Topic

Amendment Barcode (if applicable)

Name Bob White Phone 321-403-4441

Address 512 Southern Hills Ct. Email rwhite345@hotmail.com
Street

Melbourne FL 32940
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.
Chairman
Rep. Liberty Caucus

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.



The Florida Senate

Committee Agenda Request


To: Senator Danny Burgess, Chair
Committee on Ethics and Elections

Subject: Committee Agenda Request

Date: January 5, 2024

I respectfully request that **Senate Bill #782**, relating to Election Board Composition, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.



Senator Clay Yarborough
Florida Senate, District 4

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: CS/SB 850

INTRODUCER: Ethics and Elections Committee and Senator DiCeglie

SUBJECT: Use of Artificial Intelligence in Political Advertising

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<u>Fav/CS</u>
2.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 850 creates a definition for “generative artificial intelligence” and requires a disclaimer be included on specified forms of political advertisements created with generative artificial intelligence (AI).

The bill makes failure to include the required disclaimer a first-degree misdemeanor and prescribes an expedited process for resolution of a complaint to the Florida Elections Commission of a violation of the disclaimer requirement.

The bill takes effect July 1, 2024.

II. Present Situation:

Disclaimer Requirements for Political Advertising

Current law defines “political advertisement” to mean a paid expression in a communications medium,¹ whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue.² However, the term does not include:

¹ Section 106.011(4), F.S., defines “communications medium” to include broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies.

² Section 106.011(15), F.S.

- A statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or in opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization.
- Editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.³

An "electioneering communication" is a text message or communication that is publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone which:

- Refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate;
- Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and
- Is targeted to the relevant electorate in the geographic area the candidate would represent if elected.⁴

Specified types of communications are exempted from the definition.⁵

Political advertisements and electioneering communications must disclose who approved and paid for the advertisement or communication.⁶ Voter guides also must include the required disclaimers, as applicable, and be marked "Voter Guide."⁷ In addition, any advertisement, other than a political advertisement, independent expenditure,⁸ or electioneering communication, on billboards, bumper stickers, radio, or television, or in a newspaper, a magazine, or a periodical, intended to influence public policy or the vote of a public official, must clearly designate the sponsor of such advertisement by including a statement of sponsorship.⁹

Florida law does not currently require a disclaimer for the use of artificial intelligence (AI) in any form of political advertising.

³ *Id.*

⁴ Section 106.011(8)(a), F.S.

⁵ *See s.* 106.011(8)(b), F.S.

⁶ Sections 106.143 and 106.1439, F.S.

⁷ Section 106.1436, F.S. The term "voter guide" means direct mail that is either an electioneering communication or a political advertisement sent for the purpose of advocating for or endorsing particular issues or candidates by recommending specific electoral choices to the voter or by indicating issue or candidate selections on an unofficial ballot (s. 106.1436(1), F.S.).

⁸ Section 106.011(12)(a), F.S., defines "independent expenditure" to mean an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee.

⁹ Section 106.1437, F.S.

Election-Related Use of Artificial Intelligence

Effect of AI Use on Elections

Nationally, the proliferation of generative AI¹⁰ use and its outpacing of government regulation has created concern among policymakers about its potentially negative effect on the electoral process. Specific concerns include, but are not limited to, voter misinformation by chatbots,¹¹ phishing scams on election officials through AI-generated voices, and the use of deepfakes¹² to deceive voters and damage political rivals. Over time, the use of AI may also erode trust in authentic information.¹³

Federal Action

The current presidential administration has taken a number of actions related to use of AI generally, including creating a government website specific to the issue, creating an “AI Bill of Rights,” and issuing an executive order directing a range of federal agencies to establish guidelines and best practices for use of AI.¹⁴

Legislative proposals from members of Congress related to AI and elections include:

- A comprehensive regulatory framework for AI that includes, among other provisions, assorted transparency requirements.¹⁵
- Bills requiring political advertisements that include content generated by AI to bear a disclaimer stating such.¹⁶
- A bill prohibiting the distribution of materially deceptive AI-generated audio or visual media relating to candidates for federal office.¹⁷
- A bill prohibiting certain political communications that contain materially deceptive audio generated by AI which impersonates a candidate’s voice.¹⁸

In addition, the Federal Elections Commission received a petition asking the commission to clarify in rule that AI-generated campaign advertisements are subject to a statutory prohibition against fraudulent misrepresentation of other candidates or political parties.¹⁹ The commission

¹⁰ Generally speaking, it is the creation of new content that distinguishes generative AI from the artificial intelligence that is used to make predictions or carry out analytical tasks based on inputs and learned behaviors.

¹¹ IBM defines “chatbot” to mean a computer program that simulates human conversation with an end user (*see What is a Chatbot?*, available at <https://www.ibm.com/topics/chatbots> (last visited January 12, 2024)).

¹² Although exact definitions of “deepfake” vary, all reflect a depiction of something that has not actually occurred. Merriam-Webster, for example, defines “deepfake” to mean an image or recording that has been convincingly altered and manipulated to misrepresent someone as doing or saying something that was not actually said or done (*see* <https://www.merriam-webster.com/dictionary/deepfake>, last visited January 12, 2024).

¹³ National Conference of State Legislatures, *Challenges Ahead for Lawmakers Seeking to Legislate AI in Campaigns*, available at https://www.ncsl.org/state-legislatures-news/details/challenges-ahead-for-lawmakers-seeking-to-legislate-ai-in-campaigns?utm_source=national+conference+of+state+legislatures&utm_term=0_-61bea1f450-%5blist_email_id%5d&utm_campaign=8fbf8e40e8-canvass-jan-4&utm_medium=email (last visited January 12, 2024).

¹⁴ *See* ai.gov (last visited January 12, 2024).

¹⁵ By Senators Richard Blumenthal and Josh Hawley. A bill has not yet been filed.

¹⁶ S. 1596 (Senator Amy Klobuchar) and H.R. 3044 (Representative Yvette Clarke). Instead of providing a definition for “artificial intelligence” within the bills, the legislation directs the Federal Election Commission to create a definition.

¹⁷ S. 2077 (Senator Amy Klobuchar).

¹⁸ H.R. 4611 (Representative Adriano Espaillat).

¹⁹ The statutory prohibition is found in 52 U.S.C. 30124.

sought public testimony on the petition. Public comment closed on October 16, 2023, and the commission has not yet taken further action.²⁰

Other States

The National Conference of State Legislatures reports the following 2023 state legislation related to the use of AI in elections and campaigns:

- In Arizona, a vetoed bill prohibiting use of AI in voting systems.
- In Illinois, a failed bill prohibiting the use of deepfake videos to influence an election 30 days prior to an election.
- In Indiana, a failed bill requiring a disclosure on doctored media used to influence an election.
- In Michigan, enacted bills requiring a disclosure on political ads generated by AI and prohibiting the publication of materially deceptive media 90 days prior to an election where a candidate will appear on the ballot, unless it includes a disclosure that the media has been manipulated.
- In Minnesota, an enacted bill prohibiting the publication of deepfake media to influence an election 90 days prior to an election.
- In New Jersey, failed bills prohibiting the publication of deceptive media for a specified number of days prior to an election where a candidate will appear on the ballot, unless it includes a disclosure that the media has been manipulated, and prohibiting the use of videos that falsely depict an election or policy debate.
- In New York, failed bills prohibiting the use of synthetic media to influence an election and requiring political communications that contain synthetic media to contain a disclaimer.
- In Washington, an enacted bill requiring a disclosure on synthetic media used to influence an election.
- In Wisconsin, a pending bill requiring political communications that contain synthetic media to contain a disclaimer.²¹

In 2019, Texas created a criminal offense for creating or distributing a “deep fake video” created with AI, with the intent to deceive and injure a candidate or influence the result of an election, which depicts a real person performing an action that did not occur in reality.²²

III. Effect of Proposed Changes:

This bill requires a political advertisement, electioneering communication, or other miscellaneous advertisement of a political nature that 1) contains images, video, audio, text, or

²⁰ Federal Elections Commission, *Comments sought on amending regulation to include deliberately deceptive Artificial Intelligence in campaign ads*, <https://www.fec.gov/updates/comments-sought-on-amending-regulation-to-include-deliberately-deceptive-artificial-intelligence-in-campaign-ads/> (last visited January 12, 2024). Also see Pillsbury Law, *Artificial Intelligence-Generated Content in Political Ads Raises New Concerns for Broadcasters*, available at <https://www.pillsburylaw.com/en/news-and-insights/ai-generated-content-broadcasters.html> (last visited January 12, 2024).

²¹ National Conference of State Legislatures, *Artificial Intelligence (AI) in Elections and Campaigns*, available at <https://www.ncsl.org/elections-and-campaigns/artificial-intelligence-ai-in-elections-and-campaigns> (last visited January 12, 2024).

²² *Deepfakes in Texas: What are they and are they illegal?*, available at <https://versustexas.com/deepfakes/> (last visited January 12, 2024). See also LegiScan, *TX SB751, 2019-2020*, <https://legiscan.com/TX/bill/SB751/2019> (last visited January 12, 2024).

other digital content created in whole or in part with the use of generative AI, 2) appears to depict a real person performing an action that did not actually occur, and 3) was created with intent to injure a candidate or to deceive regarding a ballot issue, to prominently state the following disclaimer: “Created in whole or in part with the use of generative artificial intelligence (AI).”

The bill defines “generative AI” to mean a machine-based system that can, for a given set of human-defined objectives, emulate the structure and characteristics of input data in order to generate derived synthetic content, including images, video, audio, text, and other digital content.

The bill provides an expedited process for resolution of a complaint to the Florida Elections Commission of a violation of this disclaimer requirement.²³

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

The First Amendment of the U.S. Constitution promotes the free exchange of ideas and information by prohibiting the government from restricting speech because of the message expressed.²⁴ Content-based restrictions are presumptively invalid.²⁵ Among specific rights, the First Amendment protects the right to associate for expressive or political activity. The government may infringe upon this right only if it has a compelling interest unrelated to the suppression of speech and if the interest cannot be achieved through significantly less restrictive means.²⁶

²³ Section 106.265, F.S., provides that the Florida Elections Commission or the Division of Administrative Hearings may, upon the finding of a violation of ch. 104 or ch. 106, F.S., impose specified civil penalties.

²⁴ See, e.g., *Texas v. Johnson* (491 U.S. 397 (1989)); *State v. T.B.D.*, 656 So.2d 479 (Fla. 1995).

²⁵ See, e.g., *Police Dept. of Chicago v. Mosley*, 408 U.S. 92 (1972).

²⁶ *City of Dallas v. Stanglin*, 490 U.S. 19 (1989).

This bill does not prohibit or restrict the content of political speech generated by AI. Instead, it requires certain political advertisements created using AI to bear a disclaimer.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates the following section of the Florida Statutes: 106.145.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Ethics and Elections on January 16, 2024:

The committee substitute:

- Adds to the criteria a political advertisement must meet in order for the disclaimer to apply a requirement that the generated content be created with intent to injure a candidate or to deceive regarding a ballot issue;
- Removes specific reference to the civil penalties prescribed in law for violations of the Election Code; and
- Makes failure to include the disclaimer required by the bill a first-degree misdemeanor.

B. Amendments:

None.



602590

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/16/2024	.	
	.	
	.	
	.	

The Committee on Ethics and Elections (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete lines 32 - 44
and insert:
generative artificial intelligence, the generated content appears to depict a real person performing an action that did not actually occur, and the generated content was created with intent to injure a candidate or to deceive regarding a ballot issue, the political advertisement, electioneering communication, or other miscellaneous advertisement must



11 prominently state the following disclaimer: "Created in whole or
12 in part with the use of generative artificial intelligence
13 (AI)."

14 (3)(a) A person who fails to include the disclaimer
15 prescribed in this section in any political advertisement,
16 electioneering communication, or other miscellaneous
17 advertisement of a political nature which is required to contain
18 such disclaimer commits a misdemeanor of the first degree,
19 punishable as provided in s. 775.082 or s. 775.083.

20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete line 8

24 and insert:

25 disclaimer; providing for criminal penalties;
26 authorizing

By Senator DiCeglie

18-01130-24

2024850__

1 A bill to be entitled
 2 An act relating to the use of artificial intelligence
 3 in political advertising; creating s. 106.145, F.S.;
 4 defining the term "generative artificial
 5 intelligence"; requiring that certain political
 6 advertisements, electioneering communications, or
 7 other miscellaneous advertisements include a specified
 8 disclaimer; providing for civil penalties; authorizing
 9 the filing of complaints regarding violations with the
 10 Florida Elections Commission; requiring the commission
 11 to adopt specified rules; requiring the director of
 12 the Division of Administrative Hearings to assign an
 13 administrative law judge to provide an expedited
 14 hearing if certain conditions exist; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Section 106.145, Florida Statutes, is created to
 20 read:

21 106.145 Use of artificial intelligence.—
 22 (1) As used in this section, the term "generative
 23 artificial intelligence" means a machine-based system that can,
 24 for a given set of human-defined objectives, emulate the
 25 structure and characteristics of input data in order to generate
 26 derived synthetic content, including images, video, audio, text,
 27 and other digital content.

28 (2) If a political advertisement, electioneering
 29 communication, or other miscellaneous advertisement of a

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

18-01130-24

2024850__

30 political nature contains images, video, audio, text, or other
 31 digital content created in whole or in part with the use of
 32 generative artificial intelligence and the generated content
 33 appears to depict a real person performing an action that did
 34 not actually occur, the political advertisement, electioneering
 35 communication, or other such miscellaneous advertisement must
 36 prominently state the following disclaimer: "Created in whole or
 37 in part with the use of generative artificial intelligence
 38 (AI)."

