

Citrus County CANDIDATE GUIDE

2022 Election Cycle



KNOW THE LAWS

YOUR CANDIDACY DEPENDS ON IT!

THIS GUIDE WAS CREATED TO ENHANCE YOUR UNDERSTANDING OF THE FLORIDA ELECTION LAWS.

THIS IS NOT A REPLACEMENT OF THE LAWS PROVIDED BY THE STATE OF FLORIDA.

Website: www.votecitrus.gov E-mail: vote@votecitrus.gov

Authorized by the Citrus County Supervisor of Elections

TO: All Candidates, Campaign Treasurers & Campaign Managers

FROM: Citrus County Supervisor of Elections Maureen "Mo" Baird

SUBJECT: Candidate Guide

The Countywide Election Candidate Guide has been created to aid candidates, campaign treasurers and campaign managers in learning their respective duties and responsibilities under the Florida Election Code.

All candidate forms and election laws can be found at www.votecitrus.gov by using the link to the Division of Elections website (<http://dos.myflorida.com/elections>). Do not use leftover forms from prior years. Laws change and the most current forms must be used. A list of forms and a description of their use is in this guide.

Proper use and tracking of campaign reports is also an area of great concern. It is MANDATORY to use the free campaign software provided by the SOE Office for proper tracking of reports. Using the campaign software provides the transparency expected in campaign finance. We will provide documentation to candidates and campaign treasurers on the electronic filing software program.

We hope the guide will be a valuable reference to candidates and campaign treasurers during the campaign. However, situations will arise that have not been addressed in the guide. Please call the SOE Office at any time if you have additional questions or need clarification. We are ready to assist in any way that Florida law permits.

Sincerely,



Maureen "Mo" Baird
Citrus County Supervisor of Elections

The SOE Office is here to answer questions BEFORE they become problems.
Call or e-mail the office.

Phone 352-564-7120 Fax 352-564-7121
E-mail: vote@votecitrus.gov

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I. CANDIDATE PROCEDURES

A. Candidate Education

This section outlines the recommended education and materials for a candidate to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Note: The Candidate Class is not required to run for public office but is highly recommended by the SOE even for candidates who have run for public office in the past.

1. Candidate Class

- a. Each candidate desiring to run for countywide office in Citrus County should schedule an appointment for one-on-one training to become better informed and educated on the requirements to run for public office in Citrus County.
- b. Each candidate will be informed of the specific requirements to run for the office sought and the general requirements of running a political campaign in Citrus County and the State of Florida, including financial reporting.

2. Candidate Materials

The SOE Office will provide materials to each candidate desiring to run for countywide office in Citrus County including the Election Candidate Guide, required forms and access to Chapter 106, Florida Statutes.

B. Candidate Filing

This section outlines the documents required for a candidate to run for public office.

Federal Statutes:

Federal Hatch Act <https://www.fda.gov/about-fda/ethics/hatch-act-political-activity-and-federal-employee#Hatch>

State Statutes: <http://www.leg.state.fl.us/statutes>

97.021 Definitions.

99 CANDIDATES

99.012 Restrictions on individuals qualifying for public office.

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.023 Statement of candidate.

106.19 Violations by candidates, persons connected with campaigns, and political committees.

106.25 Reports of alleged violations to Florida Elections Commission; disposition of findings.

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.

775.083 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

SOE Candidate Petition Certification

CE Form 1 Statement of Financial Interests

CE Form 6 Full and Public Disclosure of Financial Interests

DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for

Candidates

DS-DE 19A Affidavit of Undue Burden

DS-DE 83 Statement of Candidate for Judicial Office

DS-DE 84 Statement of Candidate

DS-DE 104 Candidate Petition Form

1. Candidates

Section 97.021(6), F.S. defines candidate as:

- a. Any person who seeks to qualify for nomination or election by means of the petition process
- b. Any person who seeks to qualify for election as a write-in candidate
- c. Any person who receives contributions or makes expenditures or gives his or her consent for any other person to receive contributions or make expenditures with a view to bringing about his or her nomination or election to, or retention in, public office
- d. Any person who appoints a treasurer and designates a primary depository
- e. Any person who files qualification papers and subscribes to a candidate's oath as required by law

Note: This definition does not include any candidate for a political party executive committee.

2. Florida Candidate Restrictions

Section 99.012, F.S. defines candidate restrictions:

- a. No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other.
- b. No officer may qualify as a candidate for another state, district, county, or municipal public office if the terms or any part thereof run concurrently with each other without resigning from the office him or her presently holds.
- c. The resignation is irrevocable.
- d. 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.

- e. The resignation must be effective no later than the earlier of the following dates:
- f. The date the officer would take office, if elected; or
- g. The date the officer's successor is required to take office.
- h. A person who is a subordinate officer, deputy sheriff, or police officer must resign effective upon qualifying pursuant to this chapter 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.

3. Federal Hatch Act – Federal Employees

- a. The Federal Hatch Act restricts certain individuals from participating in certain political activities if the individual is either a federal employee or works for an entity which is funded in part or entirely by federal funding.
- b. Candidates should investigate the impacts of the Federal Hatch Act early in the campaign process to avoid violations. This brief summary is contained in the manual for information purposes but is not a substitute for the candidate researching the possible impact of the Federal Hatch Act.
- c. More information on the Federal Hatch Act can be found at <https://www.fda.gov/about-fda/ethics/hatch-act-political-activity-and-federal-employee#Hatch>.

4. Form DS-DE 9

- a. Each candidate seeking to run for public office must submit a Form DS–DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE Office.
- b. The candidate must file the DS–DE 9 prior to opening a bank account, collecting contributions, expending money, or collecting qualifying petitions. FS 106.021

5. Form DS–DE 84 or DS–DE 83

Each candidate seeking to run for countywide office must submit a DS-DE 84 Statement of Candidate or DS-DE 83 Statement of Candidate for Judicial Office to the SOE Office

within 10 days of submission of the DS-DE 9 form. FS 106.023

WARNING: Willful failure to file the DS-DE 84 or DS-DE 83 is considered to be a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes. (See Chapter 106.19(1)(c), 106.25(3), and 106.023, Florida Statutes for detail.)

6. Petition Undue Burden Statement

- a. Candidates can qualify to be placed on the ballot by paying a qualifying fee or collecting a set number of DS-DE 104 Candidate Petition Forms.
- b. Candidates qualifying by petition can file a DS-DE 19A Affidavit of Undue Burden. It must be completed and returned to be exempted from the standard fee for verifying DS-DE 104 Candidate Petition Forms.
- c. If any person is paid to solicit signatures on a petition, an Affidavit of Undue Burden may not subsequently be filed in lieu of paying the fee to have signatures verified for that petition.
- d. If an affidavit has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any that are submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath.
- e. 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 an undue burden oath. FS 99.097

7. Candidate Folder

- a. All candidates filing paperwork to run for public office will have a candidate folder containing all documentation submitted by the Candidate to the SOE Office.
- b. Filing paperwork will also be scanned and available for public view on the SOE's website, www.votecitrus.gov.

8. Florida Statutes

- a. Each candidate filing to run for public office will be provided access to Chapter 99, 105, and 106, Florida Statutes by the SOE Office and must read and understand the requirements of the Florida Statutes.
- b. Each candidate will be required to sign a statement acknowledging the candidate has been provided access to Chapter 106, Florida Statutes.

NOTE: The candidate is solely responsible for reading and understanding the requirements of the Florida Statutes relating to running for public office in Florida.

9. Changing of Office Sought

- a. Section 106.021(1) (a), F.S., allows a candidate to change the office sought and run for a different office after becoming a candidate, providing that the candidate:
 - b. Provides written notice of the termination of the prior candidacy to the filing officer.
 - c. Files a new Appointment of Campaign Treasurer and Designation of Campaign Depository, designating the new office.
 - d. Within 15 days of the new appointment, notifies, in writing, all contributors of the change in office and offers to return contributions pro rata. The DS-DE 86 Request for Return of Contributions Form may be used for this purpose.
 - e. If contributors do not request that contributions be returned within 30 days of the above-mentioned notice, the candidate may use the funds in the campaign for the newly designated office.

C. Candidate Campaign Bank Account

This section outlines the required actions for a candidate to open a bank account to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.11 Expenses of and expenditures by candidates and political committees.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

1. Filing Requirements- Forms

Before a candidate can open a campaign bank account, receive contributions, or expend funds, the candidate must file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE. FS 106.02

2. Bank Account Requirements and Restrictions

- a. Any bank, savings and loan association, or credit union authorized to transact business in this state may be designated as a campaign depository. FS 106.021
- b. The bank, savings and loan association, or credit union the candidate selects as a campaign depository must be reported on the DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates.
- c. The campaign account shall be separate from any personal or other account and shall be used only for the purpose of depositing contributions and making expenditures for the candidate or political committee.
- d. Candidates must designate one primary campaign depository for the purpose of depositing all contributions received and disbursing all expenditures made by the candidate.
- e. In addition, candidates may also designate one (1) secondary depository for the sole purpose of depositing contributions and forwarding the deposits to the primary depository.

Note: No expenditures may be made from a secondary depository.

3. Campaign Account Checks

Campaign checks must contain all of the following information 106.11(1)(b). F.S.):

- a. The Name of Campaign Account of the Candidate.
- b. Account number and name of bank.
- c. The exact amount of the expenditure.
- d. The signature of the campaign treasurer or deputy treasurer.
- e. The exact purpose of the expenditure.
- f. The name of the payee.

WARNING: When issuing a check from the campaign account, the campaign treasurer or deputy treasurer shall be responsible for the completeness and accuracy of the information on the check and for ensuring that such expenditure is an authorized expenditure. 106.11(3), F.S.

Example of Campaign Check:

	001
John Doe Campaign Account	Date <u>1/1/2019</u>
County Commission District 1	
PAY TO THE ORDER OF <u>123 Lumber</u>	<u>\$200.00</u>
Two Hundred and 00/00	Dollars
FOR <u>Sign Materials</u>	<u>Signature of Campaign Treasurer or Deputy Treasurer</u>

4. Debit Cards

Candidates may use debit cards for expenses. 106.11(2), F.S. Debit cards are considered bank checks, if:

- a. Debit cards are obtained from the same bank that has been designated as the candidate's primary campaign depository.
- b. Debit cards are issued in the name of the treasurer, deputy treasurer, or authorized user and state (Name of Candidate) Campaign Account.
- c. No more than three debit cards are requested and issued.
- d. The person using the debit card does not receive cash as part of, or independent of, any transaction for goods or services.
- e. All receipts for debit card transactions must contain:

- f. The last four digits of the debit card number.
- g. The exact amount of the expenditure.
- h. The name of the payee.
- i. The signature of the campaign treasurer, deputy treasurer, or authorized user.
- j. The exact purpose for which the expenditure is authorized.

