

Palm Beach County Municipal Clerks Association



2013

“An Election Tool Box”

All dates in this presentation are based upon the Laws of Florida, Chapter 83-498, aka “Uniform Municipal Elections” for Palm Beach County; Florida Statutes (F.S.); and Florida Administrative Code (FAC).

Outline

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Outline

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Outline

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Conduct of Municipal Elections

The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality's election **in the absence of an applicable special act, charter, or ordinance provision**. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

The governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.

(Section 100.3605 F.S.)

Laws of Florida – Chapter 83-498

Governs uniform filing and election dates in Palm Beach County

CHAPTER 83-498

House Bill No. 742

An act relating to Palm Beach County; providing for legislative intent; providing uniform filing dates and uniform election dates for municipal elections; providing for terms of office; providing for correspondence of terms of municipal office to the common dates provided in this act; providing that the general law for absentee ballots shall apply to all absentee ballots in municipal elections; providing for exemptions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. It is the intent of this act to provide for uniform filing and election dates for all municipal elections to elect municipal officers in Palm Beach County. It is not the intent of this act to determine the length of terms of municipal offices.

Section 2. Candidates for any municipal office in Palm Beach County shall file such papers and pay such fees as may be required by law with the applicable municipal clerk no earlier than noon on the last Tuesday in January nor later than noon on the second Tuesday in February of the calendar year in which the election is to be held. The names of all candidates and the offices for which they have filed shall be received by the supervisor of elections from the municipal clerks by 5 p.m. on the first Friday after the close of qualifying.

Section 3. Any election relating to a municipal office, other than run-off elections held pursuant to section 4 of this act or special elections, shall be held on the second Tuesday in March of the calendar year.

Section 4. Any municipality which by charter or local ordinance requires that a run-off election be held in the event no candidate

Qualifying
Period
begins

Election Date

CHAPTER 83-498

LAWS OF FLORIDA

CHAPTER 83-498

receives a majority of the votes for an office shall hold such election on the 4th Tuesday in March of the calendar year.

Section 5. Municipal officers elected pursuant to this act shall take office no later than the last day in March of the year in which they are elected, with the specific day to be decided by local ordinance.

Section 6. Initially, any municipal officer whose term of office expires subsequent to July 1 in any calendar year shall stand for reelection in March of the following calendar year and shall continue in office until the election of his successor. Initially, any municipal officer whose term of office expires prior to and including July 1 in any calendar year shall stand for reelection in March of that calendar year. The provisions of this section shall apply only to the first election for each office to be held under the provisions of the act. Thereafter, the terms of all municipal offices shall correspond to the dates provided pursuant to this act.

Section 7. The general law in regard to absentee ballots shall apply to all absentee ballots for municipal elections, except that the words "municipal clerk" shall be substituted whenever the word "supervisor" appears in those sections concerning absentee ballots. However, the supervisor of elections may handle absentee ballots for any municipality which so requests.

Section 8. The provisions of this act shall supercede any municipal charter provisions; however, the governing body of any municipality may exempt itself from the provisions of subsections (1) through (7) of this section by adopting an ordinance declaring its exemption. Also the governing body of any municipality may, by ordinance and without referendum, amend its municipal charter to conform to the provisions of this act.

Section 9. This act shall take effect January 2, 1984.

Became a law without the Governor's approval.

Filed in Office Secretary of State June 14, 1983.

Municipal Clerk's Role

In addition to being the Supervisor of Elections for your Municipality, you are also the Qualifying (Filing) Officer for your Election

Pursuant to **F.S. 99.061(7)(c)**, the filing officer performs only a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required have been properly filed and whether each item is complete on its **face**, including whether items that must be verified have been properly verified (by oath or affirmation) pursuant to F.S. 92.525(1)(a).

The filing officer shall not determine whether the contents of the qualifying papers are accurate.

(Section 106.011(14), F.S.)

Municipal Clerk's Role

In addition to being the Supervisor of Elections for your Municipality, you are also the Qualifying (Filing) Officer for your Election Continued:

Further confirmation and documentation can be found in DE 09-05 relating to Qualifying – Role of Qualifying Officer: “Prior opinions by the Division of Elections, the Attorney General, and the Florida Supreme Court consistently state that a filing officer to whom candidates submit their qualifying papers performs a purely ministerial function and that the filing officer must accept completed qualifying papers submitted under oath or affirmation.”

This opinion goes on to say “A filing officer governed by Florida's Election Code may not reject qualifying documents when they appear complete on their face and are properly executed under oath or affirmation. An opposing candidate's recourse to question the correctness of an opposing candidate's qualifications is to challenge the qualifications in a competent court of law.”

Critical Success Factors

- Accuracy
- Timeliness
- Compliance with all laws
- Expertise, skill and knowledge of responsibilities
- IT Systems: Stable, accurate, consistent access
- Standardized, documented procedures
- Recruit & train, reliable poll workers
- Locate reliable, well-suited (ADA) polling locations early in the process
- Communications (internal & external)
- Remain neutral at all times
- What you do for one, do for all

Critical Success Factors

CYA (COVER YOUR ASSETS)!!!

- **Document Everything**
- **Keep a “Candidate Contact Information Sheet”**
- **Have Candidate acknowledge receipt of Candidate Package, with appropriate disclaimers, and implement a “Candidate Check List” (include all qualifying documents required, fees due, due dates of Treasurer’s Report, etc.)**
- **Date and time stamp everything you receive from a Candidate**

Process in Brief

- Finalize SOE Agreement and composition of Canvassing Board
- Formulate Election Dates/Calendar
- Coordinate Polling Locations
- Prepare Legal Notices
- Coordinate Election (Poll) Workers
- Prepare Candidate Packets
- Qualify Candidates
- Campaign Reporting
- Canvass L&A
- Poll Watchers
- Canvass Absentee Ballots
- Election Day/Canvass A/B and/or Provisional Ballots
- Post-Audit
- Run-off
- Election Close-Out

Agreement with SOE - Responsibilities

What is the Municipal SOE's (your) overall responsibilities:

- Review all provisions of your Municipal Code and Charter
- Work in concert with the SOE in accordance with the Agreement for Voting Services
- Respond to Media
- Respond to Candidates
- Respond to incumbents and other elected officials
- Coordinate adoption of Ordinance or Resolution approving the Agreement For Vote Processing Equipment Use and Election Services with the County SOE and appointment of Canvassing Board members prior to January 1st of each election year

Agreement with SOE - Responsibilities

Municipal Ordinance/Resolution Relating to Canvassing Board

Review your Code of Ordinances to determine the makeup of your Canvassing Board. If your Code specifically defines the members of your Canvassing Board and the County SOE is not one of them, you **cannot** appoint the SOE as an additional member of your Canvassing Board by Resolution. However, if your Code is silent to this matter (thereby the Canvassing Board members can be appointed by Resolution) or specifically designates the County SOE as one of the members of your Canvassing Board, the County SOE can and will serve on your Canvassing Board.

Agreement with SOE - Responsibilities

Resolution Relating to Canvassing Board and SOE Agreement – Sample Language

RESOLUTION TITLE

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BELLE GLADE, FLORIDA, APPROVING AN AGREEMENT WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS (SOE) FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES AND GRANT AUTHORIZATION FOR MAYOR TO EXECUTE THE SAME; REQUESTING THE SOE TO CONDUCT THE CITY'S MARCH 13, 2012 ELECTION, AND, IF NECESSARY, THE MARCH 27, 2012 RUN-OFF ELECTION; PROVIDING FOR THE PROCESSING OF ABSENTEE BALLOTS; DESIGNATING MEMBERS OF THE CITY OF BELLE GLADE'S CANVASSING BOARD FOR SAID ELECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Agreement with SOE - Responsibilities

Resolution Relating to Canvassing Board and SOE Agreement – Sample Language Continued

WHEREAS, in 2009, the Palm Beach County League of Cities, Inc. formed an Ad Hoc Committee on Municipal Elections to work with the Palm Beach County Supervisor of Elections (SOE) to set forth terms and conditions under which services will be provided by the SOE to the municipalities for municipal elections and to set forth the responsibilities of the SOE and the municipalities; and

WHEREAS, on February 1, 2010, the City Commission approved by resolution the agreement established by the Ad Hoc Committee and the SOE (Agreement); and

WHEREAS, on January 3, 2011, the City Commission approved by resolution, No. 2011-2833, the renewal of said Agreement; and

Agreement with SOE - Responsibilities

Resolution Relating to Canvassing Board and SOE Agreement – Sample Language Continued

WHEREAS, the Ad Hoc Committee revisited a newly proposed Agreement submitted by the SOE and after negotiations both parties came to agreement of the proposed Agreement with minor modifications; and

WHEREAS, the negotiated Agreement was presented and approved by the Board of Directors of the Palm Beach County League of Cities on September 28, 2011; the City of Belle Glade desires to enter into said Agreement for Vote Processing Equipment Use and Election Services with the SOE; and

WHEREAS, the City desires the SOE conduct the City's election scheduled for March 13, 2012, and, if necessary, the March 27, 2012 Run-off election; and

WHEREAS, the City desires to name the members of the City's Canvassing Board for said elections and deeming all serves a valid public purpose.

Agreement with SOE - Responsibilities

Resolution Relating to Canvassing Board and SOE Agreement – Sample Language Continued

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Belle Glade, Florida as follows:

SECTION 1. The City Commission hereby grants approval to enter into Agreement with the Palm Beach County Supervisor of Elections (SOE) for Vote Processing Equipment Use and Election Services, which is attached and made part of this Resolution, and grants authorization for the Mayor to execute the same.

SECTION 2. The City Commission requests the SOE to conduct the City's election scheduled for March 13, 2012, and, if necessary, the run-off election for March 27, 2012.

SECTION 3. As governed by the City's Code of Ordinances, Chapter 9 Election, Section 9-11., absentee ballots: absentee ballots shall be the responsibility of, and shall be handled by, the Supervisor of Elections of Palm Beach County in accordance with Florida Law.

Agreement with SOE - Responsibilities

Resolution Relating to Canvassing Board and SOE Agreement – Sample Language Continued

SECTION 4. The City Commission hereby designates the City Clerk of the City of Belle Glade, or designee, and the SOE, or designee, to serve as the City of Belle Glade’s Canvassing Board for said elections.

SECTION 5. That all resolutions or parts of resolution in conflict herewith are repealed to the extent of such conflict.

SECTION 6. Should any section or provision of this Resolution or portion hereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Resolution.

SECTION 7. This Resolution shall become effective upon its adoption.

Agreement with SOE - Responsibilities

Notice of Election

Municipality

- (a) Properly call and advertise the election according to statutes and charter at its own expense.
- (b) Issue a resolution or ordinance to the SOE requesting that the Supervisor of Elections conduct the municipality's election and act as a member of the Municipality's Canvassing Board, which may or may not include the SOE.
- (c) certify that the registered voter information provided by the SOE to the municipality reflects the proper boundaries of the city and notify the SOE of any changes.

Supervisor of Elections (SOE)

- (a) Publish legal notices for Logic & Accuracy testing, absentee ballot canvass, Post Election Audit and news releases on book closing.

Agreement with SOE - Responsibilities

Qualifying Candidates

Municipality

- (a) Provide qualifying packets to candidates and accept and process all qualifying papers and fees.
- (b) Collect Name and Pronunciation Guides from the candidates at the time of qualifying and submit to SOE.
- (c) Respond to all candidate inquiries and questions.
- (d) Respond to all legal inquiries and questions and all media inquiries.

Supervisor of Elections (SOE)

- (a) Verify signatures on any qualifying petitions submitted by candidates and notify the Municipality of such results upon the close of the candidate qualifying deadline.

Agreement with SOE - Responsibilities

Ballots

Municipality

- (a) Review/amend/approve ballot proof prepared by SOE.
- (b) Order sufficient quantity of ballots.
- (c) Pay ballot design costs to the SOE.
- (d) Pay the ballot printer directly for cost of ballots.
- (e) Reimburse the SOE for costs incurred for translation and audio recording of ballot.
- (f) Reimburse SOE for preparation of Absentee Ballot, Edge layout and Sample Ballot.

Supervisor of Elections (SOE)

- (a) Layout, check, proof and deliver ballot layout to the printer.
- (b) Receive, securely store and account for all ballots until disbursed to polling places.
- (c) Contract to have audio recorded for Touch Screen ballot.
- (d) Control all access to unvoted ballots while in the possession of the SOE.

Agreement with SOE - Responsibilities

Equipment Testing

Municipality

- (a) Provide that a representative will be present during the Logic and Accuracy testing as noticed by SOE.

Supervisor of Elections (SOE)

- (a) Develop a unique test script and manually mark ballots to be used in public Logic & Accuracy test.
- (b) Conduct public Logic & Accuracy test.

Agreement with SOE - Responsibilities

Early Voting - Optional

Municipality

- (a) Reimburse the SOE for staff overtime hours due to weekend and/or evening hours for Early Voting.
- (b) Pay SOE for Early Voting supplies.
- (c) Contract with, schedule and pay poll workers directly.
- (d) Deliver voted ballots to SOE daily at a location designated by SOE.
- (e) Designate Early Voting sites thirty (30) days prior to each Election and notify SOE in writing of locations.

Supervisor of Elections (SOE)

- (a) Prepare and provide all supplies needed for each Early Voting site.
- (b) Provide the Municipality with a list of poll workers.
- (c) Train poll workers.
- (d) Provide staffing to accept voted ballots daily at a location designated by SOE.

Agreement with SOE - Responsibilities

Absentee Voting

Municipality

- (a) Reimburse SOE for all postage costs incurred at the current postal rate.
- (b) Pay SOE for materials and handling of each absentee ballot.
- (c) Pay SOE \$.10 per absentee ballot for verifying signatures on returned voted ballot certificates.
- (d) Refer all requests for absentee ballots to SOE.

Supervisor of Elections (SOE)

- (a) Determine eligibility and compile Absentee Ballot file.
- (b) Accept all requests for Absentee Ballots by telephone, mail or in person.
- (c) Prepare and mail Absentee Ballots.
- (d) Deliver Absentee Ballots to the Post Office.
- (e) Receive voted Absentee Ballots.
- (f) Verify signatures on returned voted Absentee Ballot certificates.
- (g) Prepare and open Absentee Ballots for tabulation.
- (h) Account for all Absentee Ballots.
- (i) Notify Absentee Ballot voter and provisional voters of the disposition of the Canvassing Board as required by law.
- (j) Record Absentee Ballot returns to voter history.
- (k) Conduct public testing of Logic and Accuracy for Absentee Ballot tabulating equipment.
- (l) Provide qualified staff to operate tabulation equipment to count Absentee Ballots.

Agreement with SOE - Responsibilities

Polling Places

Municipality

- (a) Arrange for the use of an adequate number of polling places.
- (b) Confirm polling place accessibility and ADA compliance.
- (c) Notify SOE in writing thirty (30) days prior to election of the need for tables and chairs if necessary.
- (d) Notify SOE of polling locations to be used no later than noon the Friday after the municipal candidate qualifying deadline.
- (e) Notify the SOE not less than 30 days prior to the election that a polling place will be moved to another site
- (f) Notify voters, as required by law, if their regular polling place is to be temporarily relocated.

Supervisor of Elections (SOE)

- (a) Provide the Municipality with a list of polling places and SOE contract.
- (b) Provide tables and chairs upon written notice from the Municipality when required.
- (c) Provide polling place supplies, i.e. signs, cones, etc.
- (d) Notify voters and the Municipality of permanent polling place change(s).

Agreement with SOE - Responsibilities

Precinct Supplies

Municipality

- (a) Pay SOE for precinct supplies provided.
- (b) Provide a secure place for precinct clerks to return supplies and voted ballots on election night.
- (c) Pay SOE for the production of Precinct Registers.
- (d) Pay directly to the SOE's contracted moving company to have voting equipment delivered and picked up from polling place no later than the day before the election and returned after the election.

Supervisor of Elections (SOE)

- (a) Provide Precinct Registers for each polling place location.
- (b) Provide Master CD compilation of registered voters for precinct advisors.
- (c) Provide certification of registered voters after book closing.
- (d) Prepare equipment, cabinets and routing of voting equipment delivery.
- (e) Provide laptop computer at each polling place.
- (f) Provide CD of voter file database for each polling place.
- (g) Provide poll worker Clerks with cell phones.
- (h) Provide Provisional Ballot envelopes and affidavit forms for each polling place.
- (i) Provide secrecy sleeves in a number and amount appropriate for each polling place.

Agreement with SOE - Responsibilities

Poll Workers

Municipality

- (a) Contact, contract with and pay poll workers directly (using only poll workers who are currently on the SOE list, or individuals who have successfully completed required training).
- (b) Schedule and notify poll workers of training classes.
- (c) Reimburse SOE for expenses incurred for delivery and pick up of equipment to training locations.
- (d) Reimburse SOE for expenses incurred in printing training material.
- (e) Reimburse SOE for expenses incurred for trainers to train poll workers.
- (f) Reimburse SOE for expenses incurred for contracted training locations.

Supervisor of Elections (SOE)

- (a) Provide the Municipality with a list of current poll workers.
- (b) Develop poll worker training schedule.
- (c) Plan and contract for training classes and locations.
- (d) Contract with and pay trainers to train poll workers.
- (e) Provide printed training materials for poll workers.

Agreement with SOE - Responsibilities

Election Day Support

Municipality

- (a) Verify that all polling places are available to poll workers no later than 6:00 a.m. and open for voting promptly at 7:00 a.m. on Election Day.
- (b) Ensure that all polling places remain open until 7:00 p.m. or until all voters who are in line to vote at 7:00 p.m. have completed voting.
- (c) Reimburse SOE for all phone bank costs.

Supervisor of Elections (SOE)

- (a) Assist in finding poll worker replacements if needed.
- (b) Provide technical support personnel as needed.
- (c) Provide phone bank support to respond to poll workers and voters on Election Day.

Agreement with SOE - Responsibilities

Ballot Tabulation/Counting of Election Results

Municipality

- (a) Deliver all voted ballots and other necessary election related items to a place designated by the SOE after the polling places have closed on Election Day.
- (b) Deliver all voting machine cartridges to a place designated by the SOE after the polling places have closed on Election Day.
- (c) Reimburse the SOE for any staff overtime and other expenses in relation to the tabulation and processing of ballots on Election Day.
- (d) Act as member of Canvassing Board.

Supervisor of Elections (SOE)

- (a) Provide technical staff and required equipment to administer tabulation and election results.
- (b) Assist and act, or appoint a designee to assist and act on the SOE's behalf, as a member of the Municipality's Canvassing Board if desired by the municipality or act as a member of the County Canvassing Board if it canvasses the municipality's election, if allowed by law.
- (c) Post election results on SOE WEB site and provide the same to Channel 20.
- (d) Provide the Municipal Clerk with unofficial election results upon conclusion of tabulation and canvassing of ballots cast on Election Day.

Agreement with SOE - Responsibilities

Post Election Day

Municipality

N/A

Supervisor of Elections (SOE)

- (a) Provide the Municipal Clerk with an official certification of election results if allowed by law.
- (b) Store all necessary election records and ballots until the expiration of retention period prescribed by statutes.
- (c) Process polling place affirmation forms.
- (d) Sort, inventory, pack and store all election materials for retention and disposition.
- (e) Notify voters of the disposition of their Absentee or Provisional Ballots after the determination by the Canvassing Board, as required by law.
- (f) Respond to public records requests regarding records kept on behalf of the Municipality.
- (g) Record voting history for each voter who voted on Election Day.

Agreement with SOE - Responsibilities

Audit

Municipality

- (a) Provide that the Municipal Clerk will be responsible for the administration of the audit.
- (b) Reimburse SOE for any staff time or other related expenses as may result from conducting the manual audit.

Supervisor of Elections (SOE)

- (a) Organize precinct information to allow the Municipal Clerk to randomly select the race and precinct(s) that shall be audited.
- (b) Organize and prepare ballots for manual audit.
- (c) Provide SOE staff to conduct manual audit.
- (d) Ascertain and publically post manual audit result to SOE WEB site.

Agreement with SOE - Responsibilities

Recount

Municipality

- (a) Provide that the Municipal Clerk will be responsible for the administration of the Recount, with support and guidance from the SOE.
- (b) Act as a member of the Canvassing Board.
- (c) Notify the candidates of the time and date of the Recount.
- (d) Post public notice(s) of the Recount with the time and location.
- (e) Cause to have the Recount recorded and minutes kept and approved by the Canvassing Board.
- (f) Review with the Canvassing Board and the counting teams the statutes and rules of the Division of Elections, specifically Rule 1S-2.031. Recount Procedures; and Rule 1S-2.027. Standards for Determining Voter's Choice on a Ballot. (Refer to pages 262-270)
- (g) Reimburse the SOE for all staff salaries/overtime, facility and other expenses required to conduct the Recount.

Supervisor of Elections (SOE)

- (a) Post public notice(s) of the Recount with the time and location.
- (b) Test tabulating equipment as required by Sec. 101.5612, Florida Statutes.
- (c) provide counting teams for examining out stacked ballots.
- (d) Prepare and organize ballots for Recount processing.
- (e) Tabulate ballots and provide professional staff for equipment operations.
- (f) Provide official certification as determined by the Canvassing Board.

Agreement with SOE - Responsibilities

Costs

ABSENTEE BALLOTS: \$4.72 Cost per AB (There might be a slight increase due to postage)

MUNICIPAL PACKAGE: \$2,407 Cost per Municipal

PRECINCT SERVICES: \$159.40 Cost per precinct

Reminder:

The Agreement is required to be approved by Resolution or Ordinance. A copy of the adopted Resolution or Ordinance and the executed Agreement must be returned to the SOE no later than January 1st of each year.

Time Line, Pre-Election

November (120 days prior to Election)

- Prepare Resolution appointing the SOE as an additional member or issue a letter to SOE regarding the composition of your Canvassing Board. (Highly recommend including appointment of alternates.)
- The makeup of your Canvassing Board must be in accordance to your City Charter and the SOE contract.
- Prepare legal notices, advertisements, and form DS-DE 104, Candidate Petition Form, for Alternative Method of Qualifying.

Must be in accordance with your
Charter/Code of Ordinances.

Note: All “DS-DE” forms can be downloaded from the State Elections website at <http://election.dos.state.fl.us/>.

Time Line, Pre-Election

December (90 days prior to election)

- Mail out polling location agreement forms. Flag your calendar for two weeks after mailing to follow up with polling site request.
- Prepare Candidate Packets
- Hire Poll Workers (make sure they are available for both election and run-off). Notify each of assigned precinct and location, and training schedule.

Time Line, Pre-Election

January (60 days prior to election)

- Email Notice of Election and Qualifying ad to English and Spanish Newspapers (F.S. 100.021). Palm Beach Post at legals@pbpost.com and el Latino at uzal@msn.com (translates ad for you). Notice must be published twice within the 30 days prior to qualifying.
- Post election information on your municipal website. (Post the ad regarding Notice of Election and Qualifying Information).
- Send notice of annexation or de-annexation to SOE. (SOE will provide deadline date.)
- Candidate to file under Petition Process, deadline 12-31-13 (F.S. 99.095).
- Resign-to-Run, deadline 01-17-14 (F.S. 99.012(3)).
- Qualifying Begins at Noon on 01-28-14 (Laws of Florida, Chapter 83.498).
- Send SOE list of Poll Workers and assigned Precinct. Email poll worker training list to the SOE office to Cindy Lugo at Cindy@pbcelections.org.

Time Line, Pre-Election

February (30 days prior to election)

- Ballot Question (Referendum) deadline [anticipated to be 2/7/14) to be provided by SOE. (F.S. 100.342 mandates 30-day notice prior to election, published 5th and 3rd weeks)
- Voter Registration Books Close on 02-10-14 (F.S. 97.055).
- Qualifying Ends at Noon on 02-11-14 (Laws of Florida, Chapter 83-498). Also, contribution deadline for unopposed candidates at midnight.
- Mail letter to SOE regarding qualified candidates, include Loyalty Oath (Form DS-DE 25) and final ballot wording. (Deadline 02-14-14 no later than 5:00 p.m.).
- Proof Ballot immediately upon receipt and return to SOE.
- Advise SOE number of ballots to print for your election.

Time Line, Pre-Election

February (30 days prior to election)

- Publish and post on website sample ballot and notice of election in English and Spanish newspapers once prior to the election (F.S. 101.20). Be prepared for a run-off if there are 3 or more candidates in a seat.
- Prepare and submit State Assessment Fee (Form 005) to Florida Elections Commission (F.S. 99.093).
- Send current boundaries to Jodi Bradley in a shape file.
- Arrange escort/transportation with Police/Sheriff regarding the return of ballots, cartridges, etc. to SOE the night of election.
- Verify all ads published correctly since tear sheets are 1 to 2 weeks after publication.

Time Line, Pre-Election

February continued (30 days prior to election)

- Canvassing Board to attend L&A (Logic and Accuracy) Test – Per SOE Contract. Date to be determined by SOE.
- Follow up on outstanding polling location agreements.
- Should the SOE hold a Candidate Workshop, advise your candidates.
- Voter Registration Books Close for Run-Off on 02-24-14 (F.S. 97.055).
- Deadline for Candidates to submit Poll Watcher names, Noon on 02-25-2014. Immediately submit poll watcher names and addresses to SOE for verification. Deadline to approve Poll Watchers and advise candidate/poll watchers is 03-04-14. (F.S. 101.131(2)) Prepare and provide Poll Worker name badges.

Time Line, Pre-Election

February continued (30 days prior to election)

- Publish and post on website temporary polling location changes in English and Spanish newspapers. (F.S. 101.71(2)) Publish at least once no more than 30 days, no fewer than 7 days, prior to Election.
- Deadline to mail temporary polling location change notice, in English and Spanish, to voters. February 25, 2014. (F.S. 101.71) Notice shall be mailed at least 14 days prior to election.

Time Line, Pre-Election

March

- Contribution deadline for opposed candidates March 6, 2014 at midnight.
- Verify delivery of voting equipment to each precinct.
- Prepare supplies for Clerks, such as: scratch pads, paper clips, scissors, etc.
- Pick up Clerk bags from SOE date to be determined by SOE.
- Arrange for Precinct clerks to pick up county bags and supplies from your office.
- Canvassing Board must attend Canvassing Board meeting called by the SOE to canvass absentee ballots.
- Retrieve CD of Voter Registration list from assigned location, provide to Precinct Advisor or Clerk.
- Download Precinct add-on sheets from SOE, provide to Clerk or deliver prior to polls opening on election day.
- Email final Poll Worker list to SOE.

Time Line, Election Day

March

- March 11, 2014 Election Day. Canvassing Board must be present at SOE office after polls close to canvass any questionable provisional and/or absentee ballots and tabulation of the ballots.
- Contact winners to advise date and time for administering Oath of Office.
- Prepare Oaths of Office and Certificates for newly elected officials.
- Process payment for poll workers and polling locations.
- Canvassing Board must attend Post Election Audit meeting called by the SOE to audit the results of your election.

Time Line, Run-Off

March Run-Off

- Notify Poll Workers.
- Notify Polling Locations.
- Advertise Sample Ballot.
- Canvassing Board to attend L&A testing scheduled by SOE.
- Pick up of election supplies.
- Canvassing Board must attend Canvassing Board meeting called by the SOE to canvass absentee ballots.
- Run-Off 03-25-2014. Canvassing Board must be present at SOE office after polls close to canvass any questionable and/or absentee ballots.
- Canvassing Board must attend Post Election Audit meeting called by the SOE to audit the results of your election.

Time Line, Post-Election

Close Out

- Prepare Oaths of Office and Certificates for newly elected officials.
- Process payment for poll workers and polling locations.
- Administer Oath of Office and provided Certificate of Election.
- Schedule Orientation of newly elected officials.
- Forward original Form 1 of newly elected officials to SOE or have elected official fill out a new Form 1 and submit to SOE.
- Advise defeated incumbent candidates to file Form 1F within 30 days of leaving their elected office.
- Send termination report reminders to unopposed, opposed, and run-off candidates.

Important Dates

2014 IMPORTANT ELECTION DATES

DATE/TIME	EVENT		REFERENCE(S)
Between 12/29/2013 and 01/27/14	Publish Notice of Election in English and Spanish (2 dates within the 30 days prior to qualifying)	F.S. 100.021 During the 30 days prior to the beginning of qualifying, the Department of State shall have the notice published two times in a newspaper of general circulation in each county;
Friday, January 10, 2014	Treasurer's Report [M] Due 5:00 p.m. Cover Period from Appointment of Treasurer Form was Filed or 12/01/13 Through 12/31/13	F.S. 106.07(1)	Each campaign treasurershall file regular reports ... shall be filed on the 10th day following the end of each calendar month ...
TBD by SOE	Deadline for Annexation submittal		
Friday, January 17, 2014	Last day to submit Resign to Run (at least 10 days prior to 1st day of qualifying)	F.S. 99.012(3)	(c) The written resignation must be submitted at least 10 days prior to the first day of qualifying for the office he or she intends to seek.
Tuesday, January 28, 2014	Qualifying Opens at 12:00 Noon	..Laws of Florida - Chapter 83-498	
TBD by SOE	Ballot Question Deadline to SOE, Noon		

Important Dates

2014 IMPORTANT ELECTION DATES

DATE/TIME	EVENT	REFERENCE(S)	
Monday, February 10, 2014	Treasurer's Report [M] due by 5:00 p.m. Cover period 01-01-2014 thru 01-31-2014	F.S. 106.07(1)	Each campaign treasurer ... shall file regular reports ... shall be filed on the 10th day following the end of each calendar month ...
Monday, February 10, 2014	Voter Registration Books Close (29 days prior to Election)	F.S. 97.055	The registration books must be closed on the 29th day before each election.
Tuesday, February 11, 2014	Qualifying Ends at 12:00 Noon	...Laws of Florida - Chapter 83-498	
Tuesday, February 11, 2014	Contribution Deadline for Unopposed Candidates	F.S. 106.08(3)	(b) Any contribution received by a candidate or by the campaign treasurer or a deputy campaign treasurer of a candidate after the date at which the candidate withdraws his or her candidacy, or <u>after the date the candidate is defeated, becomes unopposed,</u> or is elected to office must be returned to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.
ASAP	Process payment for State Assessment Fee(s) - Deadline is Thursday, March 13, 2014.	F.S. 99.093 Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund.	Florida Elections Commission, 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, FL 32399-1050

Important Dates

2014 IMPORTANT ELECTION DATES

DATE/TIME	EVENT		REFERENCE(S)
Friday, February 14, 2014	Treasurer's Report [25th] due by 5:00 p.m. Cover period 02-01-2014 thru 02-07-2014	F.S. 106.07(1)(b) and (2)(a)(1)	(1)(b) Any other candidate ... required to file reports with a filing officer other than the division must file reports.... The 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the ... general election. (2)(a)(1) Reports ... must contain information on all previously unreported contributions received and expenditures made as of the preceding Friday, ...
Friday, February 14, 2014	Deadline to submit Candidate Names to SOE by 5:00 p.m.	Email to Tony Enos at tony@pbcelections.org	
ASAP	Publish "Notice to Voters" and Sample Ballot in English and Spanish (must be prior to Election)	F.S. 101.20	Upon completion of the list of qualified candidates, a sample ballot shall be published by the supervisor of elections in a newspaper of general circulation in the county, prior to the day of election.
TBD by SOE	Attend L&A Testing		
Monday, February 24, 2014	Book Closing for Run-Off Election	F.S. 97.055	The registration books must be closed on the 29th day before each election.
Tuesday, February 25, 2014	Noon, Deadline for Candidates to Submit Poll Room Watcher Names	F.S. 101.131(2)	candidate requesting to have poll watchers shall designate, in writing to the supervisors of elections, on a form prescribed by the division, before noon of the second Tuesday preceding the election.
Friday, February 28, 2014	Treasurer's Report [11th] due 5:00 p.m. Cover period 02-08-2014 thru 02-21-2014		(1)(b) Any other candidate ... required to file reports with a filing officer other than the division must file reports.... The 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the ... general election. (2)(a)(1) Reports ... must contain information on all previously unreported contributions received and expenditures made as of the preceding Friday, ...

