

DE 84-11 - March 5, 1984

**REGISTRATION OF MUNICIPALITIES AS POLITICAL COMMITTEES
s. 106.03(2), F.S**

*To: Honorable Betty R. Dearington, City Clerk, City Hollywood, P. O. Box 2207,
Hollywood, Florida 33022*

Prepared by: Division of Elections

This is a formal Division of Elections Advisory Opinion pursuant to s. 106.23(2), F.S., (1983) on essentially the following question:

Must a municipality which expends municipal funds to support a referendum issue register as a political committee under s. 106.03, F.S.?

In Division of Elections Opinion 077-24, (October 27, 1977), the Division stated that a municipality or municipal corporation may not expend the funds to support a referendum issue in a municipal election unless they register as a political committee under s. 106.011(1), F.S., (1977). The opinion stated that a municipal corporation, acting in support of a referendum issue by expending funds, was a political committee within the meaning of s. 106.011, F.S., and any tax dollars spent were contributions within the meaning of s. 106.011(3), F.S.

However, the Attorney General of Florida in *Opp. Atty. Gen. 078-41* (March 9, 1978) gave a different opinion, stating that municipal bodies were not political committees when acting in their official capacities to expend municipal funds to support a bond issue subject to voter referendum. The Attorney General said that a municipal body need not register under s. 106.11, F.S., in such circumstance.

Accordingly, DE 077-24, is rescinded, in light of the Attorney General's opinion.