D. Campaign Treasurer

This section outlines the required actions for a candidate to appoint a campaign treasurer to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

106.021 Campaign treasurers; deputies; primary and secondary depositories.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates.

1. Appointment of Campaign Treasurer

- a. A campaign treasurer must accept the position in writing. The requirement for written acceptance has been met when the treasurer has completed and filed Form DS-DE 9 with the filing officer.
- b. A candidate should select a treasurer with knowledge of bookkeeping or accounting procedures, as well as basic computer skills.
- c. Candidates may serve as campaign treasurer if the candidate desires.
- d. Candidates may appoint one campaign treasurer and not more than three deputy campaign treasurers. 106.021(1) (a), F.S

- e. The qualifications for a deputy treasurer are the same as those for a campaign treasurer.
- f. Candidates must file the treasurer's and each deputy treasurers' written acceptances with the filing officer, along with the names and addresses of all treasurers appointed. This is accomplished by the filing of the DS-DE 9 Form, "Appointment of Campaign Treasurer and Designation of Campaign Depository."
- g. A deputy treasurer may exercise any of the powers and duties of a campaign treasurer when specifically authorized to do so by the candidate and the campaign treasurer.

2. Campaign Treasurer Replacement

- a. Candidates may replace treasurers or deputy treasurers at any time.
- b. In the case of the death, resignation, or removal of a campaign treasurer, the candidate must appoint a successor in the same way the original treasurer was appointed, the DS-DE 9. 106.021(2), F.S.,
- c. A treasurer's resignation does not become effective until it is submitted to the candidate in writing, and a copy of the letter of resignation is filed with the Supervisor of Elections.
- d. A candidate's removal of a treasurer does not become effective until written notice of the removal is given to the treasurer and is filed with the Supervisor of Elections.

3. Multiple Campaign Appointments

An individual may be appointed to be treasurer for more than one campaign or committee. An individual may be appointed and serve as a campaign treasurer for a candidate and a political committee or two or more candidates or political committees. 106.021(1) (c), F.S.

E. Candidate Qualifying

This section outlines the requirements for a candidate to qualify to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

Section 2, Article VIII, Constitution of the State of Florida as Revised in 1968 and Subsequently Amended

99 CANDIDATES

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.

99.092 Qualifying fee of candidate; notification of Department of State.

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

166.032 Electors.

166.042 Legislative intent.

166.021 Powers.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State.

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

SOE Candidate Petition Certification

CE Form 1 Statement of Financial Interests

CE Form 6 Full and Public Disclosure of Financial Interests

DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates

DS-DE 301SL Candidate Oath – State and Local Partisan Office

DS-DE 302NP Candidate Oath – Nonpartisan Office

DS-DE 303JU Candidate Oath – Judicial Office

DS-DE 304SB Candidate Oath – School Board Nonpartisan Office

DS-DE 83 Statement of Candidate for Judicial Office

DS-DE 84 Statement of Candidate

1. Qualifying Period

SOE 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 qualifying period.

FS 105.03(6)

- a. All countywide candidates must file their qualifying papers no earlier than noon of the 71st day prior to the election, but not later than noon of the 67th day prior to the date of

the election. 99.061, F.S.

- b. Time for the purposes of qualifying will be determined by SOE Office clocks.
- c. Qualifying papers will be accepted during the qualifying period at the Citrus County Supervisor of Elections Office from noon on the first day to noon on the last day of the qualifying period. The qualifying office is located at 1500 N Meadowcrest Blvd, Crystal River with normal business hours from 8 am to 5 pm.
- d. Candidates may qualify by mail. Qualifying papers must be forwarded to the address of the qualifying officer within the appropriate timeline for qualifying. If not received prior to noon on the last day of qualifying or incomplete the candidate shall not be qualified.

NOTE: All SOE mail is delivered to PO Box 1870, Lecanto, FL 34460. Mail is picked up daily. Candidates who mail in paperwork should submit early to ensure that paperwork is received prior to the deadline.

2. Qualifying Forms Filing Officer

All countywide candidates must file their qualifying papers in the office of the Supervisor of Elections. 99.061, F.S.

3. Qualifying Forms Required

Candidates must file the following forms during the qualifying period:

- a. DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates. (May be filed prior to the start of qualifying)
- b. DS-DE 83/84 Statement of Candidate. Candidates for judicial offices file the DS-DE 83 and all other candidates for countywide offices file the DS-DE 84. (May be filed prior to the start of qualifying)
- c. Candidate Oath. The candidates name will appear on the ballot exactly as it appears on the Candidate Oath and cannot be changed after qualifying.
- d. Financial Disclosure forms.
 - i. Candidates for Constitutional Offices must file the CE Form 6 Full and Public Disclosure of Financial Interests.

- ii. Candidates for all special districts must file the CE Form 1 Statement of Financial Interests.
- e. Notification to Candidate: SOE provides Candidate Petition Certification Form if qualifying by candidate petitions.

Note: The SOE assumes no responsibility, other than that required by law, for educating candidates on the qualifying requirements of each public office.

4. Qualification Fee

- a. Each candidate must pay the necessary qualifying fee, unless exempted, by a check drawn on the candidate's campaign account before the end of the qualifying period. 99.061(7)(a)(1), F.S.
- b. The qualifying fee must be paid by a check drawn on the candidate's campaign account made payable to the Citrus County Supervisor of Elections.
- c. The total qualifying fee is generally an election assessment of 6% of the annual salary for the office sought for partisan candidates and 4% of the annual salary for the office sought for non-partisan candidates. 99.092 F.S.

5. Qualifying Fee Refund

Reimbursement of the qualifying fee provided the candidate withdraws before the qualifying period ends. Section 99.092(1), F.S.

6. Qualifying by Petition

Candidates for countywide office may qualify by petition instead of paying the qualifying fee. 99.095 F.S.

7. Errors in Qualifying Documents

- a. A candidate will not be qualified unless all qualifying documents are complete and submitted prior to the end of the qualifying period.
- b. The SOE 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.” 99.061(5)(b) F.S.

- c. The candidate is ultimately responsible for completion and submission of all required qualifying documents and fees.

F. Qualifying by Candidate Petition

This section outlines the requirements for a candidate to qualify to run for public office by candidate petition.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

Section 2, Article VIII, Constitution of the State of Florida as Revised in 1968 and Subsequently Amended

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.

99.095 Petition process in lieu of a qualifying fee and party assessment.

99.097 Verification of signatures on petitions.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.017 Reporting Requirements for Campaign Treasurer’s Reports.

1S-2.045 Candidate Petition Process.

Forms:

SOE Candidate Petition Certification

DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates

DS-DE 19A Affidavit of Undue Burden

DS-DE 104 Candidate Petition Form – <https://dos.myflorida.com/elections/forms-publications/forms/county-candidate-forms/>

1. Qualifying by Petition

- a. Candidates for countywide office can qualify for the ballot by petition instead of paying a qualifying fee.
- b. Candidates must submit petitions for verification and pay the required verification fees

to the SOE office. The verification fee must come from the campaign account.

- c. Candidates must submit candidate petitions to the SOE Office for verification prior to noon of the 28th day preceding the first day of the qualifying period for the office sought.
- d. Candidates are required to accumulate a set number of verified petitions before the beginning of the qualifying period to qualify by petition. The number of verified petitions required is 1 percent of the total number of registered voters of that geographical area immediately preceding the last general election. 99.095 F.S.

2. Candidate Petition Form

- a. Candidates qualifying by petition must use the DS-DE 104 Candidate Petition Form required by the State of Florida to gather voter signatures. 99.095 F.S.
- b. Candidates can go to the Department of State – Division of Elections website to get a copy of the required DS-DE 104 Candidate Petition Form.
 - i. <https://dos.myflorida.com/elections/forms-publications/forms/county-candidate-forms/> Scroll down the page to the DS-DE 104 icon and open a PDF copy of the form.
 - ii. Enter the required information on the form and print a copy of the form for replication. Candidates can either copy the printed document or take the copy to a print shop to have additional copies made.
- c. Each petition form must include the following information:
 - i. Candidate name as it will appear on the ballot.
 - ii. Candidate party affiliation if required for the office sought or a statement of Nonpartisan.
 - iii. Name of Office the candidate is seeking. 99.095(2)(c), F.S.
- d. Voters must include the following on the candidate petition form pursuant to Chapter 1S-2.045, Florida Administrative Code:
 - i. The voter's name.
 - ii. The voter's address including city and county. The address may be a business or PO Box address. "Protected Address" will not be accepted.

- iii. The voter's date of birth or voter registration number.
- iv. The voter's original signature.
- v. The date the voter signed the petition as recorded by the voter.
- vi. The group or district designation for the office is listed if the office requires the designation.

3. Candidate Petition Verification

- a. Candidates are required to pay a fee of \$0.10 per petition to the SOE for the cost of verifying candidate petitions. The fee must be paid at the time petitions are submitted unless the candidate has submitted a DS-DE 19A Affidavit of Undue Burden, which would exempt the candidate from the verification fee. 99.097, F.S.

Note: Candidate petitions will be accepted by the SOE office without payment, however, petitions will not be verified until the candidate has paid the required verification fees.

- b. Candidate petitions will be reviewed by the SOE Office to verify petitions meet the requirements of law and the signatures will be matched to the voter record.
- c. Candidates are advised to ensure petitions are complete before submission for verification to avoid rejection of the petition.

WARNING: The candidate can aid the voter in recording the voter's name and address, but the voter must sign and date the form. The date must be "recorded by the voter" to meet the requirements of the law. Candidate petitions dated by someone other than the voter will be rejected if the SOE Office can determine the date was not recorded by the voter.

- d. The voter's signature is recommended to be as close as possible to the most currently submitted signature on file for the voter. However, the signature on a candidate petition form must be accepted by the SOE as a valid signature if the SOE can determine the signature on the petition form is the voter's signature. The law does not require the form of the name to be identical. Section 99.097(3)(a), F.S.
- e. The voter address should be the address recorded in the voter record for the voter. However, Section 99.097(3)(b), F.S. stipulates that if the voter lists an address on a

candidate petition other than the voters home address, the SOE shall treat the signature as if the voter had listed the address where the voter is registered.