Important Dates

2014 IMPORTANT ELECTION DATES

DATE/TIME	EVENT		REFERENCE(S)
Tuesday, March 04, 2014	Deadline to verify Poll Watchers	F.S. 101.31(2)	poll watchers for polling rooms shall be approved by the supervisor of elections on or before the Tuesday before the election.
Thursday, March 06, 2014	Contribution Deadline @ Midnight (General Election)	F.S. 106.08(3)	Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days prior to the day of that election must be returned.
Friday, March 07, 2014	Treasurer's Report [4th] due 5:00 p.m. Cover Period 02-22-2014 thru 03-06-2014	F.S. 106.07(1)(b) and 106.07(2)(a)1	(1)(b) Any other candidate ... required to file reports with a filing officer other than the division must file reports.... The 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the ... general election. (2)(a)1 Reports ... <u>except that the report filed on the Friday immediately preceding the election must contain information on all previously unreported contributions received and expenditures made as of the day preceding that designated due date:</u> ...
Tuesday, March 11, 2014	ELECTION DAY		

Important Dates

2014 IMPORTANT ELECTION DATES

DATE/TIME	EVENT	REFERENCE(S)	
ASAP	Publish Run-Off Sample Ballot in English and Spanish		
Thursday, March 13, 2014	Deadline to submit State Assessment Fee(s)	F.S. 99.093	Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund.
Thursday, March 20, 2014	Contribution Deadline @ Midnight (Run-Off Election)	F.S. 106.08(3)	Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days prior to the day of that election must be returned.
Friday, March 21, 2014	Run-off Treasurer's Reports [4th] Due 5:00 p.m. Covers period 03-07-2014 thru 03-20-2014	F.S. 106.07(1)(b) and 106.07(2)(a)1	(1)(b) Any other candidate ... required to file reports with a filing officer other than the division must file reports.... The 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the ... general election. (2)(a)(1) Reports <u>except that the report filed on the Friday immediately preceding the election must contain information on all previously unreported contributions received and expenditures made as of the day preceding that designated due date:</u> ...
Tuesday, March 25, 2014	RUN-OFF ELECTION		

Important Dates

2014 IMPORTANT ELECTION DATES

DATE/TIME	EVENT	REFERENCE(S)	REFERENCE(S)
Monday, April 28, 2014	Deadline to send Termination Reminder Letters to Unopposed Candidates	F.S. 106.141(7)(b)	The filing officer shall notify each candidate at least 14 days before the date the report is due.
Monday, May 12, 2014	Unopposed Candidates - Final (90 day) Treasurer's Report [TR] due by 5:00 p.m. Covers period from 03-21-14 thru 5/12/14 or the date submitted	F.S. 106.07(1)(c)	Following the last day of qualifying for office, any unopposed candidate need only file a report within 90 days after the date such candidate became unopposed. Such report shall contain all previously unreported contributions and expenditures as required by this section and shall reflect disposition of funds as required by s. 106.141.
Monday, May 26, 2014, CAUTION - THIS IS A HOLIDAY	Deadline to send Termination Reminder Letters to Opposed Candidates	F.S. 106.141(7)(b)	The filing officer shall notify each candidate at least 14 days before the date the report is due.
Monday, June 09, 2014	Deadline to send Termination Reminder to Run-Off Candidates	same as above	Same as above.
Monday, June 09, 2014	Opposed Candidates - Final (90 day) Treasurer's Report (TR) due 5:00 p.m. Covers 03-07-2014 thru 06-9-2014	F.S. 106.141(1)	Each candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office shall, within 90 days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds. Such candidate shall not accept any contributions, nor shall any person accept contributions on behalf of such candidate, after the candidate withdraws his or her candidacy, becomes unopposed, or is eliminated or elected.
Monday, June 23, 2014	Run-off Candidates - Final (90 day) Treasurer's Reports (TR) Due 5:00 p.m. Covers period 03-21-2014 thru 06-23-2014	same as above	Same as above.

Important Dates – How to Calculate

If your municipal election is held outside the Uniform Election date (second Tuesday in March), you can easily calculate your election calendar / timeline by using the date of your election and accessing the below website:

<http://www.timeanddate.com/date/dateadd.html>

Legal Notices

LANGUAGE REQUIREMENTS

The Voting Rights Act (VRA) of 1965, and expanded in 1975, requires states and counties with substantial populations of those protected language minorities (American Indians, Asian Americans, Alaskan Natives, and citizens of Spanish Heritage) to provide ballot and election materials in languages other than English.

Although the bilingual ballot provisions like other parts of the VRA were originally intended to be temporary remedies, they renewed in 1982, 1992, and again in 2006 for another 25 years.

Eleven counties in Florida, **including Palm Beach, are required to provide Spanish-language ballots, including Spanish-language advertisements,** because of their Hispanic populations. The counties must also have at least one Spanish-speaking poll worker to provide assistance to voters and conduct bi-lingual voter education.

Legal Notices

NOTICE OF QUALIFYING AND ELECTION

F.S. 100.021 Notice of general election.—The Department of State shall, in any year in which a general election is held, make out a notice **stating what offices and vacancies are to be filled** at the general election in the state, and in each county and district thereof. During the **30 days prior to the beginning of qualifying**, the Department of State shall have the notice published two times in a newspaper of general circulation in each county; and, in counties in which there is no newspaper of general circulation, it shall send to the sheriff a notice of the offices and vacancies to be filled at such general election by the qualified voters of the sheriff's county or any district thereof, and the sheriff shall have at least five copies of the notice posted in conspicuous places in the county.

LEGAL NOTICE

NOTICE OF GENERAL ELECTION

Notice is hereby given that the City of Belle Glade, Florida, will hold its General Election on Tuesday, March 13, 2012, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing three commissioners, each for a term of three (3) years. There will be one commissioner elected representing Seat "C", one commissioner elected representing Seat "D", and one commissioner elected representing Seat "E". Candidates must be a qualified elector of the City of Belle Glade for at least six (6) months prior to the beginning of qualifying.

The first day for qualifying begins January 31, 2012, at noon, and the final day for qualifying is February 14, 2012, at noon. Candidates must file in person with the City Clerk at City Hall, 110 Dr. Martin Luther King, Jr. Blvd., West, Belle Glade, Florida, during regular office hours (Monday through Thursday, 7:30 a.m. to 6:30 p.m.) until said date and time. Each candidate shall be voted upon by the electorate at large.

Registered voters in Precincts 6016, 6018, 6020, 6026, 6028, 6029 and 6030 are qualified to vote in this election. To qualify as a registered voter for this General Election, you must register with the Palm Beach County Supervisor of Elections by February 13, 2012.

In the event that no candidate receives a majority of the votes cast for the particular office that such candidate seeks in this particular election, a Run-Off Election shall be held on Tuesday, March 27, 2012, between the two candidates who receive the largest number of votes for that particular seat. To qualify as a registered voter for the Run-Off Election, you must register with the Palm Beach County Supervisor of Elections by February 27, 2012.

CITY OF BELLE GLADE
DEBRA R. BUFF, CMC
CITY CLERK/SUPERVISOR OF ELECTIONS

PUBLISH: The Sun; January 5 and 19, 2012
The Palm Beach Post; January 5 and 19, 2012
The eLatino; January 6 and 20, 2012

Legal Notices

F.S. 101.20 **Publication of ballot** form; sample ballots.—(1) **Two sample ballots shall be furnished to each polling place** by the officer whose duty it is to provide official ballots. The sample ballots shall be in the form of the official ballot as it will appear at that polling place on election day. Sample ballots shall be open to inspection by all electors in any election, and a sufficient number of reduced-size ballots may be furnished to election officials so that one may be given to any elector desiring same.

(2) Upon completion of the list of qualified candidates, a **sample ballot shall be published by the supervisor of elections in a newspaper of general circulation in the county, prior to the day of election.** If the county has an addressograph or equivalent system for mailing to registered electors, a sample ballot may be mailed to each registered elector or to each household in which there is a registered elector, in lieu of publication, at least 7 days prior to any election.

SAMPLE BALLOT - MUESTRA DE BOLETA

OFFICIAL BALLOT
BOLETA OFICIAL

CITY OF BELLE GLADE - GENERAL ELECTION
CIUDAD DE BELLE GLADE - ELECCION GENERAL

PALM BEACH COUNTY, FLORIDA
CONDOMIO DE PALM BEACH, FLORIDA

MARCH 13, 2012
13 DE MARZO DE 2012

TO VOTE, COMPLETE THE INFORMATION ON THE BACK OF YOUR CHOICE CARD. DO NOT WRITE OR SIGN ON THIS SIDE. IF YOU REQUIRE ASSISTANCE, CALL 561-656-6200.
PARA VOTAR, COMPLETE LA INFORMACION EN EL REVERSO DE SU TARJETA DE ELECCIONES. NO ESCRIBA NI FIRMES EN ESTE LADO. SI NECESITA AYUDA, LLAME AL 561-656-6200.

CITY OF BELLE GLADE MAYOR GENERAL ELECTION		
2012 Election Admission Card ID NUMBER		
William Green, Jr.	---	---
Larry Underwood	---	---
2012 Election Admission Card ID NUMBER		
Johnny Burroughs, Jr.	---	---
Ralph Webster	---	---

YOUR POLLING LOCATION is listed on your Voter ID Card. You must notify the Elections Office if you move from the address listed on your Voter ID Card. If you are unsure of the polling location of your new precinct, call 561-656-6200.
The polls are open from 7:00 A.M. to 7:00 P. M. on Election Day.
SU CENTRO ELECTORAL está nombrado en su Tarjeta de Identificación Electoral. Tendrá que informar a la Oficina de Elecciones si se muda de la dirección nombrada en su Tarjeta de Identificación Electoral. Si no está seguro del lugar donde debe votar en su nuevo distrito electoral, llame al 561-656-6200.
LAS URNAS ESTAN ABIERTAS DE LAS 7 AM A LAS 7 PM EL DIA DE LAS ELECCIONES.

CURRENT AND VALID PICTURE AND SIGNATURE ID IS REQUIRED when you go to your polling place to vote. Each elector is required to present a current and valid Florida Driver's License, a Florida Identification Card, or any other acceptable picture ID listed under F.S. 101.063.
SE REQUIERE IDENTIFICACION VALIDA Y VIGENTE CON SU FOTOGRAFIA Y FIRMA cuando usted va a los centros de votación a emitir su voto. Cada elector deberá presentar la licencia de conducir de la Florida, Tarjeta de identificación de la Florida válida y vigente o cualquier otra identificación con foto aceptable bajo la lista del F.S. 101.063.

Legal Notices



PUBLIC NOTICE
2012 GENERAL CITY ELECTION

TO: ALL REGISTERED VOTERS OF THE CITY OF BELLE GLADE

Waiting time will be reduced if you bring your current and valid picture identification bearing your signature to the polls on Election Day - Tuesday, March 13, 2012 and, if a Run-Off is necessary, on March 27, 2012. However, all registered voters will be permitted to vote, even if you fail to bring proper identification, by casting a Provisional Ballot.

Only those qualified registered voters living within the corporate limits of the City of Belle Glade, who are registered in Precinct 6016, 6018, 6020, 6026, 6028, 6029, or 6030, may vote in Belle Glade City elections. Voters shall cast their vote at their designated precinct being one of the following locations: Belle Glade Elementary School, Belle Glade Elks Lodge, Boys & Girls Club, or Lake Shore Civic Center. Please check your voter's registration card for the location of your precinct.

CITY OF BELLE GLADE

DEBRA R. BUFF, CMC
CITY CLERK/SUPERVISOR OF ELECTIONS

PUBLISH:
The Sun - March 8, 2012
The Palm Beach Post - March 9, 2012
eLatino - March 9, 2012

Notice to Voters
Sample

NOT REQUIRED BY LAW

Legal Notices

Notice of Election/Precinct/Absentee Voting Sample

ATTENTION:

BELLE GLADE REGISTERED VOTERS



The City of Belle Glade's March 13, 2012 Election, to fill two City Commission Seats, is soon approaching. Only those qualified registered voters living within the corporate limits of the City of Belle Glade, who are registered in Precinct 6016, 6018, 6020, 6026, 6028, 6029, or 6030, may vote in City elections.

If you are not able to go to the polls on election day to cast your ballot, you may obtain an absentee ballot at the Palm Beach County's Glades Office Building located on the 2nd Floor at 2976 State Road 15 (corner of North Main and State Road 80) in Belle Glade, or you, or someone designated by the voter, may request an absentee ballot from the Palm Beach County Supervisor of Elections office, in person, by mail, on-line at www.pbcelections.org, or by calling (toll free) 1-866-868-3321. Remember to bring current and valid picture and signature identification, such as a driver's license, or some form of photo identification bearing your photo and signature. If you do not have a photo/signature ID, you will be required to vote a provisional ballot.

CITY OF BELLE GLADE

DEBRA R. BUFF, CMC, CITY CLERK/SUPERVISOR OF ELECTIONS

NOT REQUIRED BY LAW

Legal Notices

Special Elections or Referendums

F.S. 100.151 Special elections called by local governing bodies, notice. County commissioners or the governing authority of a municipality **shall not call any special election until notice is given to the supervisor of elections and his or her consent obtained** as to a date when the registration books can be available.

F.S. 100.191 General election laws applicable to special elections; returns. All laws that are applicable to general elections are applicable to special elections or special primary elections to fill a vacancy in office or nomination.

F.S. 100.342 Notice of special election or referendum. In any special election or referendum not otherwise provided for **there shall be at least 30 days' notice** of the election or referendum by publication in a newspaper of general circulation in the county, district, or municipality, as the case may be. The publication shall **be made at least twice, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held.** If there is no newspaper of general circulation in the county, district, or municipality, the notice shall be posted in no less than five places within the territorial limits of the county, district, or municipality.

Polling Location(s)

- Acquire signed Polling Location Agreement(s) as soon as possible. (Sample cover letter and Agreement on next slides.)
- Include Run-off date, if applicable.
- Must be able to access Polling Location(s) before and after the Election(s) for delivery and pick up of equipment and no later than 6 a.m. on day of Election(s).
- Be sure to obtain Polling Location emergency contact person's name and contact numbers.

Polling Location(s)

RE: **MUNICIPAL GENERAL ELECTION – TUESDAY, [Insert date of Election]**
POLLING PLACE HOURS – 6:00 a.m. until approximately 8:00 p.m.

Sample Cover Letter

Dear Representatives of Polling Places:

The Palm Beach County Supervisor of Elections informs me that all polling locations have agreed to provide their building for all elections that will be held by the Town or the County. Therefore, I am writing to request the use of your building for the March Municipal Election. In addition, I would like to thank you in advance for your cooperation and assistance!

Please find attached a “Polling Location Agreement” for the Town of Juno Beach Municipal Election that is scheduled for Tuesday, March 13, 2012. This agreement states that the polling place (your facility) must be open by 6:00 a.m. so that poll workers can set up for the election. Your facility will be needed until closing of the polling place about 8:00 p.m. on Election Day.

Enclosed is a Polling Location Agreement. Please complete this Agreement and return to me as soon as possible using the enclosed self-addressed stamped envelope.

The Qualifying and Filing Period for the election **begins** at 12:00 Noon on Tuesday, January 31, 2012 and **closes** at 12:00 Noon on Tuesday, February 14, 2012. I will not know until qualifying ends if there will definitely be an election. Therefore, at the end of the filing period, my office will contact you immediately if there will or will not be an election. In the meantime, until the filing period closes on February 14th, we must continue to plan for the election.

If you have any questions, please call me ***immediately*** (656-0316), as we are depending upon the use of your facility for our March 13, 2012 Municipal Election. As always, thank you for your cooperation and assistance.

Sincerely,

Polling Location(s)

Polling Location Change:

WITH ADVANCED NOTICE – F.S. 101.71(2) When any supervisor moves any polling place pursuant to this subsection, the supervisor shall, **not more than 30 days or fewer than 7 days prior to** the holding of **an election, give notice of the change** of the polling place for the precinct involved, with clear description of the voting place to which changed, **at least once in a newspaper** of general circulation in the county and on the supervisor of elections' website. A notice of the change of the polling place involved **shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.**

NO NOTICE – EMERGENCY – F.S. 101.71(3) In cases of emergency and when time does not permit compliance with subsection (2), the supervisor of elections shall designate a new polling place which shall be accessible to the public on election day and shall cause **a notice to be posted at the old polling place** advising the electors of the location of the new polling place.

Polling Location(s)

Florida Americans With Disabilities Accessibility Implementation Act

All Polling Places must comply with the Florida Americans With Disabilities Accessibility Implementation Act, ss. 553.501-553.513 (F.S. 101.715).

Elements of the Act Include: Accessible Route, Space Allowance and Reach Ranges, Protruding Objects, Ground and Floor Surfaces, Parking and Passenger Loading Zones, Curb Ramps, Ramps, Stairs, Elevators, Platform Lifts, Doors, Entrances, Path of Egress, Controls and Operating mechanisms, signage.

FL Department of State ADA Survey Checklist. Can be downloaded at <http://election.dos.state.fl.us/rules/adopted-rules/pdf/adasurvey.pdf>.

Polling Location(s)

State Division of Elections Rule 1S-2.035 Polling Place Accessibility Survey

“ADA POLLING PLACE SURVEY CHECKLIST”

This survey is a tool to aid county supervisors of elections in determining if particular polling places are accessible and usable by people with disabilities as required by section 101.715 of the Florida Statutes.

<http://election.dos.state.fl.us/rules/adopted-rules/pdf/adasurvey.pdf>

Polling Location(s)

Polling Locations in Public Facilities

F.S. 102.031(3)(a) No person may enter any polling room or polling place where the polling place is also a polling room or any early voting area during voting hours.

The restriction in this subsection does not apply where the polling room is in an area commonly traversed by the public in order to gain access to businesses or home or in an area traditionally utilized as a public area for discussion.

Polling Location(s)

No-Solicitation Zone

- No person or group may solicit voters inside the polling place
- No person or group may solicit voters **within 100 feet** of the entrance to the polling place or early voting site
- Before the polls open, the clerk shall designate the no-solicitation zone and mark boundaries

The words “solicit” and “solicitation” include such things as: Asking someone for his or her vote; Offering to provide someone assistance to vote; Asking for someone’s opinion; Asking for a contribution; Distributing any political or campaign material or handout; Conducting a poll [note exception below]; Asking someone for his or her signature on a petition; or Selling any type of item.

Polling Location(s)

No-Solicitation Zone continued

The ***only exception*** to the no-solicitation law is for exit polling which media or others may conduct. They may approach voters only *after* voters leave the polling place.

The supervisor of elections or the clerk may take any reasonable action to ensure order is maintained at the polling place. That means, if necessary, having law enforcement officers remove disruptive persons from either the polling room or from the no-solicitation zone.

Polling Location(s)

- Visit all Polling Locations Prior to the Election
- Make Sure Equipment is Delivered (it is usually delivered a couple days before the election date)
- Emergency Contact Number for Polling Location

Polling Location(s)

Who IS allowed in the polling room?

(Sections 101.051, 102.031(3), Fla. Stat.)

While the polls are open, the only persons allowed in the polling room on Election Day or during the early voting period are:

- Poll workers
- The supervisor of elections or deputy supervisor of elections
- Voters
- A person (such as an elderly person or a child) in the care of a voter
- A person caring for a voter or assisting a voter (for example, someone assisting a voter who cannot read or does not speak English or assisting an elderly person or a person with disabilities)
- A person who is helping with or participating in a simulated election for minors which has been approved by the supervisor of elections (for example, the Kids Voting program)
- Poll watchers approved by the supervisor of elections
- Election observers appointed by the Department of State
- The public is allowed to enter the polling room and watch the procedures before the polls open and after the polls close and all voters have cast their ballots.

Polling Location(s)

Who **IS NOT** allowed in the polling room?

(Section 102.031, Fla. Stat.)

While the polls are open, the following persons or activities **are not allowed** in the polling room on Election Day or during the early voting period:

- Candidates are not allowed in the polling room except to vote.
- Members of the media are not allowed in the polling room except to vote.
- Law enforcement officers or emergency service personnel in a capacity other than as voter unless permitted by the clerk or a majority of the Election Board.
- No photography by any means is allowed in the polling room or early voting area.

If the polling room is in a location commonly used by the public to gain access to businesses or homes (such as the lobby of a condominium) or in an area traditionally used as public area for discussion (such as a mall), there may be other people traveling through the polling area. However, care should be taken that these people do not interfere with the voting process.

Election (Poll) Workers

F.S. 102.014(1) governs Poll Worker recruitment and training, and is performed by the County SOE.

The SOE will provide names of Poll Workers who have successfully completed the required training.

It is the responsibility of the municipality to contact, contract, schedule and notify of training classes, and pay for poll workers for municipal elections.


You must obtain a W9 Form from each Poll Worker for payroll purposes. This form can be downloaded at <http://www.irs.gov/pub/irs-pdf/fw9.pdf>.

Election (Poll) Workers

Additionally, F. S. 119.071(5)(a)2.a. governs “An agency may not collect an individual’s social security number unless the agency has stated in writing the purpose for its collection and unless it is:

- (I) Specifically authorized by law to do so; or
- (II) Imperative for the performance of that agency’s duties and responsibilities as prescribed by law.”

This paragraph is subject to the Open Government Sunset Review Act in accordance with s. [119.15](#), and shall stand repealed on October 2, 2016, unless reviewed and saved from repeal through reenactment by the Legislature.



City of Belle Glade
Office of the City Clerk

Please sign and return this form to your Clerk, which will be submitted with Timesheet.

NOTICE REGARDING THE COLLECTION AND USE OF YOUR SOCIAL SECURITY NUMBER BY THE CITY OF BELLE GLADE, FLORIDA

Commissioners

Steve B. Wilson
Mayor

Mary S. Kendall
Vice Mayor

Gwendolyn J.L. Asia-Hilley
Treasurer

Michael C. Martin

Shelly S. Miller

Lomax Harrelle
City Manager

Tel: 561-996-0100
Fax: 561-993-1814

www.belleglade-fl.com

March 13, 2012

Subject: Social Security Number Usage

Dear Election Worker:

Pursuant to subparagraph 119.071(5)(a)2.a., *FLORIDA STATUTES*, the City of Belle Glade is providing you with the following statement as a result of the City’s request for your Social Security Number. Your Social Security Number is being collected by the City either because such request is specifically authorized by Law or its use is imperative to the performance of the City’s duties and responsibilities under Law. Your Social Security Number will not be used for any purpose other than as provided below:

THE CITY OF BELLE GLADE, FLORIDA, COLLECTS YOUR SOCIAL SECURITY NUMBER FOR THE FOLLOWING PURPOSES: CLASSIFICATION OF ACCOUNTS; IDENTIFICATION AND VERIFICATION; CREDIT WORTHINESS; BILLING AND PAYMENTS¹; DATA COLLECTION; RECONCILIATION; TRACKING; BENEFIT PROCESSING; AND TAX REPORTING. SOCIAL SECURITY NUMBERS ARE ALSO USED AS A UNIQUE, NUMERIC IDENTIFIER AND MAY BE USED FOR SEARCH PURPOSES.

If you should have any questions, please don’t hesitate to contact me.

Sincerely,
Debra R. Buff, CMC
City Clerk/Supervisor of Elections

I declare that I have read and previously received a copy of the foregoing notice.

Signature of Election Worker _____ Date _____

Please print your name: _____

¹ In simple terms, your social security number has been collected and will be used to process payment for your services as a poll worker.

110 Dr. Martin Luther King, Jr. Blvd., West • Belle Glade, Florida 33430-3900

Election (Poll) Workers

The current rate of pay per election is:

Clerk: \$265.00

Precinct Advisor: \$205.00

Inspector: \$185.00

Precinct Deputy: \$170.00

Rate of pay includes Election Day pay, Poll Worker training pay, election night return and/or CD pickup pay if applicable.

Election (Poll) Workers

If you are not familiar with your Precinct Clerk, it is recommended that you meet with him/her prior to the election to review election night procedures, make arrangements to pick up Clerk bag (prepared by the SOE), address any questions/concerns they or you may have, determine which Poll Worker will be responsible to deliver election cartridges to Regional Drop Off, etc.

Securing Standby Poll Workers is encouraged.

Election (Poll) Workers

Rule IS-2.034: Polling Place Procedure Manual

The Department of State, Division of Elections, is required to create a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws. Form DS-DE 11 (effective 1/2012), entitled “Polling Place Procedures Manual” is available at:

<https://www.flrules.org/gateway/reference.asp?NO=Ref-00946>.

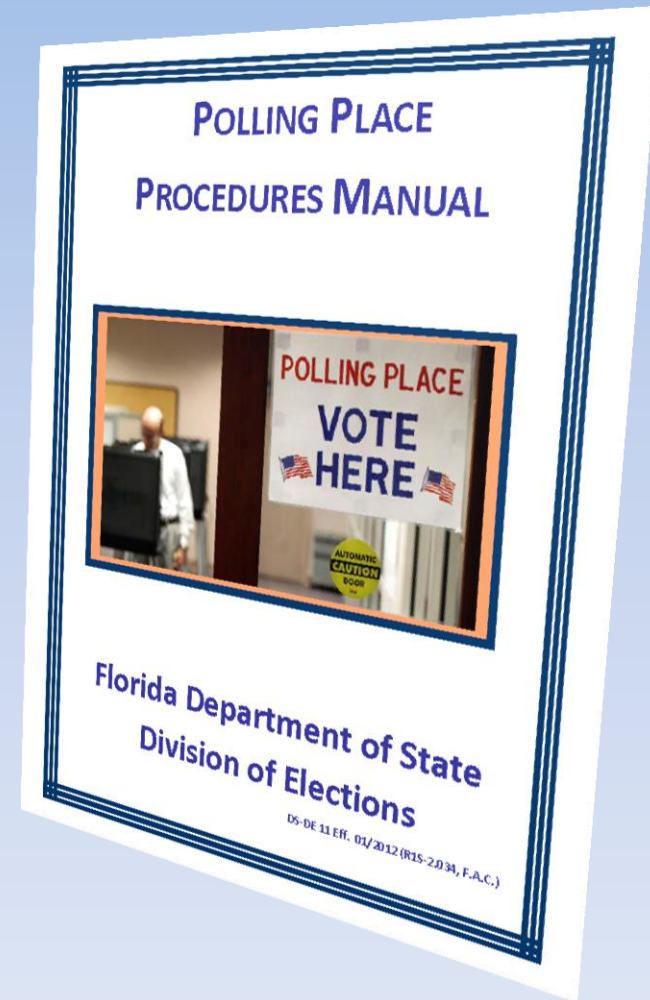
Election (Poll) Workers

Division of Elections Rules

1S-2.034 Polling Place Procedures Manual.

The Department of State, Division of Elections, is required to create a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws. Form DS-DE 11 (eff. 01/2012), entitled “Polling Place Procedures Manual,” is hereby incorporated by reference and available at link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-00937>. The form is also available from the Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850)245-6200, or by download from the Division of Elections’ rules webpage at: <http://election.dos.state.fl.us/index.html>.

Rulemaking authority 20.10(3), 97.012(1), 102.014(5) FS. Law Implemented 102.014(5) FS. History—New 7-4-02, Amended 1-25-04, 3-16-06, 01-01-08, 08-13-08, 08-25-10, 01-18-12.



Election (Poll) Workers

Polling Place Procedure Manual

- Defines Election Board and Misc. Provisions
- Sample Polling Room Diagram
- Rules for the Polling Room
- Voter Eligibility
- Voting Process
- Ballot Accounting
- Interacting with Voters
- Voter's Bill of Rights and Responsibilities

Candidate Packets

Check List:

DS-DE 9;	Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates
DS-DE 84;	Statement of Candidate (file within 10 days of filing DS-DE 9)
DS-DE25;	Candidate Oath - Nonpartisan Office
Form 1;	Statement of Financial Interests
	Affidavit of Undue Burden (if applicable)
	Acknowledgement of Certification of L&A*
	Canvassing Board Meetings, Schedule
	Candidate and Campaign Treasurer Handbook*
	Campaign Treasurer's Reporting Schedule
	Campaign Treasurer's Reporting Forms
	DS-DE 12; Report Summary
	DS-DE 13; Itemized Contributions
	DS-DE 14; Itemized Expenditures
	DS-DE 87; Waiver of Report
	DS-DE 2; Contributions Returned
	DS-DE 86; Request for Return of Contributions
DS-DE 125;	Designation of Poll Watchers

List of Precincts and Polling Locations*
Polling Location Rules*
Florida and Municipal Laws governing Campaign Signs*
Compilation of Election Laws*
Florida Commission on Ethics Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees*
Gifts Law*
Palm Beach County Code of Ethics and Ethics Pledge*
Municipal Charter and Code governing Elections*
Municipal Charter and Code governing responsibilities of elected officials*
How to file a complaint of alleged violation of Election Laws*

***Not required by State Law, but highly recommended (CYA)**

Candidate Packets

Should include:

1. Candidate Information sheet:
Seats up for election; Qualifying
Period; Voter Registration Book
Closing Dates; and Election
Dates.

<p style="text-align: center;"><u>SEATS UP FOR ELECTION:</u></p> <p>The purpose of the upcoming Election will be to fill the following Seats, currently held by:</p> <p style="text-align: center;"><u>SEAT "C"</u> – William A. Grear, Jr. <u>SEAT "D"</u> – Mary Ross Wilkerson <u>SEAT "E"</u> – Gwendolyn Asia-Holley</p>
<p style="text-align: center;"><u>QUALIFYING PERIOD FOR BELLE GLADE CITY COMMISSION</u> <small>(Chapter 99-450 Laws of Florida)</small></p> <p style="text-align: center;">Opens promptly at Noon on January 31, 2012 and Closes promptly at Noon on February 14, 2012</p> <p style="text-align: center;">When you are prepared to qualify, <i>please make an appointment with the City Clerk by calling 996-0100, extension 114.</i></p>
<p style="text-align: center;"><u>VOTER REGISTRATION BOOK CLOSING DATE(S):</u></p> <p style="text-align: center;">General Election – Monday, February 13, 2012 Run-Off Election – Monday, February 27, 2012</p>
<p style="text-align: center;"><u>ELECTION DATE(S):</u></p> <p style="text-align: center;">General Election March 13, 2012 Run-Off Election, if necessary, March 27, 2012</p>

Candidate Packets

Should include:

2. Instructions on “Becoming a Candidate – How the Process Works”.

Explains steps to be taken, what to file and when, amount of the filing fee, and other requirements.

Becoming a Candidate – How the Process Works

MOST IMPORTANTLY - DO NOT accept any contributions or make any expenditures on behalf of your candidacy, DO NOT open a campaign bank account, until you have filed the appropriate documentation with the City Clerk/Filing Officer¹ of the City of Belle Glade.

WHAT IS A CANDIDATE

A candidate is any person who:

1. Appoints a treasurer and designates a primary depository.
2. Files qualification papers and subscribes to a candidate's oath as required by law.
3. Receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office.

(Section 106.011(16), F.S.)

(Continued on next page)

¹ **FILING OFFICER.** The filing officer is the person before whom a candidate qualifies. For a municipal election, the filing officer is the Municipal Clerk. *(Section 106.011(16), F.S.)*

Candidate Packets

HOW TO BECOME A CANDIDATE (The Process)

NOTE: All "Candidate Filing Forms" can be located under Tab No. 3 of this Handbook, unless specified otherwise.

The filing of Form DS-DE9 must be filed before opening your campaign banking account².

Step One:

Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, is the first document that must be filed with the filing officer to become a candidate. At the same time, the candidate must designate the office for which he or she is running. A candidate can appoint a campaign treasurer and designate a campaign depository at any time, but no later than the date the candidate qualifies for office. Nothing prohibits a person from announcing their intention to become a candidate prior to filing DS-DE 9, as long as no contributions are received and no expenditures are made.

FORM DS-DE 9:

1. Shall be filed with the filing officer prior to opening the campaign account.
2. Is not effective until the campaign treasurer signs it and it is filed with the filing officer.
3. It is not considered filed upon mailing.
4. Shall be on file with the filing officer prior to the candidate accepting contributions or making expenditures, or authorizing another to accept contributions or make expenditures on the person's behalf.

Once this form is filed you must file periodic Treasurer Reports throughout your campaign as outlined in Section 4 of this Handbook, and depending upon the date you file, you may be required to file additional Treasurer Reports.

(Continued on next page)

² After you have been determined to be a Belle Glade registered voter for at least six months prior to the beginning of qualifying the City Clerk/Filing Officer will issue a letter to your selected bank providing authorization to open your campaign account. This account must be separate from any personal or other accounts and used solely for your campaign. The campaign checks must contain specific information, which is outlined in the enclosed "Candidate and Campaign Treasurer Handbook", as well as instructions on how to set up the financial records for your campaign.

HOW TO BECOME A CANDIDATE (The Process) CONTINUED:

Step Two:

Form DS-DE 84, Statement of Candidate, must be filed with the filing officer **within ten (10) days after filing Form DS-DE 9**. This form states that the candidate has received, read, and understands the requirements of Chapter 106, F.S. The execution and filing of the statement of candidate does not in and of itself create a presumption that any violation of Chapter 106, F.S., or Chapter 104, F.S., is a willful violation as defined in Section 106.37, F.S.

(Section 106.023, F.S.)

Step Three:

During the qualifying period, which opens promptly at Noon on January 31, 2012 and closes promptly at Noon on February 14, 2012³, you must provide the following to the City Clerk/Filing Officer:

Produce:

- 1) Proof of Residency⁴ (driver's license, utility bill in your name, etc.)
- 2) Voter Registration Card

Submit:

1. **Form DS-DE 25, Oath of Candidate**. This form is mandated by Florida Statutes.
2. **City of Belle Glade Candidate Oath**. This Oath is required by City Charter, and all candidates filing for Public Office with the City of Belle Glade must take an Oath administered by the City Clerk/Filing Officer.

(Continued on next page)

³ Chapter 23-498 Laws of Florida

⁴ On December 7, 2010, Ordinance No. 10-12 was adopted that amended the City's Charter to provide for the following: Each candidate for the city commission shall be a qualified elector (voter) and resident of the City of Belle Glade as provided in Section 6-15 of this Chapter. Each candidate for the city commission shall, at the time he or she qualifies as a candidate, subscribe to an oath to be filed in the public records of the city which shall be substantially as follows: "I am a citizen of the United States, I am a bona fide resident and qualified elector (voter) of Belle Glade and have been a bona fide resident and qualified elector (voter) of the City of Belle Glade for at least six (6) months prior to the beginning of the qualification period for office." No person shall be qualified as a candidate for the city commission in the City of Belle Glade unless that person is a duly registered elector (voter) of the city for at least six (6) months prior to the beginning of the qualification period for office and has established residency in the city for at least six (6) months prior to the beginning of the qualification period for office. Any person desiring to qualify as a candidate for city commission must present to the city clerk all documentation and fees required by state law and Belle Glade Ordinance Section 9-4, as they may be amended from time to time, upon the person's election of office as well as a duly executed, dated (voter) of the city and meets the above-enumerated residency requirements. All documentation and fees required by state law as well as by City Charter and city ordinance shall be submitted to the city clerk no earlier than upon the last Tuesday in January, nor later than noon on the second Tuesday in February in the calendar year in which the election is to be held. The city clerk is not responsible for verifying that all documentation submitted by a candidate meets the qualification requirements, and the person shall remain in office after having been elected if at any time during the term of office such person fails to meet the qualifications necessary for re-election. Should such failure to maintain qualifications occur, it shall be deemed that the individual has resigned and the vacancy in such elective office shall be filled in accordance with Section 9-4 of the City Code of Ordinances and State Law.

