

DE 076-21—August 30, 1976

**CHAPTER 104, F.S.
ENDORSEMENT BY
ORGANIZATION NEWSPAPER**

To: William T. White, Executive Director, Federation of Mobile Home Owners, 3375 — 34th Street, North, St. Petersburg, Florida 33713

Prepared by: Division of Elections

You have requested clarification of Sections 104.37 and 104.373, Florida Statutes, in respect of proposed editorial endorsement of candidates by your organization (assertedly a domestic corporation not for profit) in its "Mobile Home Owners NEWS" newspaper.

Specifically, you note that such editorial endorsements "will not be in the form of political advertisements" and that your organization neither contributes to candidates nor accepts money from them in consideration of your support for them.

Any such endorsement by your organization, in and by its newspaper, must comply with the special requirements of Section 104.37, F.S.; but such endorsement would not obviously be a political advertisement as defined in and by Section 104.371, F.S. Additionally, the requirements of Section 103.373, F.S., would control.

You ask whether your organization qualifies "for the exemptions provided in Section 104.37, F.S., ..." There are none, except that subsection (5), as noted, controls, rather than subsections (1) through (4).

You ask further whether Section 104.373, F.S., is applicable to endorsements by your organization since that statute "deals specifically with political advertisements." You are apparently incorrect in your interpretation: The section treats of endorsements by "Any group, club, association, or other organization, except organizations affiliated with political parties regulated by Chapter 103, F.S., which intends to endorse the candidacy of one (1) or more candidates for public office..." It is applicable.