

# **Welcome to the 2017 – 2018 Candidate Workshop**

**Presented by**

**Santa Rosa County**



# **Disclaimer:**

**We are not legal representatives, therefore always refer to the Florida Statutes for confirmation.**

**Florida Statutes Chapters 97 through 106 pertain to Florida Election Laws.**

# 2018 Election Dates



**Primary** – August 28, 2018  
**General** – November 6, 2018

# Local Offices up for Election

- County Commissioner, Districts 2 and 4
- School Board Members, Districts 1, 3 and 5
- Blackwater Soil & Water Conservation Districts, Groups 1, 3 and 5
- Avalon Beach Fire, Seats 1, 3 and 5
- Holley-Navarre Fire, Seats 1, 3 and 5\*
- Midway Fire District, Seats 2 and 4\*

*\* To re-align seats according to Florida Statutes*





# Per F.S. 106.011, A Candidate is one who...

- Seeks to qualify for nomination or election by:
  - petitioning process
  - paying the qualifying fee
  - write-in candidate
- Receives contributions or makes expenditures
- Appoints a treasurer and designates a primary campaign account;
- Files qualification papers and subscribes to a candidate's oath as required by law



*Nothing prohibits a person from announcing their intention to become a candidate prior to filing Form DS-DE 9 as long as no contributions are received, no expenditures are made, and no petition signatures are collected.*

# Requirements for running for local office

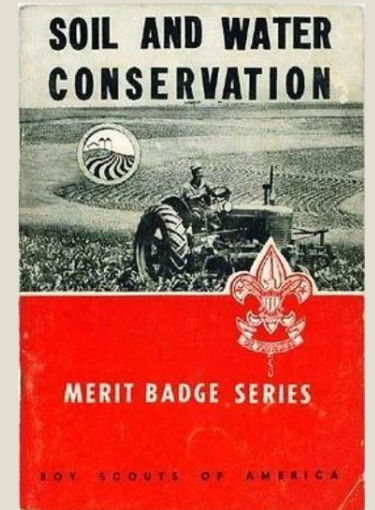
Candidates must be registered voters in Santa Rosa County and ***reside within the district represented*** by the office sought as follows:



- **County Commission Candidates** – at the time of the election:  
November 6, 2018
- **School Board Candidates** – at the time of qualifying:  
Noon, June 18 – Noon, June 22, 2018

# Special District Offices

## Fire Districts **and** Black Water Soil and Water Conservation Districts



### **If not planning to collect contributions or make expenditures:**

- Not required to appoint a treasurer or open a campaign depository (F.S. 99.061).
- Pay Qualifying Fee of \$25.00 during qualifying with personal check or collect 25 valid petitions before petition deadline (F.S. 99.095) and submit 10¢ each for verification.

# Forms to File to Get Started (Pre-filing)

## Appointment of Campaign Treasurer Form (DS-DE 9)

- Local Candidates file with SOE; state/multi-county file with the Florida Division of Elections
- Must be filed **prior** to opening the campaign account
- Shall be on file with the filing officer **prior** to:
  - Accepting any contributions
  - Making expenditures
  - Obtaining petition signatures





# Pre-filing Forms *(continued)*



## **Statement of Candidate Form DS-DE 84** within 10 days

- Verifying the candidate's knowledge of F.S. Chapter 106 (Florida's campaign finance laws)

## **State of Candidate for Judicial Office Form DS-DE 83** within 10 days

- Verifying the candidate's knowledge of the requirements of the Florida Code of Judicial Conduct

# Campaign Treasurers

- Not required to be a registered voter
- Candidate may be treasurer or deputy treasurer
- Only treasurer/deputy treasurer signs campaign check
- Local candidate may not have more than 3 deputy treasurers
- If a treasurer resigns, must notify the candidate and the Elections Office in writing
- Candidate uses DS-DE 9 form to re-appoint treasurer or deputy treasurer



# More on Campaign Treasurers

- Keep detailed accounts current within 2 days
- File regular reports of all contributions and expenditures as prescribed by Florida Statutes 106.07
- Preserve all account records for a number of years equal to the term of the office sought
- All contributions received shall be deposited prior to the end of the 5<sup>th</sup> business day following receipt excluding Saturdays, Sundays and legal holidays





# Online Reporting System

- Once pre-filed, a letter with instructions, password, pin numbers and identification number for the Online Filing System will be mailed.
- All campaign reports are filed electronically.
- All contributions and expenditures must be reported within the correct reporting period.
- Data may be entered into the website regularly, rather than just before deadline.
- The candidate or treasurer will “submit” the report.



