# Indian River County







## 2016 Elections



#### **Presidential Preference Primary – March 15, 2016**

\*Book Closing – February 16, 2016

#### Primary Election – August 30, 2016

\*Book Closing – August 1, 2016

#### **General Election – November 8, 2016**

\*Book Closing – October 11, 2016

\*Last day to register to vote OR change political party affiliation for upcoming election



## **Candidates**

## **Becoming a Candidate**





#### Who can become a candidate in Indian River County

Must be a registered voter in Indian River Co.

When candidate must be a <u>legal resident</u> of the district they are seeking:

Constitutional Office – assuming office

Judicial Officers – assuming office

County Commission Candidates – GE, Nov. 8, 2016

School Board Candidates – qualifying, June 24, 2016



# Filing Officer - SOE

#### **County Court Judge**

#### **Countywide Offices**

**Constitutional Officers:** 

Clerk of Court

**Property Appraiser** 

Sheriff

Supervisor of Elections

Tax Collector



**County Commission** 

School Board

#### **Special District Offices**

Hospital District
Soil and Water Conservation District
Mosquito Control District

**Political Party Executive Committee people** 



## Forms required to "file" as a Candidate

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

**DS-DE 84** Statement of Candidate

**DS-DE 83** Statement of Candidate for Judicial Office





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

Filed prior to opening campaign account

Must be signed / dated by candidate and treasurer(s)

Not effective until received / filed by the filing officer

Candidates may announce their intention to become a candidate prior to filing Form DS-DE 9, but may not:

accept contributions

make expenditures

collect signatures on petitions



## DS-DE 9

Candidate and
Campaign Treasurer
OR
Deputy Treasurers
must
complete and sign a
DS-DE9 form

25. Date	asurer's Acceptance of	f Appointment	AND THAT THE FACTS 26. Signature of Car  X  (fill in the blanks and	stated in it are to addate  check the approp	
19. Name of Bank 21. City UNDER PENALTIES OF I 25. Date	PERJURY, I DECLARE THAT DESIGNATION OF CAMPAI	GN DEPOSITORY	AND THAT THE FACTS 26. Signature of Car  X	stated in it are to	riate block)
19. Name of Bank 21. City UNDER PENALTIES OF I 25. Date	PERJURY, I DECLARE THAT DESIGNATION OF CAMPAI	GN DEPOSITORY	AND THAT THE FACTS 26. Signature of Car  X	STATED IN IT ARE TO	RUE.
19. Name of Bank 21. City UNDER PENALTIES OF I	PERJURY, I DECLARE THAT	GN DEPOSITORY	AND THAT THE FACTS	STATED IN IT ARE TO	CAMPAIGN TREASURER AN
19. Name of Bank 21, City		HAVE BEAD THE	EOREGOING FORM PA	ID ADDOINTMENT OF	CAMPAIGN TREASURES
19. Name of Bank	22. Cour	0.000	1100 000 000 1000		
	Lea	ni hai	23. State		24. Zip Code
16. I have dealerests	u the following bank as	time	Primary Deposito 20. Address	ry Seco	ndary Depository
	d the following best as				
13. City	14. County	15. Sta	te 16. Zip Code	( 17. E-mail addre	)
11. Mailing Address	a or pepuly fressuler			12 T	elephone
	the following person to or or Deputy Treasurer	act as my	Campaign Trea	surer De	puty Treasurer
8. If a candidate for Write-In	a <u>partisan</u> office, check No Party Affiliation	DIOCK AND THE	in name or party as	applicable: My	Party candidate.
	lude district, circuit, grou		applica	ble: My intent is to ru	artisan office, check if n as a Write-In candidate
( )	1701412 1000100 VPP NAVE - 100		<u> </u>		
4. Telephone	5. E-mail address		code)	ou pout office pox	ы алып, слу, яшы, ир
☐ Initial Filing of I				Depository	Office Part
1. CHECK APPROP	ng the campaign accou	int.			OFFICE USE ONL
NOTE: This form in	ORY FOR CANDIDA tion 106.021(1), F.S.) ASE PRINT OR TYPE) nust be on file with th	ne qualifying			
	NATION OF CAMP				



## **DS-DE 84**, Statement of Candidate

Must be filed with filing officer within 10 days after filing Form DS-DE 9

States that candidate has read and understands the requirements of Chapter 106, F.S. (campaign finance)



#### OFFICE USE ONLY STATEMENT OF CANDIDATE (Section 106.023, F.S.) (Please print or type) candidate for the office of have been provided access to read and understand the requirements of Chapter 106, Florida Statutes. Signature of Candidate Date Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes). DS-DE 84 (05/11)

# **DS-DE 84**



#### Campaign treasurers and deputy treasurers

Candidate may appoint herself / himself for campaign treasurer or deputy treasurer

A candidate may appoint no more than 3 deputy campaign treasurers





## Resignation-campaign treasurer



A campaign treasurer or deputy treasurer can resign by:

Submitting resignation to candidate in writing

Isn't effective until a copy is filed w / filing officer



## Removal of campaign treasurer

A candidate may remove the campaign treasurer / deputy treasurer by:

Giving written notice to campaign treasurer / deputy treasurer

Removal not effective until a copy is filed w / filing officer





#### **Primary campaign depository – DS-DE 9**

A candidate must \*designate a primary campaign depository with (FL authorized)

bank

savings and loan association credit union

Must be separate from personal / other account

\*merely naming the financial institution



### **Primary campaign depository – DS-DE 9**

Must file DS-DE 9 form PRIOR to opening bank account

Candidates: must have \*SSN to open account

\*check with financial institution

Political / Electioneering Communications Committees: must have EIN, Employers Identification Number



### Separate interest-bearing accounts & CD's

Funds **NOT** currently needed in primary campaign account may be deposited into separate interest-bearing account designated as:

The campaign account of:

"Name of Candidate"
"Separate Interest-Bearing Campaign Account"





# Qualifying As a Candidate







Responsibility of qualifying officer is ministerial in nature

Such official merely examines face of qualifying papers presented,

If in proper order, accepts them

Op. Atty. Gen. Fl. 76-130 (June 10, 1976) State ex rel Shevin v. Stone, 279 So.2<sup>nd</sup> 17 (Fl.1972)



## Resign to run



No officer may qualify as a candidate for another state, district, county or municipal public office **if**:

Terms (or any part) run concurrently with each other

Candidate must resign from the office he / she presently holds

The resignation is irrevocable

See FAQ on division's website for additional information







#### Federal Hatch Act for State, County or Municipal Employees

Hatch Act restricts political activity if:

Employee's entire salary is completely funded from federal dollars (loans or grants)

Employee is precluded from being a candidate for public office in a **partisan** election

\*\*Other laws and the employing agency's personnel policies may further restrict the ability of a state, county, or municipal employee to participate as a candidate

Advisory opinions may be made by e-mail to:

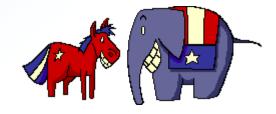
hatchact@osc.gov



## **Changing parties for partisan offices**

A person seeking to qualify as a political party candidate:

May not have been a registered member of any other political party for **365 days** before the beginning of **qualifying** preceding the general election







## **Noon, May 2 – Noon, May 6, 2016**

Qualifying for all judicial, state attorney & public defender candidates

## **Noon, June 20 – Noon, June 24, 2016**

Qualifying for all statewide, multi-county, county, & district candidates



## **Time**

Qualifying officer may accept / hold qualifying papers for 14 days prior to qualifying period:

April qualifying, begin accepting paperwork on April 18, 2016

June qualifying, begin accepting paperwork on June 6, 2016



# **Qualifying Methods**

Pay a Qualifying Fee



**Petition Process** 

Write-in Candidate



# Pay a qualifying fee





## What is the required fee?

Based on salary as of July 1, 2015

Partisan 6%



NPA & Non-Partisan 4%

Fee can only be paid during qualifying period



# Qualifying fee drawn on the campaign account

Cashier checks, personal checks and money orders are **not acceptable** 

Special district candidates: Can pay qualifying fee with personal check if they haven't opened a campaign account