- f. Candidates are encouraged to continue collecting candidate petitions until the SOE notifies the candidate enough petitions have been verified for the candidate to qualify. If enough petitions are not submitted and verified, the candidate will be required to pay the qualifying fee.

G. Write-In Candidates

This section outlines the requirements for a write-in candidate to qualify to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

Section 2, Article VIII, Constitution of the State of Florida as Revised in 1968 and Subsequently Amended

99 CANDIDATES

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

166.032 Electors.

166.042 Legislative intent.

166.021 Powers.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

SOE Certification of Candidate Qualification

CE Form 1 Statement of Financial Interests

CE Form 6 Full and Public Disclosure of Financial Interests

DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for

Candidates

DS-DE 104 Candidate Petition Form

1. Write-In Candidate Qualifying

- a. Each person seeking to qualify for election to office as a write-in candidate shall file his or her qualification papers with the Supervisor of Elections during the qualifying period for the office sought.
- b. All countywide candidates must file their qualifying papers no earlier than noon of the 71st day prior to the election, but not later than noon of the 67th day prior to the date of the election. 99.061, F.S
- c. Time for the purposes of qualifying will be determined by SOE Office clocks.
- d. All write-in candidates must reside within the district represented by the office sought at the time of qualification.

2. Qualifying Forms Filing Officer

All countywide candidates must file their qualifying papers in the office of the Supervisor of Elections. 99.061, F.S

3. Qualifying Forms Required

Candidates must file the following forms during the qualifying period:

- a. DS- DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates.
- b. DS-DE 83/84 Statement of Candidate. Candidates for judicial offices file the DS-DE 83 and all other candidates for countywide offices file the DS-DE 84.

Note: The DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates and DS-DE 83/84 Statement of Candidate may be filed prior to the start of qualifying.

- c. All other forms required are specific to the candidate's desired office. These specifics are covered in the back of this manual by office title.
- d. Financial Disclosure forms.
- e. Candidates for Constitutional Offices must file the CE Form 6 Full and Public

Disclosure of Financial Interests.

- f. Candidates for all special district offices must file the CE Form 1 Statement of Financial Interests.
- g. Note: The SOE assumes no responsibility, other than that required by law, for educating candidates on the qualifying requirements of each public office.

4. Qualification Fee

Any person seeking election as a write-in candidate shall not be required to pay a filing fee, election assessment, or party assessment. 99.061(4)(b), F.S.,

5. Ballot Position

- a. A write-in candidate is not entitled to have his or her name printed on any ballot.
- b. Space for the write-in candidate's name to be written in must be provided on the general election ballot.
- c. A person may not qualify as a write-in candidate if the person has also qualified for nomination or election to the office.

6. 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:

- a. "Political advertisement paid for and approved by ...(name of candidate)..., write-in candidate, for ...(office sought)..."; or
- b. "Paid by ...(name of candidate)..., write-in candidate, for ...(office sought)...."
- c. Per F.S. 106.143(2)(b)(1) F.S.

II. CAMPAIGN FINANCE

A. Campaign Contributions

This section outlines the reporting requirements for campaign contributions for a candidate to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

- 99 CANDIDATES
- 105 NONPARTISAN ELECTIONS
- 106 CAMPAIGN FINANCING
 - 106.011 Definitions.
 - 106.021 Campaign treasurers; deputies; primary and secondary depositories.
 - 106.055 Valuation of in-kind contributions.
 - 106.06 Treasurer to keep records: inspections.
 - 106.07 Reports; certification and filing.
 - 106.075 Elected officials; report of loans made in year preceding election; limitation on contributions to pay loans.
 - 106.08 Contributions; limitations on.
 - 106.09 Cash contributions and contributions by cashier's checks.
 - 106.141 Disposition of surplus funds by candidates.
 - 106.15 Certain acts prohibited.
 - 106.19 Violations by candidates, persons connected with campaigns, and political committees.
- 775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain re-offenders previously released from prison.
- 775.083 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.
- 775.084 Violent career criminals; habitual felony offenders and habitual violent felony offenders; three-time violent felony offenders; definitions; procedure; enhanced penalties or mandatory minimum prison terms.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
- 1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

- DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates

- DS-DE 12 Campaign Treasurer's Report - Summary
- DS-DE 13 Campaign Treasurer's Report - Itemized Contributions
- DS- DE 14 Campaign Treasurer's Report - Itemized Expenditures
- DS-DE 73 Campaign Loans Report

1. Campaign Contribution Authorization

Before a candidate can open a campaign bank account, receive contributions, or expend funds, the candidate must file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE. 106.021 F.S.

2. Campaign Contributions Defined

Section 106.011(5), F.S., defines a contribution as:

- a. A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including in-kind contributions, having an attributable monetary value in any form, made for the purpose of influencing the results of an election.
- b. A transfer of funds between political committees, between electioneering communications organizations, or between any combinations of these groups.
- c. The payment by any person, other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or political committee for such services.
- d. 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 and any interest earned on such account or certificate.
- e. Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee. This definition shall not be construed to include editorial endorsements.

3. Campaign Contribution Limitations

- a. There is no limit to the amount a candidate can contribute to run for countywide office.
- b. Except for political parties or affiliated party committees, no person, political committee may, in any election, make contributions in excess of \$1,000 to any candidate for election to or retention in office or to any political committee supporting or opposing one or more candidates. 106.08 F.S.
- c. The \$1,000 limitation applies to each individual or entity with regard to any contributions received by personal or business check. For example, a husband and wife may each give up to \$1,000 on two different checks only.
- d. Each contribution must be separate and the check must be signed by the contributor. (i.e. a husband cannot sign the check for the wife's contribution.)
- e. Each individual entity, such as a corporation, may give up to \$1,000.
- f. The law provides for a maximum but no minimum contribution.
- g. A person may not make any contribution through or in the name of another, directly or indirectly, in any election.
- h. A person may not make or accept a cash contribution or contribution by means of a cashier's check in excess of \$50 per election. 106.09 F.S.
- i. The primary election and general election are considered to be separate elections as long as the candidate has opposition. If a candidate is unopposed, the primary and general election is considered to be one election for contribution limitations. 106.08 F.S.
- j. Candidates, political committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

Note: Chapter 106.15(4), F.S., prohibits the acceptance of a contribution in a building owned by a governmental entity...except if the building is rented for a fundraiser.

4. In-Kind Contributions

- a. A contribution having an attributable monetary value in any form, made for the purpose of influencing the results of an election, is considered in-kind. 106.011(5) (a), F.S.
- b. The contributor may not spend any additional funds in excess of the limits provided for

by law for the specific purpose of furthering that candidate's nomination or election.
(i.e., limitations listed above)

- c. In-kind contributions must be reported on the campaign treasurer's report to the Supervisor of Elections, and a fair market value must be placed upon the contributed item by the contributor. 106.055, F.S.

5. Penalties for Violation of Campaign Contribution Limitations

- a. Any person who makes or accepts a contribution in excess of the limits established by Section 106.08, F.S. commits a misdemeanor of the first degree.
- b. Any person who knowingly and willfully violates any other contribution restrictions listed above or knowingly and willfully fails to return any contribution listed above is guilty, if convicted, of a first-degree misdemeanor punishable as provided in Section 775.082 – 775.083, F.S. for no more than one contribution.
- c. Any person found guilty of knowingly and willfully violating the restrictions listed above shall, in addition to any other penalty prescribed by law, pay to the state a sum equal to twice the amount of the contribution(s).
- d. See Chapter 106.08, F.S. for complete details on restrictions and penalties for violations of the law relating to campaign contributions.

6. Campaign Contribution Recording

- a. All candidates are required to use the free software provided by the SOE Office to report campaign contributions and expenses.
- b. Campaign treasurers are required to keep detailed accounts current within not more than 2 days after the date of receiving a contribution or making an expenditure. For reporting purposes, contributions are required to be reported within two days of receipt. 106.06, F.S.
- c. All contributions received for a candidate must be deposited no later than the end of the 5th business day following the receipt of the contribution, Saturdays, Sundays, and legal holidays excluded. 106.05, F.S.
- d. All deposits shall be accompanied by a bank deposit slip containing the name of each contributor and the amount contributed by each.

- e. Each contribution received shall be reported using the free software provided by the SOE and shall include:
 - i. Contributor's full name.
 - ii. Contributor's complete address.
 - iii. Contributor's occupation for contributions exceeding \$100.
 - iv. For business contributions, a clear description of the type of business conducted by the business. 106.07(4)(a) F.S

7. Contribution Ending Dates

- a. Candidates may receive contributions from the day the DS-DE 9 is filed until 5 days prior to the election date. 106.021 F.S.
- b. Contributions received by a candidate with opposition or the candidate's representative on the day of election or less than 5 days prior to the day of the election must be returned by the candidate to the person or committee contributing and may not be used or expended by or on behalf of the candidate. 106.08 (3)(a) F.S.
- c. Contributions may not be accepted by a candidate or candidate's representative after the date at which the candidate withdraws candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office. Contributions received in this manner must be returned to the person or committee contributing and may not be used or expended by or on behalf of the candidate. 106.08 (3)(b) F.S.

8. Anonymous Contributions

- a. The contribution must be reported on the treasurer's report. A letter should be submitted to the SOE explaining that the contribution was an anonymous contribution and the circumstances under which the contribution was received. Division of Elections Opinion 89-02.
- b. The contribution may not be expended and must be disposed of at the end of the campaign in accordance with Section 106.141, F.S.

9. Campaign Loans

- a. A person elected to office must report all loans, exceeding \$500 in value, made to the candidate and used by the candidate for campaign purposes in the 12 months

preceding the candidate's election to office, to the Supervisor of Elections. 106.075

F.S.

- b. The report must be made, in the manner prescribed by the Department of State, within 10 days after being elected to office.
- c. The DS-DE 73 or 73A Campaign Loans Report shall be used for this purpose.
- d. Any person making a contribution to an individual to pay all or part of a loan incurred, in the 12 months preceding the election, to be used for the individual's campaign, may not contribute more than the amount which is allowed in 106.08(1), F.S.