# Online Reporting System *(continued)*



- The deadline to submit a campaign report is before midnight on the due date.
- The report is made public immediately, eliminating the need for paper copies.
- If notified that an amended report is required, candidates have 7 days to submit report. Only item(s) that require correction need be placed on amended report. Specific instructions must be followed to ensure that the campaign totals are not affected.
- Election staff will be available to assist during regular business hours (Monday - Friday, 8:00 am - 4:30 pm).

# Campaign Treasurer's Reports

- File Campaign Reports monthly
- 60<sup>th</sup> day preceding the primary election
- Biweekly on each Friday through and including the 4<sup>th</sup> day immediately preceding the general election.
- Additional reports are due on the 25<sup>th</sup> and 11<sup>th</sup> days before the primary and general elections.

*See report schedule for full list of dates.*





<b><i>Cover Period</i></b>	<b><i>Report Code</i></b>	<b><i>Due Date</i></b>
12/01/17 – 12/31/17	2017 M12	01/10/18
01/01/18 – 01/31/18	2018 M1	02/12/18
02/01/18 – 02/28/18	2018 M2	03/12/18
03/01/18 – 03/31/18	2018 M3	04/10/18
04/01/18 – 04/30/18	2018 M4	05/10/18
05/01/18 – 05/31/18	2018 M5	06/11/18
06/01/18 – 06/22/18	2018 P1	06/29/18
06/23/18 – 07/06/18	2018 P2	07/13/18
07/07/18 – 07/20/18	2018 P3	07/27/18
07/21/18 – 07/27/18	2018 P4	08/03/18
07/28/18 – 08/03/18	2018 P5	08/10/18
08/04/18 – 08/10/18	2018 P6	08/17/18
08/11/18 – 08/23/18	2018 P7	08/24/18
<b><i>Termination Reports</i></b>		
05/01/18 – 08/04/18	TR-JQ	08/02/18
06/01/18 – 09/22/18	TR-Q	09/20/18
08/23/18 – 11/28/18	TR-P	11/26/18

## Calendar of Reporting Dates for Primary Election August 28, 2018

***Primary Election Reports must be filed by all candidates even if their name will only appear on the General Election Ballot.***

<b><i>Cover Period</i></b>	<b><i>Report Code</i></b>	<b><i>Due Date</i></b>
08/24/18 – 08/31/18	2018 G1	09/07/18
09/01/18 – 09/14/18	2018 G2	09/21/18
09/15/18 – 09/28/18	2018 G3	10/05/18
09/29/18 – 10/05/18	2018 G4	10/12/18
10/06/18 – 10/12/18	2018 G5	10/19/18
10/13/18 – 10/19/18	2018 G6	10/26/18
10/20/18 – 11/01/18	2018 G7	11/02/18
<b><i>Termination Reports</i></b>		
11/02/18 – 02/06/19	TR-G	02/06/19

## Calendar of Reporting Dates for General Election November 6, 2018

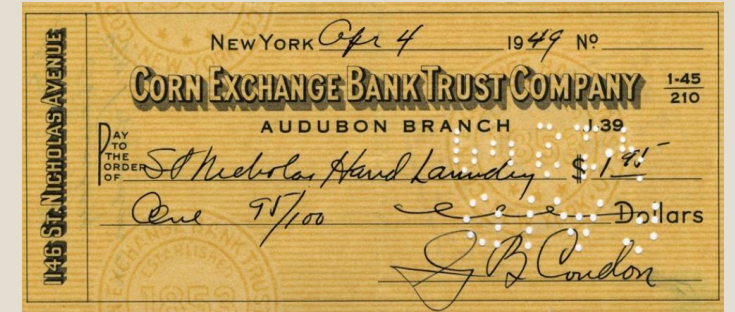
# Contribution Information



- Contributions in CASH and Cashier's Check is limited to \$50 per election cycle (including Candidate) for each contributor.
- Aggregate contribution limit is \$1,000 per election cycle, includes cash, in-kind and check, etc.
- Contributions from the candidate to their own campaign is UNLIMITED, with the exception of cash and cashier's checks.
- A person may not make contributions through or in the name of another.
- Contributions may be accepted via credit or debit cards and labeled "check" for reporting purposes.