## 2016 qualifying fees

	Salary	Qualifying Fee
Clerk of Court	121,991.00	*7319.46
County Commission	58,995.00	*3539.70
Property Appraiser	121,991.00	*7319.46
Sheriff	130,941.00	*7856.46
Supervisor of Elections	103,354.00	*6201.24
Tax Collector	121.991.00	*7319.46
School Board	33,417.00	*1336.68

<sup>\*</sup>Includes 3% filing fee, 2% party assessment



## Return of qualifying fee



#### **Candidate withdraws**

Must withdraw in writing prior to last date to qualify

#### **Deceased candidate**

Candidate's beneficiary entitled to qualifying fee

## Candidate fails to qualify

Return check



## **Candidate Petition Process**





# Purpose

Candidate may qualify to have their name placed on ballot by the **petition process** 

Not required to pay qualifying fee





## Forms for petition process



### Form DS-DE 104, Candidate Petition

Signatures on petitions must be on current form

Candidates are responsible for reproducing petitions

Forms cannot be altered – except for size

No smaller than 3" x 5", no larger than 8.5" x 11"

per Rule 1S-2.045 Florida Administrative Code



## **Candidate petitions**

Petition must contain:

Name of candidate

Office

Party designation (if applicable)

Group or district #

#### Valid petitions:

Person signing must be registered in IRC

Birthdate or voter registration #

Voter signature & date petition signed by voter

Voter's address to include city and county

## **Candidate Petitions**

otes: - All information on th - It is a crime to knowi - If all requested inform		tition for a candidate.	the Supervisor of I [Section 104.185.	Florida Statutes1
				the undersigned, a registered vote
(print nar said state and county, petition	ne as it appears on your von to have the name of	oter information card)		K
	filiation	e district, circuit, group Address	, seat number, if ap	Party candidate for the office of policable)
City	County	an River	State FL	Zip Code
Signature of Voter				te Signed (MM/DD/YY) be completed by Voter]
			- 1	



# Collecting signatures how many?

Based on 1% of the number of active registered voters in IRC in the previous general election, November 2014

97,944 voters = 980 petitions needed

Exception: Special Districts – 25 signatures

Candidates who qualify with DOE – See Division web under Qualifying Information

## **Number of petitions required**

Constitutional Officers	980
County Commission	980
School Board	980
County Court Judge	980
Soil & Water Conservation District Hospital District Mosquito Control District	25 25 25



# Verifying petitions Where are petitions submitted?



Submitted to SOE for verification in the county in which voter is registered

Candidate's responsibility to ensure that petitions are submitted to correct county



# Deadlines



Deadline for **accepting** petitions
Noon, April 04, 2016 (May qualifying)
Noon, May 23, 2016 (June qualifying)

Deadline for **certifying** petitions to the DOE April 25, 2016 (May qualifying)
June 13, 2016 (June qualifying)



### **Petition verification fees**

Verification fee is 10¢ per petition

All petitions turned in will be verified

Fee can be paid by:



- campaign check
- petty cash
- Personal funds (can be reimbursed as "in-kind" or by campaign)
- Third party can pay and be reimbursed by campaign



# Payment for verifying petition signatures must be paid in advance

Helpful Hint: An accurate count of petitions is necessary so that we do not undercharge or overcharge you



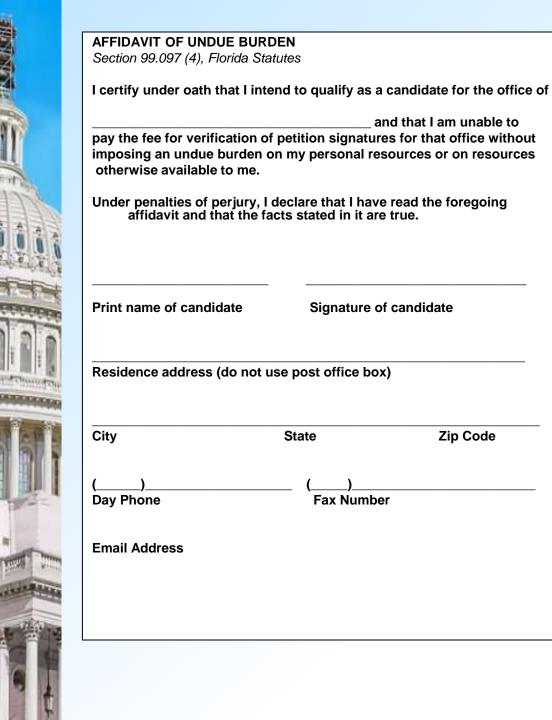


### Oath of undue burden

Candidate may file Oath of Undue Burden

No charge for verification of signatures





# Affidavit of Undue Burden





Your Vote Is Your Voice...Speak Up!

### PETITION CERTIFICATION FOR PETITION PROCESS OF QUALIFYING

### STATE OF FLORIDA COUNTY OF INDIAN RIVER

March 13, 2016

that	Leslie R Swan	Constitution &	ubmitte	1000	, petition signatures for the
(Name of Ca	ndidate or tylino	( Fatty)			
Office of	Indian River C			Elections	(
		(Name of 0	Office)		
I further certify that			ures were	qualified	electors in Indian River
	No. of valid signa	tures)			
9	Yo, us value again	- 10			
County for the office					
					slie Swan

4375 43<sup>rd</sup> Avenue, Vero Beach, FL 32967 • (772) 226-3440 • FAX (772) 770-5367 www.yoteindianriver.com

# Certificate of Petition Qualifying







## Qualifying as a write-in candidate

Not required to pay qualifying fee or submit petitions

Must comply with finance laws

Must reside in district at time of qualifying

Qualify for general election only

Candidate's name will **not** appear on ballot

### Additional forms required at qualifying





# **Loyalty oath**

First and last name

Name as it is to appear on the ballot\*\*

Office

Address

County of legal residence

Party affiliation

Candidate's signature is original

Properly notarized

LOYALTY CANDIDATES WITH PA (Sections 876.05-878.10 STATE OF FLORIDA, COU	RTY AFFILIATION	OFFICE USE ONLY	9
	Middle Name/Initial and of the United States of America m that I will support the Constitution		blic office
Florida.	OATH OF CANDID. (Section 99.021, Floride State  OWISH IT TO APPEAR ON THE BALLOT — NAME MAY	ATE  Infest)  FROM SEE CHANGED AFTER THE END OF OU	KF(IG)
(group) under the Constitution and the have qualified for no other put	fied elector of  Laws of Florida to hold the office to blic office in the state, the term of we resigned from any office from with the company of the form with the company of the company	which office or any part there	ated or electe of runs concu
	STATEMENT OF PA (Section 99.021, Florida Stat		
preceding the general election as a candidate for said office b	par en a candidate for nomination for an for which I seek to qualify. I have p by the executive committee of the po	aid the assessment levied ag	riod of 6 mont ainst me, if an
X		Daytime Telep	shone Number
	nature of Candidate		
Address	Cay ubscribed before me this	State day of, 200	ZIP Code

# **DS-DE 24**

### **Nicknames**



Nickname may be printed along with one's legal name

Example: Joseph (Joe) Smith

Generally known or used as part of legal name

May not use titles such as Dr., Reverend, Colonel, Esquire, etc.