B. Campaign Fund Raisers

This section outlines the reporting requirements for campaign fund raisers for a candidate to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

- 99 CANDIDATES
- 105 NONPARTISAN ELECTIONS
- 106 CAMPAIGN FINANCING
- 106.011 Definitions.
- 106.021 Campaign treasurers; deputies; primary and secondary depositories.
- 106.025 Campaign fundraisers.
- 106.08 Contributions; limitations on.
- 106.143 Political advertisements circulated prior to election; requirements.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
- 1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

SOE Candidate Guide

DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates

DS-DE 12 Campaign Treasurer's Report - Summary

- DS-DE 13 Campaign Treasurer's Report - Itemized Contributions
- DS-DE 14 Campaign Treasurer's Report - Itemized Expenditures
- DS-DE 73 Campaign Loans Report

1. Fund Raising Period

- a. Before a candidate can open a campaign bank account, receive contributions, or expend funds, the candidate must file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE. 106.021 F.S.
- b. Candidates may receive contributions from the day the DS-DE 9 is filed until 5 days prior to the election date. 106.08 (3)(a) F.S.
- c. Contributions received by a candidate with opposition or the candidate's representative on the day of election or less than 5 days prior to the day of the election must be returned by the candidate to the person or committee contributing and may not be used or expended by or on behalf of the candidate. 106.08 (3)(a) F.S
- d. Contributions may not be accepted by a candidate or candidate's representative after the date at which the candidate withdraws candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office. Contributions received in this manner must be returned to the person or committee contributing and may not be used or expended by or on behalf of the candidate. 106.08 (3)(b) F.S

2. Fund Raiser Reporting Requirements

- a. Section 106.011(1), F.S., defines a campaign fundraiser as "an affair held to raise funds to be used in a campaign for public office."
- b. All money and contributions received with respect to a campaign fund raiser shall be deemed to be campaign contributions, and shall be accounted for, and subject to the same reporting requirements and restrictions, as other campaign contributions. 106.025(1)(b), F.S.
- c. All expenditures made with respect to a campaign fund raiser shall be deemed to be campaign expenditures to be accounted for, and subject to the same restrictions, as other campaign expenditures when paid or reimbursed from the candidate's campaign bank account. 106.025(1)(b), F.S.

- d. All expenditures made with respect to a campaign fund raiser shall be deemed to be In-Kind campaign contributions when paid by individuals on behalf of the candidate and are subject to the same reporting requirements and restrictions, as other campaign contributions. 106.011(5)(a) F.S. 106.08 F.S.
- e. Any tickets or advertising for such a campaign fund raiser must comply with the disclaimer requirements of 106.143 F.S.
- f. The SOE Office suggests that tickets with stubs be used so that the name and address of the contributor can be written on the stub at the time of sale and remitted to the campaign treasurer for reporting of contributions.

C. Campaign Expenditures

This section outlines the reporting requirements for expenditures for a candidate to run for public office.

Federal Statutes:

S 501(c) (3) of the Internal Revenue Code

State Statutes: <http://www.leg.state.fl.us/statutes>

- 99 CANDIDATES
- 105 NONPARTISAN ELECTIONS
- 106 CAMPAIGN FINANCING
- 106.06 Treasurer to keep records; inspections.
- 106.011 Definitions.
- 106.11 Expenses of and expenditures by candidates and political committees.
- 106.12 Petty cash funds allowed.
- 106.125 Credit cards; conditions on use.
- 106.1405 Use of campaign funds.
- 106.141 Disposition of surplus funds by candidates.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
- 1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

- DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates
- DS-DE 12 Campaign Treasurer's Report - Summary
- DS-DE 13 Campaign Treasurer's Report - Itemized Contributions
- DS-DE 14 Campaign Treasurer's Report - Itemized Expenditures

1. Authorized Campaign Expense

- a. 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 or making an electioneering communication." 106.011 (10)(a) F.S.
- b. Expenditure definition by statute does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization's newsletter. 106.011 (10)(a) F.S.
- c. An expenditure for an electioneering communication is made when the earliest of the following occurs:
 - i. A person enters into a contract for applicable goods or services;
 - ii. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or
 - iii. The electioneering communication is publicly disseminated. 106.011 (10)(b) F.S.
- d. Candidates for countywide office may not use campaign funds to offset any normal living expense of the candidate or member of the candidate's family. Candidates may pay for transportation, meals, and lodging expenses for legitimate campaign travel. 106.1405 F.S.
- e. Campaign expenses may only be paid from either the primary campaign bank account, by check or debit card, or from a petty cash fund if one has been created. 106.11 F.S.

2. Debit/Credit Cards

- a. Candidates for countywide office are not permitted to use credit cards for the purchase of goods and services for the campaign. 106.125 F.S. However, countywide candidates are permitted to use debit cards for purchases but may not get cash back during or independent of purchase transactions. 106.11 F.S.
- b. All receipts for debit card transactions must contain:
 - i. The last four digits of the debit card number.
 - ii. The exact amount of the expenditure.
 - iii. The name of the payee.
 - iv. The signature of the campaign treasurer, deputy treasurer, or authorized user.
 - v. The exact purpose for which the expenditure is authorized.
- c. Any information required but not included on the debit card transaction receipt may be handwritten on, or attached to, the receipt by the authorized user before submission to the treasurer. 106.11 F.S.

3. Campaign Expense Reporting Requirements

- a. All candidates are required to use the free software provided by the SOE Office to report campaign contributions and expenses. 106.0705 F.S.
- b. The campaign treasurer of each candidate shall keep detailed accounts, current within not more than 2 days after the date of receiving a contribution or making an expenditure, of all contributions received and all expenditures made by or on behalf of the candidate. In other words, do not hold expense receipts or donations more than two days before recording the transactions in the reporting program. 106.06 (1) F.S.
- c. Accounts kept by the campaign treasurer of a candidate may be inspected under reasonable circumstances before, during, or after the election to which the accounts refer by any authorized representative of the Division of Elections or the Florida Elections Commission. 106.06 (2) F.S.
- d. Accounts kept by a campaign treasurer of a candidate shall be preserved by the campaign treasurer for a number of years equal to the term of office of the office to which the candidate seeks election. 106.06 (3) F.S.

4. Petty Cash Fund

- a. Campaign treasurers for a candidate are authorized to withdraw from the primary campaign account the amount of \$500 per calendar quarter reporting period for the purpose of providing a petty cash fund for the candidate until the close of the last day for qualifying for office. 106.12 (1) F.S.
- b. Following the close of the last day for qualifying and until the candidate is eliminated, elected to office, or becomes unopposed the campaign treasurer of each candidate is authorized to withdraw \$100 per week for use as a petty cash fund for the candidate. 106.12 (2) F.S.
- c. The petty cash fund shall be spent only in amounts less than \$100 and only for office supplies, transportation expenses, and other necessities. 106.12 (3) F.S
- d. Petty cash shall not be used for the purchase of time, space, or services from communications media as defined in Section 106.011(13), F.S. 106.12 (3) F.S

5. Independent Expenditures

- a. An Independent Expenditure means an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee. An expenditure for such purpose by a person having a contract with the candidate, political committee, or agent of such candidate or committee in a given election period shall not be deemed an independent expenditure." 106.011 (12)(a) F.S.
- b. An expenditure for the purpose of expressly advocating the election or defeat of a candidate shall not be considered an independent expenditure if the committee or person:
 - i. Communicates with the candidate, the candidate's campaign, or an agent of the candidate acting on behalf of the candidate, including any pollster, media consultant, advertising agency, vendor, advisor, or staff member, concerning the preparation of, use of, or payment for, the specific expenditure or advertising campaign at issue; or
 - ii. Makes a payment in cooperation, consultation, or concert with, at the request or

- suggestion of, or pursuant to any general or particular understanding with the candidate, the candidate's campaign, a political committee supporting the candidate, or an agent of the candidate relating to the specific expenditure or advertising campaign at issue; or
- iii. Makes a payment for the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by the candidate, the candidate's campaign, or an agent of the candidate, including any pollster, media consultant, advertising agency, vendor, advisor, or staff member; or
 - iv. Makes a payment based on information about the candidate's plans, projects, or needs communicated to a member of the committee or person by the candidate or an agent of the candidate, provided the committee or person uses the information in any way, in whole or in part, either directly or indirectly, to design, prepare, or pay for the specific expenditure or advertising campaign at issue; or
 - v. After the last day of qualifying for statewide or legislative office, consults about the candidate's plans, projects, or needs in connection with the candidate's pursuit of election to office and the information is used in any way to plan, create, design, or prepare an independent expenditure or advertising campaign, with:
 1. Any officer, director, employee, or agent of a national, state, or county executive committee of a political party that has made or intends to make expenditures in connection with or contributions to the candidate; or
 2. Any person whose professional services have been retained by a national, state, or county executive committee of a political party that has made or intends to make expenditures in connection with or contributions to the candidate; or
- c. After the last day of the qualifying period prescribed for the candidate, retains the professional services of any person also providing those services to the candidate in connection with the candidate's pursuit of election to office; or
 - d. Arranges, coordinates, or directs the expenditure, in any way, with the candidate or an agent of the candidate. 106.011 (12)(b) F.S.

6. Leftover Campaign Funds

- a. 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. 106.141, F.S.
 - i. If there are funds in a separate interest-bearing account or certificate of deposit at the time the candidate becomes unopposed, withdraws, is eliminated as a candidate or elected, the funds and the accumulated interest earned thereon must be transferred to the campaign account within seven (7) days. 106.141 (3) F.S.
 - ii. However, if the funds are subject to penalty if withdrawn within the seven (7) day period, the funds and the accumulated interest earned thereon may be transferred as soon as the funds may be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws candidacy, or is eliminated or elected, whichever comes first. 106.141 (3) F.S.
- b. Any candidate required to dispose of funds pursuant to this section may, prior to such disposition, be reimbursed by the campaign, in full or in part, for any reported contributions by the candidate to the campaign. 106.141 (2) F.S.
- c. A candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office may expend funds from the campaign account to:
 - i. Purchase "thank you" advertising for up to 75 days after the candidate withdraws, becomes unopposed, eliminated, or elected.
 - ii. Pay for items that were obligated before the candidate withdrew, became unopposed, or was eliminated or elected.
 - iii. Pay for expenditures necessary to close the campaign office and to prepare final campaign reports.
 - iv. Dispose of surplus funds as provided in Section 106.141, F.S. 106.11(5), F.S.
- d. Any funds not spent or obligated may be disposed of by the following means or combination thereof:
 - i. Return pro rata to each contributor the funds that have not been spent or obligated;

- ii. Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s.501(c)(3) of the Internal Revenue Code;
 - iii. Give not more than \$25,000 of the funds that have not been spent or obligated to the political party of which the candidate is a member; or
 - iv. Give the funds that have not been spent or obligated to the General Revenue Fund of the political subdivision. 106.141 (4)(a) F.S.
- e. A candidate elected to office or a candidate who will be elected to office by virtue of being unopposed may transfer from the campaign account to an office account any amount of funds on deposit in such campaign account up to \$5,000 multiplied by the number of years in the term of office for which elected. (Excluding Judicial) 106.141 (5)(d) F.S.
- i. Any funds so transferred by a candidate shall be used only for legitimate expenses in connection with the candidate's public office.
 - ii. This money retained from the campaign account must be used to open a new account to be titled "Office Account" and the candidate elected to office is required to file a report on the 10th day following the calendar quarter until the account is closed. 106.141 (9) F.S.
 - iii. The reports are in the same form and contain the same type of information as the campaign reports.
 - iv. The office account shall be separate from any personal or other account, and funds may be used for travel expenses incurred by the officer or the officer's staff members, personal taxes payable on office account funds by the candidate or elected public official, or expenses incurred in the operation of the office, including the employment of additional staff.
 - v. If a candidate is reelected to office or elected to another office and has funds remaining in the office account, the candidate may transfer surplus campaign funds to the office account. However, at no time may the funds in the office account exceed the limitation imposed by Section 106.141, F.S.
 - vi. Upon leaving public office, any candidate with funds in an office account pursuant to Section 106.141, F.S. remaining on deposit shall give such funds to a charitable

organization or organizations which meet the requirements of s. 501(c)(3) of the Internal Revenue Code or to the city for deposit into the General Revenue Fund.