Candidate Packets

HOW TO BECOME A CANDIDATE (The Process) CONTINUED:

Step Two:

Form DS-DE 84, Statement of Candidate, must be filed with the filing officer **within ten (10) days after filing Form DS-DE 9**. This form states that the candidate has received, read, and understands the requirements of Chapter 106, F.S. The execution and filing of the statement of candidate does not in and of itself create a presumption that any violation of Chapter 106, F.S., or Chapter 104, F.S., is a willful violation as defined in Section 106.37, F.S.

(Section 106.023, F.S.)

Step Three:

During the qualifying period, which **Opens promptly at Noon on January 31, 2012 and Closes promptly at Noon on February 14, 2012³**, you must provide the following to the City Clerk/Filing Officer:

Produce:

- 1) Proof of Residency⁴ (driver's license, utility bill in your name, etc.)
- 2) Voter Registration Card

Submit:

1. **Form DS-DE 25, Oath of Candidate**. This form is mandated by Florida Statutes.
2. **City of Belle Glade Candidate Oath**. This Oath is required by City Charter, and all candidates filing for Public Office with the City of Belle Glade must take an Oath administered by the City Clerk/Filing Officer.

(Continued on next page)

³ Chapter 33-498 Laws of Florida

⁴ On December 7, 2010, Ordinance No. 10-12 was adopted that amended the City's Charter to provide for the following: Each candidate for the city commission shall be a qualified elector (voter) and resident of the City of Belle Glade as provided in Section 6-1.3 of this Chapter. Each candidate for the city commission shall, at the time he/she qualifies as a candidate, subscribe to an oath to be filed in the public records of the city which shall be substantially as follows: "I am a citizen of the United States, I am a bona fide resident and qualified elector (voter) of Belle Glade and have been a bona fide resident and qualified elector (voter) of the City of Belle Glade for at least six (6) months prior to the beginning of the qualifying period for office". No person shall be qualified as a candidate for the city commission in the City of Belle Glade unless that person is a duly registered elector (voter) of the city for at least six (6) months prior to the beginning of the qualifying period for office and has established residency in the city for at least six (6) months prior to the beginning of the qualifying period for office. Any person desiring to qualify as a candidate for city commission must appear to the city clerk at the commission and perform as required by state law and Belle Glade Ordinance, Section 9-5, as they may be amended from time to time, provide that the person seeking office is either a duly registered elector (voter) of the city and meets the above-stated residency requirements. All documentation and fees required by state law as well as by City Charter and city ordinance shall be submitted to the city clerk no earlier than noon on the last Tuesday in January nor later than noon on the second Tuesday in February in the calendar year in which the election is to be held. The City clerk is not responsible for verifying that the documentation submitted by a candidate meets the qualification requirements, and No person shall remain in office after having been elected if at any time during the term of office such person fails to meet the qualifications necessary for candidacy. Should such failure to maintain qualifications occur, it shall be deemed that the individual has resigned and the vacancy in such elective office shall be filled in accordance with Section 9-5 of the City Code of Ordinances and State Law.

Candidate Packets

Should include:

3. Candidate Filing Forms:

➤ **Form DS-DE 9: Appointment of Campaign Treasurer and Designation of Campaign Depository for a Candidate** [governed by F.S. 106.021(1)]:

1. Shall be filed with the filing officer **prior** to opening the campaign account.

Note: The campaign depository should not be opened until after the DS-DE 9 is on file with the filing officer.

2. Is not effective until the campaign treasurer signs it and it is filed with the filing officer.

3. Is considered “filed” only when the filing officer receives the form, not upon mailing.

4. Shall be on file with the filing officer **prior** to the candidate accepting any contributions or making any expenditures, or authorizing another to accept contributions or make expenditures on the person’s behalf.

5. Shall be on file with the filing officer **prior** to obtaining signatures on a DS-DE 104, Candidate Petition.

6. Candidate declares office sought.

➤ Form can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

3. Candidate Filing Forms:

- **Form DS-DE 9** – Banks are starting to require candidates to obtain an Employer Identification Number (EIN). The next slides will provide more detail on obtaining an EIN.

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES (Section 106.021(1), F.S.) (PLEASE PRINT OR TYPE)		OFFICE USE ONLY		
NOTE: This form must be on file with the qualifying officer before opening the campaign account.				
1. CHECK APPROPRIATE BOXES: <input type="checkbox"/> Initial Filing of Form Re-filing to Change: <input type="checkbox"/> Treasurer/Deputy <input type="checkbox"/> Depository <input type="checkbox"/> Office <input type="checkbox"/> Party				
2. Name of Candidate (in this order: First, Middle, Last)		3. Address (include post office box or street, city, state, zip code)		
4. Telephone ()	5. E-mail address			
6. Office sought (include district, circuit, group number)		7. If a candidate for a nonpartisan office, check if applicable: <input type="checkbox"/> My intent is to run as a Write-In candidate.		
8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a <input type="checkbox"/> Write-In <input type="checkbox"/> No Party Affiliation <input type="checkbox"/> _____ Party candidate.				
9. I have appointed the following person to act as my: <input type="checkbox"/> Campaign Treasurer <input type="checkbox"/> Deputy Treasurer				
10. Name of Treasurer or Deputy Treasurer				
11. Mailing Address		12. Telephone ()		
13. City	14. County	15. State	16. Zip Code	17. E-mail address
18. I have designated the following bank as my: <input type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository				
19. Name of Bank		20. Address		
21. City	22. County	23. State	24. Zip Code	
<small>UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.</small>				
25. Date		26. Signature of Candidate X		
27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)				
I, _____, do hereby accept the appointment				
(Please Print or Type Name)				
designated above as: <input type="checkbox"/> Campaign Treasurer <input type="checkbox"/> Deputy Treasurer.				
Date _____		X Signature of Campaign Treasurer or Deputy Treasurer		
DS-DE 9 (Rev. 10/10)		Rule 15-2.0001, F.A.C.		

- Form can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

How to Apply for an EIN (Employer Identification Number)

<http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/How-to-Apply-for-an-EIN>

Apply Online:

The [Internet EIN](#) application is the preferred method for customers to apply for and obtain an EIN. Once the application is completed, the information is validated during the online session, and an EIN is issued immediately. The online application process is available for all entities whose principal business, office or agency, or legal residence (in the case of an individual), is located in the United States or U.S. Territories. The principal officer, general partner, grantor, owner, trustor etc. must have a valid Taxpayer Identification Number (Social Security Number, Employer Identification Number, or Individual Taxpayer Identification Number) in order to use the online application.

Candidate Packets

IRS.gov [Help](#) | [Apply for New EIN](#) | [Exit](#)

EIN Assistant

Your Progress: **1. Identify** | 2. Authenticate | 3. Addresses

Please confirm your selection.

Confirm your selection of **Political Organization** as the type of structure applying for an EIN.

What it is...

- A political organization is a party, committee, association, or fund (including a separate segregated fund described in section 527(f)(3) set up by a section 501(c) organization, or other organization)
- A political organization is organized and operated primarily for the purpose of:
 - Accepting contributions, making contributions, or both
 - Influencing the selection, nomination, election, or appointment of any individual to any public office or office in a political organization.

If you need to change your type of structure, we recommend that you do so **now**, otherwise you will have to start over and re-enter your information. Additional help may be found by reviewing [all types of organizations and structures](#) before making your selection.

[<< Change Type](#) [Continue >>](#)

Candidate Packets

Should include:

3. Candidate Filing Forms:

➤ **Form DS-DE 84: Statement of Candidate** [governed by F.S. 106.023] must be filed with the filing officer within 10 days after filing Form DS-DE 9. This form states that the candidate has been provided access to read and understand the requirements of Chapter 106, F.S. The execution and filing of the statement of candidate does not in and of itself create a presumption that any violation of Chapter 106, F.S., or Chapter 104, F.S., is a willful violation as defined in Section 106.37, F.S.

The image shows a tilted document titled "STATEMENT OF CANDIDATE" under "Section 106.023, F.S." (Please print or type). It includes a box for "OFFICE USE ONLY" and a line for the candidate's name. Below that, it states: "I, _____, candidate for the office of _____, have been provided access to read and understand the requirements of Chapter 106, Florida Statutes." There is a line for the "Date" and a signature line with an "X" mark. At the bottom, there is a disclaimer: "I must file a statement with the filing officer within 10 days after the filing of my Declaration of Intent to Run for Office and Disqualification Statement with the State Division of Elections and a Declaration of Intent to Run for Office and Disqualification Statement with the State Division of Elections (see Section 106.023, F.S. 106.023(1)(b))." The form number "DS-DE 84 (06/11)" is printed at the bottom right.

➤ Form can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

3. Candidate Filing Forms:

- **DS-DE 25 , Candidate Oath - Nonpartisan** [governed by F.S. 99.021 (1)(a)1.] Each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105 or a federal office, shall take and subscribe to an oath or affirmation in writing. A copy of the oath or affirmation shall be made available to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form and must be notarized.

CANDIDATE OATH – NONPARTISAN OFFICE		OFFICE USE ONLY	
OATH OF CANDIDATE (Section 99.021, Florida Statutes)			
I, _____ <small>(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)</small>			
am a candidate for the nonpartisan office of _____ (office) _____ (district #)			
_____ (circuit #) _____ (group or seat #) I am a qualified elector of _____ County, Florida,			
I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.			
<input checked="" type="checkbox"/> _____ () Signature of Candidate		_____ Telephone Number	_____ Email Address
_____ Address		_____ City	_____ State _____ ZIP Code
Candidate's Florida Voter Registration Number (located on your voter information card): _____			
* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form): _____			
STATE OF FLORIDA			
COUNTY OF _____			
Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____.			
Personally Known: _____ or		Signature of Notary Public	
Produced Identification: _____		Print, Type, or Stamp Commissioned Name of Notary Public	
Type of Identification Produced: _____			
DS-DE 25 (Rev. 5/11)		Rule 15-2.0001, F.A.C.	

- Form can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

3. Candidate Filing Forms:

- **Note: DS-DE25** is the form where the Candidate shall print their name as they wish it to appear on the Ballot. It is suggested that you include communications from Division of Elections relating to **Use of Nickname** on Ballot and other matters, Formal Opinions DE 86-06 - May 1, 1986 and DE 09-05 – July 15, 2009.

CANDIDATE OATH – NONPARTISAN OFFICE
(Not for use by Judicial or School Board Candidates)

OFFICE USE ONLY

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

I, _____ (DATE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT) – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING

am a candidate for the nonpartisan office of _____ (office) _____ (district #) _____ County, Florida;

_____ (group or seat #) _____ I am a qualified elector of _____ I desire to be nominated or elected to the office to which I desire to be nominated or elected, I have qualified for no other public office in the state _____ term of which office or any part thereof runs concurrently with the office I seek; and I have resigned from any other public office _____ from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X _____ Telephone Number _____
Signature of Candidate _____

Address _____ City _____ State _____

Candidate's Florida Voter Registration Number (located on your voter information card) _____

* Please print name phonetically on the line below as you wish it to be pronounced on the ballot with disabilities (see instructions on page 2 of this form): _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____

Personally Known: _____ or _____
Produced Identification: _____
Type of Identification Produced: _____

Signature of Notary Public _____
Print, Type, or Stamp of Notary Public _____

DS-DE 25 (Rev. 5/11)

Note: The name that is printed here is what will appear on the ballot. Name cannot be changed after qualifying ends.

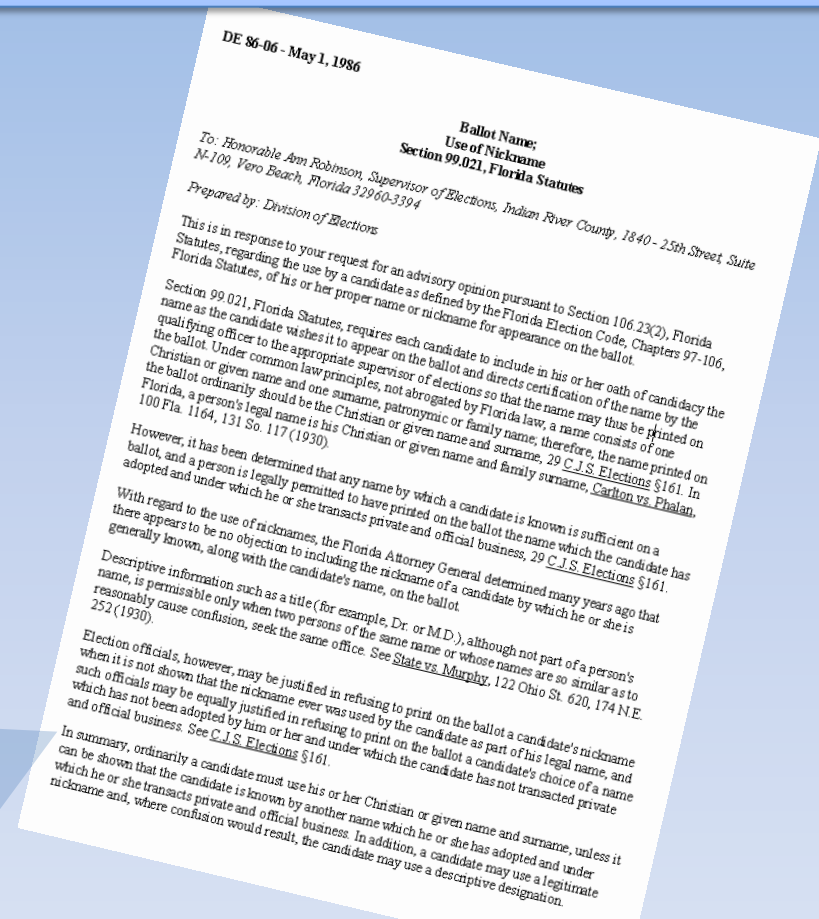
- Form can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

3. Candidate Filing Forms:

Division of Elections' Formal Opinion **DE 86-06** states "In summary, ordinarily a candidate must use his or her Christian or given name and surname, unless it can be shown that the candidate is known by another name which he or she has adopted and under which he or she transacts private and official business. In addition, a candidate may use a legitimate nickname and, where confusion would result, the candidate may use a descriptive designation."



Provided as a separate handout, refer to State DOE Memo dated February 26, 2010 RE: Use of Nickname on Ballot

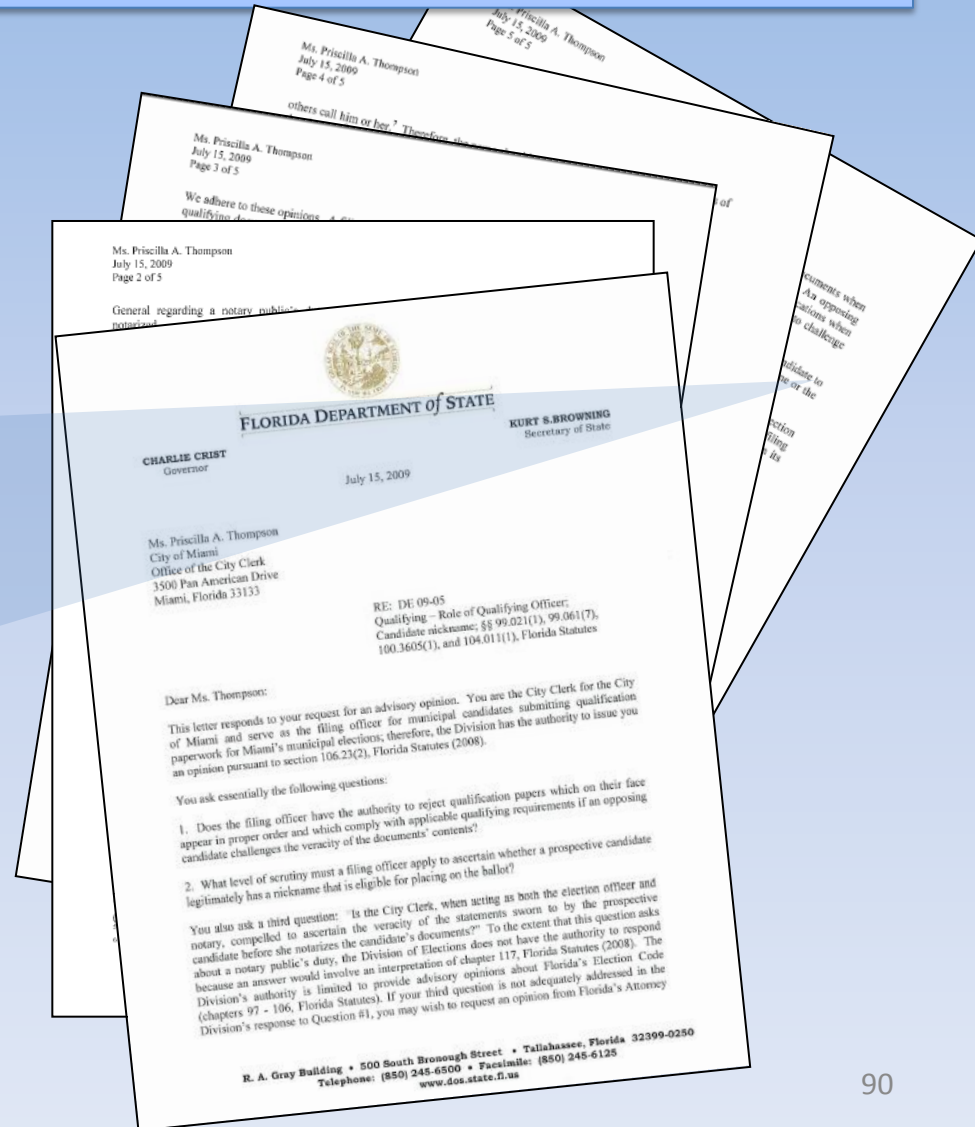
Candidate Packets

Should include:

3. Candidate Filing Forms:

Division of Elections' Formal Opinion **DE 09-05** states "Before a candidate's nickname is printed on the ballot, a filing officer may require a candidate to make a satisfactory showing that the candidate has been generally known by the nickname or the candidate has used the nickname as part of the candidate's legal name.

Notwithstanding the above statements, a municipality may by charter or ordinance under section 100.3605(1), Florida Statutes (2008), prescribe more specific duties for the municipal filing officer regarding the verification of a candidate's qualifying papers or use of a nickname in its elections.



Candidate Packets

Should include:

3. Candidate Filing Forms:

DS-DE25 includes Pronunciation request

CANDIDATE OATH – NONPARTISAN OFFICE
(Not for use by Judicial or School Board Candidates)

OATH OF CANDIDATE
(Section 96.011, Florida Statutes)

I, _____ (printed name), do hereby swear that I will support the Constitution of the State of Florida and the Laws of the State of Florida, and I will support the Constitution of the United States and the Constitution of the State of Florida.

I am a candidate for the nonpartisan office of _____ (office) _____ (county), Florida.

I am a qualified elector of _____ (county) _____ (city or town), Florida.

I am granted under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected. I have qualified for the office in accordance with the provisions of the Constitution and the Laws of Florida, and I have resigned from any other term, which law requires to resign pursuant to Section 96.012, Florida Statutes, and I will support the Constitution of the United States and the Constitution of the State of Florida.

Signature of Candidate _____

City _____ State _____ ZIP Code _____

Telephone Number _____

Email Address _____

Candidate's Florida Voter Registration Number (located on your voter information card) _____

Please print name (phonetically) on the first page so you want it to be pronounced on the radio (not for persons with disabilities (see instructions on page 2 of this form)).

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____.

STATE OF FLORIDA
COUNTY OF _____

Signature of Notary Public _____
Not. Type or Stamp Commissioned Name of Notary Public _____

Personally Known _____
Produced Identification _____
Type of Identification Produced _____

DS-DE 25 (Rev. 5/11)

INSTRUCTIONS: INSERTING PHONETIC SPELLING OF CANDIDATE'S NAME FOR AUDIO BALLOT

Use the PRONUNCIATION KEY below to provide pronunciations for ambiguous first names and surnames. Capitalize STRESSED syllables, use lower case for unstressed syllables. Use dashes (-) to separate syllables. You should also add any notes such as rhyming examples, silent letters, etc.

Samples:

PRONUNCIATION KEY	
Stressed Vowel Sounds	
EE	(FEET) feet
I	(FIT) it
E	(BED) bed
A	(CAT) cat (KAD) cad
AH	(FAH-uh) father
AH	(PAHR) pair
AH	(HAY) hat (TAY) tea (day) today
UH	(FURD) fur
UH	(FLUND) fund
UH	(CHURCH) church
AW	(FAWN) fawn
U	(FUL) full
OO	(FOOD) food
OU	(FOUND) found
O	(TOE) toe
OI	(FOE) foe
AI	(FAIT) fate
OF	(TOST) tost
YOO	(FYOOR-ee-uh) furrow

NAME ON BALLOT	PRONOUNCED AS
Mahaud	maa-SHO (if it silent)
John	HOHN (rhyme: loan)
Beauprez	boo-PAIR (rhyme: hooray)
Manicolas	man-uh-SHAL-ee
Tangipahas	TAN-ji-pah-RO-uh
Monte	Mahn-TAI
Tanya	TAWN-yuh (not TAN)

Unstressed Vowel Sounds	
uh	(SO-uh) sofa (FIN-uh) finger

Certain Vowel Sounds with R	
AHR	(PAHR) pair
ER	(PER) pair
IR	(PIR) pair
OR	(POR) pair
OOR	(POOR) poor
URR	(PURR) pair

Consonant Sounds			
B	(BED) bed	TS	(ITS) its (PITS) pits (PITS) Pithais
D	(DET) det	TH	(THE) the
F	(FEET) feet	TH	(THE) thy
G	(GET) get	ZH	(A-zhuh) azure (VH-zhuh) vision
H	(HEAD) head	Z	(GOOD) good (LH-buh-zuh) Hubbardston
HW	(HWICH) which		
J	(JUG) jug		
K	(KAD) cad		
L	(LAM) lam		
M	(MAT) mat		
N	(NET) net		
NG	(SING-uh) singer		
P	(PET) pet		
R	(RED) red		
S	(SET) set		
T	(TEN) ten		
V	(VET) vet		
Y	(YET) yet		
W	(WICH) which		
CH	(CHURCH) church		
SH	(SHEEP) sheep		

NOTE: This page should not be submitted to the filing officer.

Page 2, DS-DE 25 (Rev. 5/11)

Rule 15-2.0001, F.A.C.

Be sure to include instructions

Candidate Packets

Should include:

3. Candidate Filing Forms:

- ❖ **Form 1, Statement of Financial Interests** [governed by Section 112.3145(2)(a) F.S. and F.A.C. Rule 34-8.202(6)]

A candidate for an elective state or local office specified in Section 112.3145, F.S., must file with the officer before whom he or she qualifies a statement of financial interests on the form prescribed by the Commission, CE Form 1 – Statement of Financial Interests, adopted by reference in subsection 34-8.202(1), F.A.C., together with and at the same time he or she files qualifying papers as a candidate.

FORM 1 STATEMENT OF FINANCIAL INTERESTS 2011

Please print or type your name, mailing address, agency name, and position below:

LAST NAME-- FIRST NAME-- MIDDLE NAME: _____

MAILING ADDRESS: _____

CITY: _____ ZIP: _____ COUNTY: _____

NAME OF AGENCY: _____

NAME OF OFFICE OR POSITION HELD OR SOUGHT: _____

FOR OFFICE USE ONLY:

ID Code _____

ID No. _____

Conf. Code _____

P. Req. Code _____

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

BOTH PARTS OF THIS SECTION MUST BE COMPLETED

DISCLOSURE PERIOD: THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (must check one):

DECEMBER 31, 2011 OR SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: _____

MANNER OF CALCULATING REPORTABLE INTERESTS: THE LEGISLATURE ALLOWS FILERS THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEMER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). PLEASE STATE BELOW WHETHER THIS STATEMENT REFLECTS EITHER (must check one):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME (Major sources of income to the reporting person - See instructions p. 4) (If you have nothing to report, you must write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

PART B -- SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions p. 4) (If you have nothing to report, you must write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCE OF BUSINESS INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART C -- REAL PROPERTY (Land, buildings owned by the reporting person - See instructions p. 4) (If you have nothing to report, you must write "none" or "n/a")

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

OTHER FORMS you may need to file are described on page 6.

CE FORM 1 - Effective January 1, 2012. Refer to Rule 34-8.202(1), F.A.C. (Continued on reverse side) PAGE 1

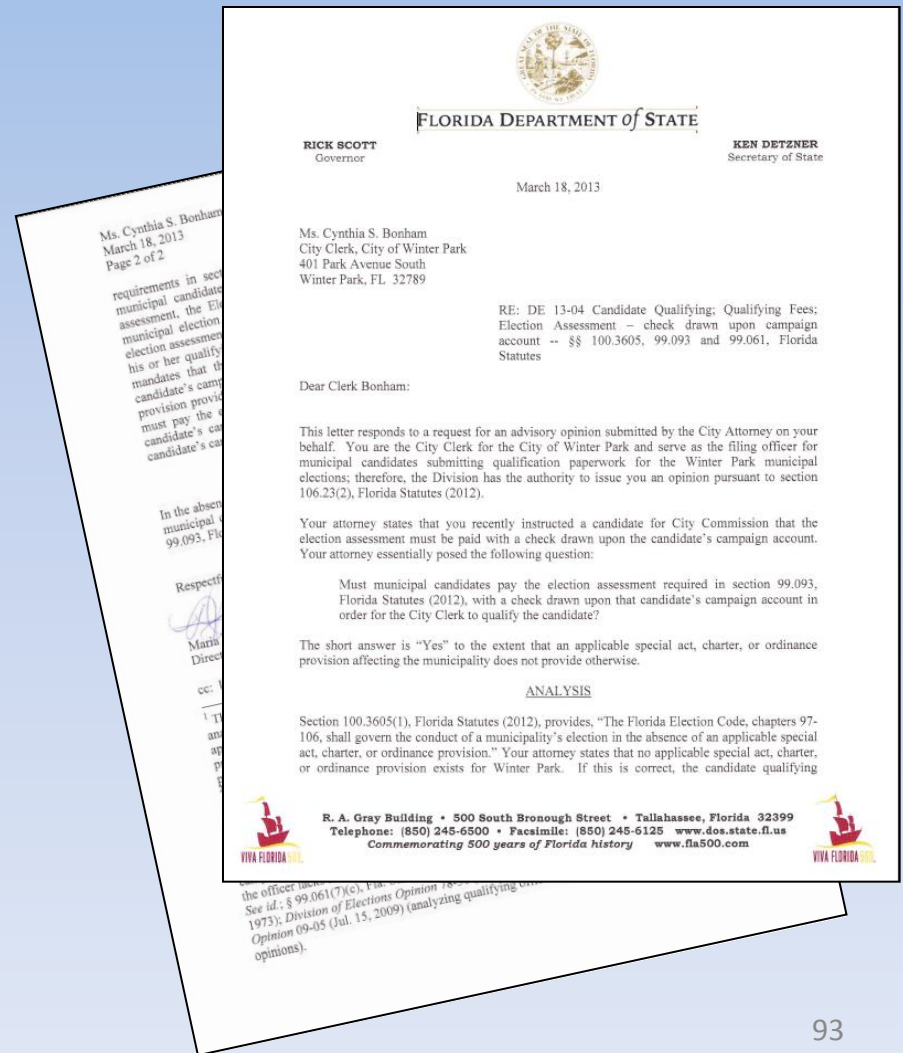
- ❖ Form can be downloaded from the Commission on Ethics website at <http://www.ethics.state.fl.us/ethics/>

Candidate Packets

DE 13-04 Candidate Qualifying;
Qualifying Fees; Election Assessment -
check drawn upon campaign account -
§§ 100.3605, 99.093 and 99.061,
Florida Statutes

SUMMARY

In the absence of an applicable special act, charter, or ordinance provision providing otherwise, a municipal candidate, in order to qualify, must pay the election assessment required by section 99.093, Florida Statutes (2012), with a check drawn upon the candidate's campaign account.



Candidate Packets

Should include:

3. Candidate Filing Forms:

➤ **Affidavit of Undue Burden** (if applicable) [governed by F.S. 99.093] (1) "Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment. The election assessment shall be an amount equal to 1 percent of the annual salary of the office sought. Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund."

AFFIDAVIT OF UNDUE BURDEN
(Section 99.097(4), Florida Statutes)

IMPORTANT: Paying signature gatherers will preclude or invalidate the filing of an undue burden oath. Section 99.097(6), Florida Statutes, provides: (a) If any person is paid to solicit signatures on a petition, an undue burden oath may not subsequently be filed in lieu of paying the fee to have signatures verified for that petition. (b) If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath. If contributions as defined in s. 106.011 are received, any monetary contributions must first be used to reimburse the supervisor of elections for any signature verification fees that were not paid because of the filing of the undue burden oath. [Note: The second sentence in (b) applies only when payment is made to a signature gatherer after an undue burden oath had been filed.]

.....

I certify under oath that I intend to qualify as a candidate for the office of _____ and that I am unable to pay the fee for verification of petition signatures for that office without imposing an undue burden on my personal resources or on resources otherwise available to me.

X _____

Signature of Candidate	Print Candidate's Name	

Address	City	

()		
State	Zip	Telephone Number

State of Florida
County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____
by _____,

Personally Known: _____ or
Produced Identification: _____
Type of Identification Produced: _____

Signature of Notary Public – State of Florida
Print, Type or Stamp Commissioned Name of
Notary Public

➤ Form can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

3. Candidate Filing Forms:

Affidavit of Undue Burden (if applicable) [governed by F.S. 99.093] (2) "Any person seeking to qualify for nomination or election to a municipal office who is unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her shall, upon written certification of such inability given under oath to the qualifying officer, be exempt from paying the election assessment."

AFFIDAVIT OF UNDUE BURDEN
(Section 99.097(4), Florida Statutes)

IMPORTANT: Paying signature gatherers will preclude or invalidate the filing of an undue burden oath. Section 99.097(6), Florida Statutes, provides: (a) If any person is paid to solicit signatures on a petition, an undue burden oath may not subsequently be filed in lieu of paying the fee to have signatures verified for that petition. (b) If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath. If contributions as defined in s. 106.011 are received, any monetary contributions must first be used to reimburse the supervisor of elections for any signature verification fees that were not paid because of the filing of the undue burden oath. [Note: The second sentence in (b) applies only when payment is made to a signature gatherer after an undue burden oath had been filed.]

.....

I certify under oath that I intend to qualify as a candidate for the office of _____ and that I am unable to pay the fee for verification of petition signatures for that office without imposing an undue burden on my personal resources or on resources otherwise available to me.

X

_____		_____
Signature of Candidate		Print Candidate's Name
_____		_____
Address		City
_____		()
State	Zip	Telephone Number

State of Florida
County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____
by _____.

Personally Known: _____ or _____

Produced Identification: _____

Type of Identification Produced: _____

Signature of Notary Public – State of Florida
Print, Type or Stamp Commissioned Name of
Notary Public

Candidate Packets

Should include:

3. Candidate Filing Forms:

Acknowledgement and Certification of Logic & Accuracy Testing

This is **not** a requirement, however, it is **strongly suggested** that you have written acknowledgement of your candidates having been advised of the L&A Testing date and time and was afforded the opportunity to attend.

CITY OF BELLE GLADE

**CERTIFICATION OF ELECTION SYSTEM
& TABULATION EQUIPMENT**
(Commonly known as L & A [Logic & Accuracy] Testing)

I, _____, certify that I have been advised by the Filing Officer/City Clerk that the testing of the Computer Election System and Tabulating Equipment will be conducted on

Friday, February 24, 2012¹ FOR THE GENERAL ELECTION, at 3:00 p.m.
AND
Tuesday, March 20, 2012² FOR THE RUN-OFF ELECTION at 10:00 A.M.

Both will be held in the Palm Beach County Supervisor of Elections' Election Tally Center³, located at 7835 Central Industrial Drive, Riviera Beach, Florida.

