

Comparison of Political Committee, Committee of Continuous Existence And Electioneering Communications Organization

	Political Committee (PC)	Committee of Continuous Existence (CCE)	Electioneering Communication Organization (ECO)
Purpose	<p>To support or oppose any candidate, issue*, PC, CCE, ECO, or political party.</p> <p>May make independent expenditures.**</p> <p>May make electioneering communications (if political committee supports candidates).</p> <p>*A sponsor of a constitutional initiative petition must be a PC. (100.371, F.S.)</p> <p>** Independent expenditure = an expenditure made for the purpose of expressly advocating the election/defeat of candidate/issue, which expenditure is not controlled by, coordinated with, or made upon consultation with any candidate, political committee, or agent of such. (106.011(5), F.S.)</p> <p>Note about independent expenditures:</p> <p>If made by an individual: No limit on amount of independent expenditures exists, but if \$5000 or more, must file reports as if was a PC. (106.071, F.S.)</p> <p>If made by a corporation or business entity: If independent expenditure is for/against an issue: No limit on the amount of independent expenditures exists, but if \$5000 or more, must file reports as if was a PC. (106.071, F.S.) – However, if independent expenditure is for/against a candidate > \$500: no limit, but must register as PC and file reports as PC. (106.011(1)(b)2., F.S.) -- See DE 12-08.</p>	<p>May exist for other purposes, but for its political activities, it can only make contributions to candidates, committees, or political parties. (106.04, F.S.)</p> <p>May contribute to PCs supporting or opposing an issue if such contributions do not exceed 25% of its annual income as reported for the previous year. (106.04(5), F.S.)</p> <p>May contribute to an ECO. (DE 06-09)</p> <p>May not make independent expenditures. (DE 04-09)</p> <p>May not make electioneering communications. (106.04(5), F.S.)</p>	<p>Election-related activities are limited to making expenditures for electioneering communications* or accepting contributions for the purpose of making electioneering communications and such activities would not otherwise require the organization to register as a political party, political committee, or committee of continuous existence. (106.011(19), F.S.)</p> <p>May not “expressly advocate” the election or defeat of a candidate, but the communication must be susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate. (106.011(18), F.S.)</p> <p>* Electioneering communication =</p> <ol style="list-style-type: none"> 1. Any communication publicly distribute by TV station, radio station, cable TV system, satellite system, newspaper, magazine, direct mail, or telephone; 2. Refers to a clearly identified candidate without expressly advocating election or defeat, but is susceptible of no reasonable interpretation other than appeal to vote for or against a specific candidate; 3. Is made w/in 30 days before a primary or special primary or 60 days before any other election for the office sought by the candidate; and 4. Is targeted to the relevant electorate in the geographic area the candidate would represent if elected. (s. 106.011(18)(a), F.S.)

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Special Organizational Criteria	None.	<p>Must be organized and operated in accordance with a written charter or bylaws that contain procedures for the election of officers and defines membership in the organization. (106.04(1)(a), F.S.)</p> <p>At least 25% of the income, excluding interest, of the organization must come from dues of members. (106.04(1)(b), F.S.)</p>	None.
Initial Filings	<p>Statement of Organization must be filed within 10 days after its organization when PC receives contributions or makes expenditures in excess of \$500 in a calendar year <u>or</u> seeks signatures of voters in support of an initiative. Also, must file immediately when organized within 10 days of any election. (106.03, F.S.)</p> <p>Appointment of Campaign Treasurer and Designation of Campaign Depository (106.021, F.S.)</p> <p>Registered Agent Statement of Appointment (106.022, F.S.)</p>	<p>Application for Certification</p> <p>Charter or Bylaws</p> <p>Dues or assessment schedule</p> <p>Financial statement for preceding 12 months</p> <p>Registered Agent Statement of Appointment (106.04(2), F.S.)</p>	<p>Statement of Organization must be filed within 24 hours when ECO makes expenditures in excess of \$5,000 in a calendar year if made <u>within</u> 30 days before a primary or 60 days before any other election for the office sought by the candidate. If made <u>before</u> the 30/60 day timeframe, statement of organization must be filed within 24 hours after the 30th day before the primary or within 24 hours after the 60th day before any other election, whichever is applicable. (106.03(1)(b)1., F.S.)</p> <p>Appointment of Campaign Treasurer and Designation of Campaign Depository (106.11(1)(d)3., F.S.)</p> <p>Registered Agent Statement of Appointment (106.022, F.S.)</p>
Campaign Accounts	Funds must be deposited in a campaign depository designated “((Name of Committee) Campaign Account).” (106.11(1)(b), F.S.)	May use the organization’s checking account.	May use the organization’s checking account.
Limits on Contributions To the Entity	<p>PC supporting or opposing issues only - no limit.</p> <p>PC supporting or opposing one or more candidates - \$500 per election</p> <p>PC supporting or opposing both candidates and issues - \$500 per election</p> <p>(106.08, F.S.)</p>	As long as the requirements under “Special Organizational Criteria” are maintained there is no limit.	No monetary limit