- f. Prior to disposing of funds pursuant to Section 106.141(4) F.S. or transferring funds to an office account pursuant to Section 106.141(4) F.S., any candidate having filed a Statement of Undue Burden for exemption from the petition verification fees is required to pay the waived fees for petition verification.

Note: Candidates must pay waived petition verification fees if qualified by petition before disposing of unused campaign funds. Failure to pay the required fees prior to disposition of funds is a misdemeanor of the first degree, punishable as provided in s. 755.082 or s 775.083.

- g. If a candidate receives a refund check 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 report must be filed showing the refund and the subsequent disposition.
- h. A candidate who makes a loan to his or her campaign and reports the loan as required by s. 106.07 may be reimbursed for the loan at any time the campaign account has sufficient funds to repay the loan and satisfy its other obligations. 106.141(2)

D. Campaign Financial Reports

This section outlines the reporting requirements for campaign financial reports for a candidate to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99	CANDIDATES
105	NONPARTISAN ELECTIONS
106	CAMPAIGN FINANCING
106.07	Reports; certification and filing.
106.0705	Electronic filing of campaign treasurer's reports.
106.12	Petty cash funds allowed.

- 106.141 Disposition of surplus funds by candidates.
- 112.312 Definitions.
- 775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.
- 775.083 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
- 1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

- DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates
- DS-DE 12 Campaign Treasurer's Report - Summary
- DS-DE 13 Campaign Treasurer's Report - Itemized Contributions
- DS-DE 14 Campaign Treasurer's Report - Itemized Expenditures
- DS-DE 87 Waiver of Report Form

1. Financial Report Software

- a. All countywide candidates must file campaign financial reports using the free software provided by the SOE Office.
- b. Candidates can access the software on the internet or may come to the SOE Office and use the computer provided for candidate access.
- c. The temporary Candidate/Treasurer log in, password and pin are provided by the SOE office upon initial candidate filing. Candidate will need to change password when logging in for the first time. If password or pin is forgotten, contact the SOE office and log in information can be reset.
- d. All campaign contributions and expenditures must be entered using the SOE provided software.

2. Financial Report Contents

- a. Every report must contain the full name and address of each person having made one

or more contributions to the campaign within the reporting period, the amount of contribution and the date of contributions. 106.07 (4)(a) F.S.

- i. Contributions over \$100.00 must also include the contributor's occupation. For businesses, the report must provide as clear a description as practicable of the principal type of business conducted. 106.07 (4)(a)(1) F.S.
 - ii. If the amount contributed is \$100.00 or less, or from a "relative" as defined in Chapter 112.312, F.S., the occupation of the contributor or the principal type of business need not be listed provided the relationship is reported.
- b. Each report shall contain the full name and address of each entity to which expenditures have been made by or on behalf of the candidate within the reporting period, as well as the amount, date, and purpose of each expenditure. 106.07 (4)(a)(6) F.S.
- i. Expenditures made from a petty cash fund provided by 106.12, F.S., need not be reported individually. 106.07 (7) F.S.
 - ii. Candidates are encouraged to contact the SOE Office when questions relating to financial report content or detail arise. The SOE Office can provide guidance and instruction to aide candidates in financial report maintenance.

3. Financial Reporting Dates

- a. Each campaign treasurer designated by a candidate shall file campaign financial reports for the candidate. However, the candidate is responsible for timely filing campaign reports. 106.07 (1) F.S.
- b. Reports shall be filed on the 10th day following the end of each calendar month from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar month occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day which is not a Saturday, Sunday, or legal holiday. 106.07 (1) F.S.
- c. Monthly reports shall include all contributions received and expenditures made during the calendar month. 106.07 (1) F.S.
- d. Primary Election - Campaign financial reports shall be filed monthly until 60 days before the primary election; thereafter, reports are due bi-weekly beginning on the 60th day

before the primary election with and additional report due on the 25th, 11th, and 4th day before the primary election, for a candidate who is opposed in seeking nomination or election to any countywide office. 106.07 (1)(a) F.S.

- e. General Election - Following the Primary Election, campaign financial reports shall continue to be due on a bi-weekly basis through the Friday before the general election, with an additional report due the 25th, 11th and 4th day before the general election, for a candidate who is opposed in seeking election to any countywide office. 106.07 (1)(a) F.S.
- f. Exact reporting dates are located on the SOE website and included in the candidate packet.
- g. Candidates are required to file a Termination Report within 90 days after the election in which the candidate is either elected or defeated. The Termination Report shall contain all previously unreported expenditures and shall reflect disposition of funds as required by Section 106.141, F.S.
- h. Following the last day of qualifying for office, any unopposed candidate need only file a report within 90 days (Termination Report) after the date the candidate became unopposed. The Termination Report shall contain all previously unreported contributions and expenditures as required and shall reflect disposition of funds as required by Section 106.141, F.S. 106.07 (1)(c)
- i. Reports for any reporting period during which a candidate has not received or expended any reportable funds may be waived. 106.07 (7) F.S.
 - i. The campaign treasurer or candidate must submit an electronic Waiver of Report using the SOE online reporting software showing no activity.

4. Electronic Filing

- a. All countywide candidates must file campaign financial reports using the free software provided by the SOE Office. Citrus County has a resolution 2009-067 making this mandatory. 106.07 (2)(a)(1) and (2) FS.
- b. The "How to File Financial Reports Online" guide is provided to all candidates which provides detailed instructions for the reporting software.
- c. Campaign treasurers are tasked with official submission of the campaign financial

reports on or before the report deadline; however, reports may not be filed prior to the end of the reporting period.

- d. Your reporting schedule can be found on the homepage of the SOE website and is located in the candidate packet.
- e. A Candidate pin and Treasurer pin must be “assigned” using the SOE online software. This serves as your electronic signature.
- f. Campaign financial reports will be uploaded onto the SOE Website for public viewing after the reports are accepted.
- g. Candidates and campaign treasurers should try to get campaign financial reports completed and submitted for review before the report due date. If errors are found in the reports, candidates will have time to correct the reports before the report due date if the reports are submitted for review early.

5. Late Reports

- a. Campaign treasurers are tasked with submission of reports but Candidates are ultimately responsible for ensuring the timely filing of all required campaign reports. The candidate will be subject to fines if campaign reports are late. 106.07 F.S.
- b. Any campaign treasurer, candidate, or political committee chair 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, punishable as provided in Section 775.082 or 775.083, F.S. 106.07 (5) F.S.

WARNING: Campaign financial reports may not be filed prior to the end of the reporting period regardless of activity or inactivity.

- c. Any report deemed incomplete by the SOE Office will be accepted on a conditional basis and the campaign treasurer will be notified by the SOE Office of why the report is deemed to be incomplete. 106.07(2) F.S.
- d. The SOE Office may notify the campaign treasurer of the incomplete report by:
 - i. Registered mail explaining why the report is incomplete and giving 3 days from receipt of the notice to file an addendum to the report providing all information necessary to complete the report.

- ii. Telephone that the report is incomplete and request the information necessary to complete the report.

6. Late Report Fines

- a. Any candidate failing to file a report on the designated due date shall be subject to a fine for each late day payable only from personal funds of the candidate. 106.07(8) F.S.
- b. The fine shall be \$50 per day for the first 3 days late, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.
- c. The fine shall be \$500 per day for each additional late day after the initial 3 days late, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

WARNING: No exceptions will be allowed for failure to report on time for the 4th day prior due campaign report. Any day late is \$500 per day.

- d. The fine shall be \$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 reports immediately preceding each primary and general election. (i.e. 4th day reports)
- e. The fine for late Termination Reports shall be \$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.
- f. The SOE will determine the amount of the fine due based upon when the electronic receipt issued pursuant to 106.0705 F.S. or other electronic filing system authorized in this section is dated.
- g. Fines shall be submitted to the SOE Office, payable to the Citrus SOE Office, within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission. Fines are not considered an allowable campaign expenditure and must be paid from personal funds of the candidate. 106.072 (7)(b) F.S.
- h. Any candidate may appeal or dispute a fine based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date to the Florida

Elections Commission, which shall have the authority to waive the fine in whole or in part. 106.072 (7)(c) F.S.

- i. The SOE highly recommends the timely filing of campaign financial reports to prevent any assessment of late filing fines.

7. Treasurer Report Policy

a. Electronic Filing Policy

The SOE Office is requiring the electronic filing of campaign treasurer reports at no cost to candidates in order to make campaign contributions and expenditures readily available to the public. Campaign Finance Reports, for all local races, will be displayed on the SOE web page and will be loaded on a computer in the SOE Office so the reports can be viewed and printed.

b. Late Reports Policy

If a report is not received by the deadline, the SOE Office will mail a certified letter to the candidate stating that the report has not been received and is subject to a fine, as stipulated in Section 106.07(8)(b), F.S., for each day late. If the SOE Office does not receive a response to the letter, the matter will be forwarded to the Florida Elections Commission and could be determined to be a willful violation. If applicable, the fine must be paid within twenty (20) days after the receipt of the notice of payment due. The Florida Elections Commission will be notified if fines have not been remitted in a timely manner and may pursue the fine.

