Indian River County

Candidate Workshop

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

Candidates

Becoming a Candidate

Who can become a candidate in Indian River County

Must be a registered voter in Indian River Co.

When you must be a legal resident of the district you are seeking:

Constitutional Office – at the time of assuming office

Judicial Officers – at the time of assuming office

County Commission Candidates – at the time of the election Nov. 8th, 2016

School Board Candidates – at the time of qualifying June 20 – June 24, 2016

Filing Officer - SOE

County Court Judge

Countywide Offices

- Constitutional Officers
- County Commissioner
- School Board

Special District Offices

- Hospital District
- Soil and Water Conservation District
- Mosquito Control District

State/Precinct 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

You have access to, read, and understand Chapter 106, F.S. (campaign finance)

DS-DE 83 Statement of Candidate for Judicial Office
You have received, read, and understand the requirements of the Florida code of Judicial Conduct

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

Filed **prior** to opening the campaign account

Must be signed and dated by the candidate **and** the treasurer

Not effective until it is filed with the filing officer

Not considered “filed” upon mailing, only upon receipt of the filing officer

Shall be on file with the filing officer **prior** to the candidate:

- accepting any contributions
- making any expenditures
- authorizing another to do so on the person’s behalf
- obtaining signatures on a DE-DE 104, Candidate Petition

DS-DE 9

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

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES
(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):
☐ Initial Filing of Form Re-filing to Change: ☐ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. **Name of Candidate** (in this order: First, Middle, Last)

3. Address (include post office box or street, city, state, zip code)

4. Telephone ( )

5. E-mail address

6. **Office sought** (include district, circuit, group number)

7. **If a candidate for a nonpartisan office, check if applicable:**
☐ My intent is to run as a Write-In candidate.

8. **If a candidate for a partisan office, check block and fill in name of party as applicable:** My intent is to run as a
☐ Write-In ☐ No Party Affiliation ☐ _____ Party candidate.

9. **I have appointed the following person to act as my** ☐ Campaign Treasurer ☐ Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

11. Mailing Address

12. Telephone ( )

13. City | 14. County | 15. State | 16. Zip Code | 17. E-mail address

18. **I have designated the following bank as my** ☐ Primary Depository ☐ Secondary Depository

19. Name of Bank

20. Address

21. City | 22. County | 23. State | 24. Zip Code

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

26. Signature of Candidate
X

27. **Treasurer's Acceptance of Appointment** (fill in the blanks and check the appropriate block)

I, _____, do hereby accept the appointment
(Please Print or Type Name)

designated above as: ☐ Campaign Treasurer ☐ Deputy Treasurer.

X
_____ Date _____ Signature of Campaign Treasurer or Deputy Treasurer

DS-DE 9 (Rev. 10/10) **Rule 1S-2.0001, F.A.C.**

DS-DE 84, Statement of Candidate

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

This form states that the candidate has been provided access to, read, and understands the requirements of Chapter 106, F.S. (campaign finance)

DS-DE 84

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, _____ ,

candidate for the office of _____ ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X _____ _____

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)

Campaign treasurers and deputy treasurers

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

A candidate may appoint no more than 3 deputy campaign treasurers

Nothing prohibits a person from **announcing** his or her 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 signatures are obtained on a candidate petition

Resignation-campaign treasurer

A campaign treasurer or deputy treasurer can **resign** by:

- Submitting his ***/*** her resignation to the candidate in writing and filing a copy with the filing officer

- Isn’t effective until a copy is filed with the filing officer

Removal of campaign treasurer

A candidate may **remove** the campaign treasurer or deputy treasurer by:

Giving written notice to the campaign treasurer or deputy treasurer and filing a copy with the filing office

The removal is not effective until a copy is filed with the 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 or other account

Designating a campaign depository does not mean physically opening your account, merely naming the financial institution

Primary campaign depository – DS-DE 9

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

Candidates: must have a SS # to open acct.

Political / Electioneering Communications Committees: must have an EIN #

Separate interest-bearing accounts & CD's

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

The campaign account of:

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

Qualifying As a Candidate

Important

Responsibility of the qualifying officer is **ministerial** in nature

Such official merely examines the face of the qualifying papers presented and, if in proper order, accepts them

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

Resign to run

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

- If the 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

Hatch Act

Federal Hatch Act for State, County or Municipal Employees

Hatch Act restricts political activity if:

The 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

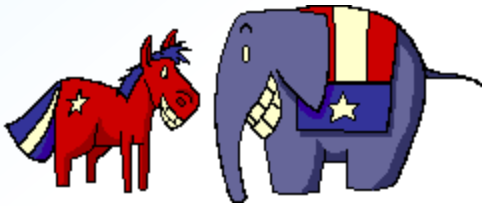
Advisory opinions may be made by e-mail to:

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 (June 21, 2015)



Qualifying week

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 and 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 order are **<u>not acceptable</u>**

Exception for special district candidates who can pay qualifying fee with a personal check

2016 qualifying fees

Based on Salaries as of July 1, 2015	Annual Salary	3% Filing Fee	1% Election Assessment	2% Party Assessment	Total Qualifying Fee
Clerk of the Court					
Property Appraiser					
Sheriff					
Supervisor of Elections					
Tax Collector					
County Commissioner					
School Board					
Hospital District					
Soil and Water Conservation District					
Mosquito Control District					