____ I will be present for the testing of the voting equipment on the dates listed above.

____ I will **not** be present for the testing of the voting equipment on the dates listed above.

Signature of Candidate for Public Office

Date

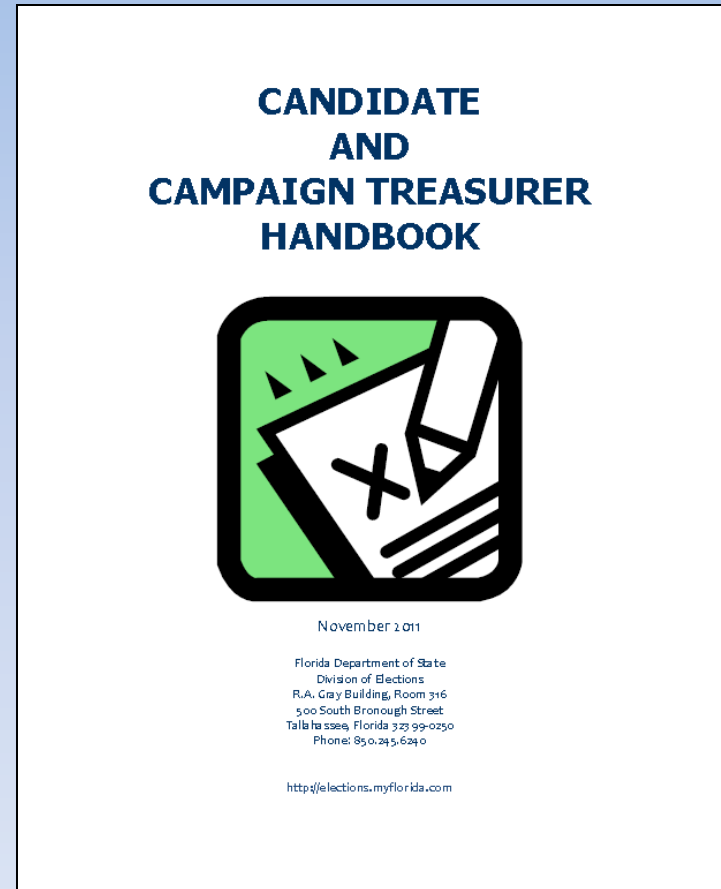
¹ Determined by County Supervisor of Elections
² Same as Footnote No. 1
³ Same as Footnote No. 1

Candidate Packets

Should include:

4. Candidate and Campaign Treasurer Handbook

(current publication can be downloaded at <http://election.dos.state.fl.us/publications/publications.shtml>)



Candidate Packets

Should include:

5. Campaign Treasurer's Reporting Schedule and Contribution Deadlines. This includes unopposed, opposed, and run-off candidates.

F.S. 106.07(1)(e) governs "The filing officer shall provide each candidate with a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates."

CAMPAIGN TREASURER'S REPORTING SCHEDULE (F.S. 106.07)
and
CONTRIBUTION DEADLINES

ALL REPORTS ARE DUE BY **5:00 P.M.** ON THE DUE DATE, OR MUST BE POSTMARKED BY MIDNIGHT OF THE DUE DATE, TO AVOID HAVING A FINE LEVIED AGAINST THE CANDIDATE FROM THEIR PERSONAL FUNDS.¹⁰

UNOPOSED CANDIDATES:

Contribution deadline is Noon, Tuesday, February 14, 2012¹¹
Expenditure deadline is Thursday, May 10, 2012

1. 5:00 p.m., Tuesday, January 10, 2012¹² (Report must cover period from when appointment of Treasurer Form was filed, or October 1, 2011, thru December 31, 2011) Report Type: **Q4**
2. 5:00 p.m., Monday, May 14, 2012¹³ (Report must cover period from January 1, 2012 thru May 14, 2012 or, if the report is turned in earlier, the date of submittal) Final report due **within** 90 days of the close of qualifying (February 14, 2012) Report Type: **TR**

Sample

Candidate Packets

CAMPAIGN TREASURER'S REPORTING SCHEDULE (F.S. 106.07)

and

CONTRIBUTION DEADLINES

ALL REPORTS ARE DUE BY **5:00 P.M.** ON THE DUE DATE, OR MUST BE POSTMARKED BY MIDNIGHT OF THE DUE DATE, TO AVOID HAVING A FINE LEVIED AGAINST THE CANDIDATE FROM THEIR PERSONAL FUNDS.¹⁷

OPPOSED CANDIDATES:

Contribution deadline is **Midnight, Thursday, March 8, 2012¹⁵**
Expenditure deadline is **Thursday, June 7, 2012**

1. 5:00 p.m., **Monday, January 10, 2012¹⁶** (Report must cover period from date appointment of Treasurer Form was filed, or October 1, 2011 thru December 31, 2011) **Report Type: Q4**
2. 5:00 p.m., **Friday, January 27, 2012¹⁷** (Report must cover period from January 01, 2012 thru January 20, 2012) **Report Type: G1**
3. 5:00 p.m., **Friday, February 10, 2012¹⁸** (Report must cover period from January 21, 2012 thru February 3, 2012) **Report Type: G2**
4. 5:00 p.m., **Friday, February 24, 2012¹⁹** (Report must cover period from February 4, 2012 thru February 17, 2012) **Report Type: G3**
5. 5:00 p.m., **Friday, March 9, 2012²⁰** (Report must cover period from February 18, 2012 thru March 8, 2012) **Report Type: G4**
6. 5:00 p.m., **Monday, June 11, 2012²¹** (Report must cover period from March 9, 2012 thru June 11, 2012, but no later than June 11, 2012.) Final report due **within** 90 days of the Election in which the candidate last participates. Reports may be submitted prior to the deadline. **Report Type: TR**

Sample

CAMPAIGN TREASURER'S REPORTING SCHEDULE (F.S. 106.07)

and

CONTRIBUTION DEADLINES

ALL REPORTS ARE DUE BY **5:00 P.M.** ON THE DUE DATE, OR MUST BE POSTMARKED BY MIDNIGHT OF THE DUE DATE, TO AVOID HAVING A FINE LEVIED AGAINST THE CANDIDATE FROM THEIR PERSONAL FUNDS.²²

Run-Off CANDIDATES:

Contribution deadline is **Midnight, Thursday, March 22, 2012²³**
Expenditure deadline is **Thursday, June 14, 2012**

1. 5:00 p.m., **Friday, March 23, 2012²⁴** (Report must cover period from March 9, 2012 thru March 22, 2012) **Report Type: ROG4**
2. 5:00 p.m., **Monday, June 25, 2012²⁵** (Report must cover period from March 23, 2012 thru the date the report is submitted, but no later than June 25, 2012.) Final report due within 90 days of the Election in which the candidate last participates. Reports may be submitted prior to the June 20, 2012 deadline. **Report Type: TR**

Candidate Packets

Should include:

6. Campaign Treasurer's Reporting Forms:

- DS-DE 12, Report Summary
- DS-DE 13, Itemized Contributions
- DS-DE 14, Itemized Expenditures
- DS-DE 87, Waiver of Report

The image displays four overlapping forms from the Florida Department of State, Division of Elections. The forms are:

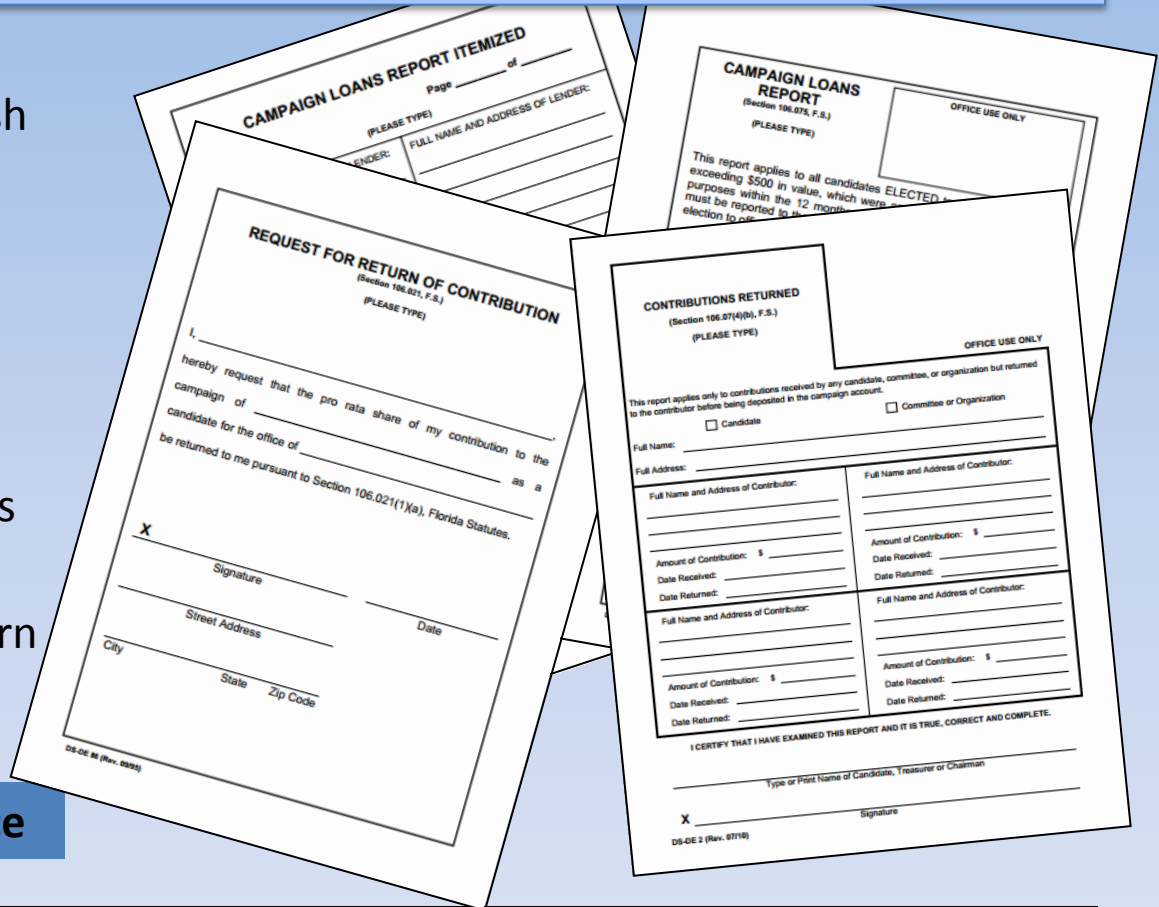
- DS-DE 12 (Report Summary):** A summary form with fields for Name, Cover Period, and a table for reporting contributions and expenditures.
- DS-DE 13 (Itemized Contributions):** A detailed table for reporting individual contributions, including fields for Name, Address, Contribution Type, and Amount.
- DS-DE 14 (Itemized Expenditures):** A detailed table for reporting individual expenditures, including fields for Purpose, Expenditure Type, and Amount.
- DS-DE 87 (Waiver of Report):** A form for candidates to request a waiver from filing reports, with fields for Name, Office Sought, and a certification statement.

- These forms can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Additional forms you might wish to include are:

- DS-DE 2, Contributions Returned
- DS-DE 73, Loans Report
- DS-DE 73A, Campaign Loans Report Itemized
- DS-DE 86, Request for Return of Contribution



Used by a person elected to office

- These forms can be downloaded from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

8. Instructions on how to obtain Registered Voter Information from the SOE and their Price List, which will be provided by SOE prior to elections or you may print it from their website.

**OBTAINING
REGISTERED VOTER INFORMATION**

***In order to obtain registered voter information, please directly contact the Palm Beach County Supervisor of Elections office at the following address:**

Supervisor of Elections
Palm Beach County
240 S. Military Trail
West Palm Beach, Florida 33415
Phone: 561-656-6200 or toll free 866-868-3321

The Supervisor of Elections has the required "Oath for Acquisition of List of Registered Voters" form that must be completed and submitted with your order. Additionally, payment for such information shall be made from your Campaign account.

Candidate Packets

Should include:

9. Absentee Ballot Instructions from the County Supervisor of Elections website.

The screenshot displays the Palm Beach County Supervisor of Elections website. The header features the text "PALM BEACH COUNTY" and "SUPERVISOR OF ELECTIONS ★ SUSAN BUCHER". Below the header, there is a navigation bar with options for "En Español", "Printer Friendly", and "A A A". A search bar is located on the right side of the navigation bar. The main content area is divided into two columns. The left column contains a vertical menu with the following items: Home, Your Election Office, Voter Information, Register to Vote, Register To Vote, Update Your Signature, Absentee Ballot, Voting Procedures, Election Information, Candidate Information, Party and Committee Info, Poll Worker Information, and Other. The right column features a section titled "Absentee Ballots" with the text "Please select an option from the list below:" and a list of links: [Absentee Ballot Instructions](#), [Absentee Ballot Request Form](#), [Military/Overseas Voting](#), and [Track Your Absentee Ballot](#). Above the "Absentee Ballots" section, there are five icons representing different voting options: "REGISTER TO VOTE", "WHERE DO I VOTE", "BECOME A POLL WORKER", "VOTE BY MAIL", and "CANDIDATE INFORMATION".

Candidate Packets

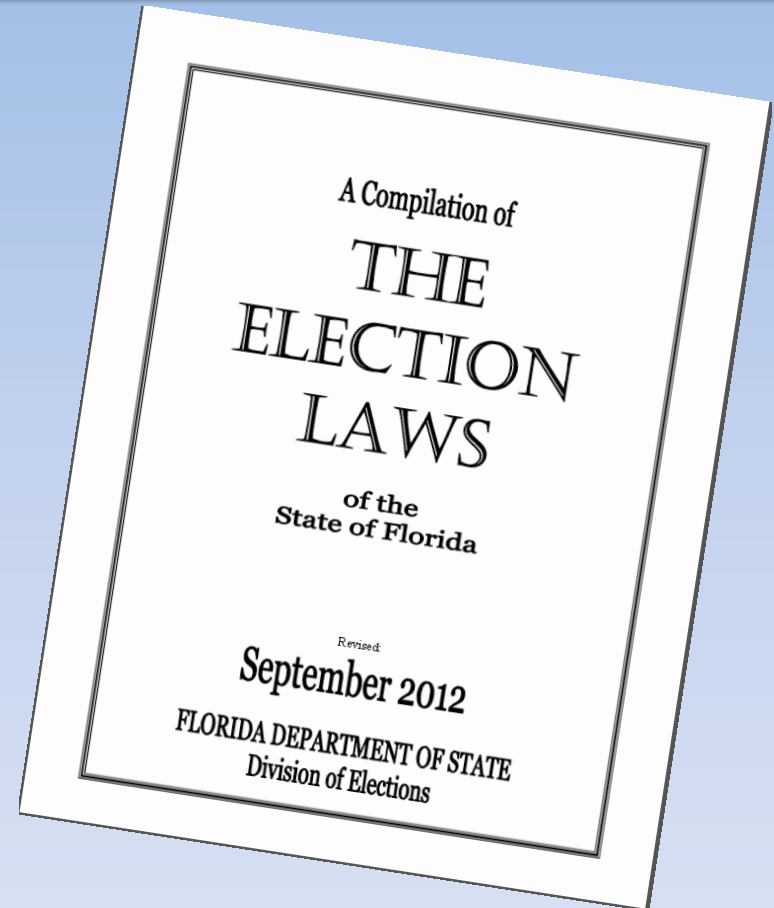
Should include:

10. Provide List of Precincts and Polling Places.
11. Polling Location Rules - provide excerpt of Florida Statutes 102.031, “Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters”.
12. Florida and Municipal Laws Governing Campaign Signs: excerpts of Florida Statutes 479.11, “Specified signs prohibited”, and 106.1435, “Usage and removal of political campaign advertisements and include your municipality’s campaign sign law.

Candidate Packets

Should include:

13. Latest version of ➤“A Compilation of The Election Laws of the State of Florida”.



➤ Download from the State Division of Elections website at <http://election.dos.state.fl.us/forms/index.shtml>

Candidate Packets

Should include:

Resignation is IRREVOCABLE

14. Resign-to-Run Law: excerpt of F.S. 99.012 “Restrictions on individuals qualifying for public office”. Written resignation must be submitted at least 10 days prior to [first day of] qualifying and be effective no later than the earlier of the follow dates:
 - A. The date the officer would take office, if elected; or
 - B. The date the officer’s successor is required to take office.

A person who is a subordinate officer, deputy sheriff, or police officer must resign effective upon qualifying if the person is seeking to qualify for a public office that is currently held by an officer who has authority to appoint, employ, promote, or otherwise supervise that person and who has qualified as a candidate for reelection to that office. F.S. 99.012(4)

The resign-to-run law does not apply to political party offices, persons serving without salary as members of an appointive board or authority, and persons holding federal office. F.S. 99.12(6) & (7)

Candidate Packets

Should include:

Resignation is IRREVOCABLE

14. Resign-to-Run Law Continued

This Law essentially prohibits an elected or appointed “officer” from qualifying as a candidate for another state, district, county or municipal public office if the terms or any part of the terms overlap with each other if the person did not resign from the office the person presently holds.

- For elected municipal officers, the resignation must be submitted to the filing officer, with a copy to the Governor and the Department of State.
- For appointed municipal officers, the resignation must be submitted to the officer or authority which appointed him or her to the office he/she holds, with a copy to the Governor and the Department of State.

Candidate Packets

Should include:

Resignation is IRREVOCABLE

14. Resign-to-Run Law Continued

If an officer misses the deadline to submit his/her resignation and the officer still wishes to run for office, the officer may submit his/her resignation to take effect immediately or to take effect on a date prior to qualifying for office.

The officer would then qualify as a non-officeholder and the resign-to-run law would not apply.

Candidate Packets

Should include:

Resignation is IRREVOCABLE

14. Resign-to-Run Law Continued

Who can you contact about questions concerning Florida's "resign-to-run" law?

Contact the Assistant Director, Division of Elections:

Florida Department of State

R.A. Gray Building, Room 316

500 S. Bronough Street

Tallahassee, Florida 32399-0250

Telephone: (850) 245-6200; or

email: DivElections@dos.myflorida.com

Candidate Packets

Should include:

15. Latest version of ❖ “Florida Commission on Ethics Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees”.
16. Overview of ❖ “Gifts Law”.
17. Palm Beach County ◆ “Code of Ethics” and “Ethics Pledge”.
18. Municipal Charter and Code relating to Elections.

- ❖ Download from the Commission on Ethics website at <http://www.ethics.state.fl.us/ethics/>
- ◆ Download from Palm Beach County Commission on Ethics website at <http://www.palmbeachcountyethics.com/>

Candidate Packets

Should include:

19. Municipal Charter and Code relating to responsibilities of elected officials.
20. Information on how to ❖ File a Complaint of an alleged violation of Chapter 104 or 106 or Section 98.122 or 105.071, Florida Statutes.
21. Include a statement/disclaimer relating to **F.S. 99.061(7)(c)**, whereas the filing officer performs only a ministerial function in reviewing qualifying papers, the filing officer cannot give legal advice, as they are not legal advisors.

- ❖ Download from the Commission on Ethics website at <http://www.ethics.state.fl.us/ethics/>
- ◆ Download from Palm Beach County Commission on Ethics website at <http://www.palmbeachcountyethics.com/>

Candidate Packets

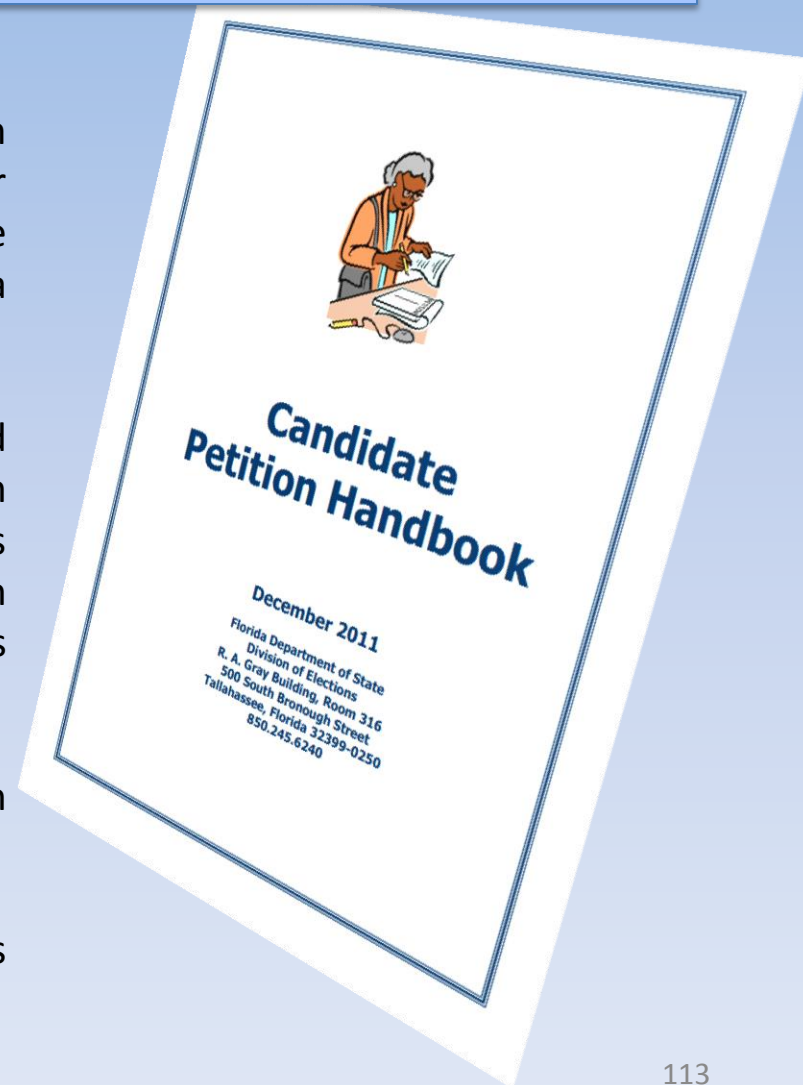
Candidate Petition Process.

The Division of Elections publishes the “Candidate Petition Handbook”. This handbook explains the process for collecting candidate petitions. Candidates who obtain the required number of signatures are not required to pay a qualifying fee or party assessment.

The information contained in this publication is intended only as a quick reference guide and is current upon publication. To the extent that this Handbook covers material beyond that contained in law or rule, the Division of Elections offers such material to candidates as guidelines.

The following statutes and rules should be reviewed in their entirety:

Sections 99.095, 99.09651, and 99.097, Florida Statutes and Rule 1S-2.045, Florida Administrative Code



Candidate Packets

DS-DE 104, Candidate Petition form, download from State Division of Elections at <http://election.dos.state.fl.us/forms/index.shtml>.

CANDIDATE PETITION			
<i>Notes:</i> - All information on this form becomes a public record upon receipt by the Supervisor of Elections. - It is a crime to knowingly sign more than one petition for a candidate. [Section 104.185, Florida Statutes.] - If all requested information on this form is not completed, the form will not be valid as a Candidate Petition form.			
I, _____		the undersigned, a registered voter	
(print name as it appears on your voter information card)			
in said state and county, petition to have the name of _____			
placed on the Primary/General Election Ballot as a: [check/complete box, as applicable]			
<input type="checkbox"/> Nonpartisan	<input type="checkbox"/> No party affiliation	<input type="checkbox"/> _____	Party candidate for the office of

(insert title of office and include district, circuit, group, seat number, if applicable)			
Date of Birth or Voter Registration Number (MM/DD/YY)		Address	
_____		_____	
City	County	State	Zip Code
_____	_____	_____	_____
Signature of Voter		Date Signed (MM/DD/YY) [to be completed by voter]	
_____		_____	
Rule 18-2.045, F.A.C.		DS-DE 104 (Eff. 09/11)	

WHAT IS A CANDIDATE?

A candidate is a person who:

1. Seeks to qualify for nomination or election by means of the petition process;
2. Seeks to qualify for election as a write-in candidate;
3. Receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office;
4. Appoints a treasurer and designates a primary depository; or
5. Files qualification papers and subscribes to a candidate's oath as required by law.

However, this definition does not include any candidate for a political party executive committee.

(Section 106.011(16), F.S.)

Qualifying of Candidates

Qualifying Period

Begins noon, Tuesday, January 28, 2014

and

Ends noon, Tuesday, February 11, 2014.

A person can “Declare Intent to Run” by filing forms DS-DE 9 “Appointment of Campaign Treasurer and Designation of Depository” and DS-DE 84 “Statement of Candidate” anytime prior to the qualifying period. Once a Candidate makes this declaration they can begin their campaign efforts and must file periodic treasurer reports. However, they cannot qualify as a Candidate, except during the qualifying period.

F.S. 99.061(8) states a qualifying office *may* accept and hold qualifying papers submitted not earlier than 14 days prior to the beginning of the qualifying period, to be processed and filed during the qualifying period.

Qualifying of Candidates

During qualifying period Candidate must submit the following forms:

- ▶ **Form DS-DE 9;** Appointment of Campaign Treasurer and Designation of Campaign Depository
- ▶ **Form DS-DE 84;** Statement of Candidate (must be filed within 10 days of submittal of Form DS-DE 9)
- ▶ **Form DS-DE 25;** Oath of Candidate
- ▶ **Form 1;** Statement of Financial Interests – Do NOT send SOE Candidates' Form 1.
- ▶ Acknowledgement and Certification of Logic & Accuracy Testing (Optional, but suggested)
- ▶ Filing / State Assessment Fees or Affidavit of Undue Burden
- ▶ Other items that may be required by your municipal Code of Ordinances

Qualifying of Candidates

Having a checklist of required items needed during qualifying and throughout the election process will ensure that the filing officer does not omit required items from a candidate or appointed treasurer, and will assist you in keeping track of what the candidate/treasurer has submitted and when.

The checklist should be based upon Florida Statutes and your municipality's Code requirements.

It can be simple, or detailed, depending upon your needs.

Qualifying of Candidates

Candidate Filing Requirements

Public Office Seeking: (Check One)	Seat: "A" ___ "B" ___		
Candidate: Appointment of Campaign Treasurer?	Treasurer's Name:		
Registered Voter of Belle Glade?	___ Yes ___ No		
Registered before deadline (6mths before qualifying begins [Code of Ordinances]) -July 25, 2010	___ Yes ___ No		
Date Verified:	_____		
Statement of Candidate (Due to City Clerk within 10 days of filing for Public Office re: F.S. 106)	Date Submitted:		
Resident of Belle Glade?	Documentation?		
Copy of PBC Voter Registration Card Attached?			
Candidate serving on City Board or Committee?	Name of Board:	Yes	No
Resignation from Board, if applicable?		Yes	No

Candidate Qualifying Requirements

Financial Disclosure Form completed for 2010?	Signed?	Yes	No
Loyalty Oath/Oath of Candidate Including Pronunciation Form	Date of Oath:	Yes	No
Certification for Logistics and Accuracy Testing in PBC?	Test Date: February 18, 2011 - 10:00 am Attending?	Yes	No

Election Filing Fees

Election Filing Fees Information	Commission	Paid	
City Filing Fee = \$40.00	\$ 40.00		
FL Election Assessment Fee is 1% of Salary Commission Salary = \$6,760	\$ 67.60		
Total Filing Fees	\$107.60	Yes	No

Filing Fee 01-3410-901-0000 \$40

Assessment Fee 01-2020-001-0000 \$67.60

Optional

Submit names of Poll Watchers, if applicable.	Names, if having Poll Watchers:	Yes	No
Submit to City Clerk by: February 24, 2009 ~12:00 Noon	_____		

Qualifying of Candidates

Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates [governed by F.S. 106.021(1)]:

1. Shall be filed with the filing officer **prior** to opening the campaign account.

Note: The campaign depository should not be opened until after the DS-DE 9 is on file with the filing officer.

2. Is not effective until the campaign treasurer signs it and it is filed with the filing officer.

3. Is considered “filed” only when the filing officer receives the form, not upon mailing.

4. Shall be on file with the filing officer **prior** to the candidate accepting any contributions or making any expenditures, or authorizing another to accept contributions or make expenditures on the person’s behalf.

5. Shall be on file with the filing officer **prior** to obtaining signatures on a DS-DE 104, Candidate Petition.

6. Candidate declares office sought.

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES (Section 106.021(1), F.S.) (PLEASE PRINT OR TYPE)				
NOTE: This form must be on file with the qualifying officer before opening the campaign account.				OFFICE USE ONLY
1. CHECK APPROPRIATE BOX(ES): <input type="checkbox"/> Initial Filing of Form Re-filing to Change: <input type="checkbox"/> Treasurer/Deputy <input type="checkbox"/> Depository <input type="checkbox"/> Office <input type="checkbox"/> Party				
2. Name of Candidate (in this order: First, Middle, Last)			3. Address (include post office box or street, city, state, zip code)	
4. Telephone ()		5. E-mail address		
6. Office sought (include district, circuit, group number)			7. If a candidate for a nonpartisan office, check if applicable: <input type="checkbox"/> My intent is to run as a Write-In candidate.	
8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a <input type="checkbox"/> Write-In <input type="checkbox"/> No Party Affiliation <input type="checkbox"/> _____ Party candidate.				
9. I have appointed the following person to act as my <input type="checkbox"/> Campaign Treasurer <input type="checkbox"/> Deputy Treasurer				
10. Name of Treasurer or Deputy Treasurer				
11. Mailing Address				12. Telephone ()
13. City	14. County	15. State	16. Zip Code	17. E-mail address
18. I have designated the following bank as my <input type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository				
19. Name of Bank			20. Address	
21. City	22. County	23. State	24. Zip Code	
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.				
25. Date			26. Signature of Candidate X	
27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)				
I, _____, do hereby accept the appointment (Please Print or Type Name)				
designated above as: <input type="checkbox"/> Campaign Treasurer <input type="checkbox"/> Deputy Treasurer.				
Date _____			Signature of Campaign Treasurer or Deputy Treasurer _____ X	
DS-DE 9 (Rev. 10/10) Rule 1S-2.0001, F.A.C.				

Qualifying of Candidates

Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates [governed by F.S. 106.021(1)] Continued:

A candidate is allowed to change the designation of the office for which he/she is a candidate, however, they must notify all contributors in writing of the intent to seek a different office and offer to return pro rata, upon their request; notification shall be given within 15 days after the filing of the change of designation and shall include a standard form developed by the Division of Elections for requesting the return of contributions.

If, within 30 days after being notified by the candidate of the intent to seek a different office, the contributor notifies the candidate in writing that the contributor wishes his or her contribution to be returned, the candidate shall return the contribution, on a pro rata basis, calculated as of the date the change of designation is filed.

Qualifying of Candidates

Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates [governed by F.S. 106.021(1)] Continued:

Up to a maximum of the contribution limits specified in s. 106.08, a candidate who runs for an office other than the office originally designated may use any contribution that a donor does not request be returned within the 30-day period for the newly designated office, provided the candidate disposes of any amount exceeding the contribution limit pursuant to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s. 106.141(4)(a)4.; notwithstanding, the full amount of the contribution for the original office shall count toward the contribution limits specified in s. 106.08 for the newly designated office.

Qualifying of Candidates

Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates [governed by F.S. 106.021(1)] Continued:

If the primary campaign treasurer resigns or is removed, a copy of the written resignation or removal letter must accompany the Reappointment of Campaign Treasurer (Form DS-DE 9) and be filed with the filing officer for the reappointment to be effective.

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES (Section 106.021(1), F.S.) (PLEASE PRINT OR TYPE)	
NOTE: This form must be on file with the qualifying officer before opening the campaign account.	
OFFICE USE ONLY	
1. CHECK APPROPRIATE BOX(ES):	
<input type="checkbox"/> Initial Filing of Form Re-filing to Change: <input type="checkbox"/> Treasurer/Deputy <input type="checkbox"/> Depository <input type="checkbox"/> Office <input type="checkbox"/> Party	
2. Name of Candidate (in this order: First, Middle, Last)	3. Address (include post office box or street, city, state, zip code)

Qualifying of Candidates

In an effort to minimize confusion by the Candidate and the Bank, it is suggested, but not required, to issue a letter to the Candidates' depository advising:

Modify as needed to address Deputy Treasurer

Include this portion on your letter as a "CYA".

Re: Authorization to Open Campaign Account

To Whom It May Concern:

[Name of Candidate] has filed as a Candidate for the City of Belle Glade's March 2012 Election. He/She has designated your financial institution as his/her campaign depository.

[Name of Candidate] has appointed [Name of Treasurer] as his/her Campaign Treasurer, and, until such time I notify you otherwise, he/she is the only authorized person to sign checks on this account.

Should you have any questions, please contact me at 561-996-0100, extension 113.

For Office Use Only:

Original letter picked up by _____ on _____

for personal delivery to the financial institution noted above.

Qualifying of Candidates

Form DS-DE 84, Statement of Candidate [governed by F.S. 106.023] **must be filed with the filing officer within 10 days after filing Form DS-DE 9.** This form states that the candidate has been provided access to read and understand the requirements of Chapter 106, F.S. The execution and filing of the statement of candidate does not in and of itself create a presumption that any violation of Chapter 106, F.S., or Chapter 104, F.S., is a willful violation as defined in Section 106.37, F.S.

STATEMENT OF CANDIDATE (Section 106.023, F.S.) (Please print or type)	OFFICE USE ONLY
<p>I, _____, candidate for the office of _____; have been provided access to read and understand the requirements of Chapter 106, Florida Statutes.</p>	
<input checked="" type="checkbox"/> _____ Signature of Candidate	_____ Date
<p>Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).</p>	

DS-DE 84 (05/11)

Qualifying of Candidates

DS-DE 25, Candidate Oath [governed by F.S. 99.021 (1)(a)1.]

Each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105 or a federal office, shall take and subscribe to an oath or affirmation in writing. A copy of the oath or affirmation shall be made available to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form and must be notarized.

CANDIDATE OATH – NONPARTISAN OFFICE			
<small>(Not for use by Judicial or School Board Candidates)</small>			
OATH OF CANDIDATE <small>(Section 99.021, Florida Statutes)</small>			
I, _____, <small>(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT* – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFICATION)</small>			
am a candidate for the nonpartisan office of _____ (office) _____ (district #) _____ (circuit #) _____ (group or seat #); I am a qualified elector of _____ County, Florida;			
I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.			
<input checked="" type="checkbox"/>	()		
Signature of Candidate	Telephone Number	Email Address	
Address	City	State	ZIP Code
Candidate's Florida Voter Registration Number (located on your voter information card): _____			
<small>* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form): _____</small>			
STATE OF FLORIDA			
COUNTY OF _____			
Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____.			
Personally Known: _____ or		Signature of Notary Public	
Produced Identification: _____		Print, Type, or Stamp Commissioned Name of Notary Public	
Type of Identification Produced: _____			

Note: The name printed here is what will appear on the ballot.