### Financial disclosure form

Financial disclosure is disclosure of certain assets, liabilities and sources of income

Not the same as a "financial statement"

Only a "snap shot" of person's financial situation



# What is the purpose of financial disclosure?

Provide citizens a way to monitor potential conflicts of interest and keeps them informed on an annual basis

Serves as a deterrent to public officials considering activity that may result in a conflict



Phonos print or type your norm, realing address, agency norm, and position below:	TERESTS
LAST NAME — FIRST NAME — MIDDLE NAME.	FOR OFFICE
MALING ADDRESS:	USE ONLY:
	ID Code
	10000
CRTY: ZIP: COUNTY:	ID No.
NAME OF AGENCY:	
NAME OF OFFICE OR POSITION HELD OR SOUGHT:	Gorf, Code P. Reg, Code
The second secon	1 P. Ned, Code
CHECK IF THIS IS A FILING BY A CANDIDATE	
My net worth as of	Owas \$
My net worth as of	Dwas \$  CTS  gate value exceeds \$1,000. This category includes any of the following resis: items: an objects; household equipment and furnishings; clothing b) is \$
My net worth as of	CTS gate value exceeds \$1,000. This category includes any of the following resiscitenes; and objects; household equipment and furnishings; clothing a) is \$
My net worth as of	Dwas \$
My net worth as of	Dwas \$
My net worth as of	TTS  gate value exceeds \$1,000. This category includes any of the following resid items: an objects; household equipment and furnishings; clothing b) is \$
My net worth as of	TTS  gate value exceeds \$1,000. This category includes any of the following resid items: an objects; household equipment and furnishings; clothing by is \$

# Financial Disclosure Form



### NOTIFICATION OF CHAPTER 101.5612, F.S.

### PUBLIC TESTING OF AUTOMATIC TABULATING EQUIPMENT

In accordance with Chapter 101.5612 (2) F.S., you are hereby notified that the public testing of the tabulating equipment to be used in the 2010 Elections conducted in Indian River County will be held in the office of the Supervisor of Elections Office, 4375 43rd Avenue, Vero Beach, FL 32967 at the times and dates listed below:

PUBLIC TEST DATE	
February 26, 2016 August 10, 2016 October 14, 2016	
ny signature below.	
	February 26, 2016 August 10, 2016

# **Public Test Notification**

### POLL WATCHER INFORMATION

Section 101.131 Watchers at Polls:

- (1) Each political party and each candidate may have one watcher in each polling room or early voting area at any one time during the election. A political committee formed for the specific purpose of expressly advocating the passage or defeat of an issue on the ballot may have one watcher for each polling room or early voting area at any one time during the election. No watcher shall be permitted to come closer to the officials' table or the voting booths than is reasonably necessary to properly perform his or her functions, but each shall be allowed within the polling room or early voting area to watch and observe the conduct of electors and officials. The poll watchers shall furnish their own materials and necessities and shall not obstruct the orderly conduct of any election. The poll watchers shall pose any questions regarding polling place procedures directly to the clerk for resolution. They may not interact with voters. Each poll watcher shall be qualified and registered elector of the county in which he or she serves.
- (2) Each party, each political committee, and each candidate requesting to have poll watchers shall designate, in writing, prior to noon of the second Tuesday preceding the election poll watchers for each polling room on election day. Designations of poll watchers for early voting areas shall be submitted in writing to the supervisor of elections at least 14 days before early voting begins. The poll watchers for each polling room shall be approved by the supervisor of elections on or before the Tuesday before the election. Poll watchers for early voting areas shall be approved by the supervisor of elections no later than 7 days before early voting begins. The supervisor shall furnish to each election board a list of the poll watchers designated and approved for such polling room or early voting area.
- (3) No candidate or sheriff, deputy sheriff, police officer, or other law enforcement officer may be designated as a poll watcher.

REMEMBER – YOU CAN ONLY HAVE ONE POLL WATCHER IN ANY ONE LOCATION AT ANY ONE TIME!

<u>Deadlines for designating Poll Watchers – 2016</u>

### 2016 Presidential Preference Primary Election

### **Early Voting**

Designations due to Supervisor of Elections – by Noon, February 19, 2016 Approved by Supervisor of Elections – February 26, 2016

### Election Day - March 15, 2016

Designations due to Supervisor of Elections – by Noon, March 1, 2016 Approved by Supervisor of Elections – March 8, 2016

### 2016 Primary Election

### Early Voting

Designations due to Supervisor of Elections – by Noon, August 5, 2016 Approved by Supervisor of Elections – August 12, 2016

### Election Day - August 30, 2016

Designations due to Supervisor of Elections – by Noon, August 16, 2016 Approved by Supervisor of Elections – August 23, 2016

### 2016 General Election

### Early Voting

Designations due to Supervisor of Elections – by Noon, October 10, 2016 Approved by Supervisor of Elections – October 17, 2016

### Election Day - November 8, 2016

Designations due to Supervisor of Elections – by Noon, October 25, 2016 Approved by Supervisor of Elections – November 1, 2016

# Poll Watcher Information



### MEMORANDUM

TO:

ALL CANDIDATES

FROM:

LESLIE ROSSWAY SWAN

SUPERVISOR OF ELECTIONS, INDIAN RIVER COUNTY

DATE:

**ELECTION YEAR 2016** 

SUBJECT:

USAGE AND REMOVAL OF POLITICAL CAMPAIGN ADVERTISEMENT SECTION 106.1435 F.S.

### 106.1435 Usage and removal of political campaign advertisements.--

- (1) Each candidate, whether for a federal, state, county, or district office, shall make a good faith effort to remove all of his or her political campaign advertisements within 30 days after:
- (a) Withdrawal of his or her candidacy;
- (b) Having been eliminated as a candidate; or
- (c) Being elected to office.

However, a candidate is not expected to remove those political campaign advertisements which are in the form of signs used by an outdoor advertising business as provided in chapter 479. The provisions herein do not apply to political campaign advertisements placed on motor vehicles or to campaign messages designed to be worn by persons.

- (2) 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. Funds collected for removing such advertisements shall be deposited to the general revenue of the political subdivision.
- (3) Pursuant to chapter 479, no political campaign advertisements shall be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on or above any state or county road right-of-way.
- (4) The officer before whom a candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.
- (5) This provision does not preclude municipalities from imposing additional or more stringent requirements on the usage and removal of political campaign advertisements.

Receipt of the above information is evidenced by my signature below:

Signature of Candidate

Date:

# Political Signs



### RECEIPT OF 2016 CANDIDATE HANDBOOK INDIAN RIVER COUNTY, FLORIDA

Receipt of the above information	n is evidenced by my signature below
Candidate (Please Print)	
Signature of Candidate	
Date:	

# **Candidate Handbook**

# **Canvassing Board Dates Primary & General Elections**

PRESIDENTIAL PREFERENCE P	RIMARY ELECTION	
March 15, 2016	<u>Time</u>	Canvassing Board Meeting
20/20/20/2		
02/26/2016	9:00 am	Pre-Election Day Public Logic and Accuracy Test of the Voting Equipment
03/07/2016	9:00 am	Canvass Mail Ballots received prior to Election Day
03/11/2016	9:00 am	Canvass Mail Ballots received prior to Election Day
03/15/2016	4:00 pm	Canvass Mail Ballots and Precinct Election Returns
03/17/2016	5:00 pm	Canvass Provisional Ballots/Perform any Duties as Prescribed by Law Certify 1st Unofficial Results of PPP with DOS
03/23/2016	9:00 am	Certify 2 <sup>nd</sup> Unofficial Results of PPP, if necessary only if a Recount is required and Random Selection of Races/Precincts for the Post Election Manual Audit
03/25/2016	12 noon	Canvass of overseas ballots. Canvassing Board to submit the Official Results to the DOS for the PPP. Random Selection of Races/Precincts for the Post Election Audit
03/25/2016	12 noon	Certify the Official Results and Conduct of Elections Report for the PPP
03/29/2016	9:00 am	Conduct the Post-Election Manual Audit and Certify Audit
33,23,23.3	0.00 a	conduction of the first state of
PRIMARY ELECTION		
August 30, 2016	Time	Canvassing Board Meeting
08/12/2016	9:00 pm	Pre-Election Day Public Logic and Accuracy Test of the Voting Equipment
08/22/2016	9:00 am	Canvass Mail Ballots received prior to Election Day
08/26/2016	9:00 am	Canvass Mail Ballots received prior to Election Day
08/30/2016	4:00 pm	Canvass Mail Ballots and Precinct Election Returns
09/01/2016	5:00 pm	Canvass Provisional Ballots/Perform any Duties as Prescribed by Law
	·	Certify 1st Unofficial Results of PE with DOS
09/03/2016	12 noon	Certify 2 <sup>nd</sup> Unofficial Results of PE, if necessary, only if a Recount is required
09/05/2016	12 noon	Certify the Official Results and Conduct of Elections Report for the PE
		Random selection of Races/Precincts for the Post-Election Audit
09/08/2016	9:00 am	Conduct the Post-Election Manual Audit and Certify the Audit
GENERAL ELECTION		
November 8, 2016	<u>Time</u>	Canvassing Board Meeting
10/14/2016	9:00 am	Pre-Election Day Public Logic and Accuracy Test of Voting Equipment
10/31/2016	9:00 am	Canvass Mail Ballots received prior to Election Day
11/04/2016	9:00 am	Canvass Mail Ballots received prior to Election Day
11/08/2016	4:00 pm	Canvass Mail Ballots and Precinct Election Returns
11/11/2016	12 noon	Canvass Provisional Ballots/Perform any Duties as Prescribed by Law
11/11/2016	12 110011 12noon	Certify 2 <sup>nd</sup> Unofficial Results of GE if necessary, only if Recount is required
11/18/2016	12 noon	Canvassing of overseas ballots. Canvassing Board to submit the Official Results to the DOS for the GE.
11/10/2010	12 110011	Submit Conduct of Elections Report to the DOE on the conduct of the GE
		Random selection of Races/Precincts for the Post Election Manual Audit
11/22/2016	9:00 am	Conduct the Post-Election Manual Audit the Certify the Audit
11/22/2010	9.00 am	Conduct the Fost-Liection Manual Addit the Certify the Addit



