

DE 92-12 - June 30, 1992

Campaign Fund Raiser
Sections 106.025(1)(b) and 106.07(4)(a), F.S.; Ch. 89-256, Laws of Fla.

TO: Mr. Stewart E. Parsons, Candidate for County Court Judge of Gadsden County, Post Office Box 752, Chattahoochee, Florida 32324

Prepared by: Division of Elections

This is in response to your request for an advisory opinion of the provisions of the Florida Election Code regarding campaign fund raisers. The Division of Elections has authority under Section 106.23 (2), Florida Statutes, to issue advisory opinions relating to the Florida Election Code, Chapters 97-106, Florida Statutes, to several categories of persons, including candidates for public office.

You essentially ask the following:

1. Whether the receipts from a fund raiser may be reported in the campaign treasurer's reports in gross or must the name and address of each person buying a ticket be reported in that campaign treasurer's report?
2. Whether under current law, notice is required before a fund raiser is held?

It is the opinion of the Division of Elections that the name and address of each person who buys a ticket to a campaign fund raiser must be reported on the campaign treasurer's report for the reporting period in which the fund raiser took place. It also is the opinion of the Division of Elections that notice is not required before a fund raiser is held.

Section 106.025(1)(b), Florida Statutes, states:

All money and contributions received with respect to such a campaign fund raiser shall be deemed to be campaign contributions, and shall be accounted for, and subject to the same restrictions, as other campaign contributions. All expenditures made with respect to such a campaign fund raiser which are made or reimbursed by a check drawn on the campaign depository of the candidate for whom the funds are to be used and shall be deemed to be campaign expenditures to be accounted for, and subject to the same restrictions, as other campaign expenditures. (Emphasis added.)

Therefore, a candidate must report all moneys received, all contributions made, and all expenditures incurred with respect to a campaign fund raiser, including the moneys received as a result of ticket purchases, in accordance with Section 106.07(4)(a), Florida Statutes. That section requires the name and address of each person who contributes to a campaign to be reported. Accordingly, the name and address of each person who buys a ticket to a fund raiser must be reported in the campaign treasurer's

reports. Simply reporting in gross the amount of tickets sold is not in compliance with the Florida Election Code.

With regard to your second question, the notice requirement for a fund raiser was repealed by the legislature in 1989, effective January 1, 1990. Ch. 89-256, Laws of Fla. Therefore, notice is no longer a prerequisite to holding a campaign fund raiser.

SUMMARY

The name and address of each person who buys a ticket to a campaign fund raiser must be reported in a campaign treasurer's report for the reporting period in which the fund raiser took place. Notice is no longer a prerequisite to holding a campaign fund raiser.