Qualifying of Candidates

Form 1, Statement of Financial Interests [governed by F.A.C. Rule 34-8.202(6)]

A candidate for an elective state or local office specified in Section 112.3145, F.S., must file with the officer before whom he or she qualifies a statement of financial interests on the form prescribed by the Commission, CE Form 1 – Statement of Financial Interests, adopted by reference in subsection 34-8.202(1), F.A.C., together with and at the same time he or she files qualifying papers as a candidate.

FORM 1		STATEMENT OF		2011																	
FINANCIAL INTERESTS																					
<small>Please print or type your name, mailing address, agency, name, and position below:</small> LAST NAME-- FIRST NAME-- MIDDLE NAME: _____ MAILING ADDRESS: _____ CITY: _____ ZIP: _____ COUNTY: _____ NAME OF AGENCY: _____ NAME OF OFFICE OR POSITION HELD OR SOUGHT: _____ <small>You are not limited to the space on this form. Attach additional sheets, if necessary.</small> CHECK ONLY IF <input type="checkbox"/> CANDIDATE OR <input type="checkbox"/> NEW EMPLOYEE OR APPOINTEE		<small>FOR OFFICE USE ONLY:</small> ID Code _____ ID No. _____ Conf. Code _____ P. Req. Code _____		<small>2011 PDF Form 1</small>																	
BOTH PARTS OF THIS SECTION MUST BE COMPLETED																					
<small>DISCLOSURE PERIOD:</small> THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR. CHECK ONE: <input type="checkbox"/> EITHER BASED ON A CALENDAR YEAR OR AN AFISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING CALENDAR YEAR OR THE PRECEDING FISCAL YEAR ENDING EITHER: (must check one): <input type="checkbox"/> DECEMBER 31, 2011 OR <input type="checkbox"/> SPECIFY TAX YEAR: _____ OR _____ THAN THE CALENDAR YEAR: _____																					
<small>MANNER OF CALCULATING REPORTABLE INTERESTS:</small> THE LEGISLATURE ALLOWS FILERS THE OPTION OF USING REPORTABLE THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). PLEASE STATE BELOW WHETHER THIS STATEMENT REPORTS EITHER: (must check one): <input type="checkbox"/> COMPARATIVE (PERCENTAGE) THRESHOLDS OR <input type="checkbox"/> DOLLAR VALUE THRESHOLDS																					
<small>PART A -- PRIMARY SOURCES OF INCOME</small> (Major sources of income to the reporting person - See instructions p. 4) <small>(If you have nothing to report, you must write "none" or "n/a")</small> <table border="1"> <thead> <tr> <th>NAME OF SOURCE OF INCOME</th> <th>ADDRESS</th> <th>PERCENTAGE OF INCOME</th> <th>DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>						NAME OF SOURCE OF INCOME	ADDRESS	PERCENTAGE OF INCOME	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY												
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<small>PART B -- SECONDARY SOURCES OF INCOME</small> <small>(Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions p. 4)</small> <small>(If you have nothing to report, you must write "none" or "n/a")</small> <table border="1"> <thead> <tr> <th>NAME OF BUSINESS ENTITY</th> <th>NAME OF MAJOR SOURCES OF BUSINESS' INCOME</th> <th>ADDRESS OF SOURCE</th> <th>PRINCIPAL BUSINESS ACTIVITY OF SOURCE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>						NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE												
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<small>PART C -- REAL PROPERTY</small> (Land, buildings owned by the reporting person - See instructions p. 4) <small>(If you have nothing to report, you must write "none" or "n/a")</small> <table border="1"> <thead> <tr> <th>ADDRESS</th> <th>DESCRIPTION OF PROPERTY</th> <th>ESTIMATED VALUE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>						ADDRESS	DESCRIPTION OF PROPERTY	ESTIMATED VALUE													
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<small>FILING INSTRUCTIONS</small> for when and where to file this form are located at the bottom of page 2.				<small>INSTRUCTIONS</small> on who must file this form and how to fill it out begin on page 3.																	
<small>OTHER FORMS</small> you may need to file are described on page 6.																					
<small>CE FORM 1 - Effective January 1, 2012. Refer to Rule 34-8.202(1), F.A.C. (Continued on reverse side) PAGE 1</small>																					

Qualifying of Candidates

Affidavit of Undue Burden (if applicable)

[governed by F.S. 99.093]

Municipal candidates; election assessment.—

(1) Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment. The election assessment shall be an amount equal to 1 percent of the annual salary of the office sought. Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund.

(2) Any person seeking to qualify for nomination or election to a municipal office who is unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her shall, upon written certification of such inability given under oath to the qualifying officer, be exempt from paying the election assessment.

AFFIDAVIT OF UNDUE BURDEN
(Section 99.097(4), Florida Statutes)

IMPORTANT: Paying signature gatherers will preclude or invalidate the filing of an undue burden oath. Section 99.097(6), Florida Statutes, provides: (a) If any person is paid to solicit signatures on a petition, an undue burden oath may not subsequently be filed in lieu of paying the fee to have signatures verified for that petition. (b) If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath. If contributions as defined in s. 106.011 are received, any monetary contributions must first be used to reimburse the supervisor of elections for any signature verification fees that were not paid because of the filing of the undue burden oath. [Note: The second sentence in (b) applies only when payment is made to a signature gatherer after an undue burden oath had been filed.]

I certify under oath that I intend to qualify as a candidate for the office of _____ and that I am unable to pay the fee for verification of petition signatures for that office without imposing an undue burden on my personal resources or on resources otherwise available to me.

X

Signature of Candidate		Print Candidate's Name
Address		City
		()
State	Zip	Telephone Number

State of Florida
County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____
by _____.

Personally Known: _____ or
Produced Identification: _____

Type of Identification Produced: _____

Signature of Notary Public – State of Florida
Print, Type or Stamp Commissioned Name of
Notary Public

Qualifying of Candidates

Acknowledgement and Certification of Logic & Accuracy Testing

This is not a requirement, however, it is suggested your candidates acknowledge, in writing, that they have been advised of the L&A Testing date and time and was afforded an opportunity to attend.

**CERTIFICATION OF ELECTION SYSTEM
& TABULATION EQUIPMENT**
(Commonly known as L & A [Logic & Accuracy] Testing)

I, _____, certify that I have been advised by the Filing Officer/City Clerk that the testing of the Computer Election System and Tabulating Equipment will be conducted on

Friday, February 24, 2012⁷ FOR THE GENERAL ELECTION, at 3:00 p.m.

AND

Tuesday, March 20, 2012⁸ FOR THE RUN-OFF ELECTION at 10:00 A.M.

Both will be held in the Palm Beach County Supervisor of Elections' Election Tally Center⁹, located at 7835 Central Industrial Drive, Riviera Beach, Florida.

____ I will be present for the testing of the voting equipment on the dates listed above.

____ I will not be present for the testing of the voting equipment on the dates listed above.

Signature of Candidate for Public Office

Date

Qualifying of Candidates

Canvassing Board Meeting Schedule

The schedule lists important dates that are required to be “publicly noticed”.

Must be provided to candidates and executive political parties. Obtain a signed receipt as proof that the schedule was provided to the candidate, and political parties, if applicable.

The County SOE will publish the notice and provide the City Clerk (Filing Officer) with a copy of the schedule for candidate-qualifying purposes.

If the schedule is not available at the time the candidate qualifies, the schedule must be sent by certified mail. The filing officer must have proof that the candidate has been provided a copy of the schedule or that the candidate has received the schedule.

F.S. 101.5612

Qualifying of Candidates

Forms Required to be Verified Under Oath or Affirmation:

F.S. 99.061(5): At the time of qualifying for office, each candidate shall file a **disclosure of financial interests**, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a).

F.S. 99.061 (7)(a)(2): The **candidate's oath** must contain the name of the candidate as it is to appear on the ballot; ...; and the signature of the candidate, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a).

F.S. 92.50(1): **Oaths, affidavits, and acknowledgements required under law...may be taken or administered by** or before a judge, clerk, or deputy clerk of any court of record within the state, or before a US commissioner, or any **notary public within the state**.

Qualifying of Candidates

Two Forms of Fees:

- 1) Qualifying; and
- 2) State Assessment

Qualifying Fee - Governed by municipal Charter or Code. Some municipalities only have the petition process, which will be explained further in this presentation.

Qualifying of Candidates

State Assessment Fee

F.S. 99.093 **Municipal candidates; election assessment.**

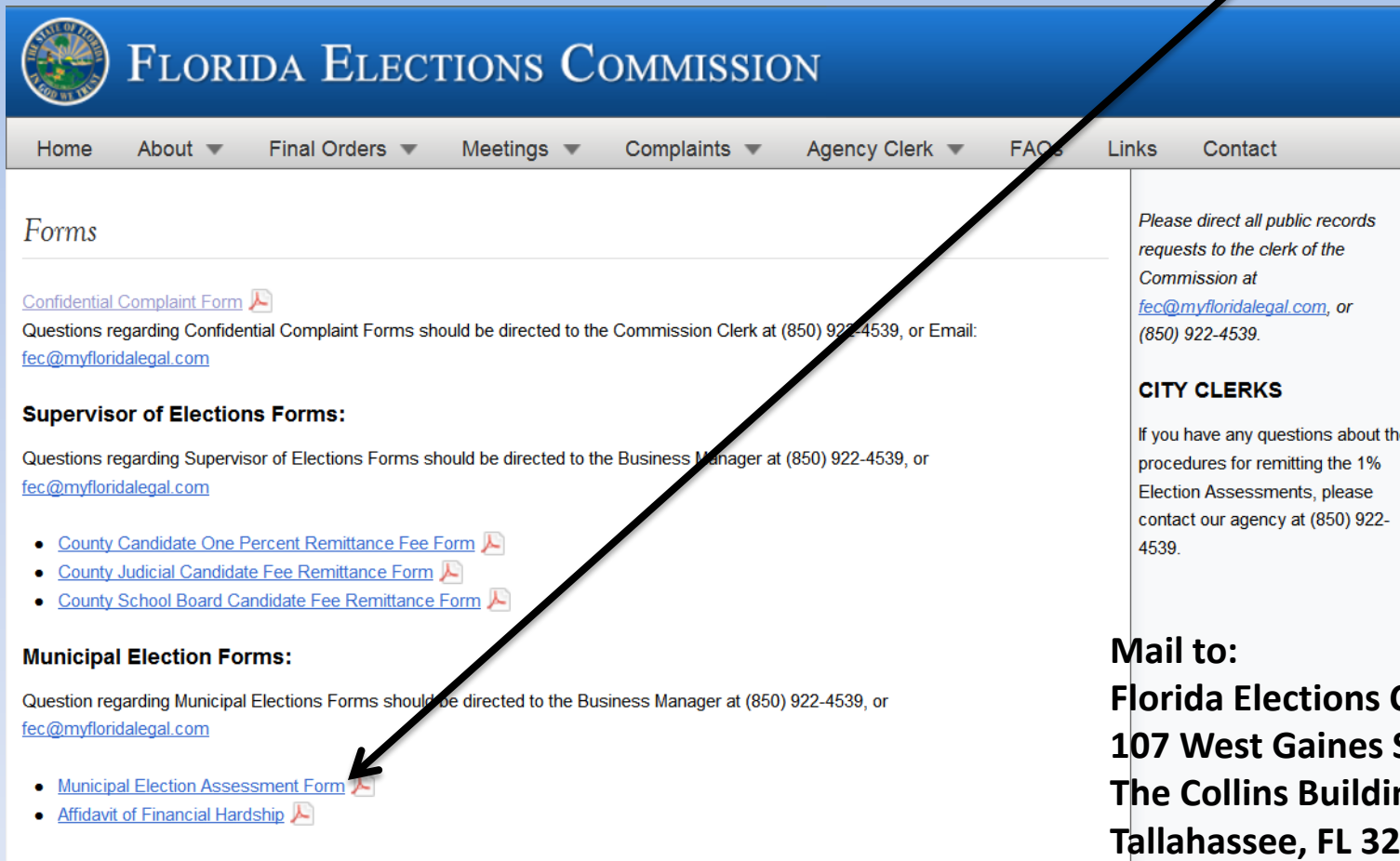
(1) Each person seeking to qualify for nomination or election to a municipal office **shall pay, at the time of qualifying for office, an election assessment.** The election assessment **shall be an amount equal to 1 percent of the annual salary of the office sought. Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund.**

(2) Any person seeking to qualify for nomination or election to a municipal office who is unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her shall, upon written certification of such inability given under oath to the qualifying officer, be exempt from paying the election assessment.

Qualifying of Candidates

<http://www.fec.state.fl.us/FECWebFi.nsf/pages/Forms>


State Assessment Fee Form



 **FLORIDA ELECTIONS COMMISSION**

Home About ▼ Final Orders ▼ Meetings ▼ Complaints ▼ Agency Clerk ▼ FAQs Links Contact


Forms

[Confidential Complaint Form](#) 

Questions regarding Confidential Complaint Forms should be directed to the Commission Clerk at (850) 922-4539, or Email: fec@myfloridalegal.com



Supervisor of Elections Forms:

Questions regarding Supervisor of Elections Forms should be directed to the Business Manager at (850) 922-4539, or fec@myfloridalegal.com

- [County Candidate One Percent Remittance Fee Form](#) 
- [County Judicial Candidate Fee Remittance Form](#) 
- [County School Board Candidate Fee Remittance Form](#) 

Municipal Election Forms:

Question regarding Municipal Elections Forms should be directed to the Business Manager at (850) 922-4539, or fec@myfloridalegal.com

- [Municipal Election Assessment Form](#) 
- [Affidavit of Financial Hardship](#) 

Please direct all public records requests to the clerk of the Commission at fec@myfloridalegal.com, or (850) 922-4539.

CITY CLERKS

If you have any questions about the procedures for remitting the 1% Election Assessments, please contact our agency at (850) 922-4539.

Mail to:
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Qualifying of Candidates

Petition Process, F.S. 99.095, in lieu of a qualifying fee and party assessment.

(2)(a) A candidate must obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least 1 percent of the total number of registered voters of that geographical area, as shown by the compilation by the department for the immediately preceding general election. Signatures may not be obtained until the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to s. [106.021](#) and are valid only for the qualifying period immediately following such filings.

(2)(c) The format of the petition shall be prescribed by the division and shall be used by candidates to reproduce petitions for circulation. If the candidate is running for an office that requires a group or district designation, the petition must indicate that designation and, if it does not, the signatures are not valid. A separate petition is required for each candidate.

Qualifying of Candidates

Petition Process, F.S. 99.095, continued:

(3) Each petition must be **submitted before noon of the 28th day preceding the first day of the qualifying period** for the office sought to the supervisor of elections of the county in which such petition was circulated. Each supervisor shall check the signatures on the petitions to verify their status as voters in the county, district, or other geographical area represented by the office sought. No later than the 7th day before the first day of the qualifying period, the supervisor shall certify the number of valid signatures.

Deadline to submit petitions to Municipal Filing Office is **12-31-2013**.

Qualifying of Candidates

Petition Process, F.S. 99.095, continued:

Candidate to pay costs to verify signatures. According to the “Candidate Petition Handbook, there are three ways to pay for the verification fees:

- The verification fee is paid with a campaign check or the campaign’s petty cash;
- The candidate pays the verification fee with personal funds and reports it as an in-kind contribution or is reimbursed by the campaign; or,
- Someone else pays for the verification fees and is reimbursed by the campaign.

(5) If the required number of signatures has been obtained, the candidate is eligible to qualify pursuant to s. 99.061.

Qualifying of Candidates

Petition Process, F.S. 99.095, continued:

A candidate may claim an undue burden status whereby the candidate certifies, under oath, that he/she is unable to pay the fee for signature verification without imposing an undue burden on his/her personal resources or resources otherwise available.

A candidate must submit their certification of undue burden status at the time they submit their petitions for signature verification.

The undue burden status cannot be claimed after the signature verification process has commenced.

The Supervisor of Elections shall certify the number of valid signatures submitted by the candidate and shall issue an official certification to the filing officer. The certification shall be issued in the time prescribed in municipal charter or Florida Law, whichever is applicable.

Qualifying of Candidates

Petition Process, F.S. 99.095, continued:

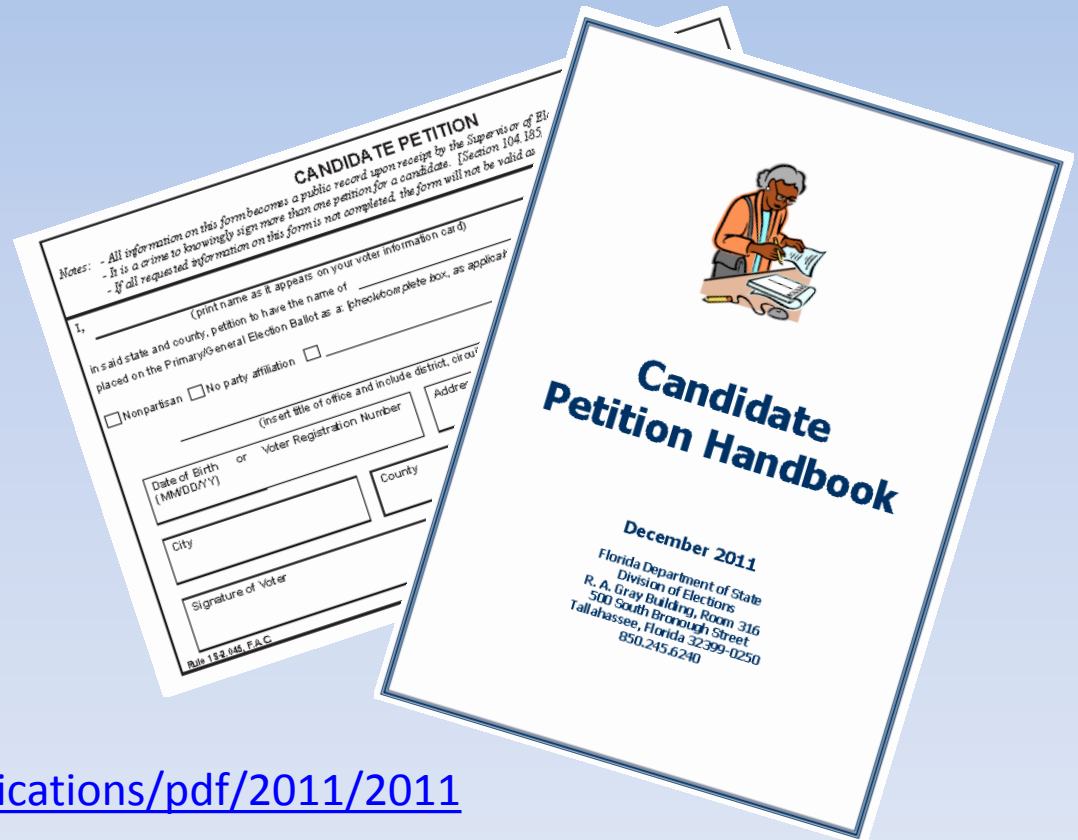
A candidate who obtains the required number of candidate petition signatures will not have to pay the filing fee, but is required to pay the 1% election assessment, unless the candidate files an Affidavit of Undue Burden.

If a candidate, who claimed an undue burden status, has campaign funds left over at the end of his/her campaign, the candidate must reimburse the Supervisor of Elections for any unpaid signatures verification fees.

Qualifying of Candidates

DS-DE 104, Candidate Petition form, download from State Division of Elections at <http://election.dos.state.fl.us/forms/index.shtml>.

A useful resource is the Florida Division of Elections' publication "Candidate Petition Handbook". This should answer most questions you may have on the Petition Process.



<http://election.dos.state.fl.us/publications/pdf/2011/2011CandidatePetitionHandbook.pdf>

Qualifying of Candidates

Proof of Residency/Registered Voter

Check your Code of Ordinances to determine if there are any provisions that require the candidate to provide proof of residency and if they are required to live within the municipality for a specify length of time prior to start of qualifying.

Some municipalities require a candidate provide the following either before or during qualifying:

1. Copy of Drivers License
2. Copy of Voter Registration Card
3. Confirmation from the SOE
4. Copy of Utility Bill in their name

Qualifying of Candidates

Missing or Incomplete Qualifying Forms

If the filing officer receives qualifying papers during the qualifying period prescribed in this section which do not include all items as required by law prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

F.S. 99.061(7)(b)

Qualifying of Candidates

AGO 2004-18: Exemption of Personal Identifying Information.

A custodian who is not the employer of an individual whose personal information is made confidential pursuant to section 119.07(3)(i), Florida Statutes, must maintain the confidentiality of such information only when requested to do so in writing by the protected person or his or her employing agency.

There appears to be a scrivener's error, as this **should be (6)**, not (3).

Qualifying of Candidates

Exemption of Personal Information

Florida Attorney General

Advisory Legal Opinion

Number: AGO 2004-18

Date: April 30, 2004

Subject: Records, petitions/candidacy papers

There appears to be a scrivener's error,
as this **should be (6)**, not (3).

RE: PUBLIC RECORDS—ELECTIONS—confidentiality of personal information in petitions and campaign papers. s. 119.07(3)(i), Fla. Stat.

Accordingly, in the event you are requested in writing to maintain the confidential status of personal information appearing in a petition or campaign papers pursuant to section 119.07(3)(i)4., Florida Statutes, it is my opinion that you must maintain the confidentiality of such information.

Qualifying of Candidates

Returned Checks

F.S. 99.061(7)(a)(1): ...If a candidate's check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall have **until the end of qualifying** to pay the fee with a **cashier's check** purchased from funds of the campaign account. **Failure** to pay the fee as provided in this subparagraph **shall disqualify the candidate.**

Post Qualifying

REMEMBER TO:

- Send SOE List of Qualified Candidates
- Proof and advertise sample ballot
- Process payment for State Assessment Fees, be sure to include Municipal Election Assessment Form (see pages 136 & 137) and any Affidavits of Undue Burden (if applicable)

Poll Watchers

(Sections 101.111, 101.131, 101.23, 102.031(3), Fla. Stat.)

Political parties, candidates and some political committees are allowed to have poll watchers in each polling room during the early voting period and on Election Day. Poll watchers must be approved by the supervisor of elections prior to the election. The supervisor of elections will provide each polling place a list of the names of approved poll watchers. Approved poll watchers are allowed in all polling locations within the county [municipality] designated. However, each political party, candidate or political committee may have only one poll watcher present at any one time in each polling room when the polls are open on Election Day, or during designated early voting hours.

- Poll watchers must wear their identification badges.
- Poll watchers are allowed within the polling room to observe the conduct of the election. They may not obstruct the orderly conduct of the election.

(Continued on next page)

Poll Watchers

- Poll watchers may observe the voter check-in process. They may not come closer to the inspectors' table or the voting booths than is reasonably necessary to perform the poll watcher's functions.
- Poll watchers may not speak to or otherwise interact with voters.
- Poll watchers may make written voter challenges with the precinct clerk.
- Poll watchers are not allowed to wear campaign buttons, shirts, hats, or other campaign items while they are in the polling room.
- Poll watchers should pose any questions regarding polling place procedures to the clerk for resolution.

Poll Watchers

Guidelines issued by SOE

GUIDELINES FOR POLL WATCHERS
SECTION 101.131. FLORIDA STATUTES

1. Each candidate, political party, and political committee may have only one (1) Watcher in each polling room or early voting area at any one time during the election.
2. Each Poll Watcher shall be a qualified and registered elector of the county in which he or she serves.
3. The Clerk of the precinct will be provided with a list of Poll Watchers who have been certified and approved for the Precinct.
4. Each Poll Watcher shall have identification at all times while at the Precinct and shall check in with the Precinct Clerk upon arrival and show identification. The Precinct Clerk will verify that the person is an approved Poll Watcher.
5. No candidate, sheriff, deputy sheriff, police officer or other law enforcement officer may serve as a Poll Watcher.

NOTE: Cell phones must be on silent and one must leave polling room to make or answer calls.

Any member of the public may witness the opening and closing procedures, but may not interfere with the Election Board in any way.

POLL WATCHERS SHALL:

1. Be allowed within the polling room or early voting area to watch and observe the conduct of the electors and the officials.
2. Furnish their own materials and necessities.
3. *They may not use the Precinct telephone.*
4. Observe the voter check-in process and may not come closer to the inspectors' table or voting booth than is reasonably necessary. They are not allowed to touch the Precinct Register.
5. NOT wear or display any political party, candidate's name, or other pertinent campaign materials.
6. NOT interfere with the orderly conduct of the Election.
7. NOT come closer to the Officials' table or the voting booths than is reasonably necessary to properly perform their functions.
8. NOT assist a voter in any way with the voting of their ballot.

Poll Watchers

Sample Poll Watcher Badge

POLL WATCHER CARD for:

NAME OF POLL WATCHER

PALM BEACH GARDENS, FLORIDA

I, **Candidate**, have designated the above named person to serve as a poll watcher for the Palm Beach Gardens Municipal Election to be held on March 8, 2011 in:

All precincts within Palm Beach Gardens

Campaign Financing

Campaign Treasurers

Candidate must have a campaign treasurer and the candidate may appoint themselves as Treasurer or Deputy [F.S. 106.021(1)(c)];

Candidates are prohibited from signing campaign checks unless they are appointed as Campaign Treasurer or Deputy Treasurer [F.S. 106];

Shall file regular reports of all contributions received and expenditures made by or on behalf of the Candidate [F.S. 106.07(1)];

Shall preserve all account documentation for a number of years equal to the term of office to which the Candidate seeks election [F.S. 106.06].

Campaign Financing

Campaign Depository/Bank Account

Form DS-DE9 (candidate naming treasurer and depository) must be on file with the filing officer prior to opening a campaign account, accepting any contributions or making any expenditures or obtaining petition signatures.

Designating a campaign depository does not mean physically opening an account. It's merely naming the financial institution where campaign funds will be deposited.

Campaign Financing

Campaign Depository/Bank Account continued

Campaign checks must contain name of the campaign account of the Candidate or political committee, account number and name of bank, exact amount of expenditure, signature of campaign treasurer or deputy treasurer, exact purpose of expenditure, and name of payee.

Jon Dow		Date <u>7/2/10</u>	00001
<i>PAY TO THE ORDER OF</i>	<u>XYZ Lumber Company</u>	\$ <u>200.00</u>	
<u>Two Hundred and 00/100</u>		<i>DOLLARS</i>	
BANK OF FLORIDA			
TALLAHASSEE, FL 32323			
<i>FOR</i>	<u>Sign materials</u>	<u>Signature of Campaign Treasurer</u>	
003382538:0326 0075894			

Campaign Financing

Campaign Depository/Bank Account continued

Checks - Only a campaign treasurer or deputy campaign treasurer is allowed to sign checks drawn on the campaign account. The campaign treasurer or deputy campaign treasurer who signs a check shall be responsible for the completeness and accuracy of the information on the check and for ensuring it is an authorized expenditure. Candidates are prohibited from signing campaign checks unless they appointed themselves campaign treasurer or deputy treasurer.

Campaign Financing

Reporting

Each campaign treasurer designated by a candidate shall file regular reports of all contributions received and all expenditures made by or on behalf of such candidate.

The candidate and his or her campaign treasurer shall certify as to the correctness of each report. Each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer or candidate who willfully certifies the correctness of any report while knowing that such report is incorrect, false or incomplete commits a misdemeanor of the first degree. (Section 106.07, F.S.)

Campaign Financing

Reporting continued

Reports are filed with the officer before whom the candidate qualifies. Candidates filing reports with the Division of Elections are required to file by means of the Electronic Filing System (EFS). If the candidate's filing officer is other than the Division of Elections, contact the appropriate filing officer to find out the requirements.

(Section 106.07(2), F.S.)

Reporting dates were provided at the beginning of this presentation under "Important Dates".

Campaign Financing

Reporting continued

Gary J. Holland, Assistant Director
Division of Elections, Florida Department of State

Issued the below statement:

“Consistent with Division of Elections Formal Opinion [98-03](#), for municipal elections in which no municipal primary is held, the only applicable reporting dates other than monthly reports are those reports due on the 25th, 11th, and 4th days preceding the municipal general election.”¹

¹ Provided by email from Tammy Revell, FLC, June 5, 2013

Campaign Financing

Reporting continued

F.S. §106.07(2)(a)1. states the following:

Reports shall contain information of all previously unreported contributions received and expenditures made as of the preceding Friday, *except that the report filed on the Friday immediately preceding the election shall contain information of all previously unreported contributions received and expenditures made as of the day preceding that designated due date.*

Therefore, your reporting dates and period covered for the March 11, 2014 election would be as follows:

Reporting Date:	Period Covered:
Friday, January 10, 2014	December 1-31, 2013
Monday, February 10, 2014	January 1-31, 2014
Friday, February 14, 2014 (25th day prior)	February 1-7, 2014
Friday, February 28, 2014 (11th day prior)	February 8-21, 2014
Friday, March 7, 2014 (4th day prior)	February 22 – March 6, 2014

Campaign Financing

Division of Elections Rules

Rule 1S-2.017 DS-DE 111 (version 5/23/2011) **Campaign Finance Reporting File Specifications**

Report Type - Each reporting period is identified by a report type code. Monthly reports are M1, M2, M3, and M4. General Election reports are G1, G2, G3, and G4. A termination report (TR) is due from candidate 90 days after the close of their campaign.

Amendment - An amendment report includes only the contributions, expenditures, other distributions and fund transfers being reported as additions, updates or deletions. Please read the instructions for the sequence number field and the amendment type field.

Refunds: Negative Contributions - All refunds (contribution type of 'REF') should be entered as a negative money amount. Examples of refunds include bad checks or a refund/return of a previously deposited contribution.

Campaign Financing

Division of Elections Rules

Rule 1S-2.017 DS-DE 111 (version 5/23/2011) **Campaign Finance Reporting File Specifications Continued**

Amended Reports To *add a new (previously unreported)* contribution, expenditure, other distribution or fund transfer for the reporting period being amended, enter “ADD” in amendment type on a record with ALL of the required data. The sequence number for contributions with amendment type “ADD” will start one plus the number of contributions in the previous report for the specified coverage period. For example, amending an original Q1 report that had 75 contributions, means the sequence number for the first contribution having amendment type “ADD” will be 76; the second “ADD” contribution would be 77, etc. When amending an original Q2 report that had 40 contributions and 30 expenditures, the sixth “ADD” contribution would have sequence number 46 and the ninth “ADD” expenditure would have sequence number 39.

Campaign Financing

Division of Elections Rules

Rule 1S-2.017 DS-DE 111 (version 5/23/2011) **Campaign Finance Reporting File Specifications Continued**

To ***delete a previously submitted*** contribution, expenditure, other distribution or fund transfer enter “DEL” in amendment type on a record with the existing sequence number of the contribution, expenditure, other distribution or fund transfer to be deleted. The sequence number will identify the record to be dropped from your active records.

To ***correct a previously submitted*** contribution, expenditure, other distribution or fund transfer enter “UPD” in amendment type on a record with the existing sequence number of the contribution, expenditure, other distribution or fund transfer to be corrected. The sequence number will identify the record to be updated. ALL data items will be replaced with the data items in the record. Therefore, all data items must be supplied even though only one item might have changed.

Campaign Financing

Division of Elections Rules

Rule 1S-2.017 DS-DE 111 (version 5/23/2011) **Campaign Finance Reporting File Specifications Continued**

Sequence Numbers

Each contribution, expenditure, other distribution or fund transfer record shall have a sequence number assigned to it. Sequence numbers should start at 1 and increase by 1 for each record type. Thus for each report, the record type and sequence number will combine to create a unique identifier for each a contribution, expenditure, other distribution or fund transfer record. For example, a Q1 report having 75 contributions, 40 expenditures, 5 other distributions and 2 fund transfers records would use sequence numbers 1 through 75 for contributions, 1 through 40 for expenditures, 1 through 5 for other distributions and 1 through 2 for fund transfers. The next report (Q2), comprised of 40 contributions, 30 expenditures, 2 other distributions, and 4 fund transfers would use sequence numbers 1 through 40 for contributions, 1 through 30 for expenditures, 1 through 2 for other distributions and 1 through 4 for fund transfers. Contributions added via amended Q1 reports would begin with sequence number 76 and via amended Q2 reports would begin with sequence number 41.

Campaign Financing

Contributions

A contribution is:

1. A gift, subscription, conveyance, deposit, loan, payment or distribution of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. These include contributions in-kind, having an attributable monetary value in any form;
2. A transfer of funds between political committees;
3. The payment, by any person other than a candidate, of compensation for the personal services of another person which are rendered to a candidate without charge to the candidate for such services; or
4. The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit. The term includes any interest earned on such account or certificate.

Campaign Financing

Contributions continued

The exceptions are:

1. Services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate including, but not limited to, legal and accounting services;
2. Editorial endorsements.

IMPORTANT: The law provides no exceptions for reporting contribution information, regardless of the size of the contribution (e.g., the reporting requirements would be the same for a 50 cent contribution as for a \$1,000 contribution).

(Section 106.011(3), F.S.)

Campaign Financing

Contributions continued

Contributions are considered received for reporting purposes when received by the candidate, the campaign or deputy treasurer or an agent of the campaign.