# Contribution Information *(continued)*



- Contributions must be deposited in the campaign account within 5 business days of receipt, excluding Saturday, Sunday and legal holidays.
- Contributions must be returned to the contributor if received by a candidate/treasurer with opposition on the day of the election or less than 5 days before the election.
- If candidate is unopposed in the primary election and will only be listed on the general election ballot they may accept contributions through the primary election.
- Contributions may also be accepted via PayPal: Report entire amount as check; Record received date when it is deposited into bank account; Report transaction fee as expenditure.

# Reporting Contributions

*The law provides no exceptions for reporting contributions regardless of size of contribution – 1¢ to \$1,000.*

Record of all Contributions must contain the following:

- Date the contribution was received;
- Name and complete address of the contributor;
- Amount of the contribution & If contribution is over \$100
  - Specific occupation of the contributor must be listed;
  - Business Contributor- the principle type of business must be listed;
  - Candidates may not list their own occupation as “candidate”.



# Anonymous Contributions

- Report as an “anonymous” contribution on the report.
- Send a letter to the qualifying officer regarding the circumstances. (Division of Elections Opinion 89-02)
- Do not spend the anonymous contribution.
- At the end of the campaign, donate the amount to an appropriate entity under F.S. 106.141.



# In-Kind Contributions



**Definition:** A contribution of goods or services provided to the candidate for which money would have otherwise been paid.

- A description of the item or services and the fair market value must be reported to the candidate by the contributor and counted as an aggregate amount towards the \$1,000 contribution limit and listed on the campaign report.



# Reporting Expenditures



All expenditures must contain the following information:

- Date, purpose and amount;
- Name and complete address of the payee (This includes physical addresses for U.S. Post Offices);
- No expenditures shall be made or authorized without sufficient funds on deposit in the campaign account; and
- Payment shall be made upon receipt and acceptance of goods or services.

# Expenditures – Petty Cash

- Report amount withdrawn and spent during each reporting period;
- Not required to be reported individually;
- Withdraw only \$500 /quarter until the end of qualifying;
- Withdraw only \$100 /week after qualifying;
- Spent in amounts less than \$100 for office supplies, transportation expenses and other necessities; and
- May ***not*** be used for the purchase of time, space, or services from a communication media.



# Debit Card Information

Debit Cards may be used.

- Obtain from the same bank as primary depository.
- Limit 3 - treasurer, deputy treasurer or another user.
- Only requires account to contain the name of the candidate or committee.
- Cannot receive cash as part of any transaction.
- Receipts must include:
  - Last 4 digits of card number;
  - Exact amount of expenditure and exact purpose;
  - Name of payee;
  - Authorized signature.



# Campaign Check information

Per F.S. 106.11(1)(b) The **checks** for such account shall contain, as a minimum, the following information:

- The name of the campaign account of the candidate or political committee;
- The account number and the name of the bank;
- The exact amount of the expenditure;
- The signature of the campaign treasurer or deputy treasurer;
- The exact purpose for which the expenditure is authorized;
- The name of the payee.





# Prohibited Acts

To further ones candidacy, A candidate may NOT...

- Pay or give anything of value to speak;
- Use a state owned aircraft or motor vehicle;
- Solicit or accept a contribution in a government owned building;
- Use employees to participate in a political campaign for an elective office while on duty;
- Solicit contributions from any religious, charitable, civic or other causes or organizations established primarily for the public good;
- Make contributions, in exchange for political support, to any group listed above.



# The Petition Process

- Petitions may be collected as soon as the Appointment of Campaign Treasurer Form (DS-DE 9) is filed with the Supervisor of Elections Office.
- The fee to verify petitions is 10¢ each - paid at the time of submitting petitions preferably with a campaign check.
- Deadline to submit petitions for local office: Before noon, May 21, 2018
- Deadline to submit petitions for Judicial, State Attorney & Public Defender's office: Before noon, April 2, 2018.



