

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1138

SPONSOR: Committee on Ethics and Elections and Senator Jones

SUBJECT: Elections

DATE: March 29, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bradshaw	Bradshaw	EE	Favorable/CS
2.	_____	_____	GO	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Senate Bill 1138 prohibits a member of the Elections Canvassing Commission or a member of the county canvassing board from rendering a post-election decision in his or her official capacity that could affect the outcome of a race in which he or she publicly endorsed or solicited contributions for a candidate.

This bill creates an unnumbered section of the Florida Statutes.

II. Present Situation:

The Elections Canvassing Commission is composed of the Governor, the Secretary of State and the Director of the Division of Elections. The Elections Canvassing Commission is responsible for certifying the results of federal and state races. There are currently no prohibitions on the political activities of members of the Elections Canvassing Commission.

The county canvassing board is composed of the supervisor of elections, a county court judge and the chair of the board of county commissioners. If any of these officials has opposition in the election being canvassed or is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, that member is replaced as provided by statute.

III. Effect of Proposed Changes:

Committee Substitute for Senate Bill 1138 prohibits a member of the Elections Canvassing Commission or a member of the county canvassing board from rendering any post-election decision in his or her official capacity that may affect the outcome of a race in which he or she publicly endorsed or solicited contributions on behalf of a candidate.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.