39 (3) (a) A person who fails to include the disclaimer
 40 prescribed in this section in any political advertisement,
 41 electioneering communication, or other miscellaneous
 42 advertisement of a political nature that is required to contain
 43 such disclaimer is subject to the civil penalties prescribed in
 44 s. 106.265.

45 (b) A person may file a complaint with the Florida
 46 Elections Commission pursuant to s. 106.25 alleging a violation
 47 of this section. The commission shall adopt rules to provide an
 48 expedited hearing of complaints filed under this section, or, in
 49 cases referred to the Division of Administrative Hearings
 50 pursuant to s. 106.25(5), the director shall assign an
 51 administrative law judge to provide an expedited hearing.

52 Section 2. This act shall take effect July 1, 2024.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1/16/24
Meeting Date
Ethics/Elections
Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 850
Bill Number or Topic

Name Bob White Phone: 321-403-4441
Address 512 Southern Hills Ct. Email rwhite345@hotmail.com
Melbourne FL 32940
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Chairman
Rep. Liberty Caucus

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-JointRules.pdf)

This form is part of the public record for this meeting.



THE FLORIDA SENATE
SENATOR NICK DICEGLIE
District 18

Kathleen Passidomo
President of the Senate

Dennis Baxley
President Pro Tempore

January 11, 2024

Dear Chair Burgess,

I respectfully request that **SB 850: Use of Artificial Intelligence in Political Advertising** be placed on the agenda of the Ethics and Elections Committee at your earliest convenience. If my office can be of any assistance to the committee please do not hesitate to contact me at DiCeglie.Nick@flsenate.gov or (850) 487-5018. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Nick DiCeglie".

Nick DiCeglie

State Senator, District 18

Proudly Serving Pinellas County

Transportation Committee, Chair ~ Banking and Insurance Committee, Vice Chair ~
Fiscal Policy Committee ~ Judiciary Committee ~
Rules Committee ~ Joint Legislative Auditing Committee

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: CS/SB 884

INTRODUCER: Ethics and Elections Committee and Senator Hutson

SUBJECT: Audits of Campaign Finance Reports

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Biehl	Roberts	EE	Fav/CS
2.			GO	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 884 authorizes a candidate required to dispose of surplus funds and report such to, before disposition, request the Division of Elections (division) audit the required report. It also:

- Tolls the deadline to dispose of surplus funds and file the report until 10 business days after the audit is completed; and
- Allows the requesting candidate to keep his or her campaign account open during the audit for the sole purpose of making expenditures to correct audit findings.

The bill also provides for tolling of the 90-day deadline and for limited authorization to keep a campaign account open when a candidate is selected for a random audit of his or her campaign finance reports.

In addition, the bill clarifies the authority of the division to audit campaign finance reports.

The bill takes effect July 1, 2024.

II. Present Situation:

Campaign Finance Requirements

Chapter 106, F.S., governs campaign financing and prescribes requirements for candidates, political committees,¹ and electioneering communications organizations,² including but not limited to provisions regarding:

- Registration and officers;
- Reporting;
- Contributions³ and expenditures;⁴

¹ Section 106.011(16)(a), F.S., defines “political committee” to mean (a) a combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of \$500 during a single calendar year: accepts contributions to any candidate, political committee, affiliated party committee, or political party; accepts contributions for the purpose of expressly advocating the election or defeat of a candidate or the passage or defeat of an issue; makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue; or makes contributions to a common fund, other than a joint checking account between spouses, from which contributions are made to any candidate, political committee, affiliated party committee, or political party; or (b) the sponsor of a proposed constitutional amendment by initiative who intends to seek the signatures of registered electors. The following are not considered political committees for purposes of ch. 106, F.S.: national political parties; the state and county executive committees of political parties, and affiliated party committees; corporations or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions or expenditures in support of or in opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities; and electioneering communications organizations.

² Section 106.011(9), F.S., defines “electioneering communications organization” to mean any group, other than a political party, affiliated party committee, or political committee, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party or political committee under this chapter. Section 106.011(8)(a), F.S., defines “electioneering communication” to mean a text message or communication that is publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone which (a) refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate; (b) is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and (c) is targeted to the relevant electorate in the geographic area the candidate would represent if elected. Specified types of communications are exempted from the definition.

³ Section 106.011(5), F.S., defines “contribution” to mean (a) a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication; (b) a transfer of funds between political committees, between electioneering communications organizations, or between any combination of these groups; (c) the payment, by a person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services; or (d) the transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes interest earned on such account or certificate. However, “contribution” does not include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee or editorial endorsements.

⁴ Section 106.011(10)(a), F.S., defines “expenditure” to mean a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. The term does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization’s newsletter, containing a statement by such

- Closure of candidate campaign accounts and disposition of surplus funds; and
- Disclaimers.

“Candidate” means a person who:

- Seeks to qualify for nomination or election by means of the petitioning process;
- Seeks to qualify for election as a write-in candidate;
- Receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures with a view to bring about his or her nomination or election to, or retention in, public office;
- Appoints a treasurer and designates a primary depository; or
- Files qualification papers and subscribes to a candidate’s oath as required by law.⁵

However, the term “candidate” does not include any candidate for a political party executive committee.⁶

Closure of Campaign Accounts

Each candidate who withdraws his or her candidacy, becomes an unopposed candidate, is eliminated as a candidate, or is elected to office must, within 90 days, dispose of the funds⁷ in his or her campaign account and file a report reflecting the disposition of all remaining funds.⁸ This report is commonly known as the “termination report.”⁹

Audits of Campaign Finance Reports

Current law provides that it is the duty of the division to:

- Make, from time to time, audits and field investigations with respect to reports and statements filed pursuant to ch. 106, F.S., and with respect to alleged failures to file required reports or statements.¹⁰
- Conduct random audits with respect to reports and statements filed pursuant to ch. 106, F.S., and with respect to alleged failures to file required reports or statements.¹¹

organization in support of or opposition to a candidate or issue, which newsletter is distributed only to members of such organization.

⁵ Section 106.011(3), F.S.

⁶ *Id.*

⁷ A candidate may dispose of surplus funds by any of the following means or any combination thereof: (a) return the funds pro rata to each contributor; (b) donate the funds to a charitable organization or organizations that meet Internal Revenue Code qualifications, except that the candidate may not be employed by the organization; (c) give not more than \$25,000 of the funds to the affiliated party committee or political party of which such candidate is a member; or (d) give the funds to the state, to be deposited in the General Revenue Fund, or to a political subdivision, to be deposited in the general fund thereof (s. 106.141(4)(a), F.S.).

⁸ Section 106.141(1), F.S.

⁹ See page 61, *Candidate & Campaign Treasurer Handbook (2024 Election Cycle)*, Florida Division of Elections, available at <https://files.floridados.gov/media/707325/candidate-and-campaign-treasurer-handbook-2024-working.pdf> (last visited January 11, 2024).

¹⁰ Section 106.22(6), F.S.

¹¹ Section 106.22(1), F.S.

There is no statutory timeframe for which reports are “eligible” for audit or by when an audit must be completed. This means that reports can be audited, and deficiencies found, for campaign accounts that have been closed after dispersing any remaining funds.

III. Effect of Proposed Changes:

Regarding termination reports, the bill:

- Authorizes a candidate required to dispose of surplus funds to, before disposition, request the division audit the termination report, and tolls the 90-day deadline until 10 business days after the audit is completed.
- Allows a candidate who requests an audit of a termination report to keep the campaign account open during the audit for the sole purpose of making expenditures to correct audit findings.

The bill also provides for tolling of the 90-day deadline and for limited authorization to keep a campaign account open when a candidate is selected for a random audit of his or her campaign finance reports.

In addition, the bill clarifies provisions governing the division’s audits of campaign finance reports by:

- Specifying that the two provisions in current law apply to different situations. Under the bill, the division must conduct audits and investigations of alleged failures to file required reports, and separately must randomly audit a sample of all reports.
- Prescribing requirements for the division’s random audits of a sample of all reports. Specifically, the bill provides that after each general election cycle, the division must audit a random sample of 3 percent of all political committees, of all electioneering communication organizations, and of all qualified candidates in each of the following office groups – state, judicial, multicounty, and special district. The bill requires each sample selection process to be completed no later than 30 days after each general election.

The bill takes effect July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill's authorization of candidates to keep open campaign accounts in specified circumstances will allow them to correct any audit findings from the campaign account instead of from their personal funds.

C. Government Sector Impact:

The workload of the division may increase to the extent that candidates request audits of termination reports.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 106.141, 106.22, 106.021, 106.07, 106.11, and 717.1235.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Ethics and Elections on January 16, 2024:

The committee substitute:

- Applies the tolled deadlines and the limited timeframe for which an audited candidate may maintain a campaign account to situations in which a candidate is randomly audited, in addition to when a termination report audit is requested by a candidate;
- Clarifies the time period during which random audits may be conducted; and

- Creates a deadline by which the division must complete each random selection process.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



639232

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/16/2024	.	
	.	
	.	
	.	

The Committee on Ethics and Elections (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 62 - 240

and insert:

10 business days after the division completes an audit conducted pursuant to this subsection or s. 106.22(10). The candidate may maintain the campaign account during such an audit for the sole purpose of making expenditures to correct audit findings.

(6)~~(5)~~ A candidate elected to office or a candidate who will be elected to office by virtue of his or her being



639232

11 unopposed may, in addition to the disposition methods provided
12 in subsection (5) ~~(4)~~, transfer from the campaign account to an
13 office account any amount of the funds on deposit in such
14 campaign account up to:

15 (a) Fifty thousand dollars, for a candidate for statewide
16 office. The Governor and Lieutenant Governor shall be considered
17 separate candidates for the purpose of this section.

18 (b) Ten thousand dollars, for a candidate for multicounty
19 office.

20 (c) Ten thousand dollars multiplied by the number of years
21 in the term of office for which elected, for a candidate for
22 legislative office.

23 (d) Five thousand dollars multiplied by the number of years
24 in the term of office for which elected, for a candidate for
25 county office or for a candidate in any election conducted on
26 less than a countywide basis.

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

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

31 (g) Three thousand dollars, for a candidate for county
32 court judge or circuit judge.

33

34 The office account established pursuant to this subsection shall
35 be separate from any personal or other account. Any funds so
36 transferred by a candidate shall be used only for legitimate
37 expenses in connection with the candidate's public office. Such
38 expenses may include travel expenses incurred by the officer or
39 a staff member; personal taxes payable on office account funds



639232

40 by the candidate or elected public official; professional
41 services provided by a certified public accountant or attorney
42 for preparation of the elected public official's financial
43 disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs
44 to prepare, print, produce, and mail holiday cards or
45 newsletters about the elected public official's public business
46 to constituents if such correspondence does not constitute a
47 political advertisement, independent expenditure, or
48 electioneering communication as provided in s. 106.011; fees or
49 dues to religious, civic, or charitable organizations of which
50 the elected public official is a member; items of modest value
51 such as flowers, greeting cards, or personal notes given as a
52 substitute for, or in association with, an elected public
53 official's personal attendance at a constituent's special event
54 or family occasion, such as the birth of a child, graduation,
55 wedding, or funeral; personal expenses incurred by the elected
56 public official in connection with attending a constituent
57 meeting or event where public policy is discussed, if such
58 meetings or events are limited to no more than once a week; or
59 expenses incurred in the operation of the elected public
60 official's office, including the employment of additional staff.
61 The funds may be deposited in a savings account; however, all
62 deposits, withdrawals, and interest earned thereon shall be
63 reported at the appropriate reporting period. If a candidate is
64 reelected to office or elected to another office and has funds
65 remaining in his or her office account, he or she may transfer
66 surplus campaign funds to the office account. At no time may the
67 funds in the office account exceed the limitation imposed by
68 this subsection. Upon leaving public office, any person who has



639232

69 funds in an office account pursuant to this subsection remaining
70 on deposit shall use such funds to pay for professional services
71 provided by a certified public accountant or attorney for
72 preparation of the elected public official's final financial
73 disclosure filing pursuant to s. 112.3144 or s. 112.3145, or
74 give such funds to a charitable organization that meets the
75 requirements of s. 501(c) (3) of the Internal Revenue Code or, in
76 the case of a state officer, to the state to be deposited in the
77 General Revenue Fund or, in the case of an officer of a
78 political subdivision, to the political subdivision to be
79 deposited in the general fund thereof.

80 ~~(7)~~ ~~(6)~~

81 (b) A candidate elected to state office or a candidate who
82 will be elected to state office by virtue of his or her being
83 unopposed after candidate qualifying ends, may retain up to
84 \$20,000 in his or her campaign account, or in an interest-
85 bearing account or certificate of deposit, for use in his or her
86 next campaign for the same office, in addition to the
87 disposition methods provided in subsections (5) ~~(4)~~ and (6) ~~(5)~~.
88 All requirements applicable to candidate campaign accounts under
89 this chapter, including disclosure requirements applicable to
90 candidate campaign accounts, limitations on expenditures, and
91 limitations on contributions, apply to any retained funds.

92 ~~(8)~~ ~~(7)~~ Before disposing of funds pursuant to subsection (5)
93 ~~(4)~~, transferring funds into an office account pursuant to
94 subsection (6) ~~(5)~~, or retaining funds for reelection pursuant
95 to subsection (7) ~~(6)~~, any candidate who filed an oath stating
96 that he or she was unable to pay the fee for verification of
97 petition signatures without imposing an undue burden on his or



639232

98 her personal resources or on resources otherwise available to
99 him or her shall reimburse the state or local governmental
100 entity, whichever is applicable, for such waived fee. If there
101 are insufficient funds in the account to pay the full amount of
102 the fee, the remaining funds shall be disbursed in the above
103 manner until no funds remain. All funds disbursed pursuant to
104 this subsection shall be remitted to the qualifying officer. Any
105 reimbursement for petition verification costs which are
106 reimbursable by the state shall be forwarded by the qualifying
107 officer to the state for deposit in the General Revenue Fund.

