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3837 the general fund thereof.

3838 (b) Any candidate required to dispose of funds pursuant to
 3839 this section who has received contributions pursuant to ~~from~~ the
 3840 Florida Election Campaign Financing Act Trust Fund shall, after
 3841 all monetary commitments pursuant to s. 106.11(5)(b) and (c)
 3842 have been met, return all surplus campaign funds to the General
 3843 Revenue Election Campaign Financing Trust Fund.

3844 Section 66. Section 106.143, Florida Statutes, is amended
 3845 to read:

3846 **106.143 Political advertisements circulated prior to**
 3847 **election; requirements.-**

3848 (1)(a) Any political advertisement that is paid for by a
 3849 candidate, except a write-in candidate, and that is published,
 3850 displayed, or circulated before, or on the day of, any election
 3851 must prominently state:

3852 1. "Political advertisement paid for and approved by
 3853 ...(name of candidate)..., ...(party affiliation)..., for
 3854 ...(office sought)..."; or

3855 2. "Paid by ...(name of candidate)..., ...(party
 3856 affiliation)..., for ...(office sought)...."

3857 (b) Any political advertisement that is paid for by a
 3858 write-in candidate and that is published, displayed, or
 3859 circulated before, or on the day of, any election must
 3860 prominently state:

3861 1. "Political advertisement paid for and approved by
 3862 ...(name of candidate)..., write-in candidate, for ...(office
 3863 sought)..."; or

3864 2. "Paid by ...(name of candidate)..., write-in candidate,

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3865 for ... (office sought)...."

3866 ~~(c)(b)~~ Any other political advertisement published,
 3867 displayed, or circulated before, or on the day of, any election
 3868 must prominently:

3869 1. Be marked "paid political advertisement" or with the
 3870 abbreviation "pd. pol. adv."

3871 2. State the name and address of the persons paying for
 3872 ~~sponsoring~~ the advertisement.

3873 3.a. ~~(I)~~ State whether the advertisement and the cost of
 3874 production is paid for or provided in kind by or at the expense
 3875 of the entity publishing, displaying, broadcasting, or
 3876 circulating the political advertisement. ~~or~~

3877 ~~(II) State who provided or paid for the advertisement and~~
 3878 ~~cost of production, if different from the source of sponsorship.~~

3879 ~~b. This subparagraph does not apply if the source of the~~
 3880 ~~sponsorship is patently clear from the content or format of the~~
 3881 ~~political advertisement.~~

3882 ~~(d)(e)~~ Any political advertisement made pursuant to s.
 3883 106.021(3) (d) must be marked "paid political advertisement" or
 3884 with the abbreviation "pd. pol. adv." and must prominently state
 3885 the name and address of the political committee or political
 3886 party paying for the advertisement. ~~"Paid for and sponsored by~~
 3887 ~~... (name of person paying for political advertisement)....~~
 3888 ~~Approved by ... (names of persons, party affiliation, and offices~~
 3889 ~~sought in the political advertisement)...."~~

3890 (2) Political advertisements made as in-kind contributions
 3891 from a political party must prominently state: "Paid political
 3892 advertisement paid for by in-kind by ... (name of political

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3893 party).... Approved by ... (name of person, party affiliation,
 3894 and office sought in the political advertisement)...."

3895 (3)(2) Any political advertisement of a candidate running
 3896 for partisan office shall express the name of the political
 3897 party of which the candidate is seeking nomination or is the
 3898 nominee. If the candidate for partisan office is running as a
 3899 candidate with no party affiliation, any political advertisement
 3900 of the candidate must state that the candidate has no party
 3901 affiliation. A political advertisement of a candidate running
 3902 for nonpartisan office may not state the candidate's political
 3903 party affiliation. This section does not prohibit a political
 3904 advertisement from stating the candidate's partisan-related
 3905 experience. A candidate for nonpartisan office is prohibited
 3906 from campaigning based on party affiliation.