**Salaries of officers will be available on July 1, 2015 to determine qualifying fees

Return of qualifying fee

Candidate Withdraws

Must withdraw in writing prior to the last date to qualify

Deceased Candidate

If the candidate dies prior to the election, candidate's beneficiary is entitled to return of qualifying fee

Candidate Fails to Qualify

Return check with letter indicating that person did not qualify

Candidate Petition Process

Purpose

Person may qualify to have his / her name placed on the ballot by the **petition process**

Not required to pay the qualifying fee

Forms for petition process

Form DS-DE 104, Candidate Petition

Signatures on petitions not on current form are **not** valid

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
- Complete physical street address
  - Must identify city
  - Zip code not mandatory

Candidate Petitions

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)

Date of Birth (MM/DD/YY) or Voter Registration Number	Address

City	County	State	Zip Code
	Indian River	FL	

Signature of Voter	Date Signed (MM/DD/YY) [*to be completed by Voter*]

Rule 1S-2.045, F.A.C.

DS-DE 104 (Eff. 09/11)

Collecting signatures how many?

1% of the registered voters in geographical area represented by the office

Exception: Special Districts – 25 signatures

Candidates who qualify with SOE:

SOE calculated based on number of registered voters in the immediately preceding general election (2014)

Excludes the number of voters in INACTIVE voter list

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	25
Hospital District	25
Mosquito Control District	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 must be paid **by the candidate**

***check or cash only**

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
Section 99.097 (4), Florida Statutes

I certify under oath that I intend to qualify as a candidate for the office of

_____ and that I am unable to pay the fee for verification of petition signatures for that office without imposing an undue burden on my personal resources or on resources otherwise available to me.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

_____ _____

Print name of candidate **Signature of candidate**

_____

Residence address (do not use post office box)

_____

City **State** **Zip Code**

(_____)_____ **(_____)_____**
Day Phone **Fax Number**

Email Address

Affidavit of Undue Burden

Leslie R. Swan
Supervisor of Elections
Indian River County

Your Vote Is Your Voice...Speak Up!

PETITION CERTIFICATION
FOR
PETITION PROCESS OF QUALIFYING

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

March 13, 2016 ¼, 2011

I, Leslie Swan, Supervisor of Elections of Indian River County, Florida, do hereby certify

that Leslie R. Swan 979 tted 960 petition signatures for the
(Name of Candidate or Minor Party)

Office of Indian River County Supervisor of Elections
(Name of Office)

I furt 979 at 909 of those signatures were qualified electors in Indian River
(No. of valid signatures)

County for the office listed above.

(SEAL)

Leslie Swan
Leslie Swan
Supervisor of Elections

4375 43rd Avenue, Vero Beach, FL 32967 • (772) 226-3440 • FAX (772) 770-5367
www.voteindianriver.com

Certificate of Petition Qualifying

Write-In Process

Qualifying as a write-in candidate

Not required to pay a qualifying fee or submit petitions

Must comply with finance laws

Must reside in district at the 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

DS-DE 24

LOYALTY OATH
CANDIDATES WITH PARTY AFFILIATION
(Sections 876.05-876.10, Florida Statutes)

STATE OF FLORIDA

_____, COUNTY

OFFICE USE ONLY

I, _____ _____ _____

First Name **Middle Name/Initial** **Last Name**

a citizen of the State of Florida and of the United States of America, . . . and a candidate for public office . . . do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

I, _____

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT — NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the office of _____ , _____ , _____ ,
(office) **(district)** **(circuit)**

_____. I am a qualified elector of _____ County, Florida. I am qualified
(group)

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.

STATEMENT OF PARTY
(Section 99.021, Florida Statutes)

I am a member of the _____ party. I am not a registered member of any other political party and have not been a candidate for nomination for any other political party for a period of 6 months preceding the general election for which I seek to qualify. 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.

X ( )

Signature of Candidate **Daytime Telephone Number**

Address **City** **State** **ZIP Code**

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 200____.

Personally Known: _____ or

Produced Identification: _____

Type of Identification Produced:

_____

_____

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

Nicknames

Nickname may be printed along with one's legal name

Example: Joseph (John) 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 the disclosure of certain assets, liabilities and sources of income

Not the same as a “financial statement”

Only a “snap shot” of the 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

FORM 6 FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTERESTS

2015

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

LAST NAME — FIRST NAME — MIDDLE NAME:

MAILING ADDRESS:

CITY : ZIP : COUNTY :

NAME OF AGENCY :

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

CHECK IF THIS IS A FILING BY A CANDIDATE ☐

FOR OFFICE USE ONLY:

ID Code

ID No.

Conf. Code

P. Req. Code

PART A – NET WORTH

Please enter the value of your net worth as of December 31, 2010, or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of _____, 20 ____ was $ _____.

PART B – ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds $1,000. This category includes any of the following, if not held for investment purposes: jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is $ _____

ASSETS INDIVIDUALLY VALUED AT OVER $1,000:

DESCRIPTION OF ASSET (specific description is required - see instructions p.4)	VALUE OF ASSET

PART C – LIABILITIES

LIABILITIES IN EXCESS OF $1,000:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

CE FORM 6 - Effective January 1, 2011. Refer to Rule 34-8.002(1), F.A.C. (Continued on reverse side) PAGE 1

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:

ELECTION	PUBLIC TEST DATE
Presidential Preference Primary Election	February 26, 2016 at noon
Primary Election	August 10, 2016 at noon
General Election	October 14, 2016 at noon

All tests will be conducted at 3:00 P.M. on the above dates.

Receipt of the above information is evidence by my signature below.

