

## CHAPTER 2022-56

### Committee Substitute for Committee Substitute for House Bill No. 921

An act relating to campaign financing; amending s. 106.08, F.S.; providing applicability of a limitation on certain political contributions; providing a definition; providing that a foreign national may not make or offer to make certain contributions or expenditures; amending s. 106.113, F.S.; revising limitations on the use or acceptance of public funds for certain political advertisements or communications by a local government or a person acting on behalf of a local government; revising applicability; providing for construction; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 106.08, Florida Statutes, is amended, and subsection (12) is added to that section, to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, no person or political committee may, in any election, make contributions in excess of the following amounts:

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, \$3,000. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this subparagraph.

2. ~~or~~ To a political committee that is the sponsor of or is in opposition to a constitutional amendment proposed by initiative, \$3,000. This limitation applies only to persons who are not residents of the state and to political committees that have not registered an office under this chapter using a street address located within the state. However, the limitation on contributions to such political committees no longer applies once the Secretary of State has issued a certificate of ballot position and a designating number for the proposed amendment that the political committee is sponsoring or opposing. ~~Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.~~

~~3.2.~~ To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, \$1,000.

(12)(a)1. For purposes of this subsection, the term “foreign national” means:

- a. A foreign government;
- b. A foreign political party;
- c. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;
- d. A person with foreign citizenship; or
- e. A person who is not a citizen or national of the United States and is not lawfully admitted to the United States for permanent residence.

2. The term does not include:

- a. A person who is a dual citizen or dual national of the United States and a foreign country.
- b. A domestic subsidiary of a foreign corporation, partnership, association, organization, or other combination of persons organized under the laws or having its principal place of business in a foreign country if:

(I) The donations and disbursements used toward a contribution or an expenditure are derived entirely from funds generated by the subsidiary’s operations in the United States; and

(II) All decisions concerning donations and disbursements used toward a contribution or an expenditure are made by individuals who either hold United States citizenship or are permanent residents of the United States. For purposes of this sub-sub-subparagraph, decisions concerning donations and disbursements do not include decisions regarding the subsidiary’s overall budget for contributions or expenditures in connection with an election.

(b) A foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held in the state.

Section 2. Subsection (2) of section 106.113, Florida Statutes, is amended to read:

106.113 Expenditures by local governments.—

(2) A local government or a person acting on behalf of local government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other electioneering communication sent to electors concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors. This subsection applies ~~does not apply~~ to a ~~an~~ electioneering

communication initiated by ~~from~~ a local government or a person acting on behalf of a local government, irrespective of whether the communication which is limited to factual information or advocates for the passage or defeat of an issue, referendum, or amendment. This subsection does not preclude a local government or a person acting on behalf of a local government from reporting on official actions of the local government's governing body in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

Section 3. This act shall take effect July 1, 2022.

Approved by the Governor April 6, 2022.

Filed in Office Secretary of State April 6, 2022.