108 (9)~~(8)~~(a) Any candidate required to dispose of campaign
109 funds pursuant to this section shall do so within the time
110 required by this section and, on or before the date by which
111 such disposition is to have been made, shall file with the
112 officer with whom reports are required to be filed pursuant to
113 s. 106.07 a form prescribed by the Division of Elections
114 listing:

115 1. The name and address of each person or unit of
116 government to whom any of the funds were distributed and the
117 amounts thereof;

118 2. The name and address of each person to whom an
119 expenditure was made, together with the amount thereof and
120 purpose therefor;

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

125 4. The amount of such funds retained pursuant to subsection
126 (7) ~~(6)~~, together with the name and address of the bank, savings



639232

127 and loan association, or credit union in which the retained
128 funds are located.

129
130 Such report shall be signed by the candidate and the campaign
131 treasurer and certified as true and correct pursuant to s.
132 106.07.

133 (10)~~(9)~~ Any candidate elected to office who transfers
134 surplus campaign funds into an office account pursuant to
135 subsection (6)~~(5)~~ shall file a report on the 10th day following
136 the end of each calendar quarter until the account is closed.
137 Such reports shall contain the name and address of each person
138 to whom any disbursement of funds was made, together with the
139 amount thereof and the purpose therefor, and the name and
140 address of any person from whom the elected candidate received
141 any refund or reimbursement and the amount thereof. Such reports
142 shall be on forms prescribed by the Division of Elections,
143 signed by the elected candidate, certified as true and correct,
144 and filed with the officer with whom campaign reports were filed
145 pursuant to s. 106.07(2).

146 Section 2. Subsections (6) and (10) of section 106.22,
147 Florida Statutes, are amended to read:

148 106.22 Duties of the Division of Elections.—It is the duty
149 of the Division of Elections to:

150 (6) Conduct ~~Make, from time to time,~~ audits and field
151 investigations with respect to ~~reports and statements filed~~
152 ~~under the provisions of this chapter and with respect to~~ alleged
153 failures to file any report or statement required under ~~the~~
154 ~~provisions of~~ this chapter. The division shall conduct a
155 postelection audit of the campaign accounts of all candidates



639232

156 receiving contributions from the Election Campaign Financing
157 Trust Fund.

158 (10) After each general election cycle, conduct random
159 audits of ~~with respect to~~ reports and statements filed under
160 this chapter during that cycle and with respect to alleged
161 ~~failure to file any reports and statements required under this~~
162 ~~chapter.~~

163 (a) The audits must be of a random sample of 3 percent of:

164 1. All qualified candidates in each of the following office
165 groups:

166 a. State.

167 b. Judicial.

168 c. Multicounty.

169 d. Special district.

170 2. All political committees.

171 3. All electioneering communication organizations.

172 (b) The division shall adopt rules governing the sample
173 selection process by October 1, 2024.

174 (c) The division shall complete the sample selection
175 process no later than 30 days after each general election and
176 shall promptly notify the treasurer of each candidate, political
177 committee, and electioneering communication organization
178 selected.

179 (d) The treasurer of each candidate, political committee,
180 or electioneering communication organization shall maintain
181 valid contact information with the division until the division
182 determines that the candidate, political committee, or
183 electioneering communication organization has not been selected
184 for an audit, or, if selected, until completion of the audit.



639232

185 (e) The selection of a candidate, a political committee, or
186 an electioneering communication organization for audit and the
187 process by which the candidate, political committee, or
188 electioneering communication organization was selected are
189 exempt from chapter 120.

190 (f) The 90-day period within which a candidate must dispose
191 of funds and file a report pursuant to s. 106.141(1) is tolled
192 until 10 business days after the division completes an audit
193 pursuant to this subsection. The candidate may maintain the
194 campaign account during such an audit for the sole purpose of
195 making expenditures to correct audit findings.

196
197 ===== T I T L E A M E N D M E N T =====

198 And the title is amended as follows:

199 Delete lines 19 - 23

200 and insert:

201 certain date; requiring the division to complete the
202 selection process within a specified timeframe and
203 promptly notify treasurers of specified entities
204 selected; requiring such treasurers to maintain valid
205 contact information with the division for a specified
206 timeframe; exempting aspects of the auditing process
207 from the Administrative Procedure Act; providing that
208 the period for candidates to dispose of funds and file
209 a report is tolled for a specified timeframe under
210 specified conditions; authorizing candidates to
211 maintain a campaign account for a specified purpose
212 during an audit; amending s. 106.021,

By Senator Hutson

7-00391B-24

2024884__

1 A bill to be entitled
 2 An act relating to audits of campaign finance reports;
 3 amending s. 106.141, F.S.; authorizing certain
 4 candidates to request the Division of Elections of the
 5 Department of State to audit a specified report;
 6 providing that the period for a candidate to dispose
 7 of funds and file a report is tolled for a specified
 8 timeframe; authorizing candidates to maintain a
 9 campaign account during the audit for a specified
 10 purpose; amending s. 106.22, F.S.; requiring the
 11 division to conduct audits and field investigations
 12 with respect to candidates' alleged failures to file
 13 certain reports or statements; requiring the division
 14 to conduct random audits of specified reports after
 15 each general election cycle; providing that the
 16 auditing must consist of a certain percentage of all
 17 qualified candidates in specified office groups;
 18 requiring the division to adopt specified rules by a
 19 certain date; requiring treasurers of specified
 20 entities to maintain valid contact information with
 21 the division for a specified timeframe; exempting
 22 aspects of the auditing process from the
 23 Administrative Procedure Act; amending s. 106.021,
 24 F.S.; conforming a cross-reference; reenacting and
 25 amending s. 106.07, F.S.; conforming a cross-
 26 reference; reenacting ss. 106.11(5)(d) and 717.1235,
 27 F.S., relating to disposition of surplus funds for
 28 individuals who withdrew, became unopposed, or were
 29 eliminated as candidates and the disposition of funds

Page 1 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

30 in certain dormant campaign accounts, respectively, to
 31 incorporate the amendment made to s. 106.141, F.S., in
 32 references thereto; providing an effective date.
 33

34 Be It Enacted by the Legislature of the State of Florida:
 35

36 Section 1. Present subsections (2) through (11) of section
 37 106.141, Florida Statutes, are redesignated as subsections (3)
 38 through (12), respectively, a new subsection (2) is added to
 39 that section, and subsection (1), present subsection (5),
 40 paragraph (b) of present subsection (6), present subsection (7),
 41 paragraph (a) of present subsection (8), and present subsection
 42 (9) are amended, to read:

43 106.141 Disposition of surplus funds by candidates.—
 44 (1) Except as provided in subsection (7) ~~(6)~~, each
 45 candidate who withdraws his or her candidacy, becomes an
 46 unopposed candidate, or is eliminated as a candidate or elected
 47 to office shall, within 90 days, dispose of the funds on deposit
 48 in his or her campaign account and file a report reflecting the
 49 disposition of all remaining funds. Such candidate may not
 50 accept any contributions, nor may any person accept
 51 contributions on behalf of such candidate, after the candidate
 52 withdraws his or her candidacy, becomes unopposed, or is
 53 eliminated or elected. However, if a candidate receives a refund
 54 check after all surplus funds have been disposed of, the check
 55 may be endorsed by the candidate and the refund disposed of
 56 under this section. An amended report must be filed showing the
 57 refund and subsequent disposition.

58 (2) A candidate required to dispose of funds pursuant to

Page 2 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

59 this section may, before such disposition, request that the
 60 division audit the report required by subsection (1). The 90-day
 61 period to dispose of funds and file the report is tolled until
 62 10 business days after the division's audit is final. The
 63 candidate may maintain the campaign account during such audit
 64 for the sole purpose of making expenditures to correct audit
 65 findings.

66 ~~(6)(5)~~ A candidate elected to office or a candidate who
 67 will be elected to office by virtue of his or her being
 68 unopposed may, in addition to the disposition methods provided
 69 in subsection ~~(5)~~ ~~(4)~~, transfer from the campaign account to an
 70 office account any amount of the funds on deposit in such
 71 campaign account up to:

72 (a) Fifty thousand dollars, for a candidate for statewide
 73 office. The Governor and Lieutenant Governor shall be considered
 74 separate candidates for the purpose of this section.

75 (b) Ten thousand dollars, for a candidate for multicounty
 76 office.

77 (c) Ten thousand dollars multiplied by the number of years
 78 in the term of office for which elected, for a candidate for
 79 legislative office.

80 (d) Five thousand dollars multiplied by the number of years
 81 in the term of office for which elected, for a candidate for
 82 county office or for a candidate in any election conducted on
 83 less than a countywide basis.

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

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

7-00391B-24

2024884__

88 (g) Three thousand dollars, for a candidate for county
 89 court judge or circuit judge.

90
 91 The office account established pursuant to this subsection shall
 92 be separate from any personal or other account. Any funds so
 93 transferred by a candidate shall be used only for legitimate
 94 expenses in connection with the candidate's public office. Such
 95 expenses may include travel expenses incurred by the officer or
 96 a staff member; personal taxes payable on office account funds
 97 by the candidate or elected public official; professional
 98 services provided by a certified public accountant or attorney
 99 for preparation of the elected public official's financial
 100 disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs
 101 to prepare, print, produce, and mail holiday cards or
 102 newsletters about the elected public official's public business
 103 to constituents if such correspondence does not constitute a
 104 political advertisement, independent expenditure, or
 105 electioneering communication as provided in s. 106.011; fees or
 106 dues to religious, civic, or charitable organizations of which
 107 the elected public official is a member; items of modest value
 108 such as flowers, greeting cards, or personal notes given as a
 109 substitute for, or in association with, an elected public
 110 official's personal attendance at a constituent's special event
 111 or family occasion, such as the birth of a child, graduation,
 112 wedding, or funeral; personal expenses incurred by the elected
 113 public official in connection with attending a constituent
 114 meeting or event where public policy is discussed, if such
 115 meetings or events are limited to no more than once a week; or
 116 expenses incurred in the operation of the elected public

7-00391B-24

2024884

117 official's office, including the employment of additional staff.
 118 The funds may be deposited in a savings account; however, all
 119 deposits, withdrawals, and interest earned thereon shall be
 120 reported at the appropriate reporting period. If a candidate is
 121 reelected to office or elected to another office and has funds
 122 remaining in his or her office account, he or she may transfer
 123 surplus campaign funds to the office account. At no time may the
 124 funds in the office account exceed the limitation imposed by
 125 this subsection. Upon leaving public office, any person who has
 126 funds in an office account pursuant to this subsection remaining
 127 on deposit shall use such funds to pay for professional services
 128 provided by a certified public accountant or attorney for
 129 preparation of the elected public official's final financial
 130 disclosure filing pursuant to s. 112.3144 or s. 112.3145, or
 131 give such funds to a charitable organization that meets the
 132 requirements of s. 501(c)(3) of the Internal Revenue Code or, in
 133 the case of a state officer, to the state to be deposited in the
 134 General Revenue Fund or, in the case of an officer of a
 135 political subdivision, to the political subdivision to be
 136 deposited in the general fund thereof.

137 ~~(7)(6)~~

138 (b) A candidate elected to state office or a candidate who
 139 will be elected to state office by virtue of his or her being
 140 unopposed after candidate qualifying ends, may retain up to
 141 \$20,000 in his or her campaign account, or in an interest-
 142 bearing account or certificate of deposit, for use in his or her
 143 next campaign for the same office, in addition to the
 144 disposition methods provided in subsections (5) ~~(4)~~ and (6) ~~(5)~~.
 145 All requirements applicable to candidate campaign accounts under

Page 5 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884

146 this chapter, including disclosure requirements applicable to
 147 candidate campaign accounts, limitations on expenditures, and
 148 limitations on contributions, apply to any retained funds.

149 ~~(8)(7)~~ Before disposing of funds pursuant to subsection (5)
 150 ~~(4)~~, transferring funds into an office account pursuant to
 151 subsection (6) ~~(5)~~, or retaining funds for reelection pursuant
 152 to subsection (7) ~~(6)~~, any candidate who filed an oath stating
 153 that he or she was unable to pay the fee for verification of
 154 petition signatures without imposing an undue burden on his or
 155 her personal resources or on resources otherwise available to
 156 him or her shall reimburse the state or local governmental
 157 entity, whichever is applicable, for such waived fee. If there
 158 are insufficient funds in the account to pay the full amount of
 159 the fee, the remaining funds shall be disbursed in the above
 160 manner until no funds remain. All funds disbursed pursuant to
 161 this subsection shall be remitted to the qualifying officer. Any
 162 reimbursement for petition verification costs which are
 163 reimbursable by the state shall be forwarded by the qualifying
 164 officer to the state for deposit in the General Revenue Fund.

165 ~~(9)(8)~~(a) Any candidate required to dispose of campaign
 166 funds pursuant to this section shall do so within the time
 167 required by this section and, on or before the date by which
 168 such disposition is to have been made, shall file with the
 169 officer with whom reports are required to be filed pursuant to
 170 s. 106.07 a form prescribed by the Division of Elections
 171 listing:

172 1. The name and address of each person or unit of
 173 government to whom any of the funds were distributed and the
 174 amounts thereof;

Page 6 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

175 2. The name and address of each person to whom an
 176 expenditure was made, together with the amount thereof and
 177 purpose therefor;

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

182 4. The amount of such funds retained pursuant to subsection
 183 (7) (6), together with the name and address of the bank, savings
 184 and loan association, or credit union in which the retained
 185 funds are located.