- Not when mailed
- Not date of check
- Not date deposited

Campaign Financing

Unauthorized Contributions

Any contribution received by a candidate with opposition in an election or by the campaign treasurer or deputy campaign treasurer on the day of that election or less than five days prior to the day of the election must be returned to the contributor and may not be used or expended by or on behalf of the candidate.

(Section 106.08(3), F.S.)

Campaign Financing

Contribution within a Government Building

No person shall make and no person shall solicit or knowingly accept any political contribution in a building owned by a governmental entity.

“Accept” means to receive a contribution by personal hand delivery from a contributor or the contributor’s agent. This prohibition does not apply when a government-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund raiser.

(Section 106.15(4), F.S.)

Campaign Financing

Anonymous Contributions

When a candidate receives an anonymous contribution it must be reported on the candidate's campaign treasurer's report as an anonymous contribution. A letter should be submitted to the filing officer explaining the circumstances surrounding the acceptance of the anonymous contribution.

The candidate cannot spend the anonymous contribution, but at the end of the campaign can donate the amount to an appropriate entity under Section 106.141, F.S. (Division of Elections Opinion 89-02)

Campaign Financing

In-Kind Contributions

In-kind contributions are anything of value made for the purpose of influencing the results of an election.

The exceptions are:

1. Money;
2. Personal services provided without compensation by individual volunteers;
3. Independent expenditures, as defined in Section 106.011(5), F.S.; or
4. Endorsements of three or more candidates by political committees or political parties.

(Section 106.011, F.S.; and Division of Elections Opinion 04-06)

Campaign Financing

In-Kind Contributions continued

- In-kind contributions have an attributable monetary valuation;
- Can be combined with a monetary contribution; and
- Cannot exceed the \$1,000 per person, per election contribution limit.

(Section 106.011, F.S.; and Division of Elections Opinion 04-06)

Campaign Financing

In-Kind Contributions continued

Any person who makes an in-kind contribution shall, at the time of making the contribution, place a fair market value on the contribution. In-kind contributions are subject to contribution limitations. Travel conveyed upon private aircraft shall be valued at the actual cost of per person commercial air travel for the same or a substantially similar route.

(Section 106.055, F.S., and Division of Elections Opinion 09-08)

Campaign Financing

Cash Contributions

A candidate may **not accept** an aggregate cash contribution or contribution by means of a cashier's check from the same contributor in **excess of \$50 per election**.

IMPORTANT: Cash contributions should be reported on campaign treasurer's reports to include the full name and address of each person who gave a cash contribution during the reporting period, together with the amount and date of such cash contribution.

(Sections 106.07(4) and 106.09, F.S.)

Campaign Financing

Debit and Credit Card Contributions

A candidate may accept contributions via a credit card, debit card, or money order. These contributions are categorized as a "check" for reporting purposes.

(Division of Elections Opinions 94-02 and 00-03)

Campaign Financing

Fund Raisers

No campaign fund raiser may be held unless the person for whom such funds are to be so used is a candidate for public office.

All money and contributions received with respect to such a campaign fund raiser shall be deemed to be campaign contributions, and shall be accounted for, and subject to the same restrictions, as other campaign contributions. All expenditures made with respect to such a campaign fund raiser which are made or reimbursed by a check drawn on the campaign depository of the candidate for whom the funds are to be used and shall be deemed to be campaign expenditures to be accounted for, and subject to the same restrictions, as other campaign expenditures.

Campaign Financing

Fund Raisers continued

Any tickets or advertising for a campaign fund raiser must comply with the requirements of s. 106.143.

Any person or candidate who holds a campaign fund raiser, or consents to a campaign fund raiser being held, in violation of the provisions of this subsection is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

F.S. 106.025

Campaign Financing

Contribution Limits for Candidates

Except for political parties or affiliated party committees, **no person**, political committee **may make contributions in excess of \$1000 per election to any candidate** for election or retention in office. The primary and general elections are separate elections.

These limits do not apply to contributions made by a state or county executive committee of a political party or affiliated party committee regulated by Chapter 103, F.S., or **to amounts contributed by a candidate to his own campaign.**

Campaign Financing

Contribution Limits for Candidates continued

A candidate may not:

1. Accept contributions until Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, is filed with the filing officer;
2. Accept a contribution in excess of \$1,000 from any one person per election, provided the candidate is an opposed candidate and the contribution is received within the timeframe applicable to each election;
3. Accept contributions from family members in excess of \$1,000 per election; and
4. Accept contributions after the date he or she withdraws his or her candidacy, is defeated, becomes unopposed or is elected.

(Sections 106.08 and 106.19, F.S.)

Campaign Financing

Contribution Deadlines

Unopposed Candidates, Tuesday, February 11, 2014, Midnight

General Election, Thursday, March 06, 2014, Midnight

Run-Off Election, Thursday, March 20, 2014, Midnight

(Section 106.08(3), F.S.)

Campaign Financing

Reporting Contributions

Each report must contain:

1. Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. **The principal type of business or the occupations are not required if the contribution is \$100 or less, or from a relative provided the relationship is reported.**
2. Name, address, amount, and date of each political committee making any transfer of funds.
3. Full name, address, specific occupation, principal place of business of the lender and endorser, date and amount of each loan.
4. Statement of each contribution, rebate, refund, or other receipts not listed in 1. through 3. above.

(Sections 106.07(4) and 112.312(21), F.S.)

Campaign Financing

Form DS-DE 13, Itemized Contributions

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name _____ (2) I.D. Number _____

(3) Cover Period		/ /		through	/ /		(4) Page	of	
(5) Date	(7) Full Name (Last, Suffix, First, Middle)	(8) Contributor Type	(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount	(6) Sequence Number	(8) Street Address & City, State, Zip Code	(10) Occupation
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DS-DE 13 (Rev. 08/03)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

reset

print

INSTRUCTIONS FOR CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

- Type candidate's full name or name of the political committee (PC), committee of continuous existence (CCE) or party executive committee (PTY).
- Type the identification number assigned by the Division of Elections.
- Type cover period dates (e.g., 7/1/03 through 8/30/03). (See Calendar and Election Dates for appropriate year and cover periods.)
- Type page numbers (e.g., 1 of 3).
- Type date contribution was RECEIVED (Month/Day/Year).

(6) **Sequence Number** – Each detail line shall have a sequence number assigned to it. Sequence numbers are to be assigned within each reporting period and for each type of detail line. Thus the report type, detail line type, and sequence number will combine to uniquely identify a specific contribution, expenditure, distribution or fund transfer. This method of unique identification is required for responding to requests from the Division and for reporting amendments.

For example, a Q1 report having 75 contributions would use sequence numbers 1 through 75. The next report (Q2), comprised of 40 contributions would use sequence numbers 1 through 40. Contributions on amended Q1 reports would begin with sequence number 76 and on amended Q2 reports would begin with sequence number 41. See the Amendment Type instructions below.

(7) Type full name and address of contributor (including city, state and zip code).

(8) Enter the type of contributor using one of the following codes:

- Individual = I
- Business = B (also includes corporations, organizations, groups, etc.)
- Committees = C (includes PC's, CCE's and federal committees)
- Political Parties = P (includes federal, state and county executive committees)
- Other = O (e.g., candidate surplus funds to party, etc.)

Type occupation of contributor for contributions over \$100 only. (If a business, please indicate nature of business.)

(9) Enter Contribution Type using one of the following codes:

NOTE: Cash includes cash and cashier's checks.

DESCRIPTION	CODE
Cash	CAS
Check	CHE
In-kind	INK
Interest	INT
Loan	LOA
Membership dues	DUE
Refund	REF

(10) Type the description of any in-kind contribution received.

Candidate's Only – If in-kind contribution is from a party executive committee and is allocable toward the contribution limits, type an "A" in this box. If contribution is not allocable, type an "N".

(11) **Amendment Type** (required on amended reports) – To add a new (previously unreported) contribution for the reporting period being amended, enter "ADD" in amendment type on a line with ALL of the required data.

The sequence number for contributions with amendment type "ADD" will start at one plus the number of contributions in the original report. For example, amending an original Q1 report that had 75 contributions, means the sequence number of the first contribution having amendment type "ADD" will be 76; the second "ADD" contribution would be 77, etc. When amending an original Q2 report that had 40 contributions, the sixth "ADD" contribution would have sequence number 46.

To correct a previously submitted contribution use the following drop/add procedure. Enter "DEL" in amendment type on a line with the sequence number of the contribution to be corrected. In combination with the report number being amended, this sequence number will identify the contribution to be dropped from your active records. On the next line enter "ADD" in amendment type and ALL of the required data with the necessary corrections thus replacing the dropped data. Assign the sequence number as described above.

(12) Type amount of contribution received. **Committees of continuous existence ONLY:** Any contribution which represents the payment of dues by a member in a fixed amount pursuant to the schedule on file with the Division of Elections need only list the aggregate amount of such contribution, together with the number of members paying such dues and the amount of membership dues.

Campaign Financing

Deposit of Contributions

All funds received by the campaign treasurer of any candidate shall, prior to the end of the 5th business day following the receipt thereof, Saturdays, Sundays, and legal holidays excluded, be deposited in a campaign depository designated pursuant to s. 106.021, in an account that contains the name of the candidate. All deposits shall be accompanied by a bank deposit slip containing the name of each contributor and the amount contributed by each.

(Section 106.05, F.S.)

Campaign Financing

Returning Contributions

Contributions must be returned to the contributor if:

1. A candidate receives a contribution in excess of the limitations provided by law.
2. A candidate with opposition in an election receives a contribution on the day of that election or less than five days before the date of that election.
3. A candidate receives a contribution once he or she is elected, defeated, becomes unopposed, or withdraws his or her candidacy. If the contribution to be returned has not been deposited into the campaign account, report the contribution as a contribution returned using form DS-DE 02. If the contribution has been deposited into the campaign account: 1. Report the contribution; and 2. Write a check from the campaign account to the contributor for the amount of the contribution and report this on the itemized contribution report using the contribution type "Refund." This amount is reported as a negative. The candidate may also wish to submit a written explanation to the filing officer.

Campaign Financing

Form DS-DE 2, Contributions Returned

CONTRIBUTIONS RETURNED (Section 106.07(4)(b), F.S.) (PLEASE TYPE)		OFFICE USE ONLY
This report applies only to contributions received by any candidate, committee, or organization but returned to the contributor before being deposited in the campaign account.		
<input type="checkbox"/> Candidate <input type="checkbox"/> Committee or Organization		
Full Name: _____		
Full Address: _____		
Full Name and Address of Contributor: _____ _____ _____	Full Name and Address of Contributor: _____ _____ _____	
Amount of Contribution: \$ _____	Amount of Contribution: \$ _____	
Date Received: _____	Date Received: _____	
Date Returned: _____	Date Returned: _____	
Full Name and Address of Contributor: _____ _____ _____	Full Name and Address of Contributor: _____ _____ _____	
Amount of Contribution: \$ _____	Amount of Contribution: \$ _____	
Date Received: _____	Date Received: _____	
Date Returned: _____	Date Returned: _____	
I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND IT IS TRUE, CORRECT AND COMPLETE.		
_____ Type or Print Name of Candidate, Treasurer or Chairman		
X _____	Signature	
DS-DE 2 (Rev. 07/10)	RESET	PRINT

Campaign Financing

Expenditures

An expenditure is a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election.

A candidate shall:

1. Pay all campaign expenditures by a check drawn on the campaign account (except petty cash);
2. Pay the qualifying fee by a check drawn on the campaign account;
3. Pay for all expenses authorized or incurred for the purchase of goods or services upon final delivery and acceptance of the goods or services; and
4. Pay for public utilities such as telephone, electric, gas, water and like services when the bill is received. Utility companies providing services to candidates must charge a deposit sufficient to meet all anticipated charges during a billing period.

Campaign Financing

Expenditures Continued

No candidate, campaign manager, treasurer, deputy treasurer, or any person acting on behalf of the foregoing, shall authorize any expenses, **unless there are sufficient funds on deposit** in the primary depository account of the candidate to pay the full amount of the authorized expense, to honor all other checks drawn on such account, which checks are outstanding, and to meet all expenses previously authorized but not yet paid.

A candidate or other individual **may be reimbursed for expenses incurred in connection with the campaign** by a check drawn on the campaign account and reported pursuant to Section 106.07(4), F.S. The full name and address of each person to whom the candidate or other individual made payment for which reimbursement was made by check drawn upon the campaign account shall be reported pursuant to Section 106.07(4), F.S., together with the purpose of such payment.

Campaign Financing

Living Expenses

A candidate or the spouse of a candidate may not use campaign funds to defray normal living expenses for the candidate or the candidate's immediate family other than expenses actually incurred during the campaign for transportation, meals and lodging.

(Sections 106.011(4), 106.021(3), 106.14 and 106.1405, F.S.)

Campaign Financing

Petty Cash Funds

A campaign treasurer may provide a petty cash fund for the candidate. To establish a petty cash fund, the campaign treasurer must write a check drawn on the primary campaign account. Petty cash may only be used for office supplies, transportation expenses, and other necessities.

A candidate must:

1. Spend petty cash in amounts of less than \$100 that can be used to purchase office supplies, transportation expenses and other necessities;
2. Report the total amount withdrawn and the total amount spent for petty cash in each reporting period;
3. Keep complete records of petty cash although each expenditure does not have to be reported individually;
4. Not mix cash contributions with petty cash; and
5. Not use petty cash for the purchase of time, space, or services from communications media as defined in s. 106.011(13).

Campaign Financing

Limits on Petty Cash Fund Amounts

From the day a candidate appoints his or her campaign treasurer **until the last day a candidate can qualify for office** the campaign treasurer may withdraw from the campaign account for the purpose of providing a petty cash fund for the candidate:

\$500 per calendar quarter.

After qualifying is over and until the election in which the candidate is eliminated or elected to office or the time in which the candidate becomes unopposed the treasurer may withdraw:

\$100 per week

(Sections 106.07 and 106.12, F.S., and Division of Elections Opinion 06-10)

Campaign Financing

Credit Cards

Can only be used for statewide office (Governor, Cabinet, and Supreme Court Justice) candidates under certain conditions.

Campaign Financing

Debit Cards

May be used in lieu of campaign checks and are considered bank checks if:

1. Obtained from the same bank as the primary campaign depository.
2. Issued in the name of the treasurer, deputy treasurer, or authorized user.
3. Contain the name of the campaign account of the candidate.
4. No more than three are issued.
5. The person using the card does not receive cash as part of, or independent of, any transaction for goods or services.

Campaign Financing

Debit Cards continued

All debit card receipts must contain:

1. Last four digits of the debit card number.
2. Exact amount of expenditure.
3. Name of payee.
4. Signature of campaign treasurer, deputy treasurer, or authorized user.
5. Exact purpose of expenditure.

Any of the above listed information, if not included on the receipt, may be handwritten on, or attached to, the receipt by the authorized user before submitting to the campaign treasurer. The debit card user shall be responsible for the completeness and accuracy of the information and for insuring that such expenditure is authorized.

(Section 106.11, F.S)

Campaign Financing

A candidate that spends \$5,000 in electioneering communications within 60 days prior to an election would need to file as an ECO and file reports accordingly.

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

	Political Committee (PC)	Committee of Continuous Existence (CCE)	Electioneering Communications Organization (ECO)
Purpose	To support or oppose any candidate, issue*, PC, CCE, ECO, or political party. May make independent expenditures. May make electioneering communications. *A sponsor of a constitutional initiative petition must be a PC. (100.371, F.S.)	To make contributions to candidates, committees, or political parties. (106.04, F.S.) 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.) May contribute to an ECO. (DE 06-09) May not make independent expenditures. (DE 04-09) May not make electioneering communications. (106.04(5), F.S.)	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.) 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.)
Special Organizational Criteria	None.	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.) At least 25% of the income, excluding interest, of the organization must come from dues of members. (106.04(1)(b), F.S.)	None.
Initial Filings	Statement of Organization (106.03, F.S.) 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. Appointment of Campaign Treasurer and Designation of Campaign Depository (106.021, F.S.) Registered Agent Statement of Appointment (106.022, F.S.)	Application for Certification Charter or Bylaws Dues or assessment schedule Financial statement for preceding 12 months Registered Agent Statement of Appointment (106.04(2), F.S.)	Statement of Organization (106.03, F.S.) when ECO receives contributions or makes expenditures in excess of \$5,000 in a calendar year. Registered Agent Statement of Appointment (106.022, F.S.)

Facts only

Campaign Financing

Electioneering Communication is:

F.S. 106.011(18)(a) “Electioneering communication” means any communication that is publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone and that:

1. Refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate;
2. Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and
3. Is targeted to the relevant electorate in the geographic area the candidate would represent if elected.

Campaign Financing

Electioneering Communication is not:

F.S. 106.011(18)(b)3. A communication that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that:

a. The staging organization is either:

(I) A charitable organization that does not make other electioneering communications and does not otherwise support or oppose any political candidate or political party; or

(II) A newspaper, radio station, television station, or other recognized news medium; and

b. The staging organization does not structure the debate to promote or advance one candidate or issue position over another.

(c) For purposes of this chapter, an expenditure made for, or in furtherance of, an electioneering communication shall not be considered a contribution to or on behalf of any candidate.

(d) For purposes of this chapter, an electioneering communication shall not constitute an independent expenditure nor be subject to the limitations applicable to independent expenditures.

Campaign Financing

Reporting Expenditures

(Section 106.07, F.S.)

Each report must contain:

1. Full name and address of each person to whom expenditures have been made along with the amount, date, and clear purpose of the expenditure. Name, address, and office sought by each candidate on whose behalf such expenditure was made.
2. Full name and address of each person to whom an expenditure for personal services, salary or reimbursed authorized expenses was made along with the amount, date, and clear purpose of the expenditure.
3. Total amount withdrawn and the total amount spent from the petty cash fund. Each expenditure from the petty cash fund need not be individually reported but complete records of petty cash expenditures must be kept.
4. Total sum of expenditures during the reporting period.

Campaign Financing

Reporting Total Sums

Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts. (Section 106.07, F.S.)

Campaign Financing

Form DS-DE 12, Report Summary

FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS CAMPAIGN TREASURER'S REPORT SUMMARY	
(1) Name _____ (2) Address (number and street) _____ City, State, Zip Code _____ <input type="checkbox"/> CHECK IF ADDRESS HAS CHANGED	OFFICE USE ONLY (3) ID Number: _____
(4) Check appropriate box(es): <input type="checkbox"/> Candidate (office sought): <input type="checkbox"/> Political Committee <input type="checkbox"/> Committee of Continuous Existence <input type="checkbox"/> Party Executive Committee <input type="checkbox"/> Electioneering Communication <input type="checkbox"/> CHECK IF PC HAS DISBANDED <input type="checkbox"/> CHECK IF CCE HAS DISBANDED <input type="checkbox"/> CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED	
(5) REPORT IDENTIFIERS Cover Period: From ___/___/___ To ___/___/___ Report Type _____ <input type="checkbox"/> Original <input type="checkbox"/> Amendment <input type="checkbox"/> Special Election Report <input type="checkbox"/> Independent Expenditure Report	
(6) CONTRIBUTIONS THIS REPORT Cash & Checks \$ _____ Loans \$ _____ Total Monetary \$ _____ In-Kind \$ _____	(7) EXPENDITURES THIS REPORT Monetary Expenditures \$ _____ Transfers to Office Account \$ _____ Total Monetary \$ _____ (8) Other Distributions \$ _____
(9) TOTAL Monetary Contributions To Date \$ _____	(10) TOTAL Monetary Expenditures To Date \$ _____
(11) CERTIFICATION It is a first degree misdemeanor for any person to falsify a public record (cs. 838.13, F.S.) I certify that I have examined this report and it is true, correct, and complete. (Type name) <input type="checkbox"/> Individual (only for electioneering comm.) <input type="checkbox"/> Treasurer <input type="checkbox"/> Deputy Treasurer <input checked="" type="checkbox"/> Candidate <input type="checkbox"/> Chairperson (only for PC, PTY & electioneering comm., organization)	
Signature _____	Signature _____

DS-DE 12 (Rev. 08/04)

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INSTRUCTIONS FOR CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Type full name of candidate, political committee, committee of continuous existence, party executive committee, or individual or organization filing an electioneering communication report.																		
(2) Type the address (include city, state, and zip code). You may use a post office box. If the address has changed since the last report filed, check the appropriate box.																		
(3) Type identification number assigned by the Division of Elections.																		
(4) Check one of the appropriate boxes: Candidate (type office sought - include district, circuit, or group numbers) Political Committee Committee of Continuous Existence Party Executive Committee Electioneering Communication If PC or CCE has disbanded and will no longer file reports, check appropriate box. If individual or organization will no longer file electioneering communication reports, check appropriate box.																		
(5) Type the cover period dates (e.g., From 07/01/03 To 09/30/03). Enter the report type using one of the following abbreviations (see Calendar of Election and Reporting Dates). If report is for a special election, add "S" in front of the report code (e.g., 0G3).																		
<table border="1"> <thead> <tr> <th>Quarterly Reports</th> <th>General Election Reports</th> </tr> </thead> <tbody> <tr> <td>January Quarterly.....G4</td> <td>46th Day Prior.....G1</td> </tr> <tr> <td>April Quarterly.....G1</td> <td>32nd Day Prior.....G2</td> </tr> <tr> <td>July Quarterly.....G2</td> <td>18th Day Prior.....G3</td> </tr> <tr> <td>October Quarterly.....G3</td> <td>4th Day Prior.....G4</td> </tr> <tr> <th>Primary Reports</th> <th>90-Day Termination Reports (Candidates Only)</th> </tr> <tr> <td>32nd Day Prior.....F1</td> <td>Termination Report.....TR</td> </tr> <tr> <td>18th Day Prior.....F2</td> <td></td> </tr> <tr> <td>4th Day Prior.....F3</td> <td></td> </tr> </tbody> </table>	Quarterly Reports	General Election Reports	January Quarterly.....G4	46 th Day Prior.....G1	April Quarterly.....G1	32 nd Day Prior.....G2	July Quarterly.....G2	18 th Day Prior.....G3	October Quarterly.....G3	4 th Day Prior.....G4	Primary Reports	90-Day Termination Reports (Candidates Only)	32 nd Day Prior.....F1	Termination Report.....TR	18 th Day Prior.....F2		4 th Day Prior.....F3	
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Check one of the appropriate boxes: Original (first report filed for this reporting period) Amendment (an amendment to a previously filed report) Special Election Report Independent Expenditure Report (see Section 106.071, F.S.)																		
(6) Type the amount of all contributions this report: Cash & Checks Loans Total Monetary (sum of Cash & Checks and Loans) In-kind (a fair market value must be placed on the contribution at the time it is given)																		
(7) Type the amount of all expenditures this report: Monetary Expenditures Transfers to Office Account (elected candidates only) Total Monetary (sum of Monetary Expenditures and Transfers to Office Account)																		
(8) Type the amount of other distributions (goods & services contributed to a candidate or other committee by a PC, CCE or PTY).																		
(9) Type the amount of TOTAL monetary contributions to date (parties keep cumulative totals for 2 year periods at a time (e.g., 01/01/02 - 12/31/03). Candidates keep cumulative totals from the time the campaign depository is opened through the termination report).																		
(10) Type the amount of TOTAL monetary expenditures to date (parties keep cumulative totals for 2 year periods at a time (e.g., 01/01/02 - 12/31/03). Candidates keep cumulative totals from the time the campaign depository is opened through the termination report).																		
(11) Type or print the required officer's name and have them sign the report: Candidate report (treasurer & candidate must sign) PC report (treasurer & chairperson must sign) CCE report (treasurer must sign) PTY report (treasurer & chairperson must sign) Electioneering Communication report (individual or organization's treasurer & chairperson must sign)																		
AMENDMENT REPORTS: An amendment report summary should summarize only contributions, expenditures, distributions, & fund transfers being reported as additions or deletions. Read the instructions for the sequence number & amendment type fields on the back of forms DS-DE 13, 14, 14A and 94. The Division will summarize all reports submitted for each reporting period and for the filer to date.																		

Campaign Financing

Waiver of Report

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived; however, the candidate must indicate there is no activity by filing a waiver of report. (Waivers filed with the Division of Elections must be filed using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed. (Section 106.07, F.S.)

Campaign Financing

Form DS-DE 87, Waiver of Report

WAIVER OF REPORT (Section 106.07(7), F.S.) (PLEASE TYPE)		OFFICE USE ONLY	
Name		Office Sought	
Address		City	State Zip Code
<input type="checkbox"/> Candidate	<input type="checkbox"/> Committee of Continuous Existence	<input type="checkbox"/> Electorating Communication Organization	
<input type="checkbox"/> Political Committee	<input type="checkbox"/> Party Executive Committee		
<input type="checkbox"/> Check box if address has changed since last report.		<input type="checkbox"/> Check here if PC, CCE, or ECO has DISBANDED and will no longer file reports.	
TYPE OF REPORT (Check Appropriate Box)			
QUARTERLY REPORTS		PRIMARY ELECTION	GENERAL ELECTION
<input type="checkbox"/> January	<input type="checkbox"/> April	<input type="checkbox"/> 32nd day prior	<input type="checkbox"/> 45th day prior
<input type="checkbox"/> July	<input type="checkbox"/> October	<input type="checkbox"/> 18th day prior	<input type="checkbox"/> 32nd day prior
		<input type="checkbox"/> 4th day prior	<input type="checkbox"/> 18th day prior
		<input type="checkbox"/> 4th day prior	<input type="checkbox"/> 4th day prior
			<input type="checkbox"/> TERMINATION REPORT
			<input type="checkbox"/> SPECIAL ELECTION
NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF _____ THROUGH _____			
X _____ Signature		_____ Date	
SIGNATURES REQUIRED FOR: Candidate; Campaign Treasurer or Deputy Treasurer (§. 106.07(5), F.S.); Political Committee; Chairman, Campaign Treasurer or Deputy Treasurer (§. 106.07(6), F.S.); Committee of Continuous Existence and Electorating Communication Organization Treasurer (§. 106.04(4)(c), F.S.); Party Executive Committee; Treasurer or Chairman (§. 106.29(2), F.S.)			
If any reporting period while there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.			

DS-DE87 (Rev. 07/10)

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Campaign Financing

Incomplete Reports

F.S. 106.07(2)(b)1. governs that “Any report that is deemed to be incomplete by the officer with whom the candidate qualifies shall be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.”

Campaign Financing

Incomplete Reports

An incomplete report could mean:

- Missing required signatures
- Missing required pages
- Missing amounts
- Missing reporting periods
- Required items left blank
- Occupations for contributions over \$100 missing
- Generic occupations
- Excessive contributions over \$1,000

Campaign Financing

Common Completion Errors

- The word “Confidential” used in place of an address
- Generic phrase in occupation field such as “business person”
- Vague or no description of in-kind contribution
- Dues listed incorrectly – number of members or amount per member not reported
- Office sought not reported when contribution given to candidate

Campaign Financing

Common Completion Errors continued

- Contribution received / expenditure made prior to becoming a candidate
- Contribution limits exceeded
- Refund of expenditure reported as a contribution
- Refund of contribution or returned check reported as expenditure
- Joint contributions – Bob and Sue Smith
- Petty cash spent in increments greater than \$100
- Petty cash withdrawals in excess of limits per week or quarter

Campaign Financing

Common Completion Errors continued

- Reporting petty cash withdrawn without reporting petty cash spent or vice versa
- Incorrect expenditure/contribution codes used
- Anonymous contributions – explanation for file
- Reimbursements or prepaid expenses not itemized
- Payment to a credit card company (other than statewide candidate)
- Activity reported in wrong cover period

Campaign Financing

Common Completion Errors continued

- Not using correct codes:
 - TOA – transfer of office account
 - DIS – disposing of surplus funds
- Improper post election use of funds
- Failing to pay petition verification fees
- Termination report reflects a balance or deficit
- Contributions received after the deadline

Campaign Financing

Late Filing of Reports

F.S. 106.07(8)(a) governs that “Any candidate or political committee failing to file a report on the designated due date is subject to a fine as provided in paragraph (b) for each late day, and, in the case of a candidate, such fine shall be paid only from personal funds of the candidate. The fine **shall be** assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of a candidate for state office or a political committee that registers with the Division of Elections; or
2. In the general revenue fund of the political subdivision, in the case of a candidate for an office of a political subdivision or a political committee that registers with an officer of a political subdivision.”

Campaign Financing

Late Filing of Reports continued

F.S. 106.07(8)(b) governs that “Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day.

The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.

Campaign Financing

Late Filing of Reports continued

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the filing officer. In the case of a candidate, such fine shall not be an allowable campaign expenditure and shall be paid only from personal funds of the candidate.

Campaign Financing

Sample Notice of Late Report

Be advised, you have failed to timely file your Campaign Treasurer's Report that was due in my office by March 9, 2012, by 5:00 p.m. As such, your Report is determined late and a fine shall be assessed, unless, as governed by Section 106.07(2)(a)1., you have mailed your report and it is received in my office by the United States Postal Service within 5 days after the designated due date and is postmarked no later than midnight of the due date.

Section 106.07(8)(b), Florida Statutes, requires that "Upon determining that a report is late, the filing officer shall immediately notify the candidate ... as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.....".

Once your report is filed, this office will notify you of the specific amount of your fine. As governed by Florida Statutes, Chapter 106, fines shall be paid within 20 days of receipt of the payment due notice, and must be paid from your personal funds – **not from your campaign funds**.

Please be advised, failure to file a campaign treasurer's report or failure to pay the fine imposed constitutes a violation of Chapter 106, Florida Statutes, which is independent of the automatic fine violation referenced above. Therefore, if you fail to file a report, I have no other recourse but to turn the matter over to the Florida Elections Commission.

Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission, upon finding a willful violation of Chapter 106, Florida Statutes, to impose a civil penalty up to \$1,000 per count for each willful violation.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Campaign Financing

Penalty for Late Filing

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's personal funds – not campaign funds.

(Section 106.07(2) and (8), F.S.)

Campaign Financing

Fines – F.S. 106.07(8)(b)

Fines:

- A. \$50 per day for first 3 days (begins the day after the report is due)
- B. \$500 beginning on the 4th day and thereafter

But, fine is not to exceed 25% of the total receipts or expenditures, whichever is greater.

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

25% - How it works:

- A. Applies to either 3 days (\$50) or 4th day and thereafter (\$500)
- B. 25% is applied to receipt of contributions or expenditures (whichever is greater) only for that filing period. Example: If contributions are more than expenditures the 25% calculation will be based upon contributions.
- C. The fine cannot exceed the amount of contributions or expenditures for the reporting period

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

\$50 Fine - How it works:

- A. Begins on 1st day late up to and including the 3rd day
- B. Includes weekends and holidays
- C. Fine can be as much as \$150 if 25% does not apply
- D. The 3 days late fine can be combined with the 4th day and thereafter (\$500) fines
- E. The fine cannot exceed the amount of contributions or expenditures for the reporting period

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

\$500 Fine - How it works:

- A. Begins on the 4th day late and accumulates thereafter
- B. Includes weekends and holidays
- C. It is combined with fines from the first 3 days
- D. The fine cannot exceed the amount of contributions or expenditures for the reporting period

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

No Activity for Reporting Period (Filing a Waiver of Report): A fine cannot be imposed if there is no activity for the reporting period as there are no contributions or expenditures to calculate the 25%

Final Reports (Termination Reports): Final reports, if late, shall incur a fine of \$50 for each day late not to exceed 25% of contributions or expenditures (whichever is greater) for that reporting period (does not increase to \$500 after the 3rd day late)

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

EXCEPTIONS - Reports immediately preceding each primary and general election shall incur a fine of \$500 for each day late, however, the fine cannot exceed 25% of contributions or expenditures (whichever is greater)

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

SAMPLE FOR 2 DAY LATE REPORT

- 1. \$50.00 for first 2 days (\$100.00 fine)**
- 2. Contributions for period were \$200.00
Expenditures for period were \$700.00**
- 3. 25% is figured on expenditures because it is the greater of the two**
- 4. 25% of \$700.00 is \$175.00**
- 5. The fine imposed is \$100.00 because
\$175.00 exceeds 25% of expenditure receipts for the period**

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

SAMPLE FOR 4 DAY LATE REPORT

1. **\$50.00 for first 3 days (\$150.00)**
2. **\$500.00 for 4th day**
3. **Combined \$650.00 fine**
4. **Contributions for period were \$3,000.00
Expenditures for period were \$2,000.00**
5. **25% is figured on contributions because it is the greater of the two**
6. **25% of \$3,000.00 is \$750.00**
7. **The fine imposed is \$650.00 because
 \$650.00 does not exceed 25% of
 contribution receipts for the period**

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

SAMPLE FOR LATE REPORT IMMEDIATELY PRIOR TO PRIMARY/GENERAL ELECTION

- 1. 2 day late report (\$500.00 each day) amount of fine (\$1000.00)**
- 2. Contributions for period were \$2,000.00
Expenditures for period were \$3,000.00**
- 3. 25% is figured on expenditures because it is the greater of the two**
- 4. 25% of \$3,000.00 is \$750.00**
- 5. The fine imposed is \$750.00 because
\$1,000.00 exceeds 25% of
expenditure receipts for the period**

Campaign Financing

Fine Calculations— F.S. 106.07(8)(b) Continued:

SAMPLE FOR 3-DAY LATE “FINAL/TERMINATION” REPORT

1. **\$50.00 for EACH day late (\$150.00 fine)**
2. **Contributions for period were \$0**
Expenditures for period were \$700.00 (to close the campaign account)
3. **25% is figured on expenditures because it is the greater of the two**
4. **25% of \$700.00 is \$175.00**
5. **The fine imposed is \$150.00 because \$175.00 exceeds 25% of expenditure receipts for the period**

Campaign Financing

Notice of Fine Sample

Your Campaign Treasurer's Report, which was due March 9, 2012, was not filed until March 12, 2012.