*TIP: If possible, turn petitions in batches of approximately 50 – 500 at a time so candidate may see how well the process is working.*

# The Petition Process *(continued)*

- It is the responsibility of the candidate to produce the petitions in most current format on Division of Elections website (Form DS-DE 104)
- May add highlights, circles, X's, arrows or similar markings that draw attention to items on the form as well as cross-outs, line-throughs or similar markings.
- The format of the petition may ***not*** be changed
  - Can include the petition in a larger advertisement
  - If so, must include a political disclaimer.
- Altering size of petitions (maintain proportions)
  - Reduced to no less than 3" x 5"
  - Enlarged to no more than 8 1/2" x 11"
  - If two per page, cut apart before submitting for verification.



*TIP: Take time to look through petitions and make corrections before turning in. Candidates may make corrections to all except signature and date signed.*

**CANDIDATE PETITION**

*Notes:* - All information on this form becomes a public record upon receipt by the Supervisor of Elections.  
- It is a crime to knowingly sign more than one petition for a candidate. [Section 104.185, Florida Statutes]  
- If all requested information on this form is not completed, the form will not be valid as a Candidate Petition form.

I, \_\_\_\_\_ the undersigned, a registered voter  
(print name as it appears on your voter information card)

in said state and county, petition to have the name of \_\_\_\_\_  
placed on the Primary/General Election Ballot as a: [check/complete box, as applicable]

☐ Nonpartisan ☐ No party affiliation ☐ \_\_\_\_\_ Party candidate for the office of \_\_\_\_\_  
(insert title of office and include district, circuit, group, seat number, if applicable)

<b>Date of Birth (MM/DD/YY) or Voter Registration Number</b> _____	<b>Address</b> _____
<b>City</b> _____	<b>County</b> _____
<b>State</b> _____	<b>Zip Code</b> _____
<b>Signature of Voter</b> _____	
<b>Date Signed (MM/DD/YY)</b> [to be completed by Voter] _____	

Rule 1S-2.045, F.A.C. DS-DE 104 (Eff. 09/11)

All fields may be pre-filled except the signature and date signed – those fields **must** be completed by the voter.

Repetitive information such as county name and state, candidate name, office, and party (if any) may be filled in prior to printing petitions. Check correct box such as Nonpartisan or No Party Affiliation. Make sure no other party boxes are checked to insure your petition will not be invalidated. Candidate may mark thru and initial if making corrections.

*TIP: If No Party Affiliation or Nonpartisan, insert XXXXX's on party line or block out line so voters signing petition will not insert their own party.*



# Petition Information

- If Paying someone to collect petition signatures, cannot file undue burden affidavit and must pay the petition verification fee (10¢ per petition).
- Obtain the signatures of at least 1% of the total number of registered voters in the geographical area of candidacy from previous general election.

<i>Name of Office</i>	<i>Petitions Required</i>
<i>County Offices</i>	
County Commissioner, Districts 2 and 4	1,309
School Board Members, Districts 1, 3 and 5	1,309
Blackwater Soil & Water Conservation District Seats 1, 3 & 5	25
Avalon Beach Volunteer Fire Protection District Seats 1, 3 & 5	25
Holley Navarre Fire Protection Seats 1, 3 & 5	25
Midway Fire District Seats 2 & 4	25

**Exception:** Special district candidates must obtain the signatures of 25 registered voters in the geographical area represented by the office sought.

# Collecting Petitions in a Government Building



- May collect signatures in any public place including government-owned buildings as long as petitions are not attached to a political advertisement. (Check local ordinances for exceptions to public places.)
- Florida Statutes 106.15(4) Applies to soliciting or knowingly accepting contributions.

# Examples of Disclaimers

- “Political advertisement paid for and approved by (name of candidate), (party affiliation if partisan office) for (office sought)”; or
- “Paid by (name of candidate), (party affiliation if partisan office) for (office sought).”



- The word “**for**” must be used in the body of advertisement between the name of the candidate and the office sought, so incumbency is not implied.
- Political advertisements made as in-kind contributions must state:
  - “Paid political advertisement paid for by in-kind by (name and address of person paying for in-kind); or
  - Approved by (name of candidate), (party affiliation) for (office sought).”