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Limits on Contributions By the Entity	<p>PC to a candidate - \$500 per election.</p> <p>PC expenditures in support of or opposition to issues – no limit.</p> <p>PC to a political party – no limit.</p> <p>PC to CCE – no limit.</p> <p>PC to ECO – no limit.</p>	<p>CCE to a candidate or PC supporting candidates - \$500 per election. <i>(106.08, F.S.)</i></p> <p>CCE to an ECO or a political party – no limit.</p> <p>CCE to a PC supporting issues – not to exceed 25% of its annual income as reported on the annual report filed from the previous year. <i>(106.04(5), F.S.)</i></p>	<p>Limited to electioneering communications <i>(106.011(19), F.S.)</i></p> <p>May not make contributions to candidates <i>(106.011(19), F.S.)</i></p> <p>May not make contributions to a political party or a political committee <i>(106.011(19), F.S.)</i></p> <p>May make contributions to another ECO</p>
Restrictions	<p>Funds may be used only for PC activity and only for the purpose of influencing the results of an election.</p>	<p>A CCE must register as a PC in order to directly support or oppose issues. <i>(106.04(5), F.S.)</i></p> <p>May not make independent expenditures (DE 04-09)</p> <p>May not make electioneering communications. <i>(106.04(5), F.S.)</i></p>	<p>Funds may only be used to make electioneering communications. <i>(106.011(19), F.S.)</i> (Thus, ECO may not make expenditures for an ad which is distributed outside the 30/60 day since the ad would not be an electioneering communication)</p> <p>May not make independent expenditures</p> <p>May not expressly advocate</p> <p>May not use credit cards. <i>(106.0703(9), F.S.)</i></p>
When to File Reports	<p>Generally, quarterly, except for the additional reports due before a primary and general election. <i>(106.07(1), F.S.)</i></p> <p>See <i>Calendar of Reporting Dates</i> on the Division's web site.</p>	<p>Same time as candidates' reports – generally, quarterly, except for the additional reports due before a primary and general election. <i>(106.04(4)(b), F.S.)</i></p> <p>Annual report also filed in January of each year <i>(106.04(4)(a), FS)</i></p> <p>See <i>Calendar of Reporting Dates</i> on the Division's web site.</p>	<p>Generally, quarterly, except for the additional reports due before a primary and general election. <i>(106.0703(1), F.S.)</i></p> <p>See <i>Calendar of Reporting Dates</i> on the Division's web site.</p>

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Where to File	<p>Division of Elections – if supports or opposes statewide, legislative, or multicounty candidates or issues.</p> <p>Supervisor of Elections – if supports or opposes candidates or issues in a countywide or less than a countywide election, except municipal.</p> <p>Municipal Clerk – if supports or opposes only municipal candidates or issues.</p> <p>Any political committee which would be required under this subsection to file a statement of organization in two or more locations need file only with the Division of Elections. <i>(106.03(3)(d), F.S.)</i></p>	<p>Division of Elections <i>(106.04(4), F.S.)</i></p>	<p>Division of Elections – if relates to statewide, legislative, or multicounty candidates.</p> <p>Supervisor of Elections – if relates to candidates in a countywide or less than a countywide election, except municipal.</p> <p>Municipal Clerk – if relates to only municipal candidates.</p> <p>Any electioneering communications organization that would be required to file a statement of organization in two or more locations need only file a statement of organization with the Division of Elections. <i>(106.03(1)(b)2.d., F.S.)</i></p>
Political Disclaimers on ads	<p>Political advertisements – see <i>106.143(1)(c) & (2), F.S.</i></p> <p>Independent expenditures – see <i>106.071(2), F.S.</i></p> <p>Electioneering communication – see <i>106.1439, F.S.</i></p> <p>Telephone solicitation – see <i>106.147(1) & 106.1439(2), F.S.</i></p> <p>Miscellaneous advertisement – see <i>106.1437, F.S.</i></p>	<p>CCEs are not permitted to expend funds for any type of political or campaign ads – by definition, CCEs may only make contributions.</p>	<p>Electioneering communication – see <i>106.1439, F.S.</i></p> <p>Electioneering communication telephone solicitation – see <i>106.1439(2), F.S.</i></p>

	Political Committee (PC)	Committee of Continuous Existence (CCE)	Electioneering Communication Organization (ECO)
Pros/Cons	<p>Pros:</p> <p>May expressly advocate</p> <p>May disseminate “3-pack” ad (not considered contribution to candidates) – <i>106.021(3)(d), F.S.</i></p> <p>May contribute to candidate, political party, or any other political organization</p> <p>Cons:</p> <p>Limited to accepting \$500 contributions per election (except from political parties or affiliated party committee)</p> <p>Except for “3-pack” ads, cannot coordinate with candidate</p>	<p>Pros:</p> <p>May accept unlimited contributions in form of dues from its members (Note: At least 25% of CCE’s income must come from dues)</p> <p>May contribute unlimited funds to political parties and ECOs.</p> <p>May contribute within \$500 contribution limit to candidates</p> <p>Cons:</p> <p>May not communicate (via ads) to the public</p> <p>Limit on contributions to “issue only” political committees: cannot exceed 25% of CCE’s annual income</p>	<p>Pros:</p> <p>May accept unlimited contributions</p> <p>May communicate with public</p> <p>May coordinate with candidates</p> <p>Electioneering communication not considered a contribution to candidate (<i>106.011(18)(c), F.S.</i>)</p> <p>Cons:</p> <p>May not expressly advocate</p> <p>May not contribute to candidates, political parties, affiliated party committees, political committees, or CCEs</p>