E. Campaign Advertising

This section outlines the reporting requirements for campaign advertising for a candidate to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

- 105 NONPARTISAN ELECTIONS
- 106 CAMPAIGN FINANCING
- 106.021 Campaign treasurers; deputies; primary and secondary depositories.
- 106.143 Political advertisements circulated prior to election; requirements.
- 106.1435 Usage and removal of political campaign advertisements.
- 106.165 Use of closed captioning and descriptive narrative in all television broadcasts.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
- 1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

N/A

1. Campaign Advertisement Disclaimer

- a. Section 106.143, F.S. contains specific elements which must be included in all advertising purchased by a candidate for public office. The SOE Office strongly recommends that candidates become familiar with the requirements of Section 106.143, F.S. to prevent any violations of the law.
- b. Any political advertisement that is paid for by a candidate, except a write-in candidate, and that is published, displayed, or circulated prior to, 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)." 106.143 (1)(a)(1)(2) F.S.
- c. Political advertisement of a candidate who is not an incumbent of the office for which the candidate is running shall not use the word "re-elect." 106.143 (6) F.S.
 - i. Advertisement for non-incumbents must include the word "for" between the candidate's name and the office for which the candidate is running to avoid the implication of incumbency. 106.143 (6) F.S.
 - ii. However, this does not apply to bumper stickers or items designed to be worn by a person.
- d. Any political advertisement made pursuant to Section 106.021(3)(d), F.S. must prominently state the name and address of the political committee or political party

paying for the advertisement. 106.143 (1)(d) F.S.

- e. Any political advertisement of a candidate running for partisan office shall express the name of the political party of which the candidate is seeking nomination or is the nominee. If the candidate for partisan office is running as a candidate with no party affiliation, any political advertisement of the candidate must state that the candidate has no party affiliation. 106.143 (3) F.S.
- f. It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports the candidate, unless the person or organization has given specific approval in writing to the candidate to make the representation. However, this subsection does not apply to:
 - i. Editorial endorsement by any newspaper, radio or television station, or other recognized news medium.
 - ii. Publication by a party committee advocating the candidacy of committee nominees. 106.143 (4) F.S.
- g. Any political advertisement which is published, displayed, or produced in a language other than English may provide the information required by this section in the language used in the advertisement. 106.143 (9) F.S.
- h. A political advertisement of a candidate running for nonpartisan office may not state the candidate's political party affiliation. This does not prohibit a political advertisement from stating the candidate's partisan-related experience. A candidate for nonpartisan office is prohibited from campaigning based on party affiliation. 106.143 (3) F.S.

2. Independent Campaign Advertisement Disclaimer

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

3. Political Disclaimer Exceptions

- a. The disclaimer requirement in 106.143 F.S., does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:
 - i. A novelty items having a retail value of \$10 or less which support, but do not oppose, a candidate or issue. 106.143 (8) F.S.
 - ii. Designed to be worn by a person. 106.143 (10) F.S.
 - iii. 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 106.143(1) F.S. 106.143 (10) F.S.
 - iv. Placed as a graphic or picture link where compliance with the requirements 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 does comply. 106.143 (10) F.S.
 - v. Placed at no cost on an Internet website for which there is no cost to post content for public users. 106.143 (10) F.S.
 - vi. Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website. 106.143 (10) F.S.
- b. Review 106.143 (10) F.S. for specific statute language regarding allowable exceptions to disclaimers.

4. Closed Caption Requirements

Each candidate, political party, and political committee must use closed captioning and descriptive narrative in all television broadcasts regulated by the Federal Communications Commission that are on behalf of, or sponsored by, a candidate, political party, affiliated party committee, or political committee or must file a written statement with the qualifying officer setting forth the reasons for not doing so. Failure to file this statement with the qualifying officer constitutes a violation of the Florida Election Code and is under the jurisdiction of the Florida Elections Commission. 106.165 F.S.

Examples: Non-incumbent, partisan candidate running for partisan office.

<p>ELECT JANE DOE For State Representative District 9</p> <p>Paid by Jane Doe, Rep., for State Representative</p>	<p>ELECT JANE DOE For State Representative District 9</p> <p>Political advertisement paid for and approved by Jane Doe, Republican, for State Representative</p>
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Examples: Incumbent, partisan candidate running for partisan office.

<p>RE-ELECT JOHN DOE Sheriff</p> <p>Political advertisement paid for and approved by John Doe, Democrat, for Sheriff</p>	<p>RE-ELECT John Doe Sheriff</p> <p>Paid by John Doe, Democrat, for Sheriff</p>
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5. Sign Disclaimer Examples FS 106.143

REPUBLICAN- Example- INCUMBANT (currently in office)

**RE-ELECT ME
County Commissioner District 99**

Political advertisement paid for and approved by ME, Republican, for County Commissioners District 99

DEMOCRATIC- Example- NON-INCUMBANT (not currently in office)

**ELECT ME
FOR
County Commissioner District 99**

Political advertisement paid for and approved by ME, Democrat, for County Commissioners District 99

NO PARTY AFFILIATION- Example- NON-INCUMBANT (not currently in office)

**ELECT ME
FOR
County Commissioner District 99**

Political advertisement paid for and approved by ME, No Party Affiliation, for County Commissioners District 99

NON-PARTISAN- Example- INCUMBANT (currently in office)

RE-ELECT ME
School Board District 99

Political advertisement paid for and approved by ME, for School Board District 99

JUDICIAL- Example- INCUMBANT (currently in office)

RE-ELECT ME
County Judge Group 99

Political advertisement paid for and approved by ME, for County Judge Group 99

JUDICIAL- Example-NON-INCUMBANT (not currently in office)

ELECT ME
FOR
County Judge Group 99

Political advertisement paid for and approved by ME, for County Judge Group 99

F. Campaign Signs

This section outlines the requirements for campaign signs for a candidate to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

- 99 CANDIDATES
- 105 NONPARTISAN ELECTIONS
- 106 CAMPAIGN FINANCING
- 106.143 Political advertisements circulated prior to election; requirements.
- 106.1435 Usage and removal of political campaign advertisements.
- 337.407 Regulation of signs and lights within rights-of-way.

- 479.11 Specified signs prohibited.
479.16 Signs for which permits are not required.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

N/A

1. Political Sign Requirements

- a. Political signs, regardless of size, must contain the disclaimer required by Section 106.143, F.S. Signs must 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)." 106.143 (1) F.S.
- b. Candidates who are not an incumbent of the office for which the candidate is running shall not use the word "re-elect" on political signs. 106.143 (6) F.S.
- c. Signs for non-incumbents must include the word "for" between the candidate's name and the office for which the candidate is running to avoid the implication of incumbency.

2. Sign Restrictions by State Law

- a. The Florida Statutes do not currently contain size limitations on political signs. However, many municipalities have enacted restrictions both on sign size and placement.
- b. Candidates are advised to review the restrictions on signs enacted by each municipality in which the candidate plans to campaign. Candidates should be aware of size and placement restrictions prior to purchasing signs to avoid violations of the law.
- c. Political campaign signs may not be placed on the right of way of any state highway. The DOT has generally interpreted this to mean that signs may be placed behind the line of telephone poles along the highways. 479.11(8) F.S. "Specific Signs Prohibited"
- d. Temporary political campaign signs placed on private property but visible from a state highway are statutorily exempted from any sign permit. 479.16 (14), F.S.
- e. No political campaign signs shall be placed or deposited within any public right of way

or on any tree, pole, post, meter or similar object found within the public right of way. Any political sign placed in the public right of way in violation of this provision may be removed immediately by an office of the police department, the development code administrator or other authorized city personnel. Any sign so removed may be disposed of without notice or compensation.

- f. Candidates are advised to educate all campaign staff/workers of the regulations for political sign placement. Any violations of the law reflect on the candidate regardless of how the sign was placed.

3. Citrus County Political Sign Ordinance

- a. One (1) sign announcing the candidacy of any person or persons for elected public office is subject to the following standards:
 - b. The total area of any such sign located in a residential district shall not exceed eight (8) square feet and shall be located at least five (5) feet from all property lines.
 - c. The total area of any such sign located in all other districts shall not exceed thirty-two (32) square feet and shall be located at least five (5) feet from all property lines.
 - d. Signs relating to individuals who are unsuccessful in the primary election shall be removed within seven (7) days of the primary election.
 - i. All other political signs shall be removed within seven (7) days following the date of the general election.
 - ii. Political signs are exempt from County permit requirements, provided that each sign is placed and constructed so as not to create a hazard and is not electrified.
 - iii. For questions related to Citrus County Sign requirements, contact Citrus County Code Enforcement at (352) 527-5350.

4. City of Inverness Political Sign Ordinance

- a. No political signs shall be erected on or over any public right of way, attached to any tree or utility pole nor shall any political sign be placed on any property without written consent of the owner of said property.
- b. Any person or any entity wishing to place political signs within the City shall register with the Department of Development Services prior to installing the signs. The registration shall constitute a permit allowing such political signs, provided however,

that Permittee complies with the requirements:

- i. That Permittee removes all signs no later than seven (7) days after the election or referendum.
- ii. That Permittee acknowledges that any of Permittee's signs placed on City property or within City right of ways may be removed and discarded by the City without notice to Permittee.
- iii. That all political signs shall be set back two (2) feet from any public right of ways.
- iv. A political sign shall not exceed nine (9) square feet in a residential district or thirty-two (32) square feet in a non-residential district and shall have a maximum height of five (5) feet in residential districts and ten (10) feet in non-residential districts.
- v. Number of signs – Only one (1) political sign will be permitted per lot by the same candidate. For the purpose of determining the number of signs, a sign shall be construed to be a single display surface, effect or device containing elements organized, related and composed to form a single sign unit. Where a sign has two faces placed back-to-back and at no point more than two (2) feet from one another, it shall be counted as one sign.

5. City of Crystal River Political Sign Ordinance

Temporary political signs can be placed without a permit in accordance with the following:

- a. Political signs can be placed a maximum of sixty (60) days before the election or referendum.
- b. Political signs shall be removed within seven (7) days following the election or referendum.
- c. Political signs in residential, office, and institutional zones shall have a cumulative surface area not exceeding six (6) square feet per property, and such signs in commercial and industrial zones shall have a cumulative surface area not exceeding thirty-two (32) square feet per property.
- d. No political sign shall be placed or deposited within any public right of way.