# Exceptions for Political Disclaimers

- Items designed to be worn by a person, have no disclaimer requirements.
- Novelty Items having a value of \$10 or less, that support a candidate but do not oppose a candidate, are not required to have a political disclaimer.
- Bumper Stickers are excluded from the provision relating to the use of word “for”, however the political disclaimer is still required.
- Paid link on a website - Provided the message/advertisement is no more than 200 characters in length and the link directs the user to another website that complies with the requirements.
- If the message is distributed as a text message or other “brief” message:
  - No more than 200 characters in length
  - Requires the recipient to sign up /opt in to receive.



# Exceptions for Political Disclaimers *(continued)*

- If the message is placed or distributed on an unpaid profile or account:
  - Available to the public without charge or on social networking website
  - The source of the message or advertisement is patently clear from the content or format of the message or advertisement.
- A website or account may not be marked as official without prior approval by the candidate or political committee.
  - May prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee.

# Telephone Solicitation



- Must identify persons/organizations sponsoring call by stating either: “Paid for by (name of sponsor of call)” or “Paid for on behalf of (name of person/organization authorizing the call)”. Disclaimer does not apply if person making call is not being paid or if both individuals know each other.
- Any calls that expressly advocate for or against a candidate or ballot proposal, must file prior written authorization by the candidate with qualifying officer.
- Any person or organization that conducts any business in Florida which consists of making paid telephone calls supporting or opposing a candidate or elected official must prior to making calls file with the Division a Registered Agent Notice (DS-DE 100).

# Television Broadcasts



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; or must file a written statement with the qualifying officer setting forth the reasons for not doing so per F.S. 106.165.

# Qualifying

One week period when candidates are required, by law, to file:



- Candidate Oath;
- Personal Financial Disclosure Form;
- Petition certification letter provided by the SOE for candidates who met the petition requirement;
- Or pay the qualifying fee in order to have their name placed on the ballot.

*Required forms will be provided by the Supervisor of Elections Office prior to Qualifying.*



# 2018 Qualifying Dates

## Judicial, State Attorney & Public Defender Offices

- Begins at Noon, April 30, 2018
- Ends at Noon, May 4, 2018
- The first date to accept qualifying forms is April 16, 2018

## State and Local Offices (excluding Municipal Offices)

- Begins at Noon, June 18, 2018
- Ends at Noon, June 22, 2018
- The first date to accept qualifying forms is June 4, 2018

*Papers submitted during the 14 day period will be processed once qualifying begins.*



<b>CANDIDATE OATH - CANDIDATE WITH PARTY AFFILIATION</b>	
OFFICE USE ONLY	
<b>OATH OF CANDIDATE</b> (Section 99.021, Florida Statutes)	
I, _____ <small>(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * -- NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)</small>	
am a candidate for the office of _____, _____, _____ <small>(office) (district #) (circuit #)</small>	
_____; I am a qualified elector of _____ County, Florida; I am qualified <small>(group or seat #)</small>	
<small>under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.</small>	
Candidate's Florida Voter Registration Number (located on your voter information card): _____	
<small>* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):</small> _____	
<b>STATEMENT OF PARTY</b> (Section 99.021, Florida Statutes)	
<small>I am a member of the _____ Party; I have not been a registered member of any other political party for 365 days before the beginning of qualifying preceding the general election for which I seek to qualify; and I have paid the assessment levied against me, if any, as a candidate for said office by the executive committee of the political party, of which I am a member.</small>	
<input checked="" type="checkbox"/>	(   )
<small>Signature of Candidate</small>	<small>Telephone Number</small>
<small>Email Address</small>	
<small>Address</small>	<small>City</small>
<small>State</small>	<small>ZIP Code</small>
<b>STATE OF FLORIDA</b> <b>COUNTY OF</b> _____	
Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____.	
Personally Known: _____ or Produced Identification: _____ Type of Identification Produced: _____	_____ <small>Signature of Notary Public</small> <small>Print, Type, or Stamp Commissioned Name of Notary Public</small>