_____
Signature of Candidate

_____
Print Name

_____
Date Signed

Public Test Notification

Poll Watcher Information

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) (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!

Deadlines for designating Poll Watchers – 2016

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

Political Signs

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: _____

RECEIPT OF 2016 CANDIDATE HANDBOOK
INDIAN RIVER COUNTY, FLORIDA

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

_____
Candidate (Please Print)

_____
Signature of Candidate

Date: _____

Candidate Handbook

Canvassing Board Dates
Primary & General Elections

PRESIDENTIAL PREFERENCE PRIMARY ELECTION

Marcy 15, 2016	Time	Canvassing Board Meeting
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 2nd 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

PRIMARY ELECTION

Aug. 30, 2016	**Time**	**Canvassing Board Meeting**
0/00/2016	**0:00 pm**	**Pre-Election Day Public Logic and Accuracy Test of the Voting Equipment**
0/00/2016	**0:00 am**	**Canvass Mail Ballots received prior to Election Day**
0/00/2016	**0:00 pm**	**Canvass Mail Ballots and Precinct Election Returns**
0/00/2016	**0:00 pm**	**Canvass Provisional Ballots/Perform any Duties as Prescribed by Law** **Certify 1st Unofficial Results of PE with DOS**
0/00/2016	**00 noon**	**Certify 2nd Unofficial Results of PE (IF NECESSARY, only if a recount is required**
0/00/2016	**00 noon**	**Certify the Official Results and Conduct of Elections Report for the PE** **and Random Selection of Races/Precincts for the Post Election Manual Audit**
0/00/2016	**0:00 am**	**Conduct the Post-Election Manual Audit and Certify Audit**

GENERAL ELECTION

Nov. 8, 2016	**Time**	**Canvassing Board Meeting**
0/00/2016	**0:00 pm**	**Pre-Election Day Public Logic and Accuracy Test of Voting Equipment**
0/00/2016	**0:00 am**	**Canvass Mail Ballots received prior to Election Day**
0/00/2016	**0:00 pm**	**Canvass Mail Ballots received prior to Election Day**
0/00/2016	**0:00 pm**	**Canvass Mail Ballots and Precinct Election Returns**
0/00/2016	**00 noon**	**Canvass Provisional Ballots/Perform any Duties as Prescribed by Law** **Certify 1st Unofficial Results of GE with DOS**
0/00/2016	**00 noon**	**Certify 2nd Unofficial Results of GE (IF NECESSARY, only if recount is required**
0/00/2016	**00 noon**	**Canvassing of overseas ballots. Canvassing Board to Certify the Official Results and** **Conduct of Elections Report for the GE and Random Selection of Races/Precincts for** **the Post Election Manual Audit**
0/00/2016	**0:00 pm**	**Canvassing Board Meets to Conduct the Post-Election Manual Audit and Certify Audit**

Qualifying ends

Anyone in line on June 24th 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, or make expenditures <u>prior</u> to appointing a campaign treasurer and designating a campaign depository

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

Most common violations

Incomplete, or false information on Campaign Treasurer's report

Failure to prominently mark all political advertisements with a 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 not more than **2 days** after date of contribution / expenditure

Deposit all funds received by end of **5th business day**

Bank slip must contain name of each contributor

Keep detailed accounts of all deposits and withdrawals

Campaign treasurer

Preserve all account documents

Number of years = to the term of office

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 may exercise any of 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

2015 Candidate Finance Reporting Dates

2015 CALENDAR AND ELECTION DATES
FOR CANDIDATES AND POLITICAL COMMITTEES

Finance reports shall be filed on the 10th day following the end of each calendar month from the time the campaign treasurer is appointed. If the 10th day following the end of a calendar month occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that is not a Saturday, Sunday, or legal holiday.

Judges/State Attorney/Public Defender Petitions – last day to be submitted	N/A
All other candidates Petitions – last day to be submitted	N/A
Early voting begins Primary Election	N/A
Primary Election	
Early voting begins General Election	N/A
General Election	

QUALIFYING DATES

Federal, Judicial, State Attorney and Public Defender (Including Write-In Candidates)	N/A
Statewide, Multi-County, County, and District (Including Write-In Candidates)	N/A

REPORTING DATES
MONTHLY REPORT DUE DATES

Due Date	Report Code	Period Covered
January 12, 2015	14 M12	12/01/2014 – 12/31/2014
February 10, 2015	15 M1	01/01/2015 – 01/31/2015
March 10, 2015	15 M2	02/01/2015 – 02/28/2015
April 10, 2015	15 M3	03/01/2015 – 03/31/2015
May 11, 2015	15 M4	04/01/2015 – 04/30/2015
June 10, 2015	15 M5	05/01/2015 – 05/31/2015
July 10, 2015	15 M6	06/01/2015 – 06/30/2015
August 10, 2015	15 M7	07/01/2015 – 07/31/2015
September 10, 2015	15 M8	08/01/2015 – 08/31/2015
October 13, 2015	15 M9	09/01/2015 – 09/30/2015
November 10, 2015	15 M10	10/01/2015 – 10/31/2015
December 10, 2015	15 M11	11/01/2015 – 11/30/2015
January 11, 2016	15 M12	12/01/2015 – 12/31/2015

PLEASE NOTE: Campaign Reports are due NO LATER THAN MIDNIGHT on the due date. It is advisable you not wait until the last minute to file a report. An unforeseen incident cause you to miss the midnight deadline

Updated 12/10/14 – Candidate Filing 2016 – 2015 Financial Reports Schedule, Candidates and Political Committees

Campaign treasurer

Each campaign treasurer shall file regular reports

- Contributions
- Expenditures

Reports filed on the 10th day following the end of each calendar month

Except if the 10th day occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day

Political Party Executive Committee Candidate

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 4th day (Friday) immediately preceding the primary election

Candidates may accept unlimited contributions

Statewide Candidate Reports

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 10th day of each month after filing for office
- On the 60th 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 25th, and 11th days before the Primary and General Election

Reports

A candidate's campaign financial report is **not** deemed filed until the report is filed via the IRC Supervisor of Elections website with an electronic signature by the due date and time

Late reports are subject to a fine

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

A officer or member of a political committee **shall not be personally liable** for such fine

Reports . . .