Section 106.07(8)(b), Florida Statutes, provides a fine of \$50 per day for the first 3 days a report is late and, thereafter \$500 per day, although a fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine is \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Since your report was deemed filed on March 12, 2012, you are hereby fined \$793.47. The fine must be paid to the City of Belle Glade within 20 days of receipt of this notice unless appealed to the Florida Elections Commission. Please note that as a candidate, the fine is not an allowable campaign expenditure and must be paid from personal funds.

If you wish to appeal to the Florida Elections Commission, you must submit a notice of appeal to the Commission, in writing within 20 days of the date of receipt of this notice. (See Section 106.07(8)(b), Florida Statutes, and Rules 2B-1.005, 1.0052 and 1.0055, Florida Administrative Code.) Enclosed is a copy of Section 106.07, Florida Statutes, which governs the filing of candidate and political committee reports. The Florida Elections Commission's address is:

107 West Gaines Street,
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850)922-4539

You need to send a copy of your notice of appeal to the City of Belle Glade, addressed to the attention of City Clerk/Supervisor of Elections, at 110 Dr. Martin Luther King, Jr. Blvd., West, Belle Glade, FL 33430. If you have any questions, please do not hesitate to contact me at (561)992-1609.

Sincerely,

Campaign Financing

Automatic Fine Appeal Process

Any candidate may appeal or dispute a fine for a late filed campaign treasurer's report. The appeal must be based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. The candidate may request and is entitled to a hearing before the Florida Elections Commission, which has the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in Section 106.265(1), F.S., when determining the amount of a fine, if any, to be waived. The appeal must be made within 20 days of the receipt of the notice of payment due. The candidate must, within the 20 day period, notify the filing officer in writing of his or her intention to bring the matter before the Commission.

(Section 106.07(8)(c), F.S.)

Campaign Financing

Appeal of Fines Imposed by Filing Officers

(2B-1.005, FAC)

(1) To appeal a fine imposed pursuant to Section 106.04(8) or 106.07(8), F.S., the candidate or chairman of a political committee shall file a notice of appeal. The notice of appeal shall be filed with the Commission clerk, and a copy filed with the filing officer, within 20 days of the appealing party's receipt of notice that a fine is being imposed. The notice of appeal shall contain:

- (a) The name, address and telephone number of the appealing party;
- (b) A copy of the notice of imposition of fine issued by the filing officer; and
- (c) A request for hearing if a personal appearance before the Commission is desired. If no hearing request is made, the appeal shall be decided solely on the documents submitted by the appealing party and Commission staff.

Campaign Financing

Appeal of Fines Imposed by Filing Officers cont.

(2) Failure to timely file a notice of appeal shall result in waiver of the right to appeal the fine and a final order upholding the fine shall be entered by the Chairman of the Commission without further notice.

(3) Upon receipt of a timely notice of appeal, the Commission staff shall notify the appealing party that the appeal has been accepted. The appealing party shall have 20 days from acceptance of the appeal to submit any documents supporting the appeal.

(4) The Commission shall uphold the fine imposed by the filing officer unless the appealing party presents credible evidence that the report was timely filed or credible evidence that there were unusual or other circumstances beyond the control of the candidate or committee caused the report to be filed late. Credible evidence is evidence that is from a credible source and is so natural, reasonable and probable as to make it easy to believe. The Commission shall give greater weight to a written statement that is certified to have been made under oath in the presence of a notary or other person authorized by law to administer oaths.

Campaign Financing

Appeal of Fines Imposed by Filing Officers cont.

(5) If a hearing has been requested, the Commission clerk shall notify the appealing party of the date and location of the hearing. Convenience of location of the hearing shall not be a basis for continuing the hearing. The Commission is not required to provide notice of its consideration of the appeal if the appealing party did not request a hearing.

(6) Unless good cause is shown, the Commission will not consider at the hearing any written document unless the party offering the document has filed it with the Commission clerk at least ten days before the hearing.

Campaign Financing

Late-filed Reports; Unusual Circumstances

(2B-1.0055, FAC)

Events that constitute unusual circumstances:

- Natural disaster
- Death of candidate, campaign treasurer, or an immediate family member of either
- Serious illness, disability or non-elective surgery of candidate, campaign treasurer, or an immediate family member of either
- Computer or equipment failure caused by events that could not have been anticipated
- The abrupt and unexpected loss of the campaign treasurer
- Failure of the filing officer to e-mail, telephone, or mail a letter to the candidate that a report is late no later than seven days after the report was due

Campaign Financing

Repeated Late Filers

The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by a candidate or political committee, the failure of a candidate or political committee to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be separately stated and reported by the division to the commission under s. [106.25](#)(2).

(Section 106.07(8)(d), F.S.)

Campaign Financing

Disbursement of Surplus Funds

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, he or she may only expend funds from the campaign account to:

1. Purchase “thank you” advertising for up to 75 days after he or she withdraws, becomes unopposed, is eliminated, or elected to office.
2. Pay for items which were obligated before he or she withdrew, became unopposed, was eliminated, or elected to office.
3. Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
4. Dispose of surplus funds as provided in Section 106.141, F.S.

(Section 106.11(5), F.S.)

Campaign Financing

DE 13-01 Campaign Financing;
Qualifying Fees - Disposition of surplus
funds to pay election assessment -- §§
99.092(1), 99.095(1), and 106.141 (6),
Florida Statutes


SUMMARY

A person who uses the petition process to qualify as a candidate, pays the signature verification fees, and has available surplus campaign funds must reimburse the applicable government entity for the previously assessed election assessment pursuant to section 106.141(6), Florida Statutes (2012), if insufficient funds remain in the campaign account to pay the full amount of the election assessment, the funds shall be expended toward the assessment until no funds remain.

The Honorable Grady Judd
January 22, 2013
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Page 2 of 4


FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 22, 2013

Florida 33846



RE: DE 13-01 Campaign Financing; Qualifying Fees - Disposition of surplus funds to pay election assessment -- §§ 99.092(1), 99.095(1), and 106.141(6), Florida Statutes

Dear Sheriff Judd:

This letter responds to your request for an advisory opinion. As a recent candidate, who was re-elected as the Polk County Sheriff, you have a question regarding the disposition of your surplus campaign funds. The Division of Elections has the authority to issue you an opinion pursuant to section 106.23(2), Florida Statutes (2012).

The background for your request is that when seeking to qualify as a candidate you used the petition method under section 99.095, Florida Statutes (2012), to have your qualifying fee waived. Section 99.092(1), Florida Statutes (2012), defines "qualifying fee" as consisting of both a filing fee and an election assessment and indicates each person, "except a person seeking to qualify by the petition process pursuant to s. 99.095 and except a person seeking to qualify as a write-in candidate," must pay the qualifying fee to qualify for the office being sought. Section 99.095(1) also provides, "A person who seeks to qualify as a candidate for any office and who meets the petition requirements of this section is not required to pay the qualifying fee or party assessment required by this chapter." (Because the Polk County Sheriff is a non-partisan office, no party assessment exists for sheriff candidates.) On the other hand, section 106.141(6), Florida Statutes (2012) ["Disposition of surplus funds by candidates"], provides in relevant part:

Prior to disposing of funds pursuant to subsection (4), any candidate who filed an oath stating that he or she was unable to pay the ... fee for verification of petition

Division of Elections
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Commemorating 500 years of Florida history • www.flas500.com

Campaign Financing

Prior to Disposing of Surplus Funds

A candidate may be reimbursed by the campaign for any previously reported contributions/loans by the candidate to the campaign, in full or in part.

A candidate who filed an oath stating that he or she was unable to pay the fee for verification of petition signatures without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her shall reimburse the state or local government entity, whichever is applicable, for such waived fee prior to disposing of any funds under the surplus provisions contained in Section 106.141(4),(5) and (6), F.S.

Candidates are no longer required to pay for a waived assessment fee.

(Section 106.141, F.S.)

Campaign Financing

Disposing of Surplus Funds

A candidate required to dispose of surplus funds must, at the option of the candidate, dispose of such funds (that have not been spent or obligated) within 90 days by any of the following means, or a combination thereof:

1. Return pro rata to each contributor.
2. Donate the funds to a charity organization or organizations that meet the qualifications of Section 501(c)(3) of the Internal Revenue Code.
3. Give funds to the political party of which such candidate is a member.
4. Give the funds, in the case of a candidate for office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.
5. Transfer (up to \$5,000 multiplied by the number of years in the term of office) funds to an office account. [This option requires additional reporting requirements.]

Campaign Financing

Termination Reports


F.S. 106.141(7)(b) governs “The filing officer shall notify each candidate at least 14 days before the date the report is due.”

Deadline to send REMINDERS of termination reports:

Unopposed candidates; 04-28-14

Opposed candidates; 05-26-14

Run-off candidates; 06-09-14



Cute caption to place on the bottom of your reminder notice.

AVOID A FINE. FILE ON TIME.

Campaign Financing

Termination Reports continued

F.S. 106.141(7)(c) governs that “Any candidate failing to file a report on the designated due date shall be subject to a fine as provided in s. 106.07 for submitting late termination reports.

Deadline to RECEIVE candidate’s termination reports:

Unopposed candidates; 05-12-14

Opposed candidates; 06-09-14

Run-off candidates; 06-23-14

Campaign Financing

Termination Report

Must include:

1. The name and address of each person or unit of government to whom any of the funds were distributed and the amounts thereof;
2. The name and address of each person to whom an expenditure was made together with the amount and purpose; and
3. The amount of such funds transferred to an office account together with the name and address of the bank in which the office account is located.

If a refund check is received after all surplus funds have been disposed of, the check may be endorsed by the candidate and the refund disposed of pursuant to Section 106.141, F.S. An amended termination report must be filed with the filing officer.

All reports must be signed by the candidate and the campaign treasurer and certified as true and correct.

(Section 106.141, F.S.)

Campaign Financing

Loans

Loans are considered contributions and are subject to contribution limitations. Loans to or from each person or political committee must be reported together with names, addresses, occupations, and principal places of business, if any, of the lenders and endorsers, including the date and amount of each loan on the campaign treasurer's report.

Loans made by a candidate to his or her own campaign are not subject to contribution limitations. A candidate who makes a loan to his or her campaign and reports the loan as required by Section 106.07, F.S. may be reimbursed for the loan at any time the campaign account has sufficient funds to repay the loan and satisfy its other obligations.

Campaign Financing

Campaign Loans Report

A person elected to office must report all loans, exceeding \$500 in value, made to him or her and used for campaign purposes, and made in the twelve months preceding his or her election to office, to the filing officer. The report must be made on Forms DS-DE 73 and 73A, Campaign Loans Report within ten days after being elected to office.

Any person who makes a contribution to an individual to pay all or part of a loan incurred in the twelve months preceding the election, to be used for the individual's campaign, may not contribute more than the amount which is allowed in Section 106.08(1), F.S.

(Sections 106.011, 106.07 and 106.075, F.S.)

Campaign Financing

DS-DE 73, Loans Report

CAMPAIGN LOANS REPORT (Section 106.075, F.S.) (PLEASE TYPE)	OFFICE USE ONLY
This report applies to all candidates ELECTED to office who had loans exceeding \$500 in value, which were accepted and used for campaign purposes within the 12 months preceding the election. All such loans must be reported to the filing officer within 10 days after the candidate's election to office.	
Full Name of Newly Elected Official _____	
Office _____	
Mailing Address _____	
City _____	State _____ Zip Code _____
I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND IT IS TRUE, CORRECT AND COMPLETE.	
_____ Type or Print Name of Newly Elected Official	
X _____	Signature

DS-DE73 (Rev. 02/03) [reset](#) [print](#)

DS-DE 73A , Loans Report Itemized

CAMPAIGN LOANS REPORT ITEMIZED Page _____ of _____ (PLEASE TYPE)	
FULL NAME AND ADDRESS OF LENDER: _____ _____ _____	FULL NAME AND ADDRESS OF LENDER: _____ _____ _____
OCCUPATION: _____	OCCUPATION: _____
AMOUNT OF LOAN: _____	AMOUNT OF LOAN: _____
DATE RECEIVED: _____	DATE RECEIVED: _____
FULL NAME AND ADDRESS OF LENDER: _____ _____ _____	FULL NAME AND ADDRESS OF LENDER: _____ _____ _____
OCCUPATION: _____	OCCUPATION: _____
AMOUNT OF LOAN: _____	AMOUNT OF LOAN: _____
DATE RECEIVED: _____	DATE RECEIVED: _____
FULL NAME AND ADDRESS OF LENDER: _____ _____ _____	FULL NAME AND ADDRESS OF LENDER: _____ _____ _____
OCCUPATION: _____	OCCUPATION: _____
AMOUNT OF LOAN: _____	AMOUNT OF LOAN: _____
DATE RECEIVED: _____	DATE RECEIVED: _____

DS-DE73A (Rev. 02/03) [reset](#) [print](#)

Political Advertisements

A political advertisement is a paid expression in any communications media, whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. (Section 106.011(17), F.S.)

Candidate Disclaimers - Any political advertisement that is **paid for by a candidate** (except a write-in candidate) and that is published, displayed, or circulated before, or on the day of, any election must prominently state: **“Political advertisement paid for and approved by (name of candidate), (party affiliation) for (office sought)”** or **“Paid by (name of candidate), (party affiliation), for (office sought).”** (Section 106.143(1), F.S.)

The disclaimer language alternatives provided above must be verbatim as quoted in s. 106.143, F.S. Variations are prohibited by law.

Political Advertisements

Candidates running for non-partisan office may not state the candidate's political party affiliation in the disclaimer, or in the body of the advertisement. Exception: The candidate is not prohibited from stating the candidate's partisan related experience.

A candidate running for an office that has a district, group, or seat number does not have to indicate the district, group, or seat number in the political advertisement or disclaimer.

The candidate shall provide a written statement of authorization to the newspaper, radio station, television station, or other medium for each advertisement submitted for publication, display, broadcast, or other distribution.

(Sections 106.143(3) and (5), F.S.)

Political Advertisements

Any political advertisement that is paid for by a write-in candidate and that is published, displayed, or circulated before, or on the day of, any election must prominently state: “Political advertisement paid for and approved by (name of candidate), write-in candidate, for (office sought)” or “Paid by (name of candidate), write-in candidate, for (office sought).”

(Section 106.143(1), F.S.)

Political Advertisements

It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has given specific approval in writing to the candidate to make such representation. However, this subsection does not apply to:

- (a) Editorial endorsement by any newspaper, radio or television station, or other recognized news medium.
- (b) Publication by a party committee advocating the candidacy of its nominees.

(Section 106.143(4), F.S.)

Political Advertisements

Exceptions to Disclaimer Requirements

- Designed to be worn by a person and novelty items.
- Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with the disclaimer requirements in section 106.143(1), Florida Statutes.
- Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with section 106.143(1), Florida Statutes.
- Placed at no cost on an Internet website for which there is no cost to post content for public users.

Political Advertisements

Exceptions to Disclaimer Requirements continued

- Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.
- Distributed as a text message or other message via Short Message Service, provided the message is no more than 200 characters in length or requires the recipient to sign up or opt in to receive it.

Political Advertisements

Exceptions to Disclaimer Requirements continued

- Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with section 106.143(1), Florida Statutes.
- Sent by a third-party user from or through a campaign or committee's website, provided the website complies with section 106.143(1), Florida Statutes.
- Contained in or distributed through any other technology-related item, service, or device for which compliance with section 106.143(1), Florida Statutes, is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with section 106.143(1), Florida Statutes, impracticable.

(Section 106.143(10), F.S.)

Political Advertisements

Examples

May not use
"RE-ELECT"

The word "for"
must be used

Non-incumbent candidate running for nonpartisan office:



**ELECT
John Jones
For School Board**

Political advertisement paid for and approved by John Jones for School Board

OR



**ELECT
John Jones
For School Board**

Paid by John Jones for School Board

Incumbent candidate running for nonpartisan office:



**RE-ELECT
Jane Doe
School Board**

Political advertisement paid for and approved by Jane Doe for School Board

OR



**RE-ELECT
Jane Doe
School Board**

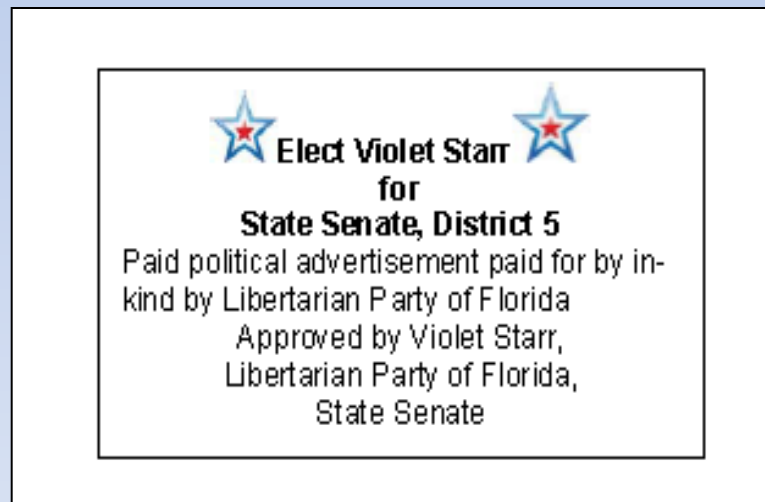
Paid by Jane Doe for School Board

Political Advertisements

Advertisement Provided In-kind

Political advertisements made as in-kind contributions from a political party must prominently state: “Paid political advertisement paid for by in-kind by (name of political party) Approved by (name of person, party affiliation, and office sought in the political advertisement)”.

Example:



Political Advertisements

Other Disclaimers

Any political advertisement not paid for by a candidate that is published, displayed, or circulated prior to, or on the day of, any election must prominently be marked “paid political advertisement” or “pd. pol. adv.” and must state the name and address of the persons paying for the advertisement.

The political advertisement must also state whether the advertisement and cost of production is paid for or provided in-kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement.

(Section 106.143(1)(c), F.S.)

Political Advertisements

Endorsements in Political Advertisements

It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has given specific approval in writing to the candidate to make such representation. However, this paragraph does not apply to editorial endorsement by any newspaper, radio or television station, or other recognized news medium; and publication by a party committee advocating the candidacy of its nominees.

(Section 106.143(4), F.S.)

Political Advertisements

Independent Expenditure Disclaimers

Any person who makes an independent expenditure for a political advertisement shall provide a written statement that no candidate has approved the advertisement to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution. The advertisement must also contain a statement that no candidate has approved the advertisement. This paragraph does not apply to campaign messages used by a candidate and his or her supporters if those messages are designed to be worn by a person.

(Sections 106.143(5)(b) and (10), F.S.)

Political Advertisements

Disclaimers for Other Than Independent Expenditures

Any political advertisement, not paid for by a candidate, including those paid for by a political party or affiliated party committee, other than an independent expenditure, offered on behalf of a candidate must be approved in advance by the candidate. Such political advertisement must expressly state that the content of the advertisement was approved by the candidate and must state who paid for the advertisement. The candidate shall provide a written statement of authorization to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution. This paragraph does not apply to messages used by a candidate and his or her supporters if those messages are designed to be worn by a person.

(Section 106.143(5)(a) and (10), F.S.)

What to expect on Election Day

- Dress comfortably, arrive early and expect a very, very long, and sometimes stressful, day;
- Poll Workers can't gain access into polling location - be sure to have all contact info, as well as alternate contact info;
- Poll Workers don't report for duty - be sure to have trained alternates/back-up;
- Poll Worker unprepared - be sure they bring their manual as a reference tool;
- Equipment malfunctions - contact SOE ASAP;
- Visits to your polling locations several times throughout the day. Check-in with Clerk to discuss any concerns;
- Communicate with Canvassing Board members to ensure their attendance at the tabulation center;
- Anything outside the 100' zone is not your responsibility. Allegations of unlawful conduct are to be referred to law enforcement;
- Expect the unexpected!

Canvassing Board Responsibilities

101.048 Provisional ballots. - The canvassing board shall examine each Provisional Ballot Voter's Certificate and Affirmation to determine if the person voting that ballot was entitled to vote at the precinct where the person cast a vote in the election and that the person had not already cast a ballot in the election.

101.5612 Testing of tabulating equipment. — The canvassing board shall convene, and each member of the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it.

101.5614 Canvass of returns. — For each ballot or ballot image on which write-in votes have been cast, the canvassing board shall compare the write-in votes with the votes cast on the ballot.

Canvassing Board Responsibilities

101.591 Voting system audit. — Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit of the voting systems used in randomly selected precincts.

101.68 Canvassing of absentee ballot. — The supervisor shall safely keep the ballot unopened in his or her office until the canvassing board canvasses the vote. The canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election.

101.733 Election emergency; purpose; elections emergency contingency plan. - The Governor may, upon issuance of an executive order declaring a state of emergency or impending emergency, suspend or delay any election. The Governor may take such action independently or at the request of the Secretary of State, a supervisor of elections from a county affected by the emergency circumstances, or a municipal clerk from a municipality affected by the emergency circumstances.

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

- (1) Application. The standards in this rule apply to determine whether the voter has clearly indicated a definite choice for purposes of counting a vote cast on a ballot in a manual recount as provided specifically by Section 102.166, F.S.
- (2) Direct recording electronic voting system..... This is where the voter marks the ballot electronically, which we no longer use.
- (3) Optical scan voting system..... This is where the voter marks the ballot, which is our current method of voting.

A vote cast on this voting system is valid for a particular write-in candidate when the voter writes in the name of a candidate in the designated write-in space and fills in the oval or arrow next to the write-in candidate's name.

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

- (4) Manual review and tabulation.
 - (a) The standards under this subsection apply in all instances where a contest is not marked as specified in the ballot instructions under subsection (2) or (3) and a manual review of the voter's markings on a ballot is required to determine whether there is a clear indication that the voter has made a definite choice in a contest.
 - (b) The canvassing board must first look at the entire ballot for consistency. Then the provisions of paragraph (c) apply to determine whether the voter has made a definite choice in a contest, provided the voter has not marked any other contest on the ballot, or if the voter has marked other contests, he or she has marked them in the same manner, subject to the exceptions in subparagraphs 7., 10., and 15. The following are examples of valid votes after review for consistency:

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

Ballot Situation 1:

Recount in race of State Representative. The two ovals in the first two races are filled in properly, but the voter has circled the candidate's name in the state representative race. Since the voter did not mark the state representative race in the same manner as in the other races, it cannot be determined whether the voter has clearly indicated a definite choice for Don Nichols.

<p>For Attorney General (Vote for one)</p> <p><input type="radio"/> Lucille Ball</p> <p><input checked="" type="radio"/> Jack Benny</p> <p><input type="radio"/> Desi Arnaz</p> <p><input type="radio"/> Lenny Bruce</p>
<p>For Commissioner of Agriculture (Vote for one)</p> <p><input type="radio"/> Jack Ritter</p> <p><input type="radio"/> Audra Lindley</p> <p><input checked="" type="radio"/> Francis Bavier</p> <p><input type="radio"/> Jack Dodson</p>
<p>For State Representative (Vote for one)</p> <p><input type="radio"/> Don Nichols</p> <p><input type="radio"/> Michael Ross</p> <p><input type="radio"/> Bernie West</p> <p><input type="radio"/> Norman Fell</p>

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

Ballot Situation 2:

Recount in race of State Representative. All races on this ballot are marked in the same manner. Since the ballot is consistently marked as in paragraph (c), the vote cast for Michael Ross in the state representative race is a valid vote.

For Attorney General (Vote for one)	
Lucille Ball	<input checked="" type="radio"/> <input type="radio"/>
Jack Benny	<input type="radio"/> <input type="radio"/>
Desi Arnaz	<input type="radio"/> <input type="radio"/>
Lenny Bruce	<input type="radio"/> <input type="radio"/>

For Commissioner of Agriculture (Vote for one)	
Jack Ritter	<input type="radio"/> <input type="radio"/>
Audra Lindley	<input type="radio"/> <input type="radio"/>
Francis Bavier	<input type="radio"/> <input type="radio"/>
Jack Dodson	<input checked="" type="radio"/> <input type="radio"/>

For State Representative (Vote for one)	
Don Nichols	<input type="radio"/> <input type="radio"/>
Michael Ross	<input checked="" type="radio"/> <input type="radio"/>
Bernie West	<input type="radio"/> <input type="radio"/>
Norman Fell	<input type="radio"/> <input type="radio"/>

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

Ballot Situation 3:

Recount in State Representative race. Each race is marked differently so that no consistency in marking exists. It cannot be determined which marking, if any, is clearly indicative of the voter's choice. Therefore, the vote cast for Bernie West is not valid.

For Attorney General (Vote for one)		
Lucille Ball	←	-
Jack Benny	←	-
Desi Arnaz	←	-
Lenny Bruce	←	-

For Commissioner of Agriculture (Vote for one)		
Jack Ritter	←	-
Audra Lindley	←	-
Francis Bavier	←	-
Jack Dodson	←	-

For State Representative (Vote for one)		
Don Nichols	←	-
Michael Ross	←	-
Bernie West	←	-
Norman Fell	←	-

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

The voter marks an "X," a check mark, a plus sign, an asterisk or a star, any portion of which is contained in a single oval or within the blank space between the head and tail of a single arrow. The marking must not enter into another oval or the space between the head and tail of another arrow.

The diagrams are arranged in a 2x2 grid. Each diagram is enclosed in a rectangular box and titled 'For Attorney General (Vote for one)'.
Top-left: Titled 'Valid Vote for Ball'. It shows four candidates: Lucille Ball, Jack Benny, Desi Arnaz, and Lenny Bruce. Each name is preceded by an oval. A checkmark is drawn inside the oval for Lucille Ball.
Top-right: Titled 'Valid Vote for Ball'. It shows the same four candidates. To the right of each name is a horizontal line with an arrowhead pointing left. An 'X' is drawn over the top line, with its vertical stroke between the arrowhead and the line.
Bottom-left: Titled 'Invalid Vote'. It shows the same four candidates. A large, stylized letter 'L' is written over the oval for Lucille Ball and extends into the oval for Jack Benny.
Bottom-right: Titled 'Invalid Vote'. It shows the same four candidates. An 'X' is drawn over the top line, with its vertical stroke crossing the arrowhead of the top line and extending into the space between the arrowheads of the top and second lines.

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

Valid Vote for Benny		Valid Vote for Benny	
For Attorney General (Vote for one)			
<input type="radio"/> Lucille Ball	DEM	Lucille Ball	DEM ← -
<input checked="" type="radio"/> Jack Benny	REP	Jack Benny	REP ← -
<input type="radio"/> Desi Amaz	GRN	Desi Amaz	GRN ← -
<input type="radio"/> Lenny Bruce	LBT	Lenny Bruce	LIB ← -

Valid Vote for Ball		Valid Vote for Ball	
For Attorney General (Vote for one)			
<input checked="" type="radio"/> Lucille Ball		<input checked="" type="radio"/> Lucille Ball	
<input type="radio"/> Jack Benny		<input type="radio"/> Jack Benny	
<input type="radio"/> Desi Amaz		<input type="radio"/> Desi Amaz	
<input type="radio"/> Lenny Bruce		<input type="radio"/> Lenny Bruce	

Invalid Vote		Invalid Vote	
For Attorney General (Vote for one)			
<input checked="" type="radio"/> Lucille Ball		<input checked="" type="radio"/> Lucille Ball	
<input checked="" type="radio"/> Jack Benny		<input type="radio"/> Jack Benny	
<input type="radio"/> Desi Amaz		<input type="radio"/> Desi Amaz	
<input type="radio"/> Lenny Bruce		<input type="radio"/> Lenny Bruce	

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

Valid Vote for Ball		Invalid Vote	
For Treasurer (Vote for one)		For Treasurer (Vote for one)	
Lucille Ball	← / —	Lucille Ball	← // —
Jack Benny	← —	Jack Benny	← // —
Desi Arnaz	← —	Desi Arnaz	← —
Lenny Bruce	← —	Lenny Bruce	← —

Valid Vote for Arnaz	Valid Vote for Ball
For Commissioner of Education (Vote for one)	For Commissioner of Education (Vote for one)
<input type="radio"/> Lucille Ball <input type="radio"/> Jack Benny <input checked="" type="radio"/> Desi Arnaz <input type="radio"/> Lenny Bruce	Lucille Ball ← ← ← ← Jack Benny ← ← ← ← Desi Arnaz ← ← ← ← Lenny Bruce ← ← ← ←
Valid Vote to Keep Justice in Office	
Judicial Retention State Supreme Court (Vote yes or no) Shall Justice Tom Poston be retained as Chief Justice of the State Supreme Court <input checked="" type="radio"/> Yes _____ <input type="radio"/> No _____	

Valid Vote for Bruce

**For Commissioner of Agriculture
(Vote for one)**

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Write-In

Division of Elections Rules

1S-2.027 Standards for Determining Voter's Choice on a Ballot

Valid Vote for Arnaz

For State Senator
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz *This one*

Lenny Bruce

Invalid Vote

For State Senator
(Vote for one)

Lucille Ball ← -

Jack Benny ← -

Desi Arnaz ← -

Lenny Bruce ← -

this one ↑

Valid "No" vote

Proposed Constitutional Amendment No. 1
Article __, section __
(Popular Name)

An amendment to limit the increase in the assessed value of a taxpayer's real property after a countywide reappraisal and to require a property tax credit.

YES *I vote no* Proposed Constitutional Amendment No. 1

NO Proposed Constitutional Amendment No. 1

Division of Elections Rules

1S-2.031 Recount Procedures

Optical Scan Ballot - Machine Recounts. The following procedures apply to machine recounts of optical scan ballots involving all county, multicounty, federal or statewide offices or issues required by law to be recounted:

1. The tabulating equipment being used in the recount must be tested pursuant to the provisions of Section 101.5612, F.S. The county canvassing board may, but is not required to, use the same tabulating equipment that ballots were originally tabulated on. If the test shows no error, the county canvassing board shall proceed with the machine recount. If the test indicates an error, the county canvassing board shall correct the error and proceed with the machine recount.

Division of Elections Rules

1S-2.031 Recount Procedures

2. Procedure when only one race is being recounted or where more than one race is being recounted and the voting system will allow for the sorting of overvotes and undervotes in more than one race at the same time:
 - a. The supervisor of elections shall change the election parameters so that the recounted race or races will be tabulated and so that ballots containing overvotes and undervotes in the recounted race or races can be sorted from the other ballots during the machine recount.
 - b. The county canvassing board or its representatives shall put each ballot through the tabulating equipment and determine the votes in the recounted race or races. During this process, the overvoted and undervoted ballots in the recounted race or races must be sorted.
 - c. Sorted ballots shall be placed in a sealed container or containers until it is determined whether a manual recount will be conducted. Seal numbers shall be recorded at the time the ballots are placed in the containers.

Division of Elections Rules

1S-2.031 Recount Procedures

3. Procedure when more than one race is being recounted by machine and the voting system does not allow the sorting of overvotes and undervotes on more than one race at a time:
 - a. The county canvassing board or its representatives shall put each ballot through the tabulating equipment and determine the votes in the affected races.
 - b. The county canvassing board shall produce vote counts for those races involved in the machine recount.
 - c. Prior to a manual recount being conducted, the supervisor of elections shall change the election parameters and the ballots for the manually recounted race or races shall be put back through the tabulating equipment and overvotes and undervotes for each race shall be sorted separately.

Division of Elections Rules

1S-2.031 Recount Procedures

Optical Scan Ballot - Manual Recounts procedure is very detailed and extensive, and too vast to include in this presentation. However, if you choose to review these procedures they can be accessed at

<http://election.dos.state.fl.us/rules/adopted-rules/pdf/1s2031.pdf>.

Oath of Office / Certificate of Election

Art II s(5)(b) Florida Constitution

The filing officer shall provide the elected official with an Oath of Office.

The elected official shall file the Oath of Office with the municipal filing officer.

The municipal filing officer shall record and maintain the Oath of Office as an official record.

Note: Your municipal Charter/Code may require additional language.

STATE OF FLORIDA
OATH OF OFFICE
(Art. II, § 5(b), Fla. Const.)

County of _____

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of _____
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature _____
Sworn to and subscribed before me this ____ day of _____
Signature of Officer Administering Oath or of Notary Public _____
Print, Type, or Stamp Commissioned Name of Notary Public _____
Personally Known OR Produced Identification
Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

Street or Post Office Box _____
City, State, Zip Code _____

Print name as you desire commission issued _____
Signature _____

DS-DE 56 (Rev. 02/10)

Form DS-DE 56

Oath of Office / Certificate of Election

F.S. 102.155 - Certificate of election. The supervisor shall give to any person the election of whom is certified by the county canvassing board a certificate of the person's election. The Department of State shall give to any person the election of whom is certified by the state canvassing board a certificate of the person's election. The certificate of election which is issued to any person shall be prima facie evidence of the election of such person.



Appears not to apply to municipal canvassing boards, however, it's a good CYA.

Orientation for Elected Officials

In more cases than not, newly elected officials are inexperienced in municipal government and an orientation is a great means and opportunity to get your elected official on the right track.

A one-on-one personal orientation with the City Manager and City Clerk is a great start.

