

## **Campaign Finance Complaint Against Representative Randy Fine**

### **Subject: Campaign Finance Complaint Against Representative Randy Fine for Failure to File DS-DE 102 Form and Misuse of PAC Funds**

This complaint addresses Representative Randy Fine's failure to file the required DS-DE 102 form and the misuse of funds from his PAC, "Friends of Randy Fine." Over the last 24 months (only within the statute of limitations, but the violations are since the inception of the PAC), Representative Fine has used his PAC for activities not directly related to his own campaign, in violation of Florida's campaign finance laws.

Additionally, he has used the funds of Friends of Randy Fine to pay for personal attorney's fees on at least 2 occasions.

### **Statement of Organization**

**Name:** Friends of Randy Fine

**Mailing Address:** 2055 NW Diamond Creek Way, Jensen Beach, FL 34957.

**Treasurer:** Debbie Millner

**Chairman:** Randall Fine

**Purpose:** To support or oppose candidates for statewide, multi-county, legislative, county, and municipal office and other activities not prohibited by Chapter 106 F.S.

### **Summary of Allegations**

1. **Failure to File DS-DE 102:** Representative Fine has never filed the DS-DE 102 form despite engaging in activities that require such a filing. This form is required when a candidate solicits contributions on behalf of an organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code that the candidate, in whole or in part, establishes, maintains, or controls.
2. **Misuse of PAC Funds:**
  - a. Over the last 24 months, the "Friends of Randy Fine" PAC has been used for activities not directly related to Representative Fine's campaign. These activities include contributions to other PACs and donations to community organizations.
  - b. On November 28, 2023, the campaign expenditure report for "Friends of Randy Fine" recorded a \$10,000 payment to the Law Firm of Alan Landman for legal services similarly, to avoid being deposed as a witness in a civil case.
  - c. On January 8, 2024, the campaign expenditure report for "Friends of Randy Fine" recorded another \$10,000 payment to the Law Firm of Alan Landman for more legal services.
  - d. These payments were used for personal legal services, specifically to file an Emergency Motion for Protective Order on December 12, 2023 and handle related legal issues, as evidenced by court documents.

- e. On March 29, 2024 despite the motion for a protective order, Representative Fine was deposed as subpoenaed, and was represented at the deposition by Alan Landman.

### **Explanation of Requirement to File DS-DE 102**

**Florida Statute 106.0701** mandates that elected officials and candidates file a DS-DE 102 form if they solicit contributions on behalf of an organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code that they, in whole or in part, establish, maintain, or control. While Representative Fine is the chair of the "Friends of Randy Fine" PAC and does use it for his own campaign, he also uses the PAC for activities beyond his direct campaign. These activities include funding and receiving funding for other PACs and making community donations and other expenditures, which are not directly related to his election efforts.

Since the PAC is being used for these broader purposes, Representative Fine is required to file the DS-DE 102 form to disclose these activities and ensure transparency in his campaign finance operations. The failure to file this form violates Florida's campaign finance laws, specifically those designed to ensure accountability and transparency in political fundraising and expenditures.

**Florida Statute 106.0701(2)** states that failure to timely file the required statement shall subject the person to a civil penalty of \$50 per day for each late day, payable from the personal funds of the violator. The complaint covers the last 24 months, or approximately 730 days which calculates to \$36,500 in fines that must be paid from the Chair's personal funds according to statute.

**Florida Statute 106.11(4)** prohibits the use of campaign funds for the personal benefit of any candidate or any other person. Campaign funds are strictly required to be used for expenditures related to the campaign or public office-related activities.

Based on the evidence provided, Representative Randy Fine has failed to comply with Florida's campaign finance laws by not filing the required DS-DE 102 form and by using PAC funds for activities not directly related to his campaign. It is crucial to address these violations to uphold the integrity of Florida's election process and ensure that all candidates adhere to the rule of law.

If the funds were reported as legitimate campaign expenses while being used for personal legal services, this may also violate reporting requirements under Florida's campaign finance laws, which require accurate disclosure of the purposes for which campaign funds are expended.

I respectfully request that the Florida Division of Elections investigate these allegations and conduct a complete forensic audit of the financial activities of the PAC due to these violations and others, and take appropriate action against Representative Randy Fine.

**Sincerely,**

Robert Burns