186

187 Such report shall be signed by the candidate and the campaign
 188 treasurer and certified as true and correct pursuant to s.
 189 106.07.

190 (10) (9) Any candidate elected to office who transfers
 191 surplus campaign funds into an office account pursuant to
 192 subsection (6) (5) shall file a report on the 10th day following
 193 the end of each calendar quarter until the account is closed.
 194 Such reports shall contain the name and address of each person
 195 to whom any disbursement of funds was made, together with the
 196 amount thereof and the purpose therefor, and the name and
 197 address of any person from whom the elected candidate received
 198 any refund or reimbursement and the amount thereof. Such reports
 199 shall be on forms prescribed by the Division of Elections,
 200 signed by the elected candidate, certified as true and correct,
 201 and filed with the officer with whom campaign reports were filed
 202 pursuant to s. 106.07(2).
 203 Section 2. Subsections (6) and (10) of section 106.22,

Page 7 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

204 Florida Statutes, are amended to read:
 205 106.22 Duties of the Division of Elections.—It is the duty
 206 of the Division of Elections to:
 207 (6) ~~Conduct~~ Make, ~~from time to time~~, audits and field
 208 investigations with respect to ~~reports and statements filed~~
 209 ~~under the provisions of this chapter and with respect to~~ alleged
 210 failures to file any report or statement required under ~~the~~
 211 ~~provisions of~~ this chapter. The division shall conduct a
 212 postelection audit of the campaign accounts of all candidates
 213 receiving contributions from the Election Campaign Financing
 214 Trust Fund.

215 (10) (a) Conduct random audits of ~~with respect to~~ reports
 216 ~~and statements~~ filed under this chapter after each general
 217 election cycle and with respect to alleged failure to file any
 218 reports and statements required under this chapter. The audits
 219 must be of a random sample of 3 percent of:

220 1. All qualified candidates in each of the following office
 221 groups:

222 a. State.
 223 b. Judicial.
 224 c. Multicounty.
 225 d. Special district.
 226 2. All political committees.
 227 3. All electioneering communication organizations.
 228 (b) The division shall adopt rules governing the sample
 229 selection process by October 1, 2024.
 230 (c) The treasurer of each candidate, political committee,
 231 or electioneering communication organization shall maintain
 232 valid contact information with the division until the division

Page 8 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

233 determines that the candidate, political committee, or
 234 electioneering communication organization has not been selected
 235 for an audit, or, if selected, until completion of the audit.

236 (d) The selection of a candidate, political committee, or
 237 electioneering communication organization for audit and the
 238 process by which the candidate, political committee, or
 239 electioneering communication organization was selected are
 240 exempt from chapter 120.

241 Section 3. Paragraph (a) of subsection (1) of section
 242 106.021, Florida Statutes, is amended to read:

243 106.021 Campaign treasurers; deputies; primary and
 244 secondary depositories.—

245 (1) (a) Each candidate for nomination or election to office
 246 and each political committee shall appoint a campaign treasurer.
 247 Each person who seeks to qualify for nomination or election to,
 248 or retention in, office shall appoint a campaign treasurer and
 249 designate a primary campaign depository before qualifying for
 250 office. Any person who seeks to qualify for election or
 251 nomination to any office by means of the petitioning process
 252 shall appoint a treasurer and designate a primary depository on
 253 or before the date he or she obtains the petitions. At the same
 254 time a candidate designates a campaign depository and appoints a
 255 treasurer, the candidate shall also designate the office for
 256 which he or she is a candidate. If the candidate is running for
 257 an office that will be grouped on the ballot with two or more
 258 similar offices to be filled at the same election, the candidate
 259 must indicate for which group or district office he or she is
 260 running. This subsection does not prohibit a candidate, at a
 261 later date, from changing the designation of the office for

Page 9 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

262 which he or she is a candidate. However, if a candidate changes
 263 the designated office for which he or she is a candidate, the
 264 candidate must notify all contributors in writing of the intent
 265 to seek a different office and offer to return pro rata, upon
 266 their request, those contributions given in support of the
 267 original office sought. This notification shall be given within
 268 15 days after the filing of the change of designation and shall
 269 include a standard form developed by the Division of Elections
 270 for requesting the return of contributions. The notice
 271 requirement does not apply to any change in a numerical
 272 designation resulting solely from redistricting. If, within 30
 273 days after being notified by the candidate of the intent to seek
 274 a different office, the contributor notifies the candidate in
 275 writing that the contributor wishes his or her contribution to
 276 be returned, the candidate shall return the contribution, on a
 277 pro rata basis, calculated as of the date the change of
 278 designation is filed. Up to a maximum of the contribution limits
 279 specified in s. 106.08, a candidate who runs for an office other
 280 than the office originally designated may use any contribution
 281 that a donor does not request be returned within the 30-day
 282 period for the newly designated office, provided the candidate
 283 disposes of any amount exceeding the contribution limit pursuant
 284 to the options in s. 106.11(5)(b) and (c) or s. 106.141(5)(a)1.,
 285 2., or 4. ~~s. 106.141(4)(a)1., 2., or 4.~~; notwithstanding, the
 286 full amount of the contribution for the original office shall
 287 count toward the contribution limits specified in s. 106.08 for
 288 the newly designated office. A person may not accept any
 289 contribution or make any expenditure with a view to bringing
 290 about his or her nomination, election, or retention in public

Page 10 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

291 office, or authorize another to accept such contributions or
 292 make such expenditure on the person's behalf, unless such person
 293 has appointed a campaign treasurer and designated a primary
 294 campaign depository. A candidate for an office voted upon
 295 statewide may appoint not more than 15 deputy campaign
 296 treasurers, and any other candidate or political committee may
 297 appoint not more than 3 deputy campaign treasurers. The names
 298 and addresses of the campaign treasurer and deputy campaign
 299 treasurers so appointed shall be filed with the officer before
 300 whom such candidate is required to qualify or with whom such
 301 political committee is required to register pursuant to s.
 302 106.03.

303 Section 4. Paragraph (b) of subsection (8) of section
 304 106.07, Florida Statutes, is amended, and paragraph (c) of
 305 subsection (1) of that section is reenacted, to read:

306 106.07 Reports; certification and filing.—

307 (1) Each campaign treasurer designated by a candidate or
 308 political committee pursuant to s. 106.021 shall file regular
 309 reports of all contributions received, and all expenditures
 310 made, by or on behalf of such candidate or political committee.
 311 Except for the third calendar quarter immediately preceding a
 312 general election, reports must be filed on the 10th day
 313 following the end of each calendar quarter from the time the
 314 campaign treasurer is appointed, except that, if the 10th day
 315 following the end of a calendar quarter occurs on a Saturday,
 316 Sunday, or legal holiday, the report must be filed on the next
 317 following day that is not a Saturday, Sunday, or legal holiday.
 318 Quarterly reports must include all contributions received and
 319 expenditures made during the calendar quarter which have not

Page 11 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

320 otherwise been reported pursuant to this section.

321 (c) Following the last day of qualifying for office, any
 322 unopposed candidate need only file a report within 90 days after
 323 the date such candidate became unopposed. Such report shall
 324 contain all previously unreported contributions and expenditures
 325 as required by this section and shall reflect disposition of
 326 funds as required by s. 106.141.

327 (8)

328 (b) Upon determining that a report is late, the filing
 329 officer shall immediately notify the candidate or chair of the
 330 political committee as to the failure to file a report by the
 331 designated due date and that a fine is being assessed for each
 332 late day. The fine is \$50 per day for the first 3 days late and,
 333 thereafter, \$500 per day for each late day, not to exceed 25
 334 percent of the total receipts or expenditures, whichever is
 335 greater, for the period covered by the late report. However, for
 336 the reports immediately preceding each special primary election,
 337 special election, primary election, and general election, the
 338 fine is \$500 per day for each late day, not to exceed 25 percent
 339 of the total receipts or expenditures, whichever is greater, for
 340 the period covered by the late report. For reports required
 341 under s. 106.141(9) ~~s. 106.141(8)~~, the fine is \$50 per day for
 342 each late day, not to exceed 25 percent of the total receipts or
 343 expenditures, whichever is greater, for the period covered by
 344 the late report. Upon receipt of the report, the filing officer
 345 shall determine the amount of the fine which is due and shall
 346 notify the candidate or chair or registered agent of the
 347 political committee. The filing officer shall determine the
 348 amount of the fine due based upon the earliest of the following:

Page 12 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

349 1. When the report is actually received by such officer.
 350 2. When the report is postmarked.
 351 3. When the certificate of mailing is dated.
 352 4. When the receipt from an established courier company is
 353 dated.
 354 5. When the electronic receipt issued pursuant to s.
 355 106.0705 or other electronic filing system authorized in this
 356 section is dated.
 357
 358 Such fine shall be paid to the filing officer within 20 days
 359 after receipt of the notice of payment due, unless appeal is
 360 made to the Florida Elections Commission pursuant to paragraph
 361 (c). Notice is deemed complete upon proof of delivery of written
 362 notice to the mailing or street address on record with the
 363 filing officer. In the case of a candidate, such fine is not an
 364 allowable campaign expenditure and shall be paid only from
 365 personal funds of the candidate. An officer or member of a
 366 political committee is not personally liable for such fine.
 367 Section 5. For the purpose of incorporating the amendment
 368 made by this act to section 106.141, Florida Statutes, in a
 369 reference thereto, paragraph (d) of subsection (5) of section
 370 106.11, Florida Statutes, is reenacted to read:
 371 106.11 Expenses of and expenditures by candidates and
 372 political committees.—Each candidate and each political
 373 committee which designates a primary campaign depository
 374 pursuant to s. 106.021(1) shall make expenditures from funds on
 375 deposit in such primary campaign depository only in the
 376 following manner, with the exception of expenditures made from
 377 petty cash funds provided by s. 106.12:

Page 13 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00391B-24

2024884__

378 (5) A candidate who withdraws his or her candidacy, becomes
 379 an unopposed candidate, or is eliminated as a candidate or
 380 elected to office may expend funds from the campaign account to:
 381 (d) Dispose of surplus funds as provided in s. 106.141.
 382 Section 6. For the purpose of incorporating the amendment
 383 made by this act to section 106.141, Florida Statutes, in a
 384 reference thereto, section 717.1235, Florida Statutes, is
 385 reenacted to read:
 386 717.1235 Dormant campaign accounts; report of unclaimed
 387 property.—Unclaimed funds reported in the name of a campaign for
 388 public office, for any campaign that must dispose of surplus
 389 funds in its campaign account pursuant to s. 106.141, after
 390 being reported to the department, shall be deposited with the
 391 Chief Financial Officer to the credit of the State School Fund.
 392 Section 7. This act shall take effect upon becoming a law.

Page 14 of 14

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

Committee Agenda Request

To: Senator Danny Burgess, Chair
Committee on Ethics and Elections

Subject: Committee Agenda Request

Date: January 5, 2024

I respectfully request that **Senate Bill #884**, relating to Audits of Campaign Finance Reports, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "Travis J. Hutson".

Senator Travis Hutson
Florida Senate, District 7

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SJR 1114

INTRODUCER: Senator Hutson

SUBJECT: Public Financing for Campaigns of Candidates for Elective Statewide Office

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cleary	Roberts	EE	Favorable
2.			JU	
3.			RC	

I. Summary:

SJR 1114 proposes an amendment to the State Constitution to repeal the public financing program for statewide elections.

The joint resolution must be approved by a three-fifths vote of the membership of each house of the Legislature. If so enacted, the proposal will be presented to the electors of Florida at the general election or at an earlier special election specifically authorized by law for that purpose. Approval requires a favorable vote from at least 60 percent of the electors voting on the matter. Repeal of the program would take effect upon approval by the voters of Florida.

The joint resolution proposes an amendment to the Florida Constitution to repeal Section 7 of Article VI.

II. Present Situation:

Public Campaign Financing in Florida

Currently, the State Constitution requires public campaign financing for statewide candidates (Governor and Cabinet Officers), with implementation by general law. The State Constitution provides:

It is the policy of this state to provide for statewide elections in which all qualified candidates may compete effectively. A method of public financing for campaigns for state office shall be established by law. Spending limits shall be established for such campaigns for candidates who use public funds in their campaigns. The legislature shall provide funding for this provision. General law implementing this paragraph shall be at least as protective of effective competition by a candidate who uses public as the general law in effect on January 1, 1998.¹

This constitutional provision has been in place since 1998, after being proposed by the Constitution Revision Commission and approved by the voters in the 1998 general election. The program itself, however, has been in place in statute since 1986.²

The matching funds program is provided by general law in ss. 106.30-106.36, F.S., and administered by the Department of State's Division of Elections (division). The program can be summarized as follows:

- Statewide candidates must have opposition;
- Only personal contributions from state residents are eligible for matching from the General Revenue Fund.³ Corporate and political committee contributions are not matched;
- Contributions received after September 1 of the calendar year preceding the election are eligible for matching;
- Candidates choosing to participate in the public financing program must raise an initial amount of money - \$150,000 (for gubernatorial candidates) or \$100,000 (for candidates for Cabinet offices) – in order to be eligible to receive public funds. This upfront money is matched with public funds on a two-to-one basis.
- After that, eligible contributions are matched on a dollar-for-dollar basis, up to \$250 per individual contribution. For example, if a Florida individual makes a \$250 contribution, it is matched with \$250 from the state. If a person makes a \$500 contribution, only \$250 of that contribution will be matched with state money.
- In exchange for receiving public money, candidates agree to abide by certain limits on their overall campaign expenditures (see discussion, below).

Participating candidates must complete a form declaring their intention to apply for public campaign financing at the time of qualifying, and subsequently submit their contributions for audit by the division to determine eligibility for the match. The division audits the submission and makes payment to the candidate, beginning immediately on the 32nd day before the primary election and every seven days thereafter.