This fine is **$50 per day** for the **first 3 days**

$500 for each day <u>thereafter the first 3 days late</u>

$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 or expenditures in any reporting period, the filing of the required report for that period is waived and the candidate **must** file a **waiver of report**

Incomplete reports

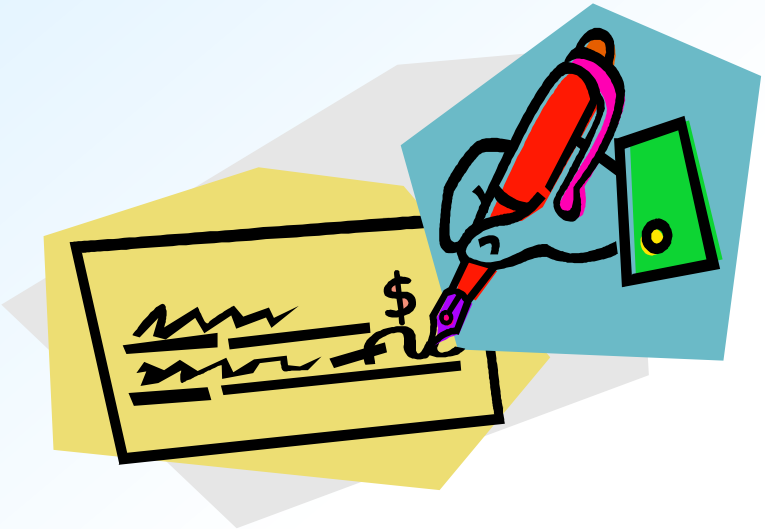
Incomplete reports must be accepted on a **conditional basis**

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



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, and 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
- Or 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

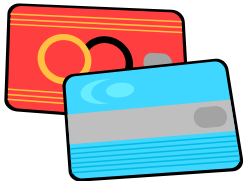
OR to amounts contributed by a candidate to his or her own campaign

Debit and credit card contributions

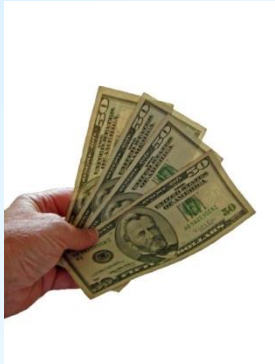
A candidate may accept contributions via a

- 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

Anonymous contributions

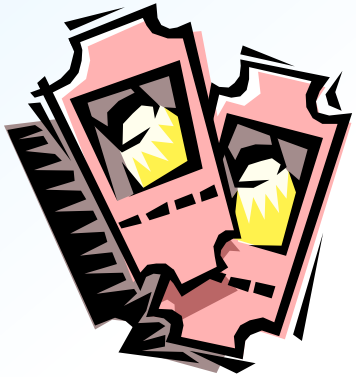
Must be reported as anonymous contribution

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

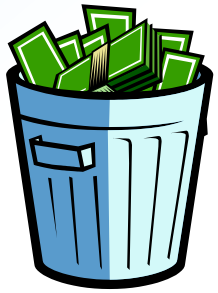
A candidate may not

- 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

Unauthorized contributions

Any contribution received on the **day of 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 election 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