Arrange for a Workshop meeting to:

- Introduce them to all Departments with an overview of their responsibilities, key projects and initiatives (This is a great time for Finance to present and discuss the budget)
- Receive Attorney presentations on the Sunshine Law, State Code of Ethics, Palm Beach County Code of Ethics, Public Records Law and responsibilities of elected officials (as governed by the municipalities Code of Ordinances)

Orientation for Elected Officials

Pursuant to Article XIII, sec. 2-446, all Palm Beach County employees and officials are required to receive training in the Palm Beach County [Code of Ethics](#) and sign an acknowledgement form. The following Web page is designed to help you complete these tasks:

<http://www.palmbeachcountyethics.com/training.htm>

**COMMISSION ON ETHICS
PALM BEACH COUNTY**

**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY CODE OF ETHICS
TRAINING FOR MUNICIPAL EMPLOYEES,
ELECTED/APPOINTED OFFICIALS AND
ADVISORY BOARD MEMBERS**

Legal Name: _____ (Please print clearly)

Employee Identification Number: _____

Department/Board: _____

Check those items that apply

I acknowledge that I have read a copy of the Palm Beach County Code of Ethics (printed or posted on the intranet/internet) and completed additional training by:

- Watching the Code of Ethics Training Program on the Intranet/Internet.
- Watching the Code of Ethics Training Program on DVD.
- Attending a live presentation given on _____, 20____.

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.

(Legal Signature)

(Date)

Employees: Submit signed form to your Department Head
Department Heads: Submit signed forms to Records, Human Resources
Advisory Board Members: Submit signed forms to Appropriate Municipal Representative

PLEASE SUBMIT THIS FORM TO APROPRIATE PARTY AS HIGHLIGHTED ABOVE
PLEASE DO NOT SUBMIT THIS FORM TO THE COMMISSION ON ETHICS

2633 Vista Parkway, West Palm Beach, FL 33411 561.233.0724 FAX: 561.233.0735
Hotline: 877.766.5920 E-mail: ethics@palmbeachcountyethics.com
Website: www.palmbeachcountyethics.com

Rev. 06/2012

Orientation for Elected Officials

It is recommended the City Clerk compile pertinent information, possible in the form of a “Reference Manual”, to assist newly elected officials in a smooth transition into local government. Items to include, but not limited to, are:

- Agenda Process
- Census and Demographic Information
- List of Boards/Committees , their function, and membership roster
- Brief History of the City
- Rules of Conduct for Commission meetings
- Access to Code of Ordinances
- Florida Municipal Officials’ Manual
- Map of the City
- Parliamentary Procedures
- Government-In-The-Sunshine Manual
- Administrative Policies specific to elected officials, to include Travel and Training Policy
- Vision and Mission Statement
- List of Acronyms
- IEMO information
- List of useful resources¹
- Your contact numbers!

¹ Examples on next slide

Orientation for Elected Officials

[Links to the following can be found at:](#)

<http://www.floridaleagueofcities.com/Resources.aspx?CNID=647>

Florida State Government Links

Florida Attorney General's Office

Florida Commission on Ethics

Florida Department of Financial Services

Florida Division of Emergency
Management

Florida House of Representatives

Office of Economic and Demographic
Research

Florida Office of Financial Regulation

Florida Office of the Governor

Florida Office of Insurance Regulation

Florida Senate

State of Florida

Online Sunshine

¹ Examples on next slide

Orientation for Elected Officials

[Links to the following can be found at:](http://www.floridaleagueofcities.com/Resources.aspx?CNID=647)

<http://www.floridaleagueofcities.com/Resources.aspx?CNID=647>

Florida Associations'/Organizations' Links

Florida Association of City Clerks

Florida Association of Counties

Florida Association of Government Fleet Administrators

Florida Association of Nonprofit Organizations

Florida Association of Public Procurement Officials

Florida Benchmark Consortium

Florida Business Watch

Florida City and County Management Association

Florida Conflict Resolution Consortium

Florida Economic Development Council

Florida Government Communicators Association

Florida Government Finance Officers Association

Florida Housing Coalition

Florida Institute of Government

Florida League of Cities

Florida League of Mayors

Florida Local Government Information Systems Association

Florida Municipal Attorneys Association

Florida Planning and Zoning Association

Orientation for Elected Officials

[Links to the following can be found at:](http://www.leagueofcities.com/resources/pbc.htm)

<http://www.leagueofcities.com/resources/pbc.htm>

Palm Beach County Government Links

Palm Beach County Official Website
Catanese Center for Urban & Env. Solutions
Clerk of Courts
Commission on Ethics
Commission FAQs
Ethics Training Policy & Procedure Manual
Sample
Emergency Management
Green Task Force
Inspector General

Legislative Affairs
Lobbyist Registration
Legislative Delegation
Port of Palm Beach
Property Appraiser
School District
Sheriff
Supervisor of Elections
Tax Collector

Orientation for Elected Officials

Provide each newly elected official an opportunity to sit in his/her seat in the dais prior to any official meeting , and be sure their name plate is in its proper placement.

Arrange for: photos to be taken; business cards to be made; where they are to pick up their mail; contact numbers to provide the public; etc.

Newly elected officials will need to sign-up with Human Resources.

It is suggested that each Department Head (accompanied by the City Manager, if required) provide a tour of their area of responsibility, to include a tour of city-facilities and current projects underway.

The list goes on, just be as helpful and courteous as possible, and remember they are a virgin to local government.

Campaign Signs, Removal

WITHIN 30 days AFTER:

- ✓ Withdrawing Candidacy
- ✓ Being Defeated
- ✓ Being Elected to Office

A candidate shall make a good faith effort to remove all of their political campaign advertisements and campaign signs.

However, municipal ordinance will override state requirements and may require removal of campaign advertisements and campaign signs sooner.

Complaints/Concerns

Violations F.S. 106.19

Any candidate, campaign manager, campaign treasurer, or deputy treasurer of any candidate, agent or person acting on behalf of any candidate, or other person who knowingly and willfully:

- 1) Accepts a contribution in excess of the limits prescribed by Section 106.08, F.S.;
- 2) Fails to report any contribution required to be reported by Chapter 106, F.S.;
- 3) Falsely reports or deliberately fails to include any information required by Chapter 106, F.S.; or
- 4) Makes or authorizes any expenditure in violation of Section 106.11(4), F.S., or any other expenditure prohibited by Chapter 106, F.S.; is guilty of a misdemeanor of the first degree, punishable as provided in F.S. 775.082 or 775.083, F.S.

Penalties: a fine not to exceed \$1,000 and/or definite term of imprisonment not exceeding 1 year, and possible court costs.

Complaints/Concerns

Process F. S. 106.25 and 106.28

Any person who has information of a violation of Chapters 104 or 106, F.S., **shall** file a sworn complaint with the Florida Elections Commission, 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050 or call 850-922-4539. A complaint form may be obtained from the Florida Elections Commission or downloaded from the Commission's website at www.fec.state.fl.us.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
Telephone Number: (904) 922-4539
www.fec.state.fl.us

CONFIDENTIAL COMPLAINT FORM
The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:
Name: _____
Address: _____
City: _____ County: _____ State: _____ Work Phone: (____) _____
Home Phone: (____) _____
Zip Code: _____

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:
A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. If both an individual and a committee or organization are involved, name both.
Name of individual: _____
Address: _____
City: _____ County: _____ State: _____ Phone: (____) _____
If individual is a candidate, list the office or position sought: _____ Zip Code: _____
Name of committee or organization: _____
Address: _____
City: _____ County: _____ State: _____ Phone: (____) _____
Zip Code: _____
Have you filed this complaint with the State Attorney's Office? (check one) Yes No

3. ALLEGED VIOLATION(S)
Please list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate the following provisions: **Chapter 104, Chapter 106, Section 98.127, and Section 166.871, Florida Statutes.** Also, please include:
The facts and sections that you believe support the violation(s) you allege.
The names and telephone numbers of persons you believe may be witnesses to the facts.
A copy or picture of the political advertisement(s) you mention in your statement, and
Other evidence that supports your allegations.

706 600 (Rev. 4-24-03)

Additional materials attached (check one)? Yes No

I certify that the information is true and correct to the best of my knowledge.

Original Signature of Person Bringing Complaint
I was born and educated in this state _____, age of _____ years on _____, 20____.
Signature of Office (submitted on address label or from a public _____)
Title, Type or Salary Commission/State or County/Local
I am usually known as _____ or Federal Identification Number _____
Type of Identification Produced _____

Any person who files a complaint which knowingly contains false or reckless information commits a crime under the provisions of Sections 775.082 and 775.083, Florida Statutes.

706 600 (Rev. 4-24-03)

Complaints/Concerns

A complaint against a candidate may not be filed or disclosed 30 days before a special, primary, or general election unless the complaint is based upon personal information or information other than hearsay.

(s. 112.324(2), F.S.)

The image shows a stack of 'CONFIDENTIAL COMPLAINT FORM' documents from the STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION. The forms are tilted and partially obscured by a large red prohibition sign (a circle with a diagonal slash). The visible text on the forms includes:

- STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 204, Tallahassee, Florida 32399-1030
Telephone Number: (904)922-4599
www.fec.state.fl.us
- CONFIDENTIAL COMPLAINT FORM**
The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.
- 1. PERSON BRINGING COMPLAINT:**
Name: _____
Address: _____
City: _____
County: _____ State: _____ Work Phone: (____) _____
Home Phone: (____) _____
Zip Code: _____
- 2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:**
A person can be an individual, political committee, or other type of organization.
Name of individual: _____
Address: _____
City: _____
County: _____
If individual is a candidate, list:
Name of committee or organization: _____
Address: _____
City: _____
Zip Code: _____
- 3. ALLEGED VIOLATION:**
The voter has violated the Commission's Code of Ethics, Chapter 116, Section 9, Florida Statutes. Also, please list the facts of the violation you allege and any evidence you believe may be relevant to the facts of the violation, including your statement, and any other evidence.
- Have you filed this complaint with the Commission? Yes No
- Signature of filer: _____
Date: _____
- Signature of Commission: _____
Date: _____
- Any person who files a complaint which knowingly contains false or misleading information shall be liable for the same as a violation of the Code of Ethics, Chapter 116, Section 9, Florida Statutes.

Complaints/Concerns

Florida Elections Commission

The Florida Elections Commission (FEC) is the administrative agency charged with enforcing Chapters 104 and 106 of Florida's Election Code. The agency is composed of nine appointed Commissioners and its staff is administratively housed within the Department of Legal Affairs. However, the FEC is a separate budget entity and is not subject to the control, supervision or direction of the Attorney General.

The purpose of the FEC is to ensure transparency in Florida's elections. In their capacity as quasi-judicial officers, the Commissioners adjudicate cases. Additionally, they act as the agency head. Commissioners hire an Executive Director who supervises a staff that includes a General Counsel, several investigators and a Commission Clerk.

The FEC is not permitted to give advisory opinions to anyone. Furthermore, the FEC does not have jurisdiction over candidate qualifying issues, how elections are run or how votes get counted.

Complaints/Concerns

Miscellaneous:

The **Municipal SOE** should respond to the following as it relates to Municipal:

- Election process
- Election deadlines
- Election (Poll) Workers
- Candidate Questions
- Poll Watchers
- Campaign Signs
- Inquiries from the Media

Complaints/Concerns

Miscellaneous:

The **County SOE** should respond to the following:

- Voter Registration/Changes to Voter Registration/Voter Information
- Absentee Ballots
- Becoming a Election (Poll) Worker
- Federal, State, and County Election information
- Obtaining information on previously filed Statement of Financial Interests (Form 1)
- Restoration of Civil Rights
- Voting equipment demonstrations

Complaints/Concerns

Division of Elections Rules

1S-2.036 Complaint Process for Violations of the National Voter Registration Act of 1993 and the Florida Election Code.

(1) The Florida Department of State has primary jurisdiction to resolve through an informal resolution process complaints submitted by any person who is aggrieved by a violation of the National Voter Registration Act of 1993 or a violation of a voter registration or removal procedure under the Florida Election Code. Such complaints can only be filed under section 97.023, Florida Statutes, if the alleged violation was committed by the Florida Department of State, a voter registration agency, a supervisor of elections, the Florida Department of Highway Safety and Motor Vehicles, or an Armed Forces Recruitment Center. If the complaint involves the Florida Department of State, a mediator other than a department employee is to be appointed by the Governor.

Complaints/Concerns

Division of Elections Rules

1S-2.036 Complaint Process for Violations of the National Voter Registration Act of 1993 and the Florida Election Code.

(2) To initiate the informal dispute resolution process under section 97.023, Florida Statutes, a person must submit a written complaint to the Florida Department of State. Such person shall use Form DS-DE 18 (eff. 01/06), entitled “NVRA Complaint”, which is hereby incorporated by reference. This complaint form may be obtained by contacting the Division of Elections at 850/245-6200, by requesting the form from the Division of Elections, 3rd Floor, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399 or by downloading the form from the Division of Elections home page at: <http://election.dos.state.fl.us>.

Specific Authority 20.10, 97.012(9), 97.023 F.S. Law Implemented 97.023 F.S. History –New 1-29-06.

STATEMENT OF FACTS

State exactly what happened in your own words. Please include details such as what happened, where the events or acts happened, when they happened (include dates and times), what you were told, who spoke to you and to whom did you speak, what did you agree or not agree to, and who else saw or knows about what happened. Include the names, addresses, and phone numbers of all relevant persons. Also, give any reasons why you feel that the alleged violation was committed by the person and/or entity against whom this complaint is brought. The more specific information that you provide to us, the better we are able to assist you.

NVRA COMPLAINT
For Alleged Violation of the National Voter Registration Act of 1993 or of a Voter Registration or Removal Procedure under the Florida Election Code

Pursuant to section 97.023, Florida Statutes, the Department of State, Division of Elections has primary jurisdiction over complaints of alleged violations of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-1 et seq.), or violations of a voter registration and removal procedure under the Florida Election Code. A complaint hereunder can only be filed if the alleged violation is committed by the Department of State, a voter registration agency, a county supervisor of elections, the Department of Highway Safety and Motor Vehicles or an Armed Forces Recruitment Center. Upon the filing of a complaint, you will be given the opportunity to resolve the complaint through an informal dispute resolution process.

Please return completed complaint to: Florida Department of State, c/o NVRA Coordinator, Division of Elections, 3rd Floor, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0230. Contact (850) 245-6200 for further assistance.

PERSON BRINGING COMPLAINT

Name _____ Day Phone _____ Evening Phone _____
Address _____ City _____
County _____ State _____ Zip Code _____
E-mail address (optional) _____

PERSON OR ENTITY AGAINST WHOM COMPLAINT IS BROUGHT
(limit one person/entity per form)

Name _____ Day Phone _____ Evening Phone _____
Address _____ City _____
County _____ State _____ Zip Code _____

VIOLATION

If you believe you have been denied the right to register to vote, to update your existing voting registration record, or have been unlawfully removed from the registration books in violation of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-1 et seq.), or in violation of the Florida Election Code, please state the specific acts committed by the person or entity named in this complaint.

Form DS-DE 18 (Eff. 01/06) Page 1 of 2

Complaints/Concerns

Division of Elections Rules

1S-2.038 HAVA Violations - Complaints.

The Department of State, Division of Elections, is required to establish a complaint form to be used for HAVA (Help American Voters Act) violations, Form DS DE 59 (Eff. 2/04), which is hereby incorporated by reference and available from the Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

Specific Authority 97.028 FS. Law Implemented 97.028 FS. History—New 2-2-04.

Check here if additional pages are attached _____

STATE OF FLORIDA,
COUNTY OF _____

I, the undersigned, under penalty of perjury, do swear or affirm that the contents contained in this complaint is true and correct to the best of my knowledge.

Signature of Complainant _____

STATEMENT OF FACTS

State in your own words the detailed facts and circumstances that form the basis of your complaint, including any relevant persons(?). In your narrative explanation, please include relevant dates and times and the names and addresses of other persons whom you believe have knowledge of the facts. Also, give any reasons that you feel the alleged violation was caused by the person and/or entity against whom this complaint is brought.

COMPLAINT
For Alleged Violation of the
Help America Vote Act of 2002
(42 U.S.C. §15512)

Florida Department of State, Division of Elections
Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250
Telephone (850) 245-6200

Pursuant to section 97.028, Florida Statute, the Department of State has sole jurisdiction to adjudicate alleged violations of Title III of the Help America Vote Act of 2002 (HAVA). Any person who believes that a violation of Title III of HAVA has occurred, is occurring or is about to occur may file a complaint. In order to initiate the complaint process, a sworn written complaint must be filed with the Department of State. The complaint must specifically state the alleged violation and the person or entity responsible for the violation. A violation of Title III of HAVA is the failure to perform an act required by or the performance of an act prohibited by Title III of HAVA in a federal election.

PERSON BRINGING COMPLAINT

Name _____ Home Phone _____ Work Phone _____
Address _____ State _____ County _____
City _____ Zip Code _____

PERSON OR ENTITY AGAINST WHOM COMPLAINT IS BROUGHT (limit one person/entity per form)

Name _____ Home Phone _____ Work Phone _____
Address _____ State _____ County _____
City _____ Zip Code _____

VIOLATION

If you believe that a violation of Title III of the Help America Vote Act of 2002 has occurred, is occurring or is about to occur, please state the specific acts committed by the person or entity named in this complaint.

Prohibited Acts

Certain Prohibited Acts

- No candidate or any person on behalf of a candidate shall pay money or give anything of value for the privilege of speaking at a political meeting in the furtherance of his/her candidacy.
- No candidate may, in the furtherance of his/her candidacy use the services of any officer or employee of the state, a county, a city or a district during work hours.
- No candidate may solicit contributions from any religious, charitable, civic group, or other causes or organizations that are established primarily for the public good.
- No candidate may make contributions, in exchange for political support, to any religious, charitable, civic group, or other causes or organizations established primarily for the public good.

(Sections 106.08 and 106.15, F.S.)

Prohibited Acts

Certain Prohibited Acts

- Any candidate, campaign manager, campaign treasurer, or deputy treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree.
- A candidate may not, with actual malice, make any false statement about an opposing candidate.
- A person may not, directly or indirectly, make a contribution through or in the name of another, in any election.

(Sections 104.271, 106.07, 106.08, and 106.19, F.S.)

Prohibited Acts

Certain Prohibited Acts

- Any candidate, campaign manager, campaign treasurer, or deputy treasurer of any candidate, agent or person acting on behalf of any candidate, or other person who knowingly and willfully:
 - ✓ Accepts a contribution in excess of the limit;
 - ✓ Fails to report any contribution required to be reported;
 - ✓ Falsely reports or deliberately fails to include any information required to be reported; and
 - ✓ Makes or authorizes any expenditure in violation of Florida Statutes Chapter 106, or any other expenditure prohibited by Florida Statutes Chapter 106, is **Guilty of a misdemeanor of the first degree, punishable as provided in Section 775.082 or Section 775.083, Florida Statutes.**

(Sections 106.19, F.S.)

Gifts Law

DEFINITION OF "GIFT"

"Gift" means anything accepted by a person or on that person's behalf, whether directly or indirectly, for that person's benefit, and for which equal or greater consideration is not given within 90 days of the receipt of the gift. "Gift" includes real property or the use thereof; tangible or intangible personal property or the use thereof; a preferential rate or terms on a transaction not available to others similarly situated; forgiveness of a debt; transportation (unless provided by an agency in relation to officially approved governmental business), lodging, or parking; food or beverage; dues, fees, and tickets; plants and flowers; personal services for which a fee is normally charged by the provider; and any other thing or service having an attributable value.

Gifts Law

DEFINITION OF "GIFT"

"Gift" does not include salary, benefits, services, fees, gifts, commissions, or expenses associated primarily with one's employment, business, or service as an officer or director of a corporation or organization; campaign contributions or expenditures pursuant to the election laws; an honorarium or honorarium expense; an award, plaque, certificate, etc., given in recognition of public, civic, charitable, or professional service; honorary membership in a service or fraternal organization; the use of a public facility or public property made available by a governmental agency for a public purpose; and transportation provided by an agency in relation to officially approved governmental business. Also exempted are some gifts from organizations which promote the exchange of ideas between, or the professional development of, governmental officials and employees and whose membership is primarily composed of elected or appointed public officials or staff, if the gift is to a member of the organization.

Gifts Law

GIFT SOLICITATION PROHIBITIONS - Each person required to file annual financial disclosure Form 1 or Form 6, including candidates for office, and each State procurement employee is prohibited from soliciting any gift from a political committee, or lobbyist* or from a partner, firm, employer, or principal of a lobbyist*.

GIFT ACCEPTANCE PROHIBITIONS - Individuals, including candidates, required to file annual disclosure Form 1 or Form 6 (other than officials, members, or employees of the State Executive Branch and members or employees of the Legislature) and State procurement employees are prohibited from directly or indirectly accepting a gift worth over \$100 from a lobbyist*, from a partner, firm, employer, or principal of the lobbyist*, or from a political committee. (However, a gift may be accepted by a person on behalf of a governmental entity or charitable organization, provided the gift is promptly transferred to the intended entity or organization.)

Gifts Law

GIFTS OVER \$25 AND NOT EXCEEDING \$100 - Persons required to file financial disclosure Form 1 or Form 6, including candidates for office, (except officials, members, or employees of the State Executive Branch and members or employees of the Legislature) and State procurement employees may accept a gift valued at over \$25 but not exceeding \$100 from a lobbyist*, or a political committee. However, a lobbyist* or a political committee which gives a gift valued at over \$25 but not exceeding \$100 to a covered reporting individual or State procurement employee must report the gift on Commission on Ethics Form 30 by the last day of the calendar quarter for gifts given in the preceding quarter. Additionally, the donor must notify the recipient at the time a reportable gift is made that the gift will be disclosed as required above.

§112.3148, F.S.

*"Lobbyist" means any natural person who, for compensation, seeks, or sought during the preceding 12 months, to influence the governmental decision-making of a reporting individual or procurement employee or his or her agency or seeks, or sought during the preceding 12 months, to encourage the passage, defeat, or modification of any proposal or recommendation by the reporting individual or procurement employee or his or her agency. [§112.3148(2)(b)1., Fla. Stat.]

Gifts Law

QUARTERLY GIFT DISCLOSURE BY REPORTING INDIVIDUALS

All persons required to file financial disclosure and State procurement employees must file a Form 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of a calendar quarter for the previous calendar quarter during which a gift worth over \$100 was received. Gifts from relatives, gifts prohibited from being accepted, and gifts otherwise required to be disclosed elsewhere are not reported on Form 9. All other gifts worth over \$100 must be reported. The form need not be filed if no such gift was received during the calendar quarter.

Division of Elections Rule 1S-2.010

Advisory Opinion

(1) General. The Division of Elections has the responsibility to render advisory opinions as to the application of Chapters 97 through 106, F.S.

(2) Those Who May Receive Advisory Opinions.

(a) Those who may formally request and receive advisory opinions as provided for in this rule include the following:

1. Supervisors of Elections.
2. Candidates.
3. Local officers having election related duties.
4. Political parties.
5. Registered political committees.
6. Other persons or organizations engaged in political activity; that is, persons or members of an organization which are actually involved in the action which is the concern of the request.

(b) A representative may request an opinion in the name of his or her principal; however, the opinion will be addressed to the principal.

Division of Elections Rule 1S-2.010

Advisory Opinion Continued

(3) Subject Matter of Advisory Opinions. Advisory opinions may be rendered only with respect to provisions or possible violations of Florida election law with respect to actions taken or proposed to be taken by a person or entity listed in subsection 1S-2.010(2), F.A.C.

(4) Form of Requests for Opinions. Requests for advisory opinions, pursuant to Section 106.23(2), F.S., shall occur only in the form of a written request to the Florida Department of State, Division of Elections. Such request may be accompanied by pertinent attachments, exhibits and memoranda, but must contain the following information in the body of the request:

- (a) Name of Requestor.
- (b) Address of Requestor.
- (c) Statutory provision(s) of Florida election law on which advisory opinion is sought.
- (d) Description of how this statutory provision may or does affect the requestor.
- (e) Possible violation of Florida election laws on which advisory opinion is sought.
- (f) The precise factual circumstances giving rise to the request.
- (g) The point(s) on which the requestor seeks an opinion.
- (h) Additional relevant information.
- (i) Statement of necessity, if any, to expedite division's response.

Division of Elections Rule 1S-2.010

Advisory Opinion Continued

(5) Division Disposition.

(a) The division will prepare a written response to the request in a timely manner. The division shall not be limited to analyzing statutory provisions set forth in a request for an advisory opinion in its preparation of a response to the request.

(b) Once the opinion is rendered, the division shall forward a copy of it to the requestor and each county Supervisor of Elections and to any person or organization upon request.

(6) Indexing.

(a) Advisory opinions shall be dated and indexed by subject matter.

(b) Opinions shall be numbered sequentially. The first two digits of the advisory opinion shall be the last two digits of the year in which the opinion was rendered. Following the year shall be a dash and the number of the opinion.

(7) Verbal, Telephone or Other Informal Advice. The process described in the preceding provisions of Rule 1S-2.010, F.A.C., is the only process by which the Division of Elections is authorized to provide advisory opinions pursuant to Section 106.23(2), F.S. Other telephone, verbal or written advice does not constitute an advisory opinion rendered pursuant to that law.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

- (1) Prerequisites for Mail Ballot Elections. An election may be conducted by mail ballot if:
- (a) The election is a referendum election at which all or a portion of the qualified electors of one of the following subdivisions of government are the only electors eligible to vote:
 - 1. Counties;
 - 2. Cities;
 - 3. School districts covering no more than one county; or
 - 4. Special districts;
 - (b) The governing body responsible for calling the election and the supervisor of elections responsible for the conduct of the election authorize the use of mail ballots for the election;
 - (c) The Secretary of State approves a written plan for the conduct of the election submitted by the supervisor of elections; and
 - (d) In addition, an annexation referendum which includes only qualified electors of one county may also be voted on by mail ballot election.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(2) Limitations on Mail Ballot Elections. The following elections may not be conducted by mail ballot:

(a) An election at which any candidate is nominated, elected, retained, or recalled;
or

(b) An election held on the same date as another election, other than a mail ballot election, in which the qualified electors of that political subdivision are eligible to cast ballots.

(3) Responsibility for Mail Ballot Elections. The supervisor of elections shall be responsible for the conduct of any election held under the Mail Ballot Election Act.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(4) Written Election Plan. The written election plan submitted by the supervisor of elections to the Secretary of State must include:

- (a) The name of the governing body responsible for calling the election;
- (b) The name of the election administrator for the governing body;
- (c) The type of election;
- (d) A timetable for the election which includes, but is not limited to, the date of the election and the date the ballots will be mailed to the electors; and
- (e) The locations other than the office of the supervisor of elections, if any, where ballots may be deposited.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(5) Cost of Election. The cost of a mail ballot election shall be borne by the jurisdiction initiating the calling of the election, unless otherwise provided by law. The supervisor of elections may require that the jurisdiction initiating the calling of the election provide a good faith deposit to cover 50% of the cost of the ballots, special envelopes, and clerical help required to complete assembly of the ballot packets and to check signatures of electors.

(6) Issuance of Mail Ballots. The mail ballots will be mailed out on or after the 20th day before the election, but no later than the 10th day before the election. However, with respect to absent electors overseas entitled to vote in the election, the supervisor of elections will mail the ballots on a date sufficient to allow the elector time to vote in the election and to have his marked ballot reach the supervisor by 7 p.m. of the day of the election. All ballots will be mailed by first class mail, and the mailing envelope will be marked "Do Not Forward."

(a) The supervisor will mail all official ballots with a secrecy envelope, a return mailing envelope, and instructions to each elector entitled to vote in the election.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(6) Issuance of Mail Ballots Continued:

(b) The return mailing envelope must contain a statement in substantially the following form:

VOTER'S CERTIFICATE

I, ____, do solemnly swear (or affirm) that I am a qualified voter in this election and that I have not and will not vote more than one ballot in this election. I understand that failure to sign this certificate and give my residence address will invalidate my ballot.

(SIGNATURE) _____

(Please Print Name) _____

Residence Address _____

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(6) Issuance of Mail Ballots Continued:

(c) The instructions enclosed with each mail ballot must be in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT

1. VERY IMPORTANT. In order to assure that your mail ballot will be counted, it must be completed and returned as soon as possible so it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election.
2. Mark your ballot in secret as instructed on the ballot.
3. Place your marked ballot in the enclosed secrecy envelope.
4. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.
5. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(6) Issuance of Mail Ballots Continued:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT continued:

6. VERY IMPORTANT. Sign your name on the line above “(Signature).”

7. Mail, deliver, or have delivered the completed mailing envelope. The ballot must be returned in the return mailing envelope. There must be sufficient postage if mailed.

(7) Request for Additional Ballots. If a mail ballot is destroyed, spoiled, lost or not received by an elector, the elector may obtain a replacement ballot from the supervisor of elections. An elector seeking a replacement shall sign a sworn statement that the ballot was destroyed, spoiled, lost, or not received and present such statement to the supervisor of elections prior to 7 p.m. on the day of the election. The supervisor will keep a record of each replacement ballot.

Division of Elections Rule 1S-2.022

Mail Ballot Elections

(8) Returned Ballots. A ballot will be counted only if:

(a) It is returned in the return mailing envelope;

(b) The elector's signature has been verified; and

(c) It is received by the supervisor of elections not later than 7 p.m. on the day of the election.

(9) Signature Verification. The supervisor of elections shall verify the signature of each elector on the return mailing envelope with the signature on the elector's registration records. Verification of the signature may begin at any time prior to the canvass of votes. If the supervisor of elections determines that an elector to whom a replacement ballot has been issued has voted more than once, the canvassing board shall determine which ballot, if any, is to be counted.

(10) Ballot Security. Access to the ballots shall be limited to the supervisor, the canvassing board and designated employees. All mail ballots, including voted, unvoted, and spoiled ballots shall be kept safely in the supervisor of elections' office. Voted ballots shall be kept unopened until the county canvassing board canvasses the vote.

Resources

- Florida Attorney General: Formal Opinions Database at <http://myfloridalegal.com/ago.nsf/Opinions>
- Florida Commission on Ethics: Publications (Guide to the Sunshine Amendment and the Code of Ethics; Summaries of Gift and Honoraria Laws; Complaint Procedures; and Advisory Opinions) at <http://www.ethics.state.fl.us/ethics/>
- Florida Division of Elections: Opinions/Rules/Laws/Directives; Forms & Publications; and Government Links at <http://election.dos.state.fl.us/index.shtml>
- Florida Election Commission: Common Violations & Appeals; How to File a Complaint/Complaint Form; Final Orders; and FAQs at <http://www.fec.state.fl.us/FECWebFi.nsf/pages/home>

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Remember

**You, as the filing officer,
perform only a ministerial function
in reviewing qualifying papers and
you are not an attorney,
*therefore you cannot give legal advice.***

Just a friendly CYA from your Election Committee!

This presentation has been brought to you by
the Palm Beach County Municipal Clerks Association's

2013 Election Committee

Debra R. Buff, MMC, Chair

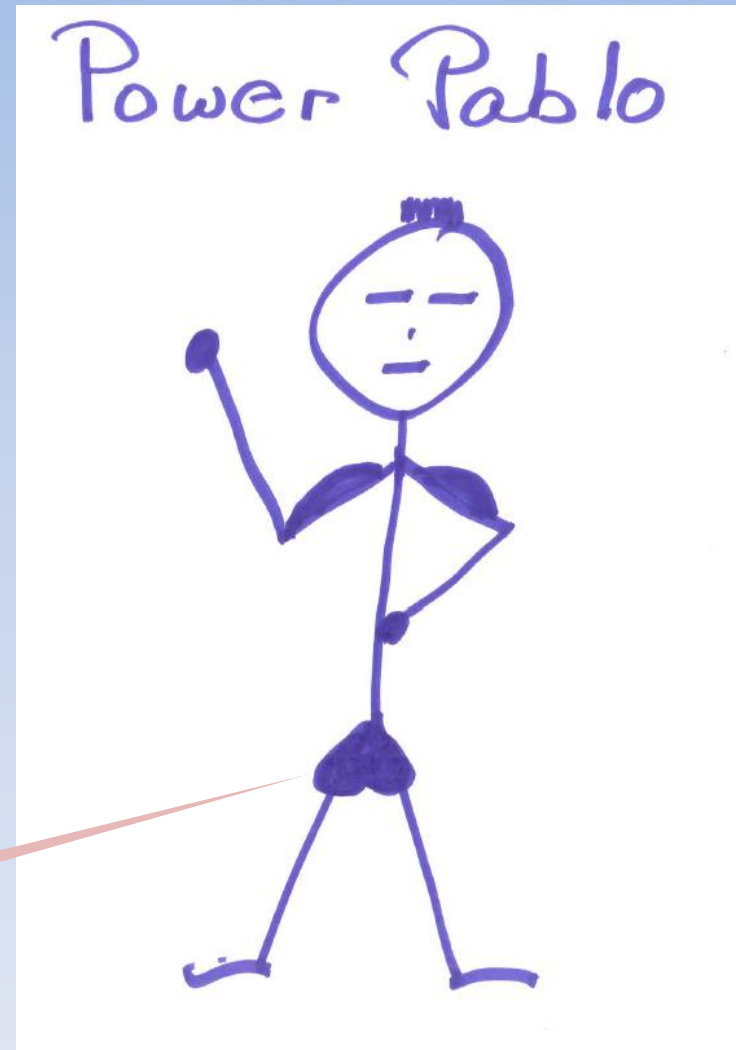
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Just a reminder,
These are not his shorts!!