3907 (4)(3) It is unlawful for any candidate or person on
 3908 behalf of a candidate to represent that any person or
 3909 organization supports such candidate, unless the person or
 3910 organization so represented has given specific approval in
 3911 writing to the candidate to make such representation. However,
 3912 this subsection does not apply to:

3913 (a) Editorial endorsement by any newspaper, radio or
 3914 television station, or other recognized news medium.

3915 (b) Publication by a party committee advocating the
 3916 candidacy of its nominees.

3917 (5)(4)(a) Any political advertisement not paid for by a
 3918 candidate, including those paid for by a political party, other
 3919 than an independent expenditure, offered ~~by or~~ on behalf of a
 3920 candidate must be approved in advance by the candidate. Such

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3921 political advertisement must expressly state that the content of
 3922 the advertisement was approved by the candidate, unless the
 3923 political advertisement is published, displayed, or circulated
 3924 in compliance with subparagraph (1)(a)2., and must state who
 3925 paid for the advertisement. The candidate shall provide a
 3926 written statement of authorization to the newspaper, radio
 3927 station, television station, or other medium for each such
 3928 advertisement submitted for publication, display, broadcast, or
 3929 other distribution.

3930 (b) Any person who makes an independent expenditure for a
 3931 political advertisement shall provide a written statement that
 3932 no candidate has approved the advertisement to the newspaper,
 3933 radio station, television station, or other medium for each such
 3934 advertisement submitted for publication, display, broadcast, or
 3935 other distribution. The advertisement must also contain a
 3936 statement that no candidate has approved the advertisement.

3937 ~~(c) This subsection does not apply to campaign messages~~
 3938 ~~used by a candidate and his or her supporters if those messages~~
 3939 ~~are designed to be worn by a person.~~

3940 (6)(5) No political advertisement of a candidate who is
 3941 not an incumbent of the office for which the candidate is
 3942 running shall use the word "re-elect." Additionally, such
 3943 advertisement must include the word "for" between the
 3944 candidate's name and the office for which the candidate is
 3945 running, in order that incumbency is not implied. This
 3946 subsection does not apply to bumper stickers or items designed
 3947 to be worn by a person.

3948 (7) Political advertisements paid for by a political party

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3949 or an affiliated party committee may use names and abbreviations
 3950 as registered under s. 103.081 in the disclaimer.

3951 ~~(8)(6)~~ This section does not apply to novelty items having
 3952 a retail value of \$10 or less which support, but do not oppose,
 3953 a candidate or issue.

3954 ~~(9)(7)~~ Any political advertisement which is published,
 3955 displayed, or produced in a language other than English may
 3956 provide the information required by this section in the language
 3957 used in the advertisement.

3958 ~~(10)(8)~~ This section does not apply to any campaign
 3959 message or political advertisement used by a candidate and the
 3960 candidate's supporters or by a political committee if the
 3961 message or advertisement is:

3962 (a) Designed to be worn by a person.

3963 (b) Placed as a paid link on an Internet website, provided
 3964 the message or advertisement is no more than 200 characters in
 3965 length and the link directs the user to another Internet website
 3966 that complies with subsection (1).

3967 (c) Placed as a graphic or picture link where compliance
 3968 with the requirements of this section is not reasonably
 3969 practical due to the size of the graphic or picture link and the
 3970 link directs the user to another Internet website that complies
 3971 with subsection (1).

3972 (d) Placed at no cost on an Internet website for which
 3973 there is no cost to post content for public users.

3974 (e) Placed or distributed on an unpaid profile or account
 3975 which is available to the public without charge or on a social
 3976 networking Internet website, as long as the source of the

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3977 message or advertisement is patently clear from the content or
 3978 format of the message or advertisement. A candidate or political
 3979 committee may prominently display a statement indicating that
 3980 the website or account is an official website or account of the
 3981 candidate or political committee and is approved by the
 3982 candidate or political committee. A website or account may not
 3983 be marked as official without prior approval by the candidate or
 3984 political committee.