The program was originally funded from the Election Campaign Financing Trust Fund, which was established in 1986. The trust fund was funded with a portion of candidate qualifying fees and civil penalties collected by the Florida Elections Commission. The trust fund expired by operation of s. 19 (f), Article III, Fla. Constitution, on November 4, 1996. That section of the Constitution required state trust funds in existence prior to 1992 to terminate not more than four

¹ Article VI, s. 7, Fla. Const.

² Chapter 86-276, s. I, Laws of Fla.

³ In 2001, the Legislature enacted a law that excluded out-of-state contributions from eligibility for matching. Ch. 2001-40, s. 69, Laws of Fla.

years from November 4, 1992. Since the trust fund terminated, the program has been funded from the General Revenue Fund.

Statewide candidates participating in the public financing program must agree to abide by campaign expenditure limits.⁴ In 2005, the Legislature increased these expenditures limits to the following amounts for the general election:⁵

- Governor/Lt. Governor – Increased from \$7.1 million;⁶ to \$2.00 per each Florida-registered voter;⁷ and
- Cabinet Offices – Increased from \$2.82 million⁸ per race to \$1.00 per each Florida-registered voter.⁹

A Florida-registered voter is defined as a voter who is registered to vote in Florida as of June 30 of each odd-numbered year. The division must certify the total number of Florida-registered voters no later than July 31 of each odd-numbered year. The total number must be calculated by adding the number of registered voters in each county as of June 30 in the year of the certification date.¹⁰ The 2022 election cycle campaign expenditure limits for statewide candidates participating in the public financing program were approximately \$ 30,286,714 for the Governor's and Lieutenant Governor's races and \$15,143,357 for the remaining cabinet races.¹¹

Total public financing expenditures in the last four general election cycles for the Governor's race and the three cabinet races are as follows:

2022 election cycle – \$13,015,149.81;
2018 election cycle – \$9, 852,605.76;
2014 election cycle – \$4,336,040.04; and
2010 election cycle – \$6,065,556.11.¹²

Current Florida law provides that, in addition to the matching funds specifically authorized for participating candidates for the general election and contested primaries, if a nonparticipating statewide candidate exceeds the expenditure limit, all opposing candidates participating in the

⁴ Section 106.34, F.S. (2008)

⁵ Ch. 2005-278, s. 48, at 2735, Laws of Fla. The changes became effective January 1, 2006. *Id.* at 2738. Primary expenditure limits for candidates with primary opposition is 60 percent of the general election limits. *Id.* at 2735.

⁶ Section 106.34(1)(a), F.S. (2004). Although Florida law in 2005 explicitly provided for a cap of \$5 million for gubernatorial candidates, the law also required that the limit be adjusted quadrennially for inflation; therefore, at the end of 2005, this \$5 million expenditure limit, which was originally established in law in 1992, had risen to an inflation-adjusted figure of \$7,135,606.

⁷ Section 106.34(1)(a), F.S.

⁸ Ch. 2005-278, s. 48, at 2735, Laws of Fla. Although Florida law in 2005 explicitly provided for a cap of \$2 million for Cabinet office candidates, the law also required the limit to be adjudged quadrennially for inflation; therefore, at the end of 2005, this \$2 million expenditures limit, which was originally established in 1992, had risen to an inflation-adjusted figure of \$2,854,242.

⁹ Section 106.34(1)(b), F.S.

¹⁰ Section 106.34(3), F.S.

¹¹ The number of Florida voters registered as of June 30, 2021, was 15,143,357 *See* Florida Division of Elections, 2022 *Public Campaign Financing Handbook*, 6 at

https://files.floridados.gov/media/705135/public_campaign_financing_2022_final-1.pdf (last viewed on January 16, 2024).

¹² *See* Florida Division of Elections, Candidates and Committees, Campaign Finance at

<https://dos.fl.gov/elections/candidates-committees/campaign-finance/> (last viewed on January 16, 2024).

public financing program receive a dollar-for-dollar match of public funds for the amount that nonparticipating candidate exceeds the limit, up to a maximum of twice the applicable expenditure limit.¹³ The constitutionality of this provision has been challenged, however, in a decision by the 11th U.S. Circuit Court of Appeals.¹⁴ (See discussion under “Other Constitutional Issues”).

An identical resolution to repeal the public financing program for statewide elections was adopted in the 2009 legislative session.¹⁵ The measure appeared on the ballot in November 2010, but did not receive the necessary 60 percent affirmative votes required for adoption.¹⁶

Public Campaign Financing in Other States

According to the National Conference of State Legislatures, Florida is one of a small number of states that offer some form of full or partial public matching funds to political candidates:

Public financing of campaigns, in which the government provides financial support to candidates running for office, remains the least-used method of regulating money in elections, partly due to the result of the U.S. Supreme Court ruling in *Buckley v. Valeo* (1976). In that decision, the court struck down a provision of the Federal Election Act of 1971 mandating public financing for presidential elections.

Based on that decision, state public financing programs must be optional for candidates. The financial advantages of private fundraising frequently prompt candidates to opt out of public financing programs, which often include campaign to spending limits. Candidates who opt not to use public funds can raise funds without having to abide by state limits. For states that elect to provide a public financing option, money is available for either individual candidates or political parties . . .

Thirteen states provide some form of statewide public financing option for candidates. Each of these plans require a candidate who accepts public money for their campaign to promise to limit both how much the candidate spends on the election and how much they receive in donations from any one group or individual. These options are frequently limited, applying only to candidates running for specified offices¹⁷ . . .

¹³ Section 106.355, F.S. The candidates participating in public financing are also released from the expenditure limit to the extent the nonparticipating candidate exceeds the limit.

¹⁴ *Scott v. Roberts*, 612 F.3d 1279 (11th Cir. 2010).

¹⁵ House Joint Resolution No. 81, filed with the Secretary of State on May 19, 2009.

¹⁶ See Florida Division of Elections, Constitutional Amendments at <https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=10&seqnum=71> (last viewed January 16, 2024).

¹⁷ See National Conference of State Legislatures, Public Financing of Campaigns: Overview (last viewed on January 16, 2024), available at <https://www.ncsl.org/elections-and-campaigns/public-financing-of-campaigns-overview>. (Public Financing Available for Specified Offices Per State: **Governor/Lieutenant Governor**: Arizona, Connecticut, Florida, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, Rhode Island, Vermont; **State Legislative Offices**: Arizona, Connecticut, Hawaii, Maine, Minnesota; **State Supreme Court/Other**: New Mexico, West Virginia.).

The two main types of state programs for public financing are the clean elections programs and programs that provide a candidate with matching funds for each qualifying contribution they receive. The “clean election states” offer full funding for the campaign; the matching funds programs provide a candidate with a portion of the funds needed to run the campaign.¹⁸

III. Effect of Proposed Changes:

The Joint Resolution proposes the repeal of the constitutional authorization for the public financing of statewide elections.

If approved by a three-fifths vote of the membership of each house of the Legislature, the proposal will be presented to the electors of Florida at the 2024 general election or at an earlier special election specifically authorized by law for that purpose. Approval requires a favorable vote from at least 60 percent of the electors voting on the matter.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

In the landmark case of *Buckley v. Valeo*, The United States Supreme Court ruled that laws imposing limitations on overall campaign expenditures by candidates violated the free speech guarantees of the U.S. Constitution.¹⁹ The *Buckley* Court, however, upheld the federal statute providing for public financing of presidential elections, funding that overall campaign expenditures may be limited if a candidate voluntarily waives his or her right to make unlimited expenditures in exchange for receiving public campaign funds.²⁰

¹⁸ *Id.* (States with clean elections programs: Arizona, Connecticut, Maine, New Mexico, and Vermont; States with matching funds programs: Florida, Maryland, Massachusetts, Michigan, Minnesota, and West Virginia).

¹⁹ *Buckley v. Valeo*, 424 U.S. 1, 54-58 (1976); see also, *Randall v. Sorrell*, 126 S. Ct. 2479, 2487-2491 (2006) (applying *Buckley* to invalidate Vermont law limiting overall campaign expenditures).

²⁰ *Buckley* at 57, fn. 65 (Congress “may condition acceptance of public funds on an agreement by the candidate to abide by specified expenditure limitations.”).

In 2010, gubernatorial candidate Rick Scott brought an action for injunctive relief to prevent the operation of the excess spending subsidy provision²¹ of the Florida Election Campaign Financing Act in his primary campaign, alleging that it violated his First and Fourteenth Amendment rights to spend unlimited sums of his personal funds and private donations to his campaign in support of his candidacy. On his appeal from an adverse district court decision, a panel of the 11th Circuit Court of Appeals ruled that he was entitled to the preliminary injunction and that there was a substantial likelihood that he would succeed on the merits of his constitutional claim. The court held that candidate Scott would be forced to speak less in order to prevent his opponent from receiving matching funds. The court ruled that the subsidy provision was severable from the rest of the campaign financing act.²²

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If the public campaign financing program is abolished, statewide candidates would no longer be able to depend on public funds for their campaigns and would likely turn to private contributions to fill the gap. The precise fiscal impact is indeterminate.

C. Government Sector Impact:

The repeal of public campaign financing would eliminate an expenditure that routinely occurs every four years from the General Revenue Fund typically ranging from \$4 million to \$13 million per election cycle. The first year of the anticipated cost avoidance would occur in fiscal year 2028-2029.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This joint resolution approves the repeal of Section 7 of Article VI of the Florida Constitution and submits the repeal to the electors for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose.

²¹ Section 106.355, F.S.

²² *Scott v. Roberts*, 612 F.3d 1279 (11th Cir. 2010).

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Hutson

7-00689-24

20241114__

Senate Joint Resolution

A joint resolution proposing the repeal of Section 7 of Article VI of the State Constitution which requires the availability of public financing for campaigns of candidates for elective statewide office who agree to campaign spending limits.

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

That the repeal of Section 7 of Article VI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VI, SECTION 7

REPEAL OF PUBLIC CAMPAIGN FINANCING REQUIREMENT.—Proposing the repeal of the provision in the State Constitution which requires public financing for campaigns of candidates for elective statewide office who agree to campaign spending limits.

1/16/24
Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Public Funding Campaign
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Libby Lavette Phone 850-759-2576

Address 2525 Hartsfield Rd Email libbyannlavette@gmail.com
Street

Tallahassee FL 32303
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

League of Women
Voters

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

11/16/24
Meeting Date
Ethics/Elections
Committee

The Florida Senate
APPEARANCE RECORD
Deliver both copies of this form to
Senate professional staff conducting the meeting

5JR 1114
Bill Number or Topic
Amendment Barcode (if applicable)

Name Bob White Phone 321-403-4441
Address 512 Southern Hills Ct. Email rwhite345@hotmail.com
Melbourne FL 32940
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/16/24 8:30

Meeting Date

1114

Bill Number or Topic

E&E 37 sob

Committee

Amendment Barcode (if applicable)

Name DAVID CULLEN Phone 941-323-2404

Address 816 W THARPE ST Email CULLENASEA@GMAIL.COM

Street

TALLAHASSEE FL 32303

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

SIERRA CLUB FLORIDA

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

1-16-24

8B1114

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Senate Ethics + Elections

Committee

Amendment Barcode (if applicable)

Name Pastor Marcus R. McCay, Jr.

Phone (813) 547-1379

Address 896 W. Church St

Email marcus@equal-ground.com

Orlando
City

FL
State

32805
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SB 1116

INTRODUCER: Senator Hutson

SUBJECT: Campaign Finance

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cleary	Roberts	EE	Favorable
2.	_____	_____	JU	_____
3.	_____	_____	RC	_____

I. Summary:

SB 1116 makes the necessary statutory deletions and conforming changes to effectuate a complete and total repeal of Florida’s public financing program for statewide elections. The statutory repeal of the public financing program in this bill is contingent upon the passage of SJR 1114, which proposes a repeal of the constitutional authorization for public financing in Article VI, s. 7, of the Florida Constitution, to be voted on at the next general election or at an earlier special election specifically authorized by law for that purpose.

This bill takes effect upon the approval of the constitutional amendment in SJR 1114 or similar joint resolution by the voters at the next general election or at an earlier special election specifically authorized by law.

Upon effect, the bill repeals the following sections of the Florida Statutes: 106.30, 106.31, 106.33, 106.34, 106.35, 106.353, 106.355 and 106.36, and amends the following sections of the Florida Statutes, to conform: 106.021, 106.141, 106.22, and 328.72.

The repeal of public campaign financing would eliminate an expenditure that routinely occurs every four years from the General Revenue Fund typically ranging from \$4 million to \$13 million per election cycle. The first year of this anticipated cost avoidance would occur in Fiscal Year 2028-2029.

II. Present Situation:

Public Campaign Financing in Florida

Currently, the State Constitution requires public campaign financing for statewide candidates (Governor and Cabinet Officers), with implementation by general law. The State Constitution provides:

It is the policy of this state to provide for statewide elections in which all qualified candidates may compete effectively. A method of public financing for campaigns for state office shall be established by law. Spending limits shall be established for such campaigns for candidates who use public funds in their campaigns. The legislature shall provide funding for this provision. General law implementing this paragraph shall be at least as protective of effective competition by a candidate who uses public as the general law in effect on January 1, 1998.¹

This constitutional provision has been in place since 1998, after being proposed by the Constitution Revision Commission and approved by the voters in the 1998 general election. The program itself, however, has been in place in statute since 1986.²

The matching funds program is provided by general law in ss. 106.30-106.36, F.S., and administered by the Department of State's Division of Elections (division). The program can be summarized as follows:

- Statewide candidates must have opposition;
- Only personal contributions from state residents are eligible for matching from the General Revenue Fund.³ Corporate and political committee contributions are not matched;
- Contributions received after September 1 of the calendar year preceding the election are eligible for matching;
- Candidates choosing to participate in the public financing program must raise an initial amount of money - \$150,000 (for gubernatorial candidates) or \$100,000 (for candidates for Cabinet offices) – in order to be eligible to receive public funds. This upfront money is matched with public funds on a two-to-one basis;
- After that, eligible contributions are matched on a dollar-for-dollar basis, up to \$250 per individual contribution. For example, if a Florida individual makes a \$250 contribution, it is matched with \$250 from the state. If a person makes a \$500 contribution, only \$250 of that contribution will be matched with state money.
- In exchange for receiving public money, candidates agree to abide by certain limits on their overall campaign expenditures.