# **Qualifying ends**

Anyone in line on June 24<sup>th</sup> at 12 noon is allowed to qualify

No corrections to qualifying papers after the close of qualifying





# **CAMPAIGN FINANCE**



# Before we begin

Most common violations in Campaign Finance filed with the Florida Elections Commission

Cannot accept contributions, make expenditures prior to appointing campaign treasurer, and designating a campaign depository



Failure of treasurer of a candidate or political committee to file regular reports



### **Most common violations**

Incomplete / false information on Campaign Treasurer's report

Failure to prominently mark political advertisements with proper political disclaimer

Prohibiting the expenditure of campaign funds that have already been obligated



# **Campaign Treasurer**



Keep detailed accounts of contributions / expenses

Kept current within **2 days** after date of contribution / expenditure

Deposit all funds received by end of 5<sup>th</sup> business day

Bank slip must contain name of each contributor

Keep detailed accounts of all deposits and withdrawals

# Campaign treasurer

Preserve all account documents term of office = number of years preserved

File regular reports of all contributions and expenditures

### May be fined for

Failing to file a campaign report Filing an incomplete report Filing an inaccurate report





## Campaign treasurer

**Deputy** campaign treasurers have the powers/duties of the campaign treasurer when authorized by campaign treasurer and candidate

Accounts kept by the campaign treasurer may be inspected under reasonable circumstances

- before
- during
- after

the election by any authorized representative of the DOE or the FEC



## Frequency of campaign reports

Number of <u>local</u> candidate reports due has changed since 2013:

In an Election Year:

Increased from 10 reports due to 20 reports due

In a Non Election Year:

Increased from 4 reports due to 12 reports due



Campaign treasurer shall file regular reports

Reports filed on the 10<sup>th</sup> day following the end of each calendar month

If the 10<sup>th</sup> day occurs on a Saturday, Sunday, legal holiday, report filed on the following day



Must file a DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates (Section 106.011, 106.021(3) F.S.)

Must file Candidate Oath form (DS-DE 24C, 24D, or 24E) per S.99.021(2)

An individual seeking a publicly elected position on a political party executive committee who has received a contribution or makes an expenditure shall file a campaign report.

The report shall be filed on the 4<sup>th</sup> day (Friday) immediately preceding the primary election

Candidates may accept unlimited contributions



Check with the Division of Elections for reporting dates.



# Local Candidate Reports

Local Candidates /Political Committees filing with the local Supervisor of Elections

- On the 10<sup>th</sup> day of each month after filing for office
- On the 60<sup>th</sup> day immediately preceding the primary election and biweekly on each Friday thereafter through and including the 4th day immediately preceding the General Election
- With additional reports due on the 25<sup>th</sup>, and 11<sup>th</sup> days before the Primary and General Election





A candidate's campaign financial report **must** be filed via the IRC SOE website with an electronic signature by the due date and time

Late reports are subject to a fine

Fines paid only from <u>personal</u> funds of candidate

A officer / member of a political committee shall not be personally liable for fine



# Reports . . .



This fine is \$50 per day for first 3 days

\$500 for each day thereafter the first 3 days late

\$500 per day for all reports immediately preceding each primary and general election

Such fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report



# Waiver of report

If no contributions / expenditures in reporting period, filing of required report for that period is waived

Candidate must file a waiver of report



## **Incomplete reports**

Incomplete reports must be accepted on a conditional basis

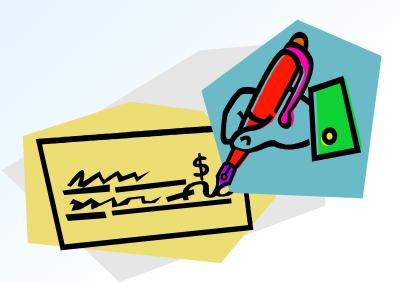
Filing officer notifies campaign treasurer why report incomplete

Campaign treasurer must file an addendum within 7 days of notification

The addendum must include all necessary information to complete the report



# Contributions





A gift, subscription, conveyance, deposit, loan, payment or distribution of money or anything of value, including contributions in-kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication

A transfer of funds between political committees

The payment, by any person other than a candidate, of compensation for the personal services of another person which are rendered to a candidate without charge to the candidate for such services

The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or CD



#### Contributions

#### **Exceptions** are:



- Services provided without compensation by individuals volunteering their time
- Editorial endorsements

**IMPORTANT**: The law provides no exceptions for reporting contribution information, regardless of the size of the contribution

The reporting requirements are the same for a 50¢ contribution as for a \$1,000 contribution



## Reporting contributions

Each report must contain:

Full name, address, specific occupation, amount, date of each person making a contribution

Provide principal type of business conducted for corporations

Principal type of business or occupation **not** required if:

- The contribution is \$100 or less
- From a relative provided the relationship is reported

Report any transfer of funds



Report any loans



#### Please be aware!

Some of the contributors to your campaign (such as law enforcement personnel) may have an Exemption from Public Records "Protected Address" on file with the SOE

- Candidate Financial Reports must contain the name and address of a contributor
- Address for the contributor <u>must not be vague</u> such as entering "confidential" in place of an actual address
- May use a business address (or PO Box) in lieu of protected home address



#### Contribution limits for candidates

#### **Contribution Limits:**



\$3,000 for a candidate for statewide office or for retention as a Justice of the Supreme court

#### **\$1,000** for a candidate:

Retention as a Judge of a District Court of Appeal

A candidate for legislative office

A candidate for multi-county office

A candidate for county office

A candidate for county court judge or circuit judge

**OR** in any election conducted on less than a countywide basis



#### **Contribution limits for candidates**

### Remember!!

The primary and general elections are separate elections



## Contribution limits for candidates

The contribution limits on the previous slide **do not** apply to contributions made by a state or county executive committee of a political party or affiliated party committee regulated by chapter 103

**OR** to amounts contributed by a candidate to his or her own campaign



#### **Debit and credit card contributions**

A candidate may accept contributions via a

Credit card

**Debit card** 

Money order

Categorized as a "check" for reporting purposes





### **Cash contributions**



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

Note: Money orders and traveler's checks <u>are not</u> considered "cash"



## **In-kind contributions**



Anything of value made for the purpose of influencing the results of an election

Any person who makes an in-kind contribution shall:

Place a fair market value on the contribution

In-kind contributions are subject to contribution limits



#### **In-kind contributions**

#### **EXCEPTIONS:**

- -Money
- Personal services provided w/o compensation by volunteers
- -Independent expenditures (as defined in Section 106.011(5),F.S.
- -Endorsements of 3 or more candidates by PC's or political parties
- -Candidates may give unlimited in-kind donations to their own campaign



#### **During Transaction Entry:**

Notice the new "Total In-Kind" line below . . .