3985 (f) Distributed as a text message or other message via
 3986 Short Message Service, provided the message is no more than 200
 3987 characters in length or requires the recipient to sign up or opt
 3988 in to receive it.

3989 (g) Connected with or included in any software application
 3990 or accompanying function, provided that the user signs up, opts
 3991 in, downloads, or otherwise accesses the application from or
 3992 through a website that complies with subsection (1).

3993 (h) Sent by a third-party user from or through a campaign
 3994 or committee's website, provided the website complies with
 3995 subsection (1).

3996 (i) Contained in or distributed through any other
 3997 technology-related item, service, or device for which compliance
 3998 with subsection (1) is not reasonably practical due to the size
 3999 or nature of such item, service, or device as available, or the
 4000 means of displaying the message or advertisement makes
 4001 compliance with subsection (1) impracticable.

4002 ~~(11)-(9)~~ Any person who willfully violates any provision of
 4003 this section is subject to the civil penalties prescribed in s.
 4004 106.265.

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4005 Section 67. Section 106.1437, Florida Statutes, is amended
 4006 to read:

4007 106.1437 Miscellaneous advertisements.—Any advertisement,
 4008 other than a political advertisement, independent expenditure,
 4009 or electioneering communication, on billboards, bumper stickers,
 4010 radio, or television, or in a newspaper, a magazine, or a
 4011 periodical, intended to influence public policy or the vote of a
 4012 public official, shall clearly designate the sponsor of such
 4013 advertisement by including a clearly readable statement of
 4014 sponsorship. If the advertisement is broadcast on television,
 4015 the advertisement shall also contain a verbal statement of
 4016 sponsorship. This section does ~~shall~~ not apply to an editorial
 4017 endorsement. For purposes of this chapter, an expenditure made
 4018 for, or in furtherance of, a miscellaneous advertisement is not
 4019 considered to be a contribution to or on behalf of a candidate,
 4020 and does not constitute an independent expenditure. Such
 4021 expenditures are not subject to the limitations applicable to
 4022 independent expenditures.

4023 Section 68. Section 106.17, Florida Statutes, is amended
 4024 to read:

4025 106.17 Polls and surveys relating to candidacies.—Any
 4026 candidate, political committee, committee of continuous
 4027 existence, electioneering communication organization, or state
 4028 or county executive committee of a political party may authorize
 4029 or conduct a political poll, survey, index, or measurement of
 4030 any kind relating to candidacy for public office so long as the
 4031 candidate, political committee, committee of continuous
 4032 existence, electioneering communication organization, or

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4033 political party maintains complete jurisdiction over the poll in
 4034 all its aspects. State and county executive committees of a
 4035 political party or an affiliated party committee may authorize
 4036 and conduct political polls for the purpose of determining the
 4037 viability of potential candidates. Such poll results may be
 4038 shared with potential candidates, and expenditures incurred by
 4039 state and county executive committees or an affiliated party
 4040 committee for potential candidate polls are not contributions to
 4041 the potential candidates.

4042 ~~Section~~ Section 69. Subsection (4) is added to section 106.19,
 4043 Florida Statutes, to read:

4044 106.19 Violations by candidates, persons connected with
 4045 campaigns, and political committees.—

4046 (4) Except as otherwise expressly stated, the failure by a
 4047 candidate to comply with the requirements of this chapter has no
 4048 effect upon whether the candidate has qualified for the office
 4049 the candidate is seeking.

4050 Section 70. Subsections (2) and (3), paragraph (i) of
 4051 subsection (4), and subsection (5) of section 106.25, Florida
 4052 Statutes, are amended to read:

4053 106.25 Reports of alleged violations to Florida Elections
 4054 Commission; disposition of findings.—

4055 (2) The commission shall investigate all violations of
 4056 this chapter and chapter 104, but only after having received
 4057 either a sworn complaint or information reported to it under
 4058 this subsection by the Division of Elections. Such sworn
 4059 complaint must be based upon personal information or information
 4060 other than hearsay. Any person, other than the division, having