

Political Action Committees

There are two types of Political Action Committees

Chapter 4 *Political Committees* and Chapter 5 *Committees of Continuous Existence (CCE)*

The differences between the two are that Political Committees may directly endorse and financially support Political Issues. CCEs can only contribute to groups and organizations that can support political issues.

Another difference is that Political Committees must report every dollar contributed to the organization by listing the name, address, and profession of every single member and contributor. CCEs can simply report that all their members contributed dues or assessments of \$\$\$ each year without listing them by name.

Both Political Committees and CCEs must file annual, quarterly, and during election years, pre and post General Election reports. If district Associations affiliate their CCEs with the FASA's – CCE, FASA will do all the reporting for the affiliate.

Applying for CCE Certification

HASA must submit four things to the Florida Department of State Division of Elections:

- Application for Certification Form DS-DE 1. Give Name and address of Principal Officer
- Charter or Bylaws of the CCE
- Dues or Assessment Schedule and how levied of the CCE
- Financial Statement Form DS-DE 63A. A complete financial statement or annual audit

Qualifying for CCE Certification

HASA must develop a set of bylaws for its CCE that state how the officers and directors of the CCE will be elected, clearly define membership in the organization, and make sure that at least 25% of all its finances are derived solely from membership dues or assessment payable on a regular basis.

Receiving and Spending CCE funds

HASA's Board of Directors will set the portion of the members annual dues that will be allocated to the CCE. The HASA Board may elect to assess its members a certain dollar amount for membership to the CCE. In the event that a portion of the annual dues are allocated to the CCE, members must be notified that this is being done and that they have the right to opt out of being a member of the CCE and not have any portion of their dues assigned to the CCE.

CCEs can contribute to political candidates, political committees, or political parties. They can give cash contributions and in-kind contributions.

There is no limit as to how much CCE members can pay as dues, assessments, gifts, donations etc. There is no limit as to how much revenue the CCE can raise through gifts, donations, and contribution etc. from outside sources or fund raising events, as long as 25% of all CCE total funds are derived from member regular dues or assessments. \$500 before the General Election and \$500 after the General Election is the maximum contribution that the CCE can make to a single candidate.

Depositing Revenue Held by the CCE

HASA could deposit the CCE funds in its existing checking account by creating a separate line item. If HASA chooses to affiliate with FASA's - CCE, the funds will be deposited in a special FASA account in the name of HASA's – CCE. The dispersal of all HASA – CCE funds must be authorized by HASA.

When to File Reports

- Annual Reports are filed at the beginning of each calendar year. This report must include Annual Report (Form DS-DE 1), an updated Annual Financial Statement (Form DS-DE 63), dues or assessment schedule, and a copy of the by-laws.
- Quarterly Reports are filed on the 10th day following the end of each calendar quarter.
- Election Year Reports are filed on the 32nd, 18th, and 4th days preceding the primary election and on the 46th, 32nd, 18th, and 4th days preceding the general election.
- CCEs will be fined \$500 for each day that a report is late.

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Some Specific Provisions for Becoming a FASA-PAC Affiliate

1. FASA has established a CCE and it is called the FASA-PAC.
2. HASA will also establish a CCE and it will be called the HASA-PAC
3. Both the FASA-PAC and the HASA-PAC will have a board of directors and a chairperson, secretary, and treasurer.
4. The Chairperson of the HASA-PAC Board of Directors (or designee) shall also serve as a member of the FASA-PAC Board of Directors.
5. Each affiliate CCE member shall have one vote on the FASA-PAC Board.
6. HASA's Board of Directors shall also serve as the Board of directors of the HASA-PAC.
7. The HASA-PAC board of directors shall serve as the local CCE screening committee for endorsing and supporting all state-level candidates.
8. FASA will also have a state CCE screening committee for the endorsement and support of all state-level candidates. All local affiliate members shall have one

voting member on the FASA-PAC Screening Committee.

Some specific controlling elements for affiliating with the FASA-PAC

1. The Treasurer of HASA-PAC shall be the registered lobbyist for FASA-PAC.
2. FASA's registered lobbyist shall serve as an ex-officio member of the HASA-PAC Screening Committee.
3. The HASA-PAC screening committee shall make recommendations to the FASA-PAC.
4. The FASA-PAC Board of Directors recommends that affiliate CCEs should charge their members a minimum of \$10 dues or assessment in order to become a member of the CCE.
5. Local CCE affiliates MAY provide assistance to statewide and legislative offices other than those endorsed by FASA-PAC, but MAY NOT formally endorse such candidates.
6. Local CCE affiliate constitutions and bylaws may be amended by a majority vote of the local PAC Boards and approved by the FASA-PAC Board of Directors.
7. Amendments to the constitution and bylaws may be made by filing a copy of the proposed amendments with the President and Executive director of FASA at least (60) days prior to the meeting at which the proposal will be considered.

Some Questions that have been fully answered by Holland and Knight and FASA Staff

1. Can HASA, by action of its Board of Directors, allocate a portion of its present members annual dues to the CCE? YES
2. HASA member dues are presently paid through payroll deductions. Is it legal to take a portion of the dues paid in this manner and allocate them to the CCE? YES
3. Should HASA members be informed that a portion of their dues is going to the CCE? YES
4. Should HASA members be allowed to request to opt out and none of their dues go to the CCE? YES
5. What are other affiliate districts doing in this issue of funding their CCEs and complying with payroll deduction regulations? THEY ARE ASSESSING SEPARATELY
6. What do we specifically have to do in order to apply for certification as a CCE affiliate of FASA?? *FILL OUT THE NORMAL FORMS AND SEND THEM TO FASA AND THEY WILL WALK THEM THROUGH.*