G. Campaign Sign Removal

This section outlines the requirements for campaign sign removal.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

106.1435 Usage and removal of political campaign advertisements.

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms: N/A

1. Political Sign Removal by State Law

- a. All political candidates to make a good faith effort to remove all political campaign advertisements within 30 days after:
 - i. Withdrawal of his or her candidacy
 - ii. Having been eliminated as a candidate; or
 - iii. Being elected to office. 106.1435 F.S.
- b. A candidate is not expected to remove political campaign advertisements which are in the form of signs used by an outdoor advertising business, advertisements placed on motor vehicles, or campaign messages designed to be worn by persons. 106.1435 (1) (c) F.S.
- c. If political campaign advertisements are not removed within the specified period, the political subdivision or governmental entity has the authority to remove such advertisements and may charge the candidate the actual cost for such removal. 106.1435 (2) F.S.
- d. Political campaign advertisements shall not be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on or above any state or county road right-of-way. 106.1435 (3) F.S.

- e. Municipalities may impose additional or more stringent requirements on the usage and removal of political campaign advertisements than are contained in the Florida Statutes. 106.1435 (5) F.S.
- f. Signs in violation of ordinances within the county are taken to a central location at the Landfill.
- g. Signs within the City of Inverness contact the Development Services Director at City Hall, 726-2611 extension 1404.
- h. Signs within the City of Crystal River contact the Code Enforcement Officer, 795-4216 extension 307.

H. Ballots

This section outlines the general requirements for election ballots.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

- 99 CANDIDATES
- 101.151 Specifications for ballots.
- 101.20 Publication of ballot form; sample ballots.
- 101.62 Request for Vote-by-mail ballots.
- 101.68 Canvassing of Vote-by-mail ballot.
- 105 NONPARTISAN ELECTIONS
- 106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

- 1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
- 1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.
- 1S-2.032 Uniform Primary and General Election Ballot

Forms:

1. Ballot Positioning

Election ballots are by the names of candidates for each office and shall be arranged alphabetically as to surnames on a primary election ballot. The names of the candidates of

the party that received the highest number of votes for Governor in the last election in which a Governor was elected shall be placed first for each office on the general ballot. Minor political party candidates shall have their names appear on the general election ballot following the names of recognized political parties. Ballot positioning is governed by Florida Statute and Florida Administrative Rules.

2. Sample Ballots

- a. Sample ballots will be published in the newspaper prior to the election or sent via mail per statute requirements. 101.20 F.S.
- b. Additional copies of the sample ballot will also be available in the SOE Office and on the SOE website at www.votecitrus.gov

3. Vote-by-Mail Ballot Requests

- a. Any registered voter may request/vote a Vote-by-mail ballot. The supervisor may accept a request for a Vote-by-mail ballot from an elector in person, in writing, electronically, or a telephonic request from the elector, or, if directly instructed by the elector, a member of the elector's immediate family or legal guardian.
- b. The person making the Vote-by-mail ballot request must disclose:
 - i. The name of the elector for whom the ballot is requested;
 - ii. The elector's address; (Effective January 1, 2014, all Vote-by-mail requests to be mailed to an address other than address on file at the SOE, will need to be accompanied by a signed written request by the elector.)
 - iii. The elector's date of birth;
 - iv. The elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records.
 - v. The requester's name;
 - vi. The requester's address;
 - vii. The requester's driver's license number, the requestor's Florida identification card number, or the last four digits of the requestor's social security number, if available;

- viii. The requester's relationship to the elector; and
- ix. The requester's signature (written requests only).
- x. A request for a Vote-by-mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 10th day before the election by the supervisor of elections. The supervisor of elections shall mail Vote-by-mail ballots to voters requesting ballots by such deadline no later than the 8th day prior to the election. FS 101.62

4. Vote-by-Mail Ballot Delivery

- a. An elector or elector's representative may receive a Vote-by-mail ballot in person, by mail, or by electronic delivery provided the elector has provided written authorization for the representative.
- b. Vote-by-mail ballots may be delivered to a designee on election day or up to 9 days prior to the day of an election when the elector has provided written authorization. FS 101.62

5. Vote-by-Mail Ballot Mailing

- a. The initial mailing of Vote-by-mail ballots requested by overseas voters shall occur not less than 45 days before the Presidential Preference Primary Election, Primary Election, and General Election.
- b. The supervisor of elections shall mail a Vote-by-mail ballot to each qualified voter, other than those listed in above paragraph, who has requested such a ballot, between the 40th and 33rd days before the Presidential Preference Primary Election, Primary Election, and General Election. Except as otherwise provided in subsection (2) and after the period described in this paragraph, the supervisor shall mail Vote-by-mail ballots within 2 business days after receiving a request for such a ballot.
- c. Vote-by-mail ballots for overseas and domestic ballot requests will be processed daily after the initial mailing of each category.
- d. Electronic copies of the Vote-by-mail requests are available on the website. Candidates must complete an authorization form to receive a password and access to the Vote-by-mail request information. This Vote-by information is only available to candidates who have filed qualification papers and is opposed in an upcoming election. This information is not public record.

6. Vote-by-Mail Ballot Processing

- a. Vote-by-mail ballots received by the SOE Office are maintained in a secure area until Vote-by-mail canvassing begins.
- b. The envelope containing the Vote-by-mail ballot will be reviewed upon receipt to verify the voter's certificate has been completed and the signature matches the voter signature on file.
- c. Processing of Vote-by-mail ballots may begin upon completion of the public testing of automatic tabulating equipment pursuant to s.101.5612(2) but must begin by no later than noon on the day following the election. However, tabulation of election results will NOT begin until after the close of the polls on Election night. 101.68 F.S.
- d. A Vote-by-mail ballot voter who failed to sign the outside envelope (affidavit) on their return Vote-by-mail ballot envelope is allowed to complete an affidavit (DS-DE 139) and provide a copy of their current picture/signature ID by 5:00 p.m. the 2nd day after an election to the supervisor so the documents can be matched with their Vote-by-mail ballot and the ballot can be opened and counted.
- e. It is a 3rd degree felony to release election results or information prior to closing of the polls on election night. Candidates are advised not to attempt discovery of election results during an election.
- f. Any review or challenge of Vote-by-Mail ballots received must be done prior to the start of Vote-by-Mail processing.

I. Voter Data

This section outlines the general requirements for requesting voter data.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

SOE Affidavit to Obtain Vote By Mail Information Form

1. Voter Lists

- a) Candidates for public office may request voter lists from the SOE Office for use during the campaign.
- b) To ensure clarity, the SOE Office encourages all candidates requesting voter data to complete a Data Request form at the SOE Office prior to receiving voter data.
- c) The SOE Office can provide voter lists electronically.
- d) Candidates requesting a printed copy of public records are required to pay \$0.15 per single page or \$0.20 per double sided copy to cover the cost of printing the lists. Candidates are not charged for electronic file copies of the complete data base.
- e) Candidates may request data in person, by telephone, in writing, email, or fax.

2. Voter Data

- a) Candidates are advised to be specific in requesting voter data to help prevent production of voter lists that are not useful to the candidate. Candidates should request voter information early in the campaigns to avoid delays closer to Election Day.
- b) As always, the SOE staff encourages candidates to contact the office with any questions or if additional information is desired.
- c) Voter histories only contain the elections voted in and do not indicate how the individual voted.

J. Public Testing of Election Equipment

This section outlines the general requirements for public testing of election equipment.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

101.5612 Testing of tabulating equipment.

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms: N/A

1. Logic and Accuracy Tests

- a) All electronic or electromechanical voting systems shall be thoroughly tested at the conclusion of maintenance and programming. Tests shall be sufficient to determine that the voting system is properly programmed, the election is correctly defined on the voting system, and all the voting system input, output, and communication devices are working properly. 101.5612(1) F.S.
- b) The automatic tabulating equipment shall be tested on any day not more than 10 days prior to the commencement of early voting. Testing of the equipment will continue until satisfactorily completed. 101.5612(2) F.S.
- c) Candidates are encouraged to attend public testing of equipment if possible. A schedule of testing dates and locations is provided at qualifying or the candidate may call the SOE or visit web site www.votecitrus.gov for the next scheduled testing date.

K. Poll Watchers

This section outlines the general requirements for poll watchers for Early Voting and on Election Day.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

101.131 Watchers at polls.

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms:

DS-DE 125 Designation of Poll Watchers

1. Poll Watchers

- a) Each candidate and political party may have one poll watcher in each polling place and early voting site at any one time during an election.
- b) Each poll watcher shall be allowed within the polling room in order to watch and observe the conduct of voters and election officials. However, the poll watcher cannot come closer to the officials' table or the voting booths than is reasonably necessary to perform these duties.
- c) The poll watchers must furnish the materials and necessities for poll watching and will not be allowed to obstruct the orderly conduct of any election.

2. Qualified Poll Watchers

- a) Each poll watcher must be a qualified and registered voter of the county in which the individual desires to serve as a poll watcher.
- b) No candidate, sheriff, deputy sheriff, police officer or other law enforcement officer may be designated as a poll watcher.
- c) Each candidate requesting to have poll watchers on election day or an early vote site, must designate the name, date of birth, and address of poll watchers along with precinct locations to the county supervisor of elections prior to noon of the second Tuesday preceding election day, or at least 14 days before early voting begins for early voting poll watchers, on the DS-DE 125 Poll Watcher Designation Form.
- d) All poll watchers shall be allowed to enter and watch polls in all polling rooms and early voting areas within the county in which they have been designated if the number of poll watchers at any polling place does not exceed the number of allowable poll watchers.
- e) The poll watchers for each polling place will be approved by the Supervisor of Elections on or before the Tuesday before Election Day, or no later than 7 days before early

voting begins for early voting poll watchers. The supervisor will furnish the officials of each polling place a list of approved poll watchers.

- f) The supervisor of elections shall provide to each designated poll watcher an identification badge which identifies the poll watcher by name.

3. Poll Watcher Conduct

- a) Poll watchers must dress appropriately so as not to disrupt the flow of voting while watching the polls.
- b) The poll watchers shall pose any questions regarding polling place procedures directly to the clerk for resolution and may not interact with voters.
- c) Each poll watcher must wear his or her identification badge while performing his or her duties.