			Campaign Treasurer	r's Report - 1	Itemized Co	ntributions			
		F	Election : 2010 Report Date : Q4 (10/0 Add Contrib		2/31/2009	1/11/2010			
	Seq Num	Date	Contributor	Contributor Type	Occupation	Contribution Type	In-Kind Description	Amend	Amount
Edit Delete	1	12/31/2015	John Smith 123 Main St Fort Myers, FL 33901	Individual	(	In Kind	PAPER		\$50.00
Edit Delete	2	12/31/2015	John Smith 123 Main St Fort Myers, FL 33901	Individual		Check			\$100.00
, ,				dit s	•		Total In	Kind	\$50.00
							Total Mor	netary	\$100.00
							Tota	il	\$150.00

The total
"in-kind"
Contributions
show

Now have a public display of "in-kind" Contribution section

#### On the Public Display of Transactions:

Notice the new "In-Kind" Contribution section.

154	4/30/2015	113 NIGHTHAWK AVE PLANTATION, FL 33324	Individual	BUSINESS OWNER	Check	\$100.00
					Total Contributions	\$91,645.00
		Campaig	n Treasurer's Re	port - In-Kind Contribu	itions	
Seq Num	Date	Compositor	Contributor Type	Occupation	In-Kind Ame Description	and Amount
1)	2/25/2015	BECKER S POLIAKOFF, P.A. 1 E BROWARD BLVD STE 1800 FT LAUDERDALE, FL 33301	Business	ATTORNEY	refreshments for fundr	\$691.90
2	2/25/2015	BECKER & POLIAKOFF, P.A. 1 E BROWARD BLVD STE 1800 FT LAUDERDALE, FL 33301	Business	ATTORNEY	POSTAGE FOR EVENT	\$200.00

**NEW!** 

**NEW!** 



## **Anonymous contributions**



Must be reported as anonymous contribution

A letter should be submitted to the filing officer explaining the circumstances surrounding acceptance of anonymous contribution

The candidate cannot spend the anonymous contribution but at the end of the campaign can donate the amount to appropriate entity under Section 106.141, F.S.



#### **Fund raisers**

All monies and contributions received from campaign fund raisers are campaign contributions



Subject to the contribution limits contained in Section 106.08,F.S.



## Recap – a candidate may not:

Accept contributions until Form DS-DE 9 filed with filing officer

Accept a contribution in excess of \$1,000 per person per election

Accept contributions from family members in excess of \$1,000 per election

## A candidate may not



- Accept contributions which in aggregate exceed \$50,000 from national, state, or county executive committees of a political party
- Accept contributions after the date he/she withdraws his/her candidacy, is defeated, becomes unopposed or is elected



Any contribution received on the <u>day of</u>
that election or less than 5 days before
the day of that election must be returned
to the contributor and may not be used or
expended by or on behalf of the candidate





### Loans

Loans are considered contributions

Loans are subject to contribution limitations

**Exception** – loans made by a candidate to his own campaign are <u>not</u> subject to contribution limitations

A candidate making a loan to his / her campaign may be reimbursed for the loan at any time campaign account has sufficient funds

Loans must be reported on the campaign treasurer's report



#### Loans

All **personal loans** exceeding \$500 in value, made in the 12 months preceding a candidate's <u>election</u> to office, must file the following

Forms DS-DE 73, Campaign Loans Report (within 10 days of being elected)

Any person who makes a contribution to pay all or part of a loan incurred in the 12 months preceding the election, to be used for the campaign, may not contribute more than the amount allowed in Section 106.08(1),F.S.

Form DS-DE 73A, Campaign Loans Report Itemized



#### CAMPAIGN LOANS REPORT

(Section 106.075, F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

This report applies to all candidates ELECTED to office who had loans exceeding \$500 in value, which were accepted and used for campaign purposes within the 12 months preceding the election. All such loans must be reported to the filing officer within 10 days after the candidate's election to office.

Full Name of Newly Elected Official

Office

Mailing Address

City

State

Zip Code

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND IT IS TRUE, CORRECT AND COMPLETE.

Type or Print Name of Newly Elected Official

X

Signature

## Campaign Loans Report

DS-DE 73

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

# Campaign Loans Report

**DS-DE 73A** 

DS-DE 73A (Rev. 08/03)



When a candidate receives a contribution in the form of a check drawn on a joint account, signed by only one of the joint owners, the owner signing the check is considered the contributor





## Returning contributions

Contributions **must be returned** to the contributor **if**:

Candidate received a contribution in excess of the lawful limitation

Candidate with opposition received a contribution on day of that election or 5 days **BEFORE** the date of that election

A candidate receives a contribution once he or she is

- Elected
- Defeated
- Becomes unopposed, or
- Withdraws his or her candidacy

If the contribution to be returned has **not been deposited** into the campaign account, report the contribution as a contribution returned using for **DS-DE 2** 

#### CONTRIBUTIONS RETURNED

(Section 106.07(4)(b), F.S.) (PLEASE TYPE)

the contributor before being deposited in the cam  Candidate	Committee or Organization
II Name:	
Il Address:	
Full Name and Address of Contributor:	Full Name and Address of Contributor:
Amount of Contribution: \$	Amount of Contribution: \$
Date Received:	Date Received:
Date Returned:	Date Returned:
Full Name and Address of Contributor:	Full Name and Address of Contributor:
Amount of Contribution: \$	
Date Received:	Date Received:
Date Returned:	Date Returned:

# **Contributions returned**

DS-DE 2

"Before Being Deposited"



## Returning contributions

If the contribution has been deposited into the campaign account:

Report the contribution; and

Write a check from the campaign account to the contributor for the amount of the contribution

Report this on the itemized contribution report using the contribution type "Refund"

This amount is reported as a negative

The candidate may also wish to submit a written explanation to the filing officer



#### Candidate changing designated office

If a candidate changes the designated office for which he/she is a candidate:

Must notify all contributors in writing of intent to seek a different office

Must offer to return pro rata, upon request the contributions given by the donor within 30 days of the notification

May use the contribution if the donor does not request the contribution be returned within the 30 day period

The amount of the prior contribution for the former office counts toward the contribution limit for the new office

#### REQUEST FOR RETURN OF CONTRIBUTION

(Section 106.021, F.S.)

(PLEASE TYPE)

		as
e returned	I to me pursuant to Section	106.021(1)(a), Florida Statutes.
X	Signature	Date
X	Signature Street Address	Date

# Request for return of contribution

#### **DS-DE 86**

office for which he or she is a candidate, the candidate must notify all contributors in writing of their intent to seek a different office and offer to return pro rata, upon their request those contributions given in support of the original office sought.





**Expenditures** 



## **Expenditures**



An expenditure is a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy treasurer between a primary depository and a separate interest-bearing account or CD

#### OR

gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication



#### A candidate shall:

Pay all campaign expenditures with campaign check (except petty cash)

Pay qualifying fee with campaign check

Pay all expenses upon final delivery & acceptance of goods / services



#### A candidate shall:

Pay for public utilities when bill received (telephone, electric, water, etc.)

Utility companies must charge a deposit to meet all anticipated charges during a billing period

(telephone, electric, water, etc.)