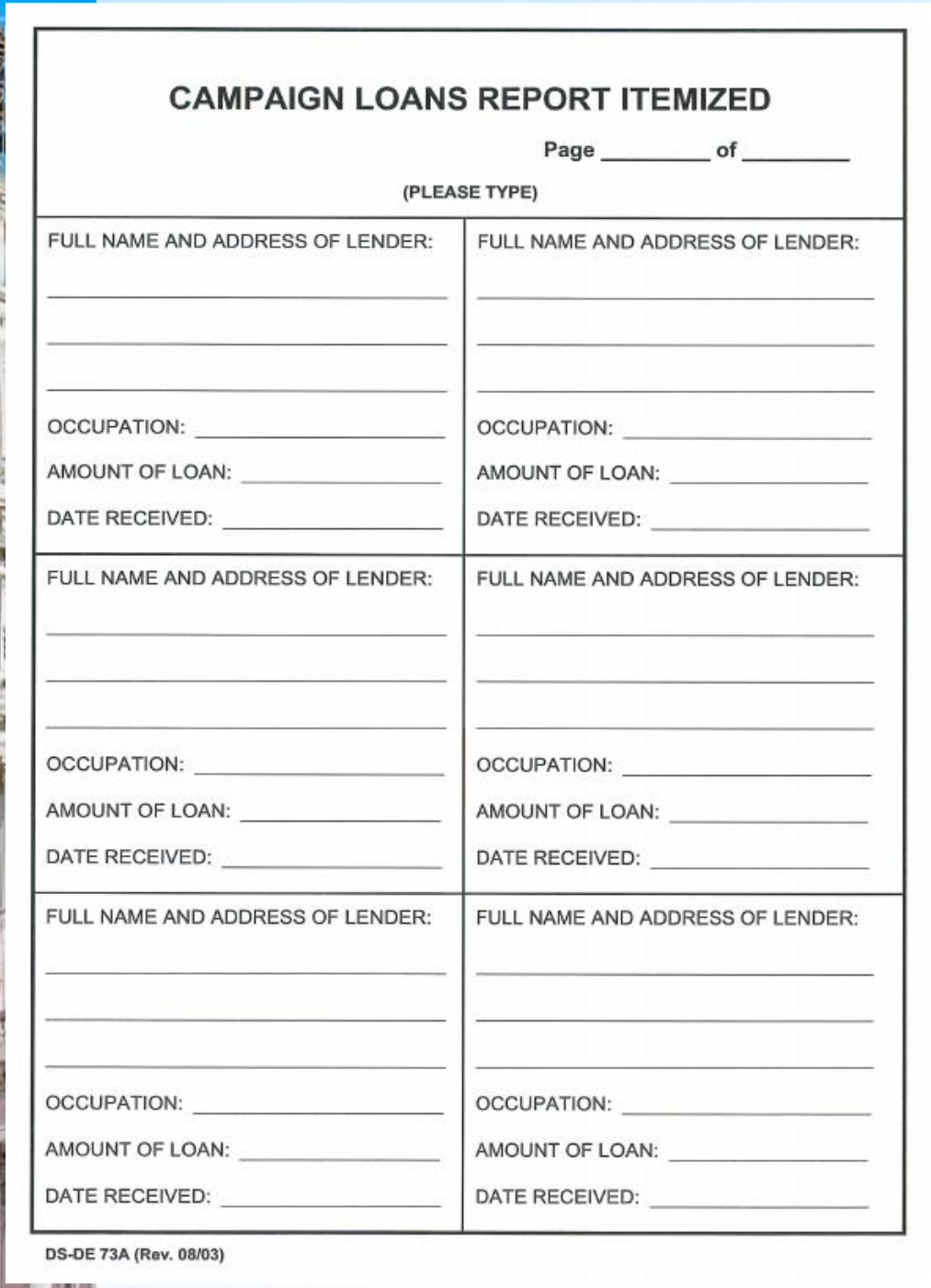
X

Signature

DS-DE 73 (Rev. 08/03)

Campaign Loans Report

DS-DE 73



CAMPAIGN LOANS REPORT ITEMIZED

Page _____ of _____

(PLEASE TYPE)

FULL NAME AND ADDRESS OF LENDER: _____ _____ _____ OCCUPATION: _____ AMOUNT OF LOAN: _____ DATE RECEIVED: _____	FULL NAME AND ADDRESS OF LENDER: _____ _____ _____ OCCUPATION: _____ AMOUNT OF LOAN: _____ DATE RECEIVED: _____
FULL NAME AND ADDRESS OF LENDER: _____ _____ _____ OCCUPATION: _____ AMOUNT OF LOAN: _____ DATE RECEIVED: _____	FULL NAME AND ADDRESS OF LENDER: _____ _____ _____ OCCUPATION: _____ AMOUNT OF LOAN: _____ DATE RECEIVED: _____
FULL NAME AND ADDRESS OF LENDER: _____ _____ _____ OCCUPATION: _____ AMOUNT OF LOAN: _____ DATE RECEIVED: _____	FULL NAME AND ADDRESS OF LENDER: _____ _____ _____ OCCUPATION: _____ AMOUNT OF LOAN: _____ DATE RECEIVED: _____

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

Campaign Loans Report

DS-DE 73A

Joint accounts

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, t**he 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

DS-DE 2

"Before Being Deposited"

CONTRIBUTIONS RETURNED

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

(PLEASE TYPE)

OFFICE USE ONLY

This report applies only to contributions received by any candidate, committee, or organization but returned to the contributor before being deposited in the campaign account.

☐ Candidate ☐ Committee or Organization

Full Name: _____

Full Address: _____

Full Name and Address of Contributor:	Full Name and Address of Contributor:
Amount of Contribution: $ _____	Amount of Contribution: $ _____
Date Received: _____	Date Received: _____
Date Returned: _____	Date Returned: _____
Full Name and Address of Contributor:	Full Name and Address of Contributor:
Amount of Contribution: $ _____	Amount of Contribution: $ _____
Date Received: _____	Date Received: _____
Date Returned: _____	Date Returned: _____

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

_____

Type or Print Name of Candidate, Treasurer or Chairman

X _____

Signature

DS-DE 2 (Rev. 07/10)

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

See F.S. 106.021

REQUEST FOR RETURN OF CONTRIBUTION

(Section 106.021, F.S.)

(PLEASE TYPE)

I, _____,

hereby request that the pro rata share of my contribution to the campaign of _____ as a candidate for the office of _____

be returned to me pursuant to Section 106.021(1)(a), Florida Statutes.