III. REFERENCE

A. Countywide Qualifying Summary

This section outlines the general qualification summary for candidates to run for countywide public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES

105 NONPARTISAN ELECTIONS

106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms: N/A

1. Regular Qualifying and Election Schedule- begins on next page.

ALL COUNTY ELECTION OFFICE/TERM		
OFFICE/TERM	District Member Group	Election Year
CITRUS COUNTY JUDGE(S) Term 6 years	County wide	2022
CLERK OF THE CIRCUIT COURT AND COMPTRROLLER Term 4 years	County wide	2024
SHERIFF Term 4 years	County wide	2024
PROPERTY APPRAISER Term 4 years	County wide	2024
TAX COLLECTOR Term 4 years	County wide	2024
SUPERINTENDENT OF SCHOOLS Term 4 years	County wide	2024
SUPERVISOR OF ELECTIONS Term 4 years	County wide	2024
BOARD OF COUNTY COMMISSIONERS Term 4 years	1, 3, 5	2024
	2, 4	2022
SCHOOL BOARD MEMBERS Term 4 years	1, 3, 5	2022
	2, 4	2024
MOSQUITO CONTROL BOARD Term 4 years	1 & 3	2022
	2	2024
HOMOSASSA SPECIAL WATER DISTRICT Term 4 years	1, 3 & 5	2024
	2 & 4	2022
CITRUS COUNTY COMMUNITY CHARITABLE FOUNDATION INC. Terms – 4 years	1	2024
	2	2022

BOARD OF COUNTY COMMISSIONERS	
Districts 2 & 4 - 2022	
Election Date:	Primary August 23, 2022 ----- General November 8, 2022
Commence Term:	November 22, 2022 (2nd Tuesday following the General Election)
Qualifications:	Registered voter of Citrus County and resident of district for which candidate is seeking office upon certification of election.
Term of Office:	4 years
Electorate:	Registered voters of Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Annual Salary:	\$67,114 (as of 2021)
Qualifying Fee:	\$4,026.84 Partisan Or \$2,684.56 No Party Affiliation (as of 2021)
Method of Qualifying:	<p>Qualifying fee in the amount of 6% of the annual salary for Partisan candidates and 4% of the annual salary for Non-Partisan candidates OR Petition Option: 1% of the registered voters as of the last general election. (1,171 as of 2020)</p> <p>Petitions must be submitted to the Supervisor of Elections prior to Noon, May 16, 2022. There is a cost of \$.10 per signature verified.</p>
Other Requirements:	<p>Appointment of Campaign Treasurer and Designation of Campaign Depository DS-DE 9 Statement of Candidate DS-DE 84</p> <p>Candidate Oath – State & Local Partisan Office- DS-DE 301SL</p> <p>Form 6 - Full and Public Disclosure of Financial Interests 2021 Campaign Check for Qualifying Fee Made Payable to: Citrus County Supervisor of Elections</p> <p>OR</p> <p>Certification of Petition Process Qualification</p>

COUNTY JUDGES	
2022	
Election Date:	Primary August 23, 2022 ----- General November 8, 2022
Commence Term:	January 3, 2023 (The First Tuesday after the first Monday in January)
Qualifications:	Registered voter of Citrus County upon certification of election.
Term of Office:	6 years
Electorate:	Registered voters of Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Annual Salary:	\$156,377 (as of 2021)
Qualifying Fee:	\$6,255.08 (as of 2021)
Method of Qualifying:	Qualifying fee in the amount of 4% of the annual salary OR Petition Option: 1% of the registered voters as of the last general election. (1,171 as of 2020) Petitions must be submitted to the Supervisor of Elections prior to Noon, May 16, 2022. There is a cost of \$.10 per signature verified.
Other Requirements:	Appointment of Campaign Treasurer and Designation of Campaign Depository DS-DE 9 Statement of Candidate DS-DE 84 Candidate Oath – State & Local Partisan Office -DS-DE 301SL Form 6 - Full and Public Disclosure of Financial Interests 2021 Campaign Check for Qualifying Fee Made Payable to: Citrus County Supervisor of Elections OR Certification of Petition Process Qualification

SCHOOL BOARD MEMBER	
District 1, 3 & 5 – 2022	
Election Date:	Primary August 23, 2022 ----- General November 8, 2022
Commence Term:	November 22, 2022 (2nd Tuesday following the General Election)
Qualifications:	Registered voter of Citrus County and resident of district for which candidate is seeking office upon qualification.
Term of Office:	4 years
Electorate:	Registered voters of Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Annual Salary:	\$37,333 (as of 2021)
Qualifying Fee:	\$1,493.32 Nonpartisan Office (as of 2021)
Method of Qualifying:	<p>Qualifying fee in the amount of 4% of the annual salary for Non-Partisan candidates</p> <p>OR</p> <p>Petition Option: 1% of the registered voters as of the last general election. (1,171 as of 2020)</p> <p>Petitions must be submitted to the Supervisor of Elections prior to Noon, May 16, 2022. There is a cost of \$.10 per signature verified.</p>
Other Requirements:	<p>Appointment of Campaign Treasurer and Designation of Campaign Depository DS-DE 9 Statement of Candidate DS-DE 84</p> <p>Candidate Oath – School Board Non-Partisan Office -DS-DE 304SB Form 6 - Full and Public Disclosure of Financial Interests 2021 Campaign Check for Qualifying Fee Made Payable to: Citrus County Supervisor of Elections</p> <p>OR</p> <p>Certification of Petition Process Qualification</p>

CITRUS COUNTY COMMUNITY CHARITABLE FOUNDATION	
Seat 2 - 2022	
Election Date:	November 8, 2022
Commence Term:	Upon Election
Qualifications:	Registered voter of Citrus County
Term of Office:	4 years
Electorate:	Registered voters in Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Salaried:	N/A
Method of Qualifying:	<p>Qualifying Fee in the amount of \$25.00</p> <p>OR</p> <p>Petition Option: 25 validated signatures (F.S.99.095(b))</p> <p>Must be submitted to the Supervisor of Elections for verification prior to noon May 16, 2022. There is a cost of \$.10 per signature verified.</p>
Qualifying Fee:	\$25.00
Other Requirements:	<p>Candidate Oath - Nonpartisan Office DS-DE 302NP Form 1 - Statement of Financial Interests 2021 Qualifying Fee Made Payable to: Citrus County Supervisor of Elections</p> <p>OR</p> <p>Certification of Petition Process Qualification A special district candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository (F.S. 582.18; 99.061; 99.095). When a candidate intends to accept any contributions, the candidate must appoint a treasurer before accepting the contribution and file periodic reports as required by 106.07, F.S.</p>

CITRUS COUNTY MOSQUITO CONTROL DISTRICT	
Seats 1 & 3 - 2022	
Election Date:	November 8, 2022
Commence Term:	January 12, 2023
Qualifications:	Registered voter of Citrus County and resident of the special district upon qualification.
Term of Office:	4 years
Electorate:	Registered voters of Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Salaried:	\$4,800 (as of 2021)
Method of Qualifying:	<p>Qualifying Fee in the amount of \$25.00</p> <p>OR</p> <p>Petition Option: 25 validated signatures (F.S.99.095(b))</p> <p>Must be submitted to the Supervisor of Elections for verification prior to noon May 16, 2022. There is a cost of \$.10 per signature verified.</p>
Qualifying Fee:	\$25.00
Other Requirements:	<p>Candidate Oath - Nonpartisan Office DS-DE 302NP Form 1 - Statement of Financial Interests 2021 Qualifying Fee Made Payable to: Citrus County Supervisor of Elections</p> <p>OR</p> <p>Certification of Petition Process Qualification A special district candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository (F.S. 582.18; 99.061; 99.095). When a candidate intends to accept any contributions, the candidate must appoint a treasurer before accepting the contribution and file periodic reports as required by 106.07, F.S.</p>

HOMOSASSA SPECIAL WATER DISTRICT	
Seats 2 & 4	
Election Date:	November 8, 2022
Commence Term:	January 16, 2023 (the 3rd Monday in January)
Qualifications:	Registered voter of Citrus County and resident of the special district upon qualification.
Term of Office:	4 years
Electorate:	Registered voters of Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Salaried:	\$2,400 (as of 2021)
Method of Qualifying:	Qualifying Fee in the amount of \$25.00 OR Petition Option: 25 validated signatures (F.S.99.095(b)) Must be submitted to the Supervisor of Elections for verification prior to noon May 16, 2022. There is a cost of \$.10 per signature verified.
Qualifying Fee:	\$25.00
Other Requirements:	Candidate Oath - Nonpartisan Office DS-DE 302NP Form 1 - Statement of Financial Interests 2021 Qualifying Fee Made Payable to: Citrus County Supervisor of Elections OR Certification of Petition Process Qualification A special district candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository (F.S. 582.18; 99.061; 99.095). When a candidate intends to accept any contributions, the candidate must appoint a treasurer before accepting the contribution and file periodic reports as required by 106.07, F.S.

WRITE IN CANDIDATE	
Election Date:	General, November 8, 2022
Commence Term:	Varies depending on office
Qualifications:	<ul style="list-style-type: none"> • Registered voter of Citrus County • Residency requirement if applicable – <ul style="list-style-type: none"> ○ County Commission (must reside in district upon certification of election) ○ School Board Member (must reside in district upon qualifying)
Term of Office:	Varies depending on office
Electorate:	Registered voters in Citrus County
Qualifying Period:	Noon, June 13 through Noon, June 17, 2022
Qualifying Fee:	None
Method of Qualifying:	<p>Candidate Oath – DSDE 301SL, 302NP, or 304SB</p> <p>Form 1 - Statement of Financial Interests of 2021 (Special District offices only)</p> <p style="text-align: center;">OR</p> <p>Form 6 - Full and Public Disclosure of Financial Interests 2021.</p>
Other Requirements:	<p>Appointment of Campaign Treasurer and Designation of Campaign Depository DS-DE 9</p> <p>Statement of Candidate DS-DE 84</p>

B. Form and Policy Descriptions

This section outlines the location of the most common documents candidates must be familiar with to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES
105 NONPARTISAN ELECTIONS
106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

Forms: See below.

1. All Forms

- a) All forms are provided or can be accessed by going to www.votecitrus.gov and "click" on the "Division of Elections Florida Icon" then "click" on "Forms and Publications"
- b) All forms are specific to the office. (See the "Table of Contents" for the location of the public office you are running for).

C. Campaign Schedules

This section outlines the basic time schedules candidates must be familiar with to run for public office.

Federal Statutes: NONE

State Statutes: <http://www.leg.state.fl.us/statutes>

99 CANDIDATES
105 NONPARTISAN ELECTIONS
106 CAMPAIGN FINANCING

Administrative Rules: <http://dos.myflorida.com/elections/laws-rules/rules/>

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State
1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

1. Financial Reporting Schedule

The financial reporting schedule will be given to each candidate who qualifies or pre-qualifies to run for office. The reporting schedule will also be located on the Supervisor of Elections website, www.votecitrus.gov found under the "Candidates" tab.