#### Campaign checks must contain the following:

Checks must contain as a minimum the following information:

No verbatim wording necessary; only requires account contain the name of the candidate or committee within it

Account number / name of bank

Exact amount of expenditure

Signature of campaign treasurer or deputy treasurer

Exact purpose of expenditure





#### Name of the campaign account of the candidate or political committee

April 6, 2016

Pay To The

Order Of A-1\_Sign Company \$ 150.00

One Hunderd and Fifty and 00/100\_\_\_\_\_\_ Dollars

Hometown Bank

Hometown, FL 01234

FOR Sign Materials

Signature of Campaign Treasurer

This information may be typed or hand-printed on starter checks provided by the bank until printed checks arrive



#### **Debit cards**

A candidate may use a debit card to make campaign expenditures:

From same bank as designated primary depository

Must be issued in the name of the treasurer, deputy treasurer, or authorized user and state:

"Name of candidate or political committee"

\*\*No more than three debit cards shall be issued

The person using the card cannot not receive cash



## **Debit cards**

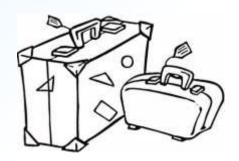
All debit card **receipts** must contain:

- Last four digits of the debit card number
- Exact amount of expenditure
- Name of payees
- Signature campaign/deputy treasurer/authorized user
- Exact purpose of expenditure
- If not included on the receipt, information may be handwritten on, or attached to, the receipt

# **Credit cards**

Candidates for statewide office:

Governor, Cabinet, Supreme Court Justice may obtain / use credit cards for travel-related campaign expenditures







# **Expenditures**

**IMPORTANT:** No candidate, campaign manager, treasurer, deputy treasurer shall authorize any expenses:

Unless there are sufficient funds on deposit in the primary depository account to pay full amount of expenditure

Sufficient funds to honor all other checks drawn on account

All expenses previously authorized but not yet paid



# Reporting expenditures

#### Each report must contain:

Full name, address, amount, date and purpose of expenditure

Total amount withdrawn from the total spent from petty cash

Amount, nature and financial institution of any separate interest-bearing accounts or CD's

Primary purpose of expenditure for goods and services

Total sum of expenditures during the reporting period



# Checks

#### **IMPORTANT!!**

Only campaign treasurer/deputy treasurer can sign checks

Candidates must appoint themselves as a campaign treasurer OR deputy treasurer in order to sign checks

Responsible for the completeness and accuracy of check ensuring it is an authorized expenditure





A candidate / other individual may be reimbursed for expenses by a check drawn on the campaign account and must be reported

A loan may be reimbursed at any time the campaign account has sufficient funds to repay loan and satisfy other obligations

# **Fund raisers**



All expenditures with respect to a campaign fund raiser which are made or reimbursed by a check, drawn on the campaign account of the candidate, are campaign expenditures

# Living expenses

A candidate / spouse of a candidate <u>may</u> <u>not</u> use campaign funds to defray normal living other than expenses actually incurred during the campaign for transportation, meals and lodging





# **Petty cash funds**

A campaign treasurer may provide a petty cash fund

Campaign treasurer must write a check drawn on the primary campaign account for petty cash

Petty cash may only be used for office supplies, transportation expenses, and other necessities







Spend petty cash in amounts of less than \$100

Report total amount withdrawn / spent for petty cash per report period

Keep complete records of petty cash although each expenditure does not have to be reported individually

Not mix cash contribution with petty cash

Not use petty cash for the purchase of time, space, or services from any communications media



# Limits on petty cash fund amounts

From date a candidate appoints his/her campaign treasurer until the last day of qualifying for the office

Petty cash maximum - \$500 per calendar quarter

After qualifying is over and until the election:

Petty cash maximum - \$100 per week for all local candidates



# Using campaign funds after election

Campaign funds may be used after Election Night AS LONG AS the candidate obligates the funds BEFORE Election Night.

Otherwise, the candidate would have to use their own funds (to throw a victory party, for instance).





# **Expending surplus funds**

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

Purchase "thank you" advertising for up to 75 days after candidate withdraws, becomes unopposed, is eliminated, or elected to office

Pay for items which were obligated before candidate withdrew, became unopposed, was eliminated, or elected to office

Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports

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

**Give funds** to the county executive committee of a political party per 106.141 F.S.



#### **Prior to disposing of surplus funds**

If a candidate filed an affidavit of undue burden

(unable to pay the fee for petition verification due to a burden on their personal resources or resources otherwise available to them)

They must reimburse any waived petition verification fee to the state or local government

See Section 106.142(6),F.S.





## **Prior to disposing of surplus funds**

Any candidate required to dispose of funds may, before such disposition, be reimbursed by the campaign, in full or in part, for any reported:

- Contributions to the campaign by the candidate
- Loans to the campaign by the candidate



# Disposing of surplus funds/ Termination reports

A termination report must be filed within **90 days** of withdrawing as a candidate, becoming unopposed, elected, or eliminated

Funds must be disposed of—account need not be closed

Funds may be dispersed by any of the following means, or a combination thereof:

Return pro rata to each contributor the funds that have not been spent or obligated

**Donate the funds** that have not been spent or obligated to a 501(c)(3) charity or organization

# Disposing of surplus funds

Give the funds to the candidate's political party



Give the funds to:

Candidate for state officeto the state to be deposited in the **General Revenue Fund**;

Candidate for office of a political subdivisionto such political subdivision, to be deposited in their **general fund** 

Transfer some funds to an office account and file quarterly reports until all funds are gone

A candidate elected to state office may retain up to \$20,000 in campaign account for use in next campaign for the same office



# Disposing of surplus funds

If a refund check is received after all surplus funds have been disposed of:

The check may be endorsed by the candidate and the refund disposed of pursuant to Section 106.141,F.S.

An amended termination report must be filed with the filing officer





# IRC SOE CANDIDATE REPORTS



#### **Indian River County candidate reporting**

All Candidate Financial Reports must be submitted via the IRC Supervisor of Elections website using an electronic copy/signature

Candidates/committees no longer need to bring a hard copy/signed report to the SOE office by the due date/time.

System allows candidates to enter contributions and expenditures required for financial reporting

After data entry is complete, the system prints the report in the form required

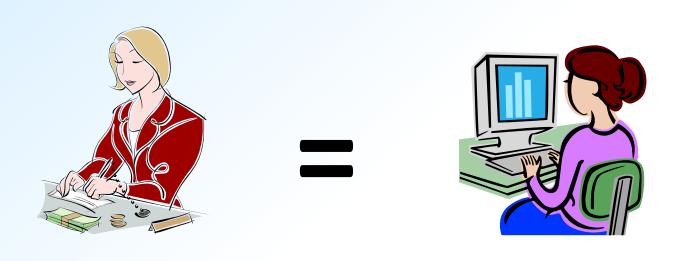
#### **Indian River County candidate reporting**

Once the elections office has received the electronic copy/electronic signature of the report, the data will be published on the SOE website in order to allow the public to view the information



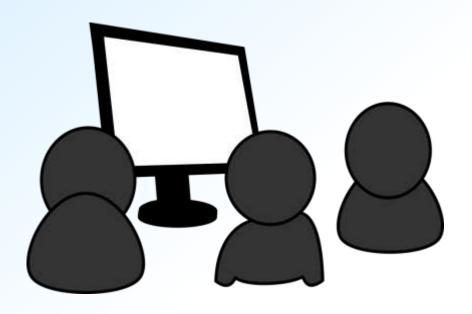
# A CD given to you upon filing for office includes a tutorial guide:

It is a <u>Step-By-Step</u> guide for "How to File Financial Reports Online"





# Live Demonstration









# **Political Advertising**











A political advertisement is a paid expression in a communications media prescribed in Section 106.011(4) F.S.

- radio, television
- newspaper, campaign literature, mail
- by means other than the spoken word in direct conversation

which expressly advocates the election or defeat of a candidate OR the approval or rejection of an issue



# Disclaimer required for:

 Any political advertisement that is paid for by a candidate and is published or circulated must prominently state certain verbiage

 Disclaimers must be verbatim per Section 106.143 F.S..



# Disclaimer <u>not</u> required for:

- Novelty items worth less than \$10 (not in opposition to Candidate)
- Items designed to be worn by a person
- A message placed as a paid link on a social networking website (maximum 200 words)
- Placed on an Internet website where there is no cost to post for public users
- Distributed as a text message if NMT 200 characters



# More...

- Sent by a third-party user from or through a campaign or committee's website
- Contained in or distributed through any other technology related item, service or device

Please refer to 106.143(10) F.S. for the exceptions to disclaimer requirements listed above





The word "re-elect" may only be used for incumbents

All non-incumbent candidates must use the work "for" in the body of any advertisement between the name of the candidate and the office sought in order that incumbency is **NOT** implied

Section 106.143(6) F.S.

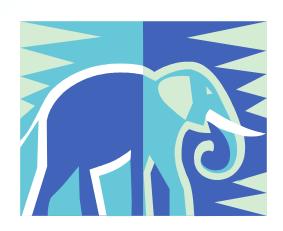


## **Candidate running for partisan office:**

Shall express the name of the political party of which the candidate is seeking nomination or is the nominee

Section 106.143(3) F.S.