X _____ _____

Signature Date

_____

Street Address

_____

City State Zip Code

DS-DE 86 (Rev. 09/95)

Request for return of contribution

DS-DE 86

If a candidate <u>changes the designated office</u> 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 <u>offer</u> 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 by a campaign check (except petty cash)

Pay the qualifying fee by a campaign check

Pay for all expenses upon final delivery & acceptance of the goods or 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:

The checks must contain as a <u>minimum</u> the following information:

No verbatim wording necessary; only requires account contain the *<u>name of the candidate or committee within it</u>*

Account number and name of bank

The exact amount of the expenditure

The signature of the campaign treasurer or deputy treasurer

The exact purpose of the expenditure

The name of the payee

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, and Supreme Court Justice)** may obtain and 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

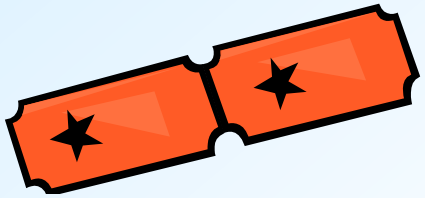
Responsible for the completeness and accuracy of check ensuring it is an authorized expenditure

Checks

A candidate or 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 or the spouse of a candidate <u>may 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

Petty cash funds

A candidate **must**:

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

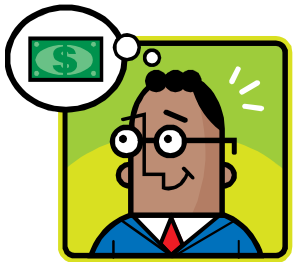
Prior to disposing of surplus funds

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.



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 office-
to the state to be deposited in the **General Revenue Fund**;

Candidate for office of a political subdivision-
to 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

See F.S.106.141

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"

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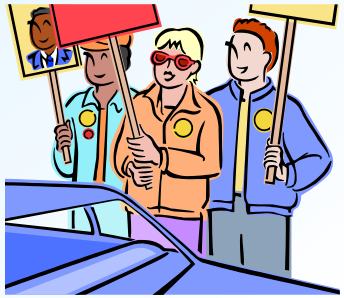
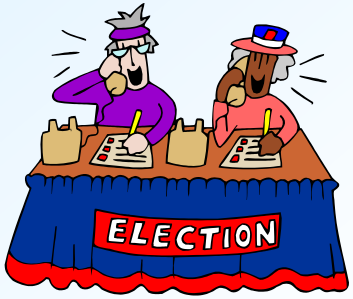
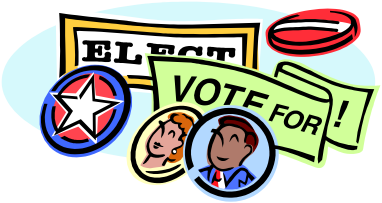
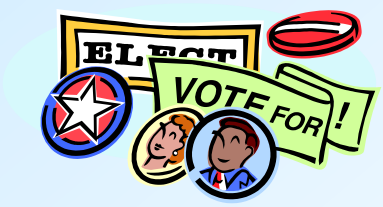


Political Advertising







A political advertisement is a paid expression in a communications media, whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display OR
by means other than the spoken word in direct conversation which:

Expressly advocates the election or defeat of a candidate or the approval or rejection of an issue

Candidate Disclaimers

Any political advertisement that is paid for by a candidate (except a write-in candidate) and that is published, displayed, or circulated prior to, or on the day of any election must **prominently** state:

"Political advertisement paid for and approved by (name of candidate), (party affiliation) for (office sought)

OR

"Paid by (name of candidate), (party affiliation) for (office sought)"

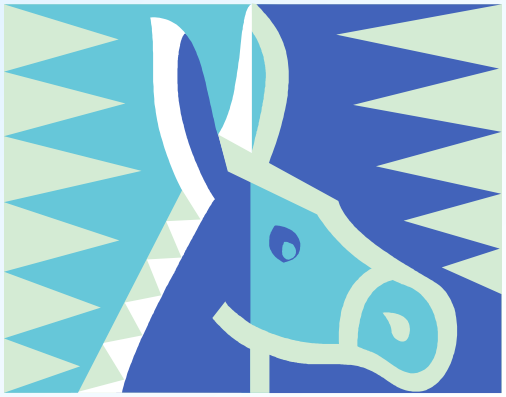
The word **“re-elect”** may only be used for **incumbents** for the office sought

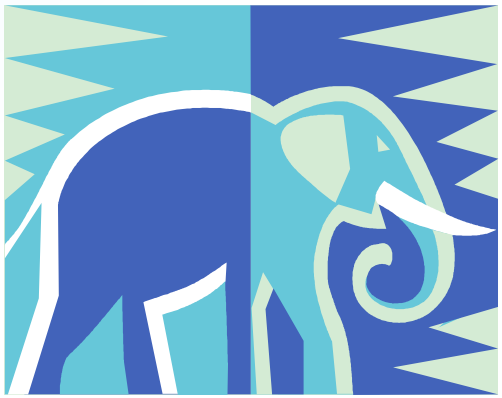
All non-incumbent candidates must use the work **“for”** in the body of any advertisement between the name of the candidate and the office sought in order that incumbency in **NOT** implied

This does <u>not</u> apply to bumper stickers or items designed to be worn by a person

Candidate running for partisan office:

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





Candidate Disclaimers:

Incumbent, partisan candidate running for partisan office:

RE-ELECT
Mike Sharkey
Sheriff

Political advertisement paid for and approved by
Mike Sharkey, Democrat, for Sheriff

OR

RE-ELECT
Mike Sharkey
Sheriff

Paid by
Mike Sharkey, Democrat, for Sheriff

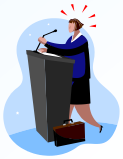
Candidate Disclaimers:

Non-incumbent, partisan candidate running for partisan office

Elect Al Newguy
for
County Commission
District 5

Political advertisement paid for and approved by
Al Newguy,
Green Party of Florida, for
County Commission