Participating candidates must complete a form declaring their intention to apply for public campaign financing at the time of qualifying, and subsequently submit their contributions for audit by the division to determine eligibility for the match. The division audits the submission and makes payment to the candidate, beginning immediately on the 32nd day before the primary election and every seven days thereafter.

The program was originally funded from the Election Campaign Financing Trust Fund, which was established in 1986. The trust fund was funded with a portion of candidate qualifying fees and civil penalties collected by the Florida Elections Commission. The trust fund expired by operation of s. 19 (f), Article III, Fla. Constitution, on November 4, 1996. That section of the

¹ Article VI, s. 7, Fla. Const.

² Chapter 86-276, s. I, Laws of Fla.

³ In 2001, the Legislature enacted a law that excluded out-of-state contributions from eligibility for matching. Ch. 2001-40, s. 69, Laws of Fla.

Constitution required state trust funds in existence prior to 1992 to terminate not more than four years from November 4, 1992. Since the trust fund terminated, the program has been funded from the General Revenue Fund.

Statewide candidates participating in the public financing program must agree to abide by campaign expenditure limits.⁴ In 2005, the Legislature increased these expenditures limits to the following amounts for the general election:⁵

- Governor/Lt. Governor – Increased from \$7.1 million;⁶ to \$2.00 per each Florida-registered voter;⁷ and
- Cabinet Offices – Increased from \$2.82 million⁸ per race to \$1.00 per each Florida-registered voter.⁹

A Florida-registered voter is defined as a voter who is registered to vote in Florida as of June 30 of each odd-numbered year. The division must certify the total number of Florida-registered voters no later than July 31 of each odd-numbered year. The total number must be calculated by adding the number of registered voters in each county as of June 30 in the year of the certification date.¹⁰ The 2022 election cycle campaign expenditure limits for statewide candidates participating the in public financing program were approximately \$ 30,286,714 for the Governor's and Lieutenant Governor's races and \$15,143,357 for the remaining cabinet races.¹¹

Total public financing expenditures in the last four general election cycles for the Governor's race and the three cabinet races are as follows:

2022 election cycle – \$13,015,149.81;
2018 election cycle – \$9, 852,605.76;
2014 election cycle – \$4,336,040.04; and
2010 election cycle – \$6,065,556.11.¹²

Current Florida law provides that, in addition to the matching funds specifically authorized for participating candidates for the general election and contested primaries, if a nonparticipating

⁴ Section 106.34, F.S. (2008)

⁵ Ch. 2005-278, s. 48, at 2735, Laws of Fla. The changes became effective January 1, 2006. *Id.* at 2738. Primary expenditure limits for candidates with primary opposition is 60 percent of the general election limits. *Id.* at 2735.

⁶ Section 106.34(1)(a), F.S. (2004). Although Florida law in 2005 explicitly provided for a cap of \$5 million for gubernatorial candidates, the law also required that the limit be adjusted quadrennially for inflation; therefore, at the end of 2005, this \$5 million expenditure limit, which was originally established in law in 1992, had risen to an inflation-adjusted figure of \$7,135,606.

⁷ Section 106.34(1)(a), F.S.

⁸ Ch. 2005-278, s. 48, at 2735, Laws of Fla. Although Florida law in 2005 explicitly provided for a cap of \$2 million for Cabinet office candidates, the law also required the limit to be adjudged quadrennially for inflation; therefore, at the end of 2005, this \$2 million expenditures limit, which was originally established in 1992, had risen to an inflation-adjusted figure of \$2,854,242.

⁹ Section 106.34(1)(b), F.S.

¹⁰ Section 106.34(3), F.S.

¹¹ The number of Florida voters registered as of June 30, 2021, was 15,143,357 *See* Florida Division of Elections, 2022 *Public Campaign Financing Handbook*, 6 at

https://files.floridados.gov/media/705135/public_campaign_financing_2022_final-1.pdf (last viewed on January 16, 2024).

¹² *See* Florida Division of Elections, Candidates and Committees, Campaign Finance at

<https://dos.fl.gov/elections/candidates-committees/campaign-finance/> (last viewed on January 16, 2024).

statewide candidate exceeds the expenditure limit, all opposing candidates participating in the public financing program receive a dollar-for-dollar match of public funds for the amount that nonparticipating candidate exceeds the limit, up to a maximum of twice the applicable expenditure limit.¹³ The constitutionality of this provision has been challenged, however, in a decision by the 11th U.S. Circuit Court of Appeals.¹⁴ (See discussion under “Other Constitutional Issues”).

An identical resolution to repeal the public financing program for statewide elections was adopted in the 2009 legislative session.¹⁵ The measure appeared on the ballot in November 2010, but did not receive the necessary 60 percent affirmative votes required for adoption.¹⁶

Campaign Public Financing in Other States

According to the National Conference of State Legislatures, Florida is one of a small number of states that offer some form of full or partial public matching funds to political candidates:

Public financing of campaigns, in which the government provides financial support to candidates running for office, remains the least-used method of regulating money in elections, partly due to the result of the U.S. Supreme Court ruling in *Buckley v. Valeo* (1976). In that decision, the court struck down a provision of the Federal Election Act of 1971 mandating public financing for presidential elections.

Based on that decision, state public financing programs must be optional for candidates. The financial advantages of private fundraising frequently prompt candidates to opt out of public financing programs, which often include campaign to spending limits. Candidates who opt not to use public funds can raise funds without having to abide by state limits. For states that elect to provide a public financing option, money is available for either individual candidates or political parties . . .

Thirteen states provide some form of statewide public financing option for candidates. Each of these plans require a candidate who accepts public money for their campaign to promise to limit both how much the candidate spends on the election and how much they receive in donations from any one group or individual. These options are frequently limited, applying only to candidates running for specified offices¹⁷ . . .

¹³ Section 106.355, F.S. The candidates participating in public financing are also released from the expenditure limit to the extent the nonparticipating candidate exceeds the limit.

¹⁴ *Scott v. Roberts*, 612 F.3d 1279 (11th Cir. 2010).

¹⁵ House Joint Resolution No. 81, filed with the Secretary of State on May 19, 2009.

¹⁶ See Florida Division of Elections, Constitutional Amendments at <https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=10&seqnum=71> (last viewed January 16, 2024).

¹⁷ See National Conference of State Legislatures, Public Financing of Campaigns: Overview (last viewed on January 16, 2024), available at <https://www.ncsl.org/elections-and-campaigns/public-financing-of-campaigns-overview>. (Public Financing Available for Specified Offices Per State: **Governor/Lieutenant Governor**: Arizona, Connecticut, Florida, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, Rhode Island, Vermont; **State Legislative Offices**: Arizona, Connecticut, Hawaii, Maine, Minnesota; **State Supreme Court/Other**: New Mexico, West Virginia.).

The two main types of state programs for public financing are the clean elections programs and programs that provide a candidate with matching funds for each qualifying contribution they receive. The “clean election states” offer full funding for the campaign; the matching funds programs provide a candidate with a portion of the funds needed to run the campaign.¹⁸

III. Effect of Proposed Changes:

The bill completes the repeal of Florida’s public financing program for statewide elections proposed in Senate Joint Resolution 1114, and makes other conforming statutory changes.

If SJR 1114, or a similar constitutional amendment repealing the constitutional authorization for Florida’s public financing program is passed by the voters at the next general election or at an earlier special election specifically authorized by law for that purpose, this bill will take effect and completely remove all statutory references to the public campaign financing program.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

In the landmark case of *Buckley v. Valeo*,¹⁹ The United States Supreme Court ruled that laws imposing limitations on overall campaign expenditures by candidates violated the free speech guarantees of the U.S. Constitution.¹⁹ The *Buckley* Court, however, upheld the federal statute providing for public financing of presidential elections, funding that overall campaign expenditures *may be limited* if a candidate *voluntarily* waives his or her right to make unlimited expenditures in exchange for receiving public campaign funds.²⁰

¹⁸ *Id.* (States with clean elections programs: Arizona, Connecticut, Maine, New Mexico, and Vermont; States with matching funds programs: Florida, Maryland, Massachusetts, Michigan, Minnesota, and West Virginia).

¹⁹ *Buckley v. Valeo*, 424 U.S. 1, 54-58 (1976); *see also, Randall v. Sorrell*, 126 S. Ct. 2479, 2487-2491 (2006) (applying *Buckley* to invalidate Vermont law limiting overall campaign expenditures).

²⁰ *Buckley* at 57, fn 65 (Congress “may condition acceptance of public funds on an agreement by the candidate to abide by specified expenditure limitations.”).

In 2010, gubernatorial candidate Rick Scott brought an action for injunctive relief to prevent the operation of the excess spending subsidy provision.²¹ Of the Florida Election Campaign Financing Act in his primary campaign, alleging that it violated his First and Fourteenth Amendment rights to spend unlimited sums of his personal funds and private donations to his campaign in support of his candidacy. On his appeal from an adverse district court decision, a panel of the 11th Circuit Court of Appeals ruled that he was entitled to the preliminary injunction and that there was a substantial likelihood that he would succeed on the merits of his constitutional claim. The court held that candidate Scott would be forced to speak less in order to prevent his opponent from receiving matching funds. The court ruled that the subsidy provision was severable from the rest of the campaign financing act.²²

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If the public campaign financing program is abolished, statewide candidates would no longer be able to depend on public funds for their campaigns and would likely turn to private contributions to fill the gap. The precise fiscal impact is indeterminate.

C. Government Sector Impact:

The repeal of public campaign financing would eliminate an expenditure that routinely occurs every four years from the General Revenue Fund typically ranging from \$4 million to \$13 million per election cycle. The first year of the anticipated cost avoidance would occur in fiscal year 2028-2029.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 106.141, 106.22, and 328.72 of the Florida Statutes.

This bill makes technical amendments to section 106.021 of the Florida Statutes.

²¹ Section 106.355, F.S.

²² *Scott v. Roberts*, 612 F.3d 1279 (11th Cir. 2010).

This bill repeals sections 106.30, 106.31, 106.32, 106.33, 106.34, 106.353, 106.355, and 106.36 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Hutson

7-00690-24

20241116__

1 A bill to be entitled
 2 An act relating to campaign finance; repealing ss.
 3 106.30, 106.31, 106.32, 106.33, 106.34, 106.35,
 4 106.353, 106.355, and 106.36, F.S., relating to the
 5 Florida Election Campaign Financing Act; deleting
 6 provisions governing the public funding of campaigns
 7 for candidates for statewide office who agree to
 8 certain expenditure limits; amending ss. 106.021,
 9 106.141, 106.22, and 328.72, F.S.; conforming cross-
 10 references and provisions to changes made by the act;
 11 providing a contingent effective date.

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

14
 15 Section 1. Sections 106.30, 106.31, 106.32, 106.33, 106.34,
 16 106.35, 106.353, 106.355, and 106.36, Florida Statutes, are
 17 repealed.

18 Section 2. Paragraph (a) of subsection (1) of section
 19 106.021, Florida Statutes, is amended to read:

20 106.021 Campaign treasurers; deputies; primary and
 21 secondary depositories.—

22 (1)(a) Each candidate for nomination or election to office
 23 and each political committee shall appoint a campaign treasurer.
 24 Each person who seeks to qualify for nomination or election to,
 25 or retention in, office shall appoint a campaign treasurer and
 26 designate a primary campaign depository before qualifying for
 27 office. Any person who seeks to qualify for election or
 28 nomination to any office by means of the petitioning process
 29 shall appoint a treasurer and designate a primary depository on

Page 1 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00690-24

20241116__

30 or before the date he or she obtains the petitions. At the same
 31 time a candidate designates a campaign depository and appoints a
 32 treasurer, the candidate shall also designate the office for
 33 which he or she is a candidate. If the candidate is running for
 34 an office that will be grouped on the ballot with two or more
 35 similar offices to be filled at the same election, the candidate
 36 must indicate for which group or district office he or she is
 37 running. This subsection does not prohibit a candidate, at a
 38 later date, from changing the designation of the office for
 39 which he or she is a candidate. However, if a candidate changes
 40 the designated office for which he or she is a candidate, the
 41 candidate must notify all contributors in writing of the intent
 42 to seek a different office and offer to return pro rata, upon
 43 their request, those contributions given in support of the
 44 original office sought. This notification shall be given within
 45 15 days after the filing of the change of designation and shall
 46 include a standard form developed by the Division of Elections
 47 for requesting the return of contributions. The notice
 48 requirement does not apply to any change in a numerical
 49 designation resulting solely from redistricting. If, within 30
 50 days after being notified by the candidate of the intent to seek
 51 a different office, the contributor notifies the candidate in
 52 writing that the contributor wishes his or her contribution to
 53 be returned, the candidate shall return the contribution, on a
 54 pro rata basis, calculated as of the date the change of
 55 designation is filed. Up to a maximum of the contribution limits
 56 specified in s. 106.08, a candidate who runs for an office other
 57 than the office originally designated may use any contribution
 58 that a donor does not request be returned within the 30-day

Page 2 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00690-24

20241116__

59 period for the newly designated office, provided the candidate
 60 disposes of any amount exceeding the contribution limit pursuant
 61 to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a),
 62 (b), or (d) ~~s. 106.141(4)(a)1., 2., or 4.~~; notwithstanding, the
 63 full amount of the contribution for the original office shall
 64 count toward the contribution limits specified in s. 106.08 for
 65 the newly designated office. A person may not accept any
 66 contribution or make any expenditure with a view to bringing
 67 about his or her nomination, election, or retention in public
 68 office, or authorize another to accept such contributions or
 69 make such expenditure on the person's behalf, unless such person
 70 has appointed a campaign treasurer and designated a primary
 71 campaign depository. A candidate for an office voted upon
 72 statewide may appoint not more than 15 deputy campaign
 73 treasurers, and any other candidate or political committee may
 74 appoint not more than 3 deputy campaign treasurers. The names
 75 and addresses of the campaign treasurer and deputy campaign
 76 treasurers so appointed shall be filed with the officer before
 77 whom such candidate is required to qualify or with whom such
 78 political committee is required to register pursuant to s.
 79 106.03.