# Qualifying Form Important for Partisan Candidates:

- Candidate Oath (DS-DE 24)
- Statement of party:
  - Member for at least 365 days before the beginning of qualifying  
*(Deadline was June 18, 2017)*

*May run as a No Party Affiliation Candidate without changing party and file the No Party Affiliation Candidate Oath (DS-DE 24B).*

# Miscellaneous Campaign Information

- File the DS-DE 9 Appointment of Campaign Treasurer Form *before* you open your campaign account.
- Qualifying:
  - Do not wait until the last minute to file
  - Make sure every line, blank or field is complete
  - Incomplete forms or fields *may* jeopardize your candidacy
- Campaign Loans to own campaign:
  - Report the loan as required, by F.S. 106.07, as a contribution.
  - May reimburse for the loan at any time the campaign account has sufficient funds as an expenditure.



# Vote-By-Mail Data for Opposed Candidates

Once qualifying papers are submitted candidates that are opposed are able to receive data information on voters who have requested vote-by-mail ballots. The request for data must be submitted in writing and include the following:

- Data Format: E-mail or Labels
- Person's name designated to pick up labels or receive email;
- Telephone Number;
- E-mail address;
- Signature of Candidate

**This information will be available beginning Friday, July 6, 2018 after 3 pm.**

Cost:

- Email – No Charge
- Labels: 3¢ each for initial pick up, paid for in advance (No charge for daily pick-ups)



# Election Day and Early Voting Campaign Guidelines



- Do not place campaign signs within 100 feet from the entrance of the polling place;
- Must stand at least 100 feet from the entrance of the polling location;
- Do not hinder or obstruct voters from entering or exiting the polling location;
- No photography is permitted in the polling room or early voting area;
- If voting, do not linger inside polling place.

# After the Campaign ...

- Termination reports:
  - Filed within 90 days of withdrawing, becoming unopposed, elected or eliminated.
  - If unopposed following qualifying, candidates need only file a 90 termination report. No other scheduled reports are required.
  - If 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 under F.S. 106.141. An amended report must be filed showing the refund.
- May not accept any further contributions.
- Those who filed an affidavit of undue burden must reimburse for signature verification to the Supervisor of Elections, if funds remain.



# Disposition of Surplus Funds

- Pay for items which were obligated;
- Purchase “thank you” advertising for up to 75 days;
- Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports;
- Return pro rata to each contributor the funds that have not been spent or obligated



# Disposition of Surplus Funds *(continued)*

- Donate surplus funds to a charitable organization that meet the qualifications of a 501(c)(3);
- Give surplus funds to the candidate's affiliated party committee or political party;
- An elected or unopposed candidate may transfer funds to an Office Account pursuant to F.S. 106.141(5)
- Cannot hold funds over for next campaign (only applies to state offices).





# Office Accounts

- Maximum allowable amount is \$5,000 times the number of years in the term of office. Total \$3,000 limitation for circuit and county judges.
- Used only for legitimated expenses. Examples include: travel and expenses incurred in operation of the office, membership in certain organizations, and holiday cards and newsletters.
- Reports are due on the 10<sup>th</sup> day following the end of the quarter until all funds are gone.

## Upon leaving office:

- Must give the remaining funds to a 501 (c)(3) organization or applicable government general revenue fund.
- May use funds to pay for CPA or attorney for preparation of *final* report.



# It's Over - Now what?

- Within 10 days after elected to office, must report all loans exceeding \$500 in value which were used for campaign purposes within 12 months preceding the election on Division's Form DS-DE 73.
- Each candidate shall make a good faith effort to remove all of his or her political campaign advertisements within 30 days of being unopposed, elected or eliminated.
- Each candidate who withdraws, becomes unopposed, is eliminated or elected as a candidate shall within 90 days dispose of the funds in campaign account and file a report reflecting the disposition of all remaining funds.



And Remember...

If you have any questions, we are only a click  
or a phone call away!

Phone: (850) 983-1905

E-mail: [TamiM@santarosa.fl.gov](mailto:TamiM@santarosa.fl.gov)

Visit us:

[www.VoteSantaRosa.com](http://www.VoteSantaRosa.com)

6495 Caroline Street, Ste F, Milton, FL 32570



And good luck with your campaign!