OR



Elect Al Newguy
for
County Commission
District 5

Paid by Al Newguy,
Green Party of Florida, for
County Commission

Candidate for partisan office 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

Candidate Disclaimers:

Non-incumbent, no party affiliation candidate running for partisan office:

ELECT
Wess Farosi
For State Senate

Political advertisement paid for and approved by Wess Farosi, NPA, for State Senate

OR

ELECT
Wess Farosi
For State Senate

Paid by Wess Farosi No Party Affiliation, for Senate

Candidate Disclaimers:

Incumbent candidate running for nonpartisan office

RE-ELECT
Jane Doe
School Board

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

Do not list political party affiliation

OR

RE-ELECT
Jane Doe
School Board

Paid by Jane Doe for School Board

Do not list political party affiliaton

Candidate Disclaimers:

Non-incumbent candidate running for nonpartisan office

ELECT
John Jones
For School Board

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

Do not list political party affiliation

OR

ELECT
John Jones
For School Board

Paid by
John Jones for School Board

Do not list political party affiliation

Candidate Disclaimers:

Write-in candidate

Any political advertisement that is paid for by a write-in Candidate must **prominently** state:

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

OR

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

Disclaimer for Write-in Candidates:

Non-incumbent candidate running as a write-in candidate

Elect John Doe
for
County Commissioner
District 5

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

OR

Elect John Doe
for
County Commissioner
District 5

Paid by Jon Doe
write-in candidate , for County Commission

Advertisement Provided In-kind:

"Paid political advertisement paid for by in-kind (name of political party)
Approved by (name of person, party affiliation, and office sought in the political advertisement)"

Elect Violet Starr
for
State Senate, District 5

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

Other Political Disclaimer Examples:

Billboards

Disclaimers on Novelty Items:

No disclaimer necessary on novelty items having a retail value of $10 or less which support, <u>but do not oppose</u>, a candidate or issue

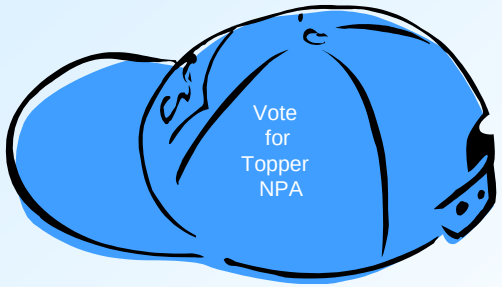
Pens/Pencils

Golf Balls

Balloons

Other Political Disclaimer Examples:

Items designed to be worn by a person do not require disclaimers



Other Political Disclaimer Examples:

Bumper stickers:

B. Beep

State Senate, District 17

Paid by B. Beep, Rep., for State Senate

NOTE: On bumper stickers, there is no requirement to use the word "for" between the candidate's name and the office being sought in the body of the bumper sticker

Exceptions to Disclaimer Requirements:

Placed as a paid link on an Internet website

- Provided message or advertisement less than 200 characters
- The link directs user to another Internet website that complies with the disclaimer requirements in section 106.143(1)F.S.

Placed as a graphic or picture link where

- Compliance with election law is not reasonably practical due to
  the size of the graphic or picture link
- The link directs the user to another Internet website that complies with section 106.143(1)F.S.

Placed at no cost on an Internet website for which there is no cost to post content for public users

Sent by a third-party user from or through a campaign or committee's website, provided the website complies with section 106.143(1)F.S.

Exceptions to Disclaimer Requirements:

Placed or distributed on an unpaid profile or account which

- available to the public without charge or on a social networking Internet site
- as long as 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

Distributed as a text message or other message via Short Message Service provided

- the message is less than 200 characters in length
- or requires the recipient to sign up or opt in to receive it

Connected with or included in any software application or accompanying function provided

- the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with section 106.143(1)F.S.

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

Endorsements in Political Advertisements:

It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has:

Given specific approval in writing to the candidate to make such representation

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

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

Endorsements in Political Advertisements:

Political advertisement for a candidate representing that an organization supports him, paid for in-kind by the organization with the specific approval from the organization in writing

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

Independent Expenditure:

An independent expenditure means an expenditure made by a person for the purpose of **expressly advocating the election or defeat** of a candidate, which expenditure is not controlled by, coordinated with, or made upon consultation with any candidate or agent of such candidate

Expressly advocates means any communication which uses such phrases as: “vote for” “elect” “support” “cast you ballot for” “Smith for Congress” “vote against” “defeat” “oppose” and “reject”

If the independent expenditure is, in the aggregate, in the amount of **$5,000 or more**, the person must file a report with the candidate’s filing officer in the same manner and time as a political committee

Independent Expenditure Disclaimers:

Independent expenditure political advertisement supporting a partisan candidate running for a partisan office:

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 or political committee, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party or political committee.

Electioneering Communications:

Refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate;

Is made within 30 days before a primary or special primary election

OR

Sixty days before any other election for the office sought by the candidate; AND is targeted to the relevant electorate in the geographical area the candidate would represent if elected

There are exceptions see: 106.011(17)F.S.

Electioneering Communications Disclaimers:

“Paid electioneering communication paid for by . . .

