



FLORIDA DEPARTMENT OF STATE  
**Glenda E. Hood**  
Secretary of State  
DIVISION OF ELECTIONS

**MEMORANDUM**

**TO:** Candidates

**FROM:** Dawn K. Roberts, Director  
Division of Elections

**DATE:** June 30, 2004

**SUBJECT:** 2004 Campaign Finance Legislative Changes – Political Advertisement  
Disclaimers

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Contrary to our intent, the Division's June 17, 2004, memo has apparently prompted more questions regarding what constitutes a "good faith effort" to comply with the July 1, 2004 effective date of Chapter Law 2004-252(CS/SB 2346 & 516) than it has provided answers. While the staff analysis for CS/SB 2346 & 516 was virtually silent regarding the practical impact of a July 1, 2004, effective date during a major election cycle, the Chairman of the Senate Ethics and Elections Committee and the prime sponsor of the CS/SB 2346 & 516 have since clarified that is was their intent that political advertisements comply with the law *at the time of purchase and production*.

Therefore, in our continued effort to adopt a reasonableness standard and to provide a more "bright line" test for candidates to follow, for the 2004 election cycle only, political advertisements under section 106.143, Florida Statutes, *purchased and produced prior to July 1, 2004*, do not require the new disclaimer language outlined in Chapter Law 2004-252 (CS/SB 2346 & 516). For print ads, if you have approved a final proof and communicated this to your printer prior to midnight June 30, 2004, you may act under the prior law even if delivery of the materials occurs on or after July 1, 2004. For radio and TV ads, acceptance of a master tape or other media as of midnight June 30, 2004, allows you to act under the prior law.

DKR/ccm