80 Section 3. Subsection (4) of section 106.141, Florida
 81 Statutes, is amended to read:

82 106.141 Disposition of surplus funds by candidates.—

83 ~~(4)(a) Except as provided in paragraph (b),~~ Any candidate
 84 required to dispose of funds pursuant to this section shall, at
 85 the option of the candidate, dispose of such funds by any of the
 86 following means, or any combination thereof:

87 (a)1- Return pro rata to each contributor the funds that

Page 3 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00690-24

20241116__

88 have not been spent or obligated.

89 (b)2- Donate the funds that have not been spent or
 90 obligated to a charitable organization or organizations that
 91 meet the qualifications of s. 501(c)(3) of the Internal Revenue
 92 Code, except that the candidate may not be employed by the
 93 charitable organization to which he or she donates the funds.

94 (c)3- Give not more than \$25,000 of the funds that have not
 95 been spent or obligated to the affiliated party committee or
 96 political party of which such candidate is a member.

97 (d)4- Give the funds that have not been spent or obligated:

98 1.a- To the state, to be deposited in ~~either the Election~~
 99 ~~Campaign Financing Trust Fund or the General Revenue Fund,~~ as
 100 ~~designated by the candidate; or~~

101 2.b- In the case of a candidate for an office of a
 102 political subdivision, to such a political subdivision, to be
 103 deposited in the general fund thereof.

104 ~~(b) Any candidate required to dispose of funds pursuant to~~
 105 ~~this section who has received contributions pursuant to the~~
 106 ~~Florida Election Campaign Financing Act shall, after all~~
 107 ~~monetary commitments pursuant to s. 106.11(5)(b) and (c) have~~
 108 ~~been met, return all surplus campaign funds to the General~~
 109 ~~Revenue Fund.~~

110 Section 4. Subsection (6) of section 106.22, Florida
 111 Statutes, is amended to read:

112 106.22 Duties of the Division of Elections.—It is the duty
 113 of the Division of Elections to:

114 (6) Make, from time to time, audits and field
 115 investigations with respect to reports and statements filed
 116 under the provisions of this chapter and with respect to alleged

Page 4 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00690-24 20241116__

117 failures to file any report or statement required under the
 118 provisions of this chapter. ~~The division shall conduct a~~
 119 ~~postelection audit of the campaign accounts of all candidates~~
 120 ~~receiving contributions from the Election Campaign Financing~~
 121 ~~Trust Fund.~~

122 Section 5. Subsection (11) of section 328.72, Florida
 123 Statutes, is amended to read:

124 328.72 Classification; registration; fees and charges;
 125 surcharge; disposition of fees; fines; marine turtle stickers.—
 126 (11) VOLUNTARY CONTRIBUTIONS.—The application form for boat
 127 registration shall include a provision to allow each applicant
 128 to indicate a desire to pay an additional voluntary contribution
 129 to the Save the Manatee Trust Fund to be used for the purposes
 130 specified in s. 379.2431(4). This contribution shall be in
 131 addition to all other fees and charges. The amount of the
 132 request for a voluntary contribution solicited shall be \$2 or \$5
 133 per registrant. A registrant who provides a voluntary
 134 contribution of \$5 or more shall be given a sticker or emblem by
 135 the tax collector to display, which signifies support for the
 136 Save the Manatee Trust Fund. All voluntary contributions shall
 137 be deposited in the Save the Manatee Trust Fund and shall be
 138 used for the purposes specified in s. 379.2431(4). ~~The form~~
 139 ~~shall also include language permitting a voluntary contribution~~
 140 ~~of \$5 per applicant, which contribution shall be transferred~~
 141 ~~into the Election Campaign Financing Trust Fund. A statement~~
 142 ~~providing an explanation of the purpose of the trust fund shall~~
 143 ~~also be included.~~

144 Section 6. This act shall take effect on the effective date
 145 of the amendment to the State Constitution proposed by SJR 1114

Page 5 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00690-24 20241116__

146 or a similar joint resolution having substantially the same
 147 specific intent and purpose if such an amendment to the State
 148 Constitution is approved by the electors at the next general
 149 election or at an earlier special election specifically
 150 authorized by law for that purpose.

Page 6 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1/16/24
Meeting Date

The Florida Senate
APPEARANCE RECORD

SB116
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Elizabeth Lavette

Phone 850 759 2576

Address 2525 Hartsfield Rd
Street

Email libbyannlavette@gmail.com

Tallahassee FL 32303
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

League of Women Voters

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

1/16/24 8:30
Meeting Date

E&E 37 sob
Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1116
Bill Number or Topic

Amendment Barcode (if applicable)

Name **DAVID CULLEN** Phone **941-323-2404**

Address **816 W THARPE ST** Email **CULLENASEA@GMAIL.COM**
Street

TALLAHASSEE FL 32303
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

SIERRA CLUB FLORIDA

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SB 438

INTRODUCER: Senator Ingoglia

SUBJECT: Term Limits

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	Favorable
2.	_____	_____	<u>CA</u>	_____
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 438 creates a term limit of 8 years for county commissioners. The new term limit will apply to terms of office beginning on or after November 8, 2022, except that more restrictive term limits already imposed by county charter are not extended.

The bill provides that a county commissioner who terms out must sit out for two years before running for a different district seat or at-large seat of the county commission.

The bill takes effect July 1, 2024.

II. Present Situation:

Term Limits in Florida's Constitution

Florida's Constitution establishes term limits for the following elected officials:

- Florida Governor;
- Florida representatives;
- Florida senators;
- Florida Lieutenant Governor;
- Florida Cabinet members;
- U.S. representatives from Florida; and
- U.S. senators from Florida.¹

¹ Article VI, s. 4(c), FLA. CONST. *See also* art. IV, s. 5(b), FLA. CONST.

Term limits imposed by states for federal elected officials were held to be unconstitutional, and thus unenforceable, by the U.S. Supreme Court in 1995.²

The Florida Constitution states that none of the specified officials, except for the office of Governor, which is governed by a slightly different provision, may appear on a ballot for reelection if, by the end of the current term of office, the person will have served or, but for resignation, would have served in that office for eight consecutive years.³ These term limits became effective in 1992 and were prospective, so that officials reelected to a consecutive term in 1992 could serve another consecutive eight years before reaching the term limit.⁴

The Florida Constitution does not address the number of terms a county commissioner may serve.

County Commissioner Terms of Office

The Florida Constitution provides that each board of county commissioner shall consist of five or seven members serving staggered terms of four years. After each decennial census, the board of county commissioners divides the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner in each district must be elected as provided by law.⁵

The statutes implementing the constitutional provisions specify:

- County commissioners may be elected at-large in some counties and from single-member districts in other counties.⁶
- For single-member districts, each commissioner from an odd-numbered district is elected at the general election in each year the number of which is a multiplier of four. Each commissioner from an even-numbered district is elected at the general election in each even-numbered year the number of which is not a multiple of four.⁷

Neither the Florida Constitution nor the Florida Statutes currently provide term limits for county commissioners. Currently, 20 Florida counties have adopted charters,⁸ some of which specify term limits for their county commissioners.⁹

² See *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995). See also *Ray v. Mortham*, 742 So. 2d 1276 (Fla. 1999) (holding that term limits imposed on elected state officials were severable from provisions imposing term limits on elected federal officials).

³ Article VI, s. 4(c), FLA. CONST.

⁴ See Art. VI, s. 4, FLA. CONST. (1992); Billy Buzzett and Steven J. Uhlfelder, *Constitution Revision Commission: A Retrospective and Prospective Sketch*, *The Florida Bar Journal* (April 1997), <https://www.floridabar.org/the-florida-bar-journal/constitution-revision-commission-a-retrospective-and-prospective-sketch> (last visited January 12, 2024).

⁵ Art. VIII, s. 1(e), FLA. CONST.

⁶ Section 124.011, F.S.

⁷ Section 100.041(2)(a), F.S.

⁸ See Florida Association of Counties, *Charter County Information*, available at <https://www.fl-counties.com/about-floridas-counties/charter-county-information/> (last visited January 12, 2024). A county with a charter has all powers of self-government not inconsistent with general law or special law approved by the county voters (Art. VIII, s. 1(g), Fla. Const.).

⁹ The charter for the consolidated City of Jacksonville/Duval County, for example, limits the consecutive service of its county commissioners to three terms (charter available at https://www.fl-counties.com/themes/bootstrap_subtheme/sitefinity/documents/duval.pdf (last visited January 12, 2024)).

III. Effect of Proposed Changes:

The bill creates a term limit for county commissioners, providing that a county commissioner may not appear on a ballot for reelection if, by the end of his or her current term of office, the commissioner will have served, or would have served if not for resignation, in that office for 8 consecutive years. In a county without imposed term limits, service of a term of office which began before November 8, 2022 is not counted towards the new term limits. The bill specifies that the statutory term limits for county commissioners does not supersede any more restrictive term limits imposed by a county charter.

The bill provides that a county commissioner who completes 8 consecutive years of service may not qualify for or appear on the ballot for a different district seat or at-large seat of the county commission until 2 years after the end date of his or her initial term.

The bill takes effect July 1, 2024.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 124.012, Florida Statutes:

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Ingoglia

11-00034A-24

2024438__

1 A bill to be entitled
2 An act relating to term limits; creating s. 124.012,
3 F.S.; establishing term limits for county
4 commissioners; prohibiting specified persons from
5 seeking certain offices until after a specified
6 timeframe; providing construction; providing an
7 effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Section 124.012, Florida Statutes, is created to
12 read:

13 124.012 Term limits of county commissioners.-

14 (1) Notwithstanding the terms of any county charter to the
15 contrary, a person may not appear on the ballot for reelection
16 to the office of county commissioner if, by the end of his or
17 her current term of office, the person will have served, or but
18 for resignation would have served, in that office for 8
19 consecutive years. The person may not qualify for or appear on
20 the ballot for a different district seat of the county
21 commission or an at-large county commission seat of the county
22 after his or her initial 8-year term of office until 2 years
23 after the end date of his or her initial term. In any county in
24 which term limits are not imposed by a county charter as of July
25 1, 2024, service of a term of office which commenced before
26 November 8, 2022, may not be counted toward the limitation
27 imposed by this subsection.

28 (2) This section does not supersede any term limit imposed
29 by a county charter which is more restrictive than the term

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

11-00034A-24

2024438__

30 limit imposed in this section.

31 Section 2. This act shall take effect July 1, 2024.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

11/16/24

Meeting Date

438

Bill Number or Topic

Ethics + Elections

Committee

Amendment Barcode (if applicable)

Name Gerard Lonergan

Phone 352 848 6911

Address 700 S Harbour Island Blvd #632
Street

Email lonergan8859@aol.com

Tampa
City

FL
State

33602
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/16/24
Meeting Date

SB 438
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name O. D. ELLIOTT Phone 727-608-6027

Address 101 - 78 AV NE Email odepr1477@aol.com
Street

ST. PETERS FL 33702
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

- I am appearing without compensation or sponsorship.
- I am a registered lobbyist, representing:
- I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

438

1/10/24

Meeting Date

Ethics & Elections

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Alec Wilcosky

Phone 309 258 2296

Address 3752 38TH AVE N

Email alecwilcosky@gmail.com

Street

ST PETERSBURG FL 33713

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

JAN. 16, 2024
Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 438
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Name ANGELA BEAD

Phone 813-454-3224
Amendment Barcode (if applicable)

Address 4312 MARINER'S COVE CT #301
Street

Email angiread1593@gmail.com

Tampa Florida 33610
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

JAN 16, 2023

Meeting Date

438

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Sara Bimbo Phone 813-418-0824

Address 6869 Gideon Circle Email bhansaraz@yahoo.com

Street

Zephyrhills FL 33541 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] I am appearing without compensation or sponsorship. [] I am a registered lobbyist, representing: [] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1-16-2024

Meeting Date

0438

Bill Number or Topic

Committee

Name

Elaine Caraballo

Phone

Address

14223 Alistar Manor Dr

Email

elaine.caraballo@a-hotmail.com

Street

Wimauma

City

Fla

State

33598

Zip

Amendment Barcode (if applicable)

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/16/24

Meeting Date

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Term Limits

Bill Number or Topic

Committee

Name Libby Larette

Phone 850-759-2576

Amendment Barcode (if applicable)

Address 2525 Hartsfield Rd.