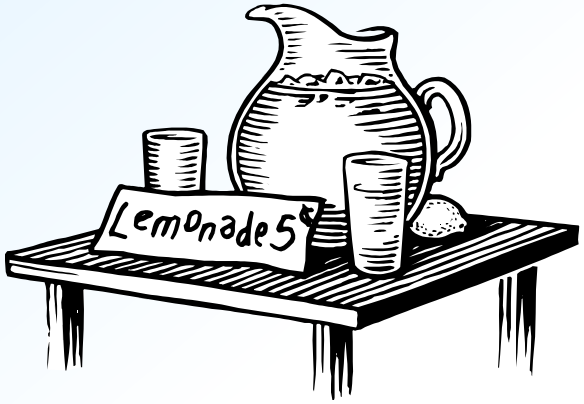
name and address of person paying for the communication”

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 106.143F.S.

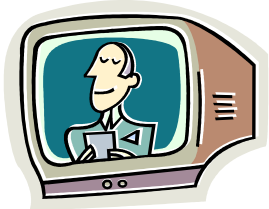


Use of Closed Captioning and Descriptive Narrative in all Television Broadcasts:

Each candidate, political party, and political committee must use **closed captioning and descriptive narrative** in all television broadcasts regulated by the Federal Communications Commission that are on behalf of, or sponsored by, a candidate, political party, affiliated party committee, or political committee

OR

<u>must file a written statement with the qualifying officer setting forth the reasons for not doing so.</u>



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 not apply to any telephone call in which both the individual making the call is not being paid and the individuals participating in the call know each other prior to the call

Telephone Solicitation

<u>Prohibitions</u>

No telephone call shall state or imply that the **caller represents any person or organization** unless the person or organization so represented has given 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:

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.

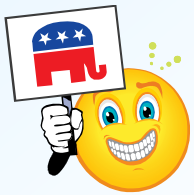
Signage:

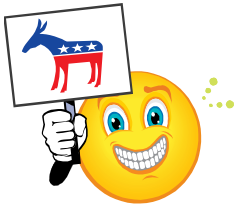
Please call the Code Enforcement Officer:

- **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:

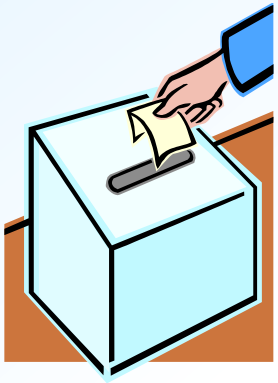
One poll watcher in each polling room or early voting site at any one time during the elections

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

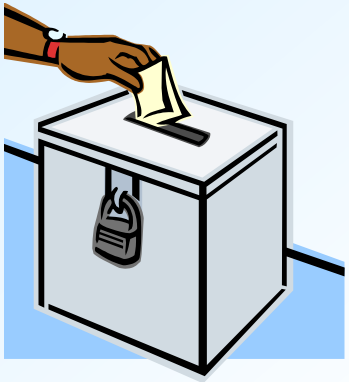
Each candidate, political party, or political committee requesting poll watchers must designate, in writing, prior **to Noon of the Second Tuesday preceding the election**, poll watchers for Election Day

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:

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

Requester's Name: _____ Title/Officer: _____

Name of Committee: _____

Address: _____ 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.

X _____ _____
SIGNATURE OF PERSON REQUESTING INFORMATION DATE

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:
- ☐ All Parties
- ☐ Republican Only
- ☐ Democrat Only

Select all that apply:
- ☐ Domestic
- ☐ Military
- ☐ 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?

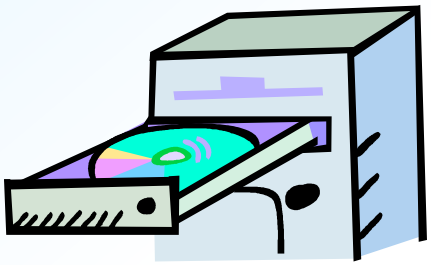
Walk a neighborhood house-by-house?

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
All registered voters in a specific district
All registered voters in a specific age range
All registered voters according to gender
All registered voters according to race
All registered voters 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.

Sort Order	Type of Media
☐ Alpha by Name	☐ Digital Media.....$ 15.00
☐ Alpha by Precinct	☐ CD ☐ EMAIL
☐ Alpha by Residence (walk list)	☐ Paper Printout.....$ 0.15 per page
☐ Household	

Please select all that apply:

☐ All registered voters in Indian River County

☐ All registered voters in _____ District (Mosquito, Soil & Water Conservation, etc....)

☐ Voters in Precinct (s) _____

☐ Age range: _____ to _____

☐ Gender: **ALL** _____ Males _____ Females _____

☐ Race: **ALL** _____ American Indian/Alaskan Native _____ Asian/Pacific Islander _____ Black, non Hispanic _____ Hispanic _____ White, non Hispanic _____

☐ Party: **ALL** _____ Democrat _____ Republican _____ No Party _____ Other(s): _____

Name of Person Requesting Info: _____

Signature: _____

Address: _____

City, State, Zip: _____

Cell Phone: _____

Home Phone: _____

Email: _____

Special Instructions:
Save file format in EXCEL YES NO

Please make check payable to: "Supervisor of Elections"

Note: Data files on CDs are in comma delimited ASCII format unless specified. First row contains field Headers. All data must be imported into a suitable database program such as Microsoft Access or Excel. The Supervisor of Elections office cannot provide technical support beyond providing date.

(09/13/13)

Prohibited Acts

Speaking at Public Meetings:

No candidate or person speaking for a candidate shall pay money or give anything of value for speaking at a political meeting in furtherance of his or her candidacy

Making Contributions in the Name of Another:

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

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