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

Section 106.143 F.S.





#### **Examples – Non incumbent partisan candidate running for partisan office**

Elect Jane Doe for

County Commission District 5

Paid by Jane Doe, Rep, for

County Commission

OR

County Commission District 5
Political Advertisement paid for and approved by Jane Doe, Rep, for County Commission

Elect Jane Doe for

#### **Examples – Incumbent partisan candidate running for partisan office**

Re- Elect Jane Doe for
County Commission District 5
Paid by Jane Doe, Rep, or
County Commission

OR

Re-Elect Jane Doe for
County Commission District 5
Political Advertisement paid for and approved by Jane Doe, Rep, for County Commission



Elect Jane Doe for

County Commission District 5

Paid by Jane Doe, NPA, for
County Commission

OR County Commission District 5
Political Advertisement paid for and approved by Jane Doe, NPA, for County Commission

# Candidate for <u>partisan office</u> running as a candidate with no party affiliation

Must state that the candidate has **no party affiliation** 

A candidate who is registered in a political party may run as a candidate with "no party affiliation" without changing his or her registration



#### Non incumbent candidate running for nonpartisan office

School Board District 2
Paid by Jason Educator
for School Board

OR

**Elect Jason Educator for School Board District 2** 

Political Advertisement paid for and approved by Jason Educator, for School Board

#### **Incumbent** candidate running for nonpartisan office

Re-Elect Ima Teacher for School Board District 2 Paid by Ima Teacher

Paid by Ima Teacher for School Board

OR

Re-Elect Ima Teacher for

County Commission District 2

Political Advertisement paid for and approved by
Ima Teacher for School Board



#### Candidate running as a write-in candidate

OR

Flect John Doe for
County Commissioner
District 5

Political advertisement paid for and approved by John Doe,
Write-in candidate
for County Commission

for County Commissioner
District 5

Paid by by John Doe Write-in candidate for County Commission

#### Must state:

Political advertisement paid for and approved by (name of candidate), (write-in candidate), for (office sought)

OR

Paid by (name of candidate), (write-in candidate) for (office sought)



#### **Advertisement Provided In-kind:**



# Elect Violet Starr for



# **State Senate, District 5**

Paid political advertisement paid for in-kind by Libertarian Party of Florida Approved by Violet Starr, Libertarian Party of Florida, State Senate

Paid political advertisement paid for in-kind by (name of political party)

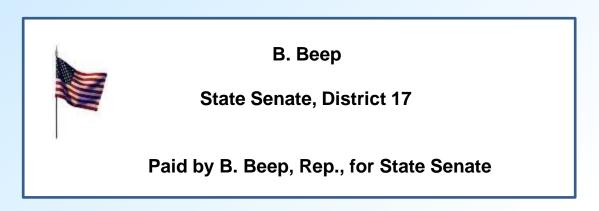
Approved by (name of person, party affiliation, office sought)

# **Other Political Disclaimer Examples:**

## **Billboards**



# **Other Political Disclaimer Examples:**



On bumper stickers and items designed to be worn



There is no requirement to use the word "for" between the candidate's name and the office being sought

# **Endorsements in Political Advertisements:**

Example of a political advertisement for a candidate representing that an <u>organization supports him</u>, and is paid for <u>in-kind</u> by the organization with the specific approval from the organization in writing 106.143(4) F.S.

### **Elect Joe Cool**

For County Commissioner, District 1

Democrat

**Supported by Pup P. Dog Foundation** 

Pd. Pol. Adv. Sponsored and paid for in-kind by Pup P. Dog Foundation, Zero Street, Jupiter, FL 32323

Approved by Joe Cool, Democrat, for County
Commission

### **Pup E. Dog Foundation**

July 15, 2016 Dear Sir or Madam

Please let this letter serve as our approval of the political advertisement supporting Joe Cool for County Commission, District 1

The content of this advertisement was reviewed and approved in advance.

Sincerely, *Mr. Canine* 



# **Endorsements in Political Advertisements**

Does **not** apply to <u>editorial</u> endorsement advocating the candidacy of its nominees by any:

- newspaper
- radio
- television station
- other recognized news medium
- or publication by a party committee

Refer to 106.143(4)(a) F.S.



# **Independent Expenditure Disclaimers:**

An independent expenditure means an expenditure made by a person for the purpose of **expressly advocating the election or defeat** of a candidate, this expenditure is not controlled by, coordinated with, or made upon consultation with any candidate or agent of such candidate 106.143(1) F.S.

# Birds of a Feather Association Supports

Tweety Bird For County Commissioner, District 5

Paid Political Advertisement paid for by the Birds of a Feather Association 4444 Robin Lane, Jacksonville, FL 33433 independently of any candidate

This advertisement was not approved by any candidate

### **Birds of a Feather Association**

July 15, 2016 Dear Sir or Madam:

The enclosed advertisement is an independent expenditure by the Birds of a Feather Association in support of Tweety Bird for County Commissioner, District 5.

This advertisement was not approved by any candidate.

Sincerely, Gold Finch



# **Electioneering Communications**

Electioneering communication means any group other than a:

- Political party
- Affiliated party committee
- Political committee

Whose election-related activities are limited to:

- Making expenditures for electioneering communications
- Accepting contributions for electioneering communications

Their activities would not otherwise require the group to register as a political party or political committee.



# **Electioneering Communications**

Depicts a clearly identified candidate for office and:

- Does **not** expressly advocate the election or defeat of a candidate
- Is susceptible of no reasonable interpretation other than an appeal to vote for/against a candidate

There are exceptions: Refer to 106.011(17) F.S.

Electioneering communications disclaimers must say:

"Paid electioneering communications paid for by . . . (name and address) of person paying for the communication

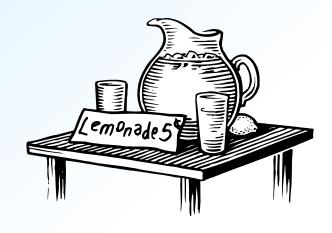
# **Language Other Than English:**

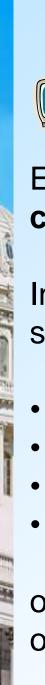
Any political advertisement which is published, displayed, or produced in a language other than English may provide the disclaimer in the language used in the advertisement



# **Fund Raisers:**

Any tickets or advertising for campaign fundraisers must comply with the requirements of Section 106.143 F.S.





# Use of Closed Captioning and Descriptive Narrative in all Television Broadcasts:

Each candidate, political party and PC must use closed captioning and descriptive narrative:

In broadcasts regulated by the FCC that are on behalf of or sponsored by a:

- candidate
- political party
- affiliated party committee
- political committee

or they must file a written statement with the qualifying officer setting forth the reasons for not doing so

# **Telephone Solicitation:**



# **Disclosure Requirements**



Any telephone call shall identify the persons or organization sponsoring the call by stating either:

"Paid for by.....(name of persons or organizations sponsoring the call)"

OR

"Paid for on behalf of.....(name of persons or organizations authorizing call)"

Does <u>not</u> apply if the person making the call is not being paid and the person participating in the call know each other prior to the call

# **Telephone Solicitation**



# **Prohibitions**



No telephone call shall state or imply that the caller represents any person or organization unless

 The person or organization so represented gives specific approval in writing to make such representation

No telephone call shall state or imply that the caller represents a **nonexistent person or organization** 



# Signage



# Signage:



Each respective municipality and also the County have established sign ordinances by which each candidate, political party and electioneering communications organization must govern themselves.

On Election Day, anyone lodging a sign-related complaint to the SOE (outside of the 100' no-solicitation zone) will be directed to the code enforcement unit assigned to the specific voting area.

All three early voting sites in IRC are housed in a government owned facility. The SOE will not be responsible for any campaign signs left or posted outside the 100' no-solicitation zone.