Email libbyannlarette@gmail.com

Tallahassee

FL

32303

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

League of Women Voters

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

SB 438

1/16/24

Meeting Date

Ethics & Elections

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Bill TRUOX Phone 941-270-1733

Address 1850 MURDOCK CIRCLE Email Bill.Truex@CharlotteCountyFL.gov
Port Charlotte FL 33948
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:
 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/16/24

Meeting Date

Ethics & Elections

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 438

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Ralph Thomas

Phone

850-251-0415

Address

637 Hunters Trace

Email

rthomas@mywakulla.com

Street

Crawfordville, FL 32327

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

1/16/24

Meeting Date

Ethics & Elections

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 438

Bill Number or Topic

Name Bob McKee

Phone (850) 766-1952

Amendment Barcode (if applicable)

Address 100 S Monroe

Email bmckee@fl-counties.com

Tallahassee, FL 32308
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/16/24
Meeting Date

438
Bill Number or Topic

Ethics/Elections
Committee

Amendment Barcode (if applicable)

Name Commissioner Matt Brooker (Levy Cty) Phone 352-501-1288

Address 19011 NE 50th St Email district5@levycounty.org

Williston FL 32696
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

438

Bill Number or Topic

1/16/24

Meeting Date

Ethics & Elections

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name John M. Meeks

Phone (352) 222-4442

Address 11750 NE 107th Pl 1

Email district1@leuca.org

Street

Archer

City

FL

State

32618

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/16/24

Meeting Date

SB 438

Bill Number or Topic

Ethics & Elections

Committee

Amendment Barcode (if applicable)

Name Chris Dougherty

Phone 352 258 6287

Address 15700 NE 17th Ave

Email chris_dougherty@bradfordcounty
fl.gov

Street

Starke

City

FL

State

32091

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

SB 438
Bill Number or Topic

1-16-23
Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Ethics & Election
Committee

Amendment Barcode (if applicable)

Name Tim Murphy

Phone 786-967-1370

Address PO BOX 2157
Street

Email tmurphy@colombusfla.com

Leesville FLA 32056
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

438

1-16-24

Meeting Date

Bill Number or Topic

EVE

Committee

Amendment Barcode (if applicable)

Name Chris Doolin

Phone 850-508-5492

Address 1018 THOMASVILLE Rd.

Email cdoolin@booplinand
dassoc.com

Street

TALLAHASSEE, FLA.

32308

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1/16
Meeting Date
Ethics & Elections
Committee

50 438
Bill Number or Topic
Amendment Barcode (if applicable)

Name Dr. Rick Templin Phone 850-224-6926

Address 135 S. Monroe Email _____
Tallahassee FL 32301
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
Florida AFL-CIO

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

APPEARANCE RECORD

SB 438

11/16/24

Meeting Date

Bill Number or Topic

Ethics/Elections

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Bob White

Phone 321-403-4441

Address 512 Southern Hills Ct.

Email rwhite345@hotmail.com

Street

Melbourne FL

32940

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Chairman
Republican Liberty Caucus

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

The Florida Senate

APPEARANCE RECORD

1/16/24

Meeting Date

SB 438

Bill Number or Topic

Ethics & Elections

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Nick Tombouliaris

Phone 646-704-2466

Address 13001 FOUNDERS SQUARE DRIVE #202

Email Ntombouliaris@teamlimits.org

Street

ORLANDO

City

FL

State

32828

Zip

Speaking: [X] For [] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[X] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

US Team Limits

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

1-16-24

Meeting Date

SB 438

Bill Number or Topic

Ethics & Elections

Committee

Amendment Barcode (if applicable)

Name Pastor Marcus R. Meloy, Jr.

Phone (863) 547-1379

Address 596 W. Church St

Email marcus@equal-ground.com

Street

Orlando

City

FL

State

32805

Zip

Speaking: [] For [] Against [X] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[X] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida. 32399-1100

Senator Blaise Ingoglia
11th District

COMMITTEES:
Finance and Tax, *Chair*
Appropriations
Banking and Insurance
Criminal Justice
Ethics and Elections

SELECT COMMITTEE:
Select Committee on Resiliency

JOINT COMMITTEE:
Joint Administrative Procedures
Committee, *Alternating Chair*

December 7, 2023

The Honorable Danny Burgess, Chair
Ethics and Elections Committee
410 Senate Office Building
402 South Monroe Street
Tallahassee, FL 32399

Re: **SB 438 Term Limits**

Chair Burgess,

SB 438 has been referred to the Ethics and Elections Committee as its first committee of reference. I respectfully request that it be placed on the agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingoglia". The signature is stylized with long, sweeping strokes.

Blaise Ingoglia
State Senator, District 11

Cc: Dawn Roberts, Staff Director, Sarah Naf Biehl, Deputy Staff Director, Terrance Riggins, Committee Administrative Assistant



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR BRYAN AVILA
39th District

COMMITTEES:
Governmental Oversight and Accountability, *Chair*
Appropriations
Appropriations Committee on Education
Appropriations Committee on Health and
Human Services
Education Pre-K -12
Ethics and Elections
Health Policy

SELECT COMMITTEE:
Select Committee on Resiliency

JOINT COMMITTEE:
Joint Select Committee on Collective Bargaining,
Alternating Chair

January 15, 2024

The Honorable Danny Burgess
Chair
Committee on Ethics and Elections

REF: COMMITTEE MEETING EXCUSAL

Honorable Chair Burgess,

Please excuse my absence from Committee on Ethics and Elections on Tuesday, January 16, 2024.
I have an unexpected emergency medical procedure.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Avila".

Bryan Avila
Senator
District 39

CC: Dawn Roberts, Staff Director
Terrance Riggins, Administrative Assistant
Jeremy Hudak, Legislative Analyst, Senate Majority Office
Megan Ramba, Administrative Assistant – Senate Presidents Office

CourtSmart Tag Report

Room: SB 37
Case No.:
Caption: Senate Committee on Ethics and Elections

Type:
Judge:

Started: 1/16/2024 8:32:11 AM
Ends: 1/16/2024 10:40:22 AM **Length:** 02:08:12

8:32:11 AM Vice Chair Rouson calls meeting to order
8:32:15 AM Remarks by Vice Chair Rouson
8:32:23 AM Roll call
8:32:30 AM Quorum
8:32:57 AM Senator Avila excused
8:33:04 AM Remarks by Vice Chair Rouson
8:33:43 AM Tab 1- SB 782 Election Board Composition
8:33:45 AM Senator Yarborough recognized to explain the bill
8:34:43 AM Questions
8:34:50 AM Senator Powell
8:35:14 AM Senator Yarborough
8:35:45 AM Senator Powell
8:36:23 AM Senator Yarborough
8:37:14 AM Senator Powell
8:37:45 AM Senator Yarborough
8:37:47 AM Public testimony
8:38:19 AM Bob White, Chairmain of Republican Liberty Caucus
8:38:49 AM Debate
8:39:00 AM Senator Powell
8:39:44 AM Senator Yarborough closes on the bill
8:40:05 AM Roll call
8:40:11 AM Tab 1 reported
8:40:38 AM Vice Chair Rouson returns chair to Senator Burgess
8:41:04 AM Tab 2- SB 850 Use of Artificial Intelligence in Political Advertising
8:41:11 AM Senator DiCeglie recognized to explain the bill
8:42:03 AM Questions
8:42:04 AM Senator Polsky
8:42:15 AM Senator DiCeglie
8:43:03 AM Senator DiCeglie recognized to explain Amendment #602590
8:43:19 AM Senator DiCeglie explains the amendment
8:43:45 AM Questions on the amendment
8:43:52 AM Senator Powell
8:44:46 AM Senator DiCeglie
8:44:48 AM Public testimony
8:44:50 AM Bob White, Chairman of the Republican Liberty Caucus waives
8:45:08 AM Senator DiCeglie waives close on amendment
8:45:20 AM Amendment #602590 reported
8:45:32 AM Questions on the bill as amended
8:45:41 AM Senator Polsky
8:45:45 AM Senator DiCeglie
8:46:36 AM Senator Polsky
8:47:15 AM Senator DiCeglie

8:47:21 AM Senator Polsky
8:47:46 AM Senator DiCeglie
8:48:59 AM Public testimony
8:49:06 AM Bob White, Chairman of Republican Liberty Caucus waives
8:49:12 AM Debate
8:49:53 AM Senator Polsky
8:49:54 AM Senator Powell
8:51:25 AM Senator DiCeglie closes on the bill
8:52:05 AM Roll call
8:52:11 AM Tab 2 reported
8:53:05 AM Senator Mayfield moves committee stands in informal recess
8:57:58 AM Committee stands in informal recess
9:09:31 AM Recess
9:10:30 AM Meeting resumed
9:10:38 AM Chair Burgess calls meeting back to order
9:10:50 AM Tab 3- SB 884 Audits of Campaign Finance Reports
9:11:11 AM Senator Hutson recognized to explain the bill
9:12:05 AM Chair Burgess recommends taking up the amendment
9:12:11 AM Senator Hutson recognized to explain Amendment #639232
9:12:13 AM Senator Hutson explains the amendment
9:13:05 AM Senator Hutson waives close on the amendment
9:13:17 AM Amendment #639232 reported
9:13:32 AM Questions on the bill as amended
9:13:35 AM Senator Polsky
9:13:39 AM Senator Hutson
9:13:44 AM Senator Polsky
9:13:51 AM Senator Hutson
9:14:41 AM Senator Hutson waives close on the bill
9:14:53 AM Roll call
9:14:54 AM Tab 3 reported
9:15:23 AM Tab 4- SJR 1114 Public Financing for Campaigns of Candidates for Elective Statewide Office
9:15:24 AM Senator Hutson recognized to explain the bill
9:15:30 AM Public testimony
9:16:11 AM Pastor Marcus P. McCoy Jr., State Faith Equal Ground Coordinator
9:18:20 AM Elizabeth Levette, League of Womens Voters
9:21:14 AM David Cullen, Sierra Club of Florida
9:21:32 AM Bob White, Chairman of Republican Liberty Caucus
9:21:42 AM Debate
9:22:01 AM Senator Polsky
9:22:50 AM Senator Powell
9:25:28 AM Senator Hutson closes on the bill
9:27:38 AM Roll call
9:27:40 AM Tab 4 reported
9:28:32 AM Tab 5- SB 1116 Campaign Finance
9:28:33 AM Senator Hutson recognized to explain the bill
9:29:11 AM Public testimony
9:29:14 AM Elizabeth Levette, League of Women's Voters
9:29:52 AM David Cullen, Sierra Club of Florida
9:29:52 AM Debate
9:29:57 AM Senator Hutson waives
9:30:04 AM Roll call

9:30:09 AM Senator Mayfield moves committee stands in informal recess
9:30:22 AM Recess
9:48:04 AM Meeting resumed
9:48:05 AM Chair Burgess calls meeting back to order
9:48:13 AM Tab 6- SB 438 Term Limits
9:48:33 AM Senator Ingoglia recognized to explain the bill
9:48:54 AM Questions
9:48:57 AM Senator Powell
9:49:07 AM Senator Ingoglia
9:50:07 AM Senator Powell
9:51:14 AM Senator Ingoglia
9:51:19 AM Senator Powell
9:53:24 AM Senator Ingoglia
9:53:29 AM Senator Powell
9:53:58 AM Senator Ingoglia
9:54:12 AM Senator Powell
9:54:17 AM Senator Ingoglia
9:56:31 AM Senator Powell
9:56:45 AM Senator Ingoglia
9:57:09 AM Senator Powell
9:57:48 AM Senator Ingoglia
9:57:54 AM Senator Powell
9:58:16 AM Senator Ingoglia
9:58:20 AM Senator Polsky
9:58:34 AM Senator Ingoglia
9:58:37 AM Senator Polsky
9:59:37 AM Senator Ingoglia
10:00:04 AM Senator Polsky
10:00:14 AM Senator Ingoglia
10:00:56 AM Senator Polsky
10:01:00 AM Senator Ingoglia
10:01:53 AM Senator Polsky
10:03:02 AM Senator Ingoglia
10:03:24 AM Senator Polsky
10:03:28 AM Senator Ingoglia
10:04:03 AM Senator Polsky
10:04:28 AM Senator Ingoglia
10:05:24 AM Public testimony
10:05:38 AM Pastor Marcus P. McCoy Jr.
10:06:14 AM Nick Tomboulous, US Term Limits
10:07:40 AM Bob White, Chairman of Republican Liberty Caucus
10:08:22 AM Questions
10:08:28 AM Senator Powell
10:08:55 AM Dr. Rich Templin, Florida AFL-CIO
10:10:36 AM Chris Doolin, Small County Association
10:12:07 AM Commissioner Tim Murphy, Columbia County
10:13:25 AM Commissioner Chris Dougherty, Starke
10:14:11 AM Commissioner John Meeks
10:16:32 AM Commissioner Matt Brooks, Levy County
10:17:52 AM Bob McKee, Florida Association of Counties
10:20:12 AM Commissioner Ralph Thomas, Wakulla County
10:21:47 AM Commissioner Bill Truex, Port Charlotte

10:23:19 AM Libby Lavette, Legue of Women Voters
10:25:46 AM Elain Carabello
10:26:07 AM Gerard Lonergon
10:26:25 AM Angela Read
10:26:50 AM Sara Binub
10:26:58 AM Debate
10:27:22 AM Senator Polsky
10:28:04 AM Senator Powell
10:32:00 AM Senator Mayfield motions Time Certain at 10:40 am
10:32:11 AM Remarks by Chair Burgess
10:32:33 AM Nick Tomboulous, US Term Limits
10:33:37 AM Bob Mckee, Florida Association of Counties
10:34:29 AM Debate
10:34:37 AM Senator Martin
10:36:25 AM Senator Ingoglia closes on the bill
10:38:54 AM Roll call
10:39:11 AM Senator Rouson recorded as voting
10:39:52 AM Senator Ingoglia recorded as voting
10:40:01 AM Senator Grall moves to adjourn
10:40:06 AM Meeting adjourned