# Signage:

### Please call the Code Enforcement Officer:



- Fellsmere
- Indian River County
- Indian River Shores
- Sebastian
- Town of Orchid
- Vero Beach

They can inform you of any permits and/or sign regulations

(codes may differ in IRC and each city)







# **POLL WATCHERS**





# **Early Voting & Election Day:**

Every candidate and political party may have:

One poll watcher in each polling room or early voting site at any one time during the elections

Once the polls are closed, all members of the public may come into the polling room to observe poll closing procedures

Each candidate, political party, or political committee requesting poll watchers must designate, in writing, prior to Noon of the Second Tuesday preceding the election, poll watchers for Election Day

Poll watchers designations for early voting sites must be submitted in writing to the SOE at least 14 days before early voting begins

Poll watchers for each polling room and early voting area shall be approved by the SOE **no later than 7 days** before early voting begins or Election Day





# Absentee Ballots



# **Ballots: (who has requested ballots)**

Absentee ballot request information is confidential and exempt from public disclosure under section 101.62(3)F.S.

**Except** to the following persons or entities who may obtain and use it for political purposes only:

- Canvassing Board
- Election Official
- Political party or official thereof
- Candidate who has filed qualifications papers and is opposed in an upcoming election
- Registered political committee





# Indian River County Supervisor of Elections Application to Access Absentee Ballot Request Information

Absentee ballot request information is confidential and exempt from public disclosure under section 101.62(3), Florida Statutes, except to the following persons or entities that may obtain and use if for political purposes only:

1) Canvassing Board. 2) Election Official, 3) Political party or official thereof, 4) Registered political committee, 5) Candidate who has filed qualification papers and is opposed in an upcoming election, and 6) Voter (entitled only to access his or her own absentee ballot request information directly from Supervisor of Elections for county of residence). To access this information, please check the application authorization and complete this form: Candidate who has filed qualification papers and is opposed in Canvassing Board **Election Official** an upcoming election Registered political committee Political party or official thereof Requester's Name: \_\_\_\_\_ Title/Officer: Name of Committee: Home Phone No: (Street address, city, state, zip code) Email Address: Cell Phone No: I affirm that I am a person authorized by Section 101.62(3). Florida Statues, to acquire this information. SIGNATURE OF PERSON REQUESTING INFORMATION **EMAIL REQUEST INFORMATION (No Charge)** Select One: Initial Mail Ballot Request Only All Mail Ballot Request Made During Election Cycle, "Daily" (Initial Mail Out and Daily Mail Outs) Select One: Select all that apply: All Parties
Republican Only ☐ Domestic Military Democrat Only Overseas Military & Overseas Note: Data files on CDs or Emails are in comma delimited ASCII format, First row contains field headers, All data must be imported into a suitable database program such as Microsoft Access. Excel (as long as it does not exceed 64,000 voters), Lotus Approach, etc. The Supervisor of Election's office cannot provide technical support beyond providing data. Delivery Options (Select One): I would like my data in Excel Spreadsheet Format I would like my data in Text Format (Comma delimited ASCII format) Special Instructions:





# Requesting Mailing Lists





Payment for any requested mailing list must be paid by cash or check

We <u>DO NOT</u> accept credit cards or debit cards for payment



# **Registered Voter Information Request Form**

Before filling out a Registered Voter Information Request Form:

Call our office as we can help you decide what your objective is with the list you request. Your budget may be a consideration.

What are you going to do with this list?

Walk a neighborhood house-by-house?

Send a flyer to each registered voter?

Send a flyer to each registered voter by household?

# Any candidate may request voter information by the following sort categories: (comes in EXCEL format)

Alpha by Name Alpha by Precinct Alpha by Residence Alpha by Household



# The information can be from:

All registered voters in IRC

- in a specific district
- in a specific age range
- according to gender
- according to race
- according to party

The cost is \$ 15.00 per CD or Email





# Registered Voter Information Request Form Indian River County Supervisor of Elections

Please complete all sections of this form. Your order will be based on the information provided on this form. Incomplete forms cannot be processed.

rt Order	Type of Media
Alpha by Name	Digital Media\$ 15.00
Alpha by Precinct	CD EMAIL
Alpha by Residence (walk list)	
Household	Paper Printout\$ 0.15 per page
Please select all that apply:	
All registered voters in Indian River Cou	unty
All registered voters in	District (Mosquito, Soil & Water Conservation, etc)
	7
Voters in Precinct (s)	
Age range: to	
Age range.	9.8
Gender: ALL Males	Females
PATAPORE PROMPE ARCHITECT	kan Native Asian/Pacific Islander Black non Hispanic
Race: ALL American Indian/Alasi Hispanic White, non Hispan	
Race: ALL American Indian/Alasi Hispanic White, non Hispan	skan Native Asian/Pacific Islander Black, non Hispanic nic publican No Party Other(s):
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep	nic No Party Other(s): Special Instructions:
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep	special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alass Hispanic White, non Hispanic Party: ALL Democrat Rep  sime of Person Requesting Info: gnature:	Special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Reported and of Person Requesting Info: and	Special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Reported of Person Requesting Info: gnature:	Special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispan Party: ALL Democrat Rep Inne of Person Requesting Info: gnature: Idress: ty, State, Zip:	Special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep Inne of Person Requesting Info: Ignature: Idress: Ity, State, Zip:	Special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep Index of Person Requesting Info: Ignature: Idress: Ity, State, Zip: Interpretation of Phone: Interpretation of Phone: Interpretation of Phone:	special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep Inne of Person Requesting Info: Indress: Idress:	special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep  ame of Person Requesting Info: gnature: ty, State, Zip: pme Phone: pme Phone: pail:	special Instructions: Save file format in EXCEL YES NO
Race: ALL American Indian/Alasi Hispanic White, non Hispanic Party: ALL Democrat Rep  ame of Person Requesting Info: gnature: idress: ty, State, Zip: pme Phone: pme Phone: please make ch  Note: Data files on CDs are in comma	special Instructions: Save file format in EXCEL YES NO  speck payable to: "Supervisor of Elections"



# **Ethical Conduct**



# **Speaking at Public Meetings:**

Candidates may not pay money or give anything of value for speaking at a political meeting to further their candidacy

# Making Contributions in the Name of Another:

A person may not make any contribution in the name of another, directly / indirectly





# Solicitation from Religious, Charitable and Civic Organizations:

Candidates may not solicit contributions from **OR** make contributions in exchange for political support to any:

- Religious
- Charitable
- Civic
- Or other organizations, established primarily for the public good







# Solicitation from Religious, Charitable and Civic Organizations

It is **not** a violation:

To make gifts of money in lieu of flowers in memory of a deceased person

A candidate **may** continue membership in / make regular donations to:

- Religious
- Political party
- Civic
- Charitable groups, that they are a member for more than six months

A candidate **may** purchase, with campaign funds, tickets, admission to events or advertisements from:

- Religious
- Civic
- Political party
- Charitable groups

# **Making Malicious Statements:**

A candidate may not, with actual malice make any false statement about an opposing candidate

(Section 04.271,F.S. felony of 3rd degree)









# Limitations on Political Activity for Judicial Candidates:



A candidate for judicial office shall **not**:

Participate in any partisan political party activities **except**: register to vote as a member of any political party voting in any party primary contest

Campaign as a member of any political party

Publicly represent or advertise herself / himself as a political party member

Endorse any candidate

Make political speeches other than in the candidate's own behalf

# Limitations on Political Activity for Judicial Candidates

A candidate for judicial office shall **not**:

Make contributions to political party funds

Solicit or accept contributions for any political party

Accept or retain a place on any political party committee

Make any contributions to (person, group, or organization) for its endorsement to judicial office

Agree to pay all or any part of an advertisement sponsored by any person, group, or organization where the candidate may be endorsed for judicial office



# Reporting of Election Night Results





Election night voting results are released:

 30 Minutes after polls are closed for Early Voting totals and Absentee Ballot totals

 Every 45 minutes as elections workers return to SOE office with the tabulating cartridges from precincts

# REMEMBER



You, as the candidate, are responsible for all aspects of your campaign!!!



# Thank You & Good Luck

Disclaimer: This Candidate Workshop is to serve as a tool to provide important information to candidates. It is in no way a substitute for a candidate reading and understanding the Florida Election Law