

# Candidate Workshop 2018





**This Power Point Presentation  
is available via our website:**

**[www.voteindianriver.com](http://www.voteindianriver.com)**

# 2018 Elections

Primary Election – August 28, 2018  
Book Closing – July 30, 2018

General Election – November 6, 2018  
Book Closing – October 9, 2018



# Filing Officer for IRC Candidates

SOE is filing officer

Exception – municipal candidates



# IRC Candidates must be:

Registered voter in IRC

Legal resident of district they are representing at assuming office

Exception: School Board and Write-In Candidates must be a legal resident of district at **qualifying**

# DS-DE 9

## Appointment of Campaign Treasurer Designation of Campaign Depository for Candidates

Candidate **MUST** designate a primary campaign depository

Treasurer / Deputy Treasurer(s)

Filed w/SOE **PRIOR** to opening bank account  
Banks require a clocked-in copy of form

**DO NOT:**

- accept contributions
- make expenditures
- accept signed petitions



# Filling out the DS-DE 9

Signed, dated by candidate / treasurers  
(no more than 3 deputy treasurers)

Candidate must be a treasurer or deputy treasurer in order to sign checks

It is helpful for treasurer to have basic bookkeeping / computer skills

Depository is FL authorized bank, S & L, Credit Union



May open a separate interest bearing account



Treasurer / Deputy Treasurer resigns?  
must be in writing  
not effective till filed w/SOE



Removal of Treasurer / Deputy Treasurer  
must be in writing  
not effective till filed w/SOE





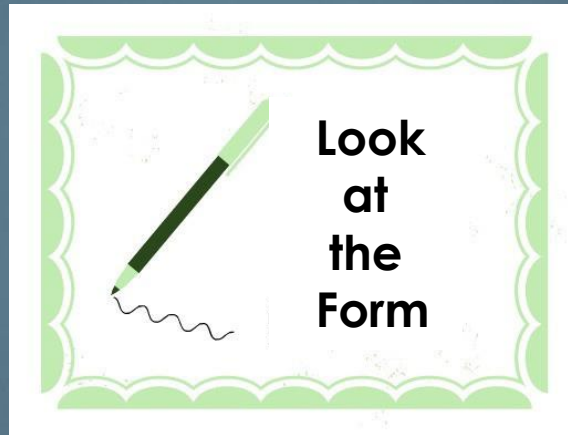
# DS-DE 9

- Candidate
- Campaign Treasurer
- Deputy Treasurer(s)

Must complete and sign a DS-DE 9 form

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

# Exercise



## Questions?

# DS-DE 84

## Statement of Candidate

Candidate has access to, read & understands requirements of Chapter 106, F.S. (campaign finance)

Must file within 10 days of filing DS-DE 9



**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

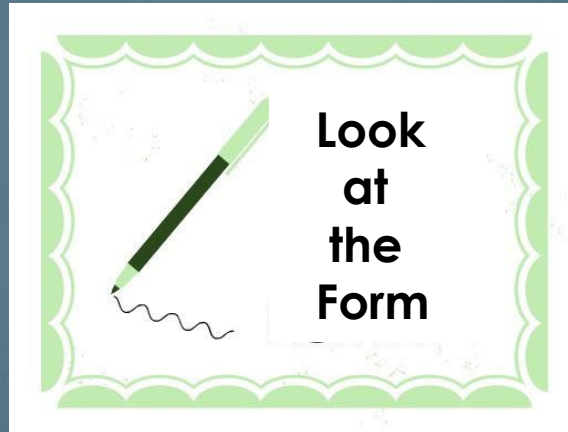
\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
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**

# Exercise



# Questions?

# Qualifying as a Candidate, 3 ways

Pay a qualifying fee

Petition process

Write-in candidate



# Qualifying Officer - SOE

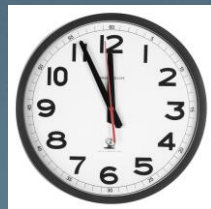
Responsibility is ministerial in nature only

Examines the face of qualifying papers

If in proper order, accepts them



# Qualifying Week



Noon, April 30, 2018 - Noon, May 4, 2018

US Senator, US Representative, Judicial, State Attorney,  
Public Defender

Noon, June 18, 2018 - Noon, June 22, 2018

statewide, multi-county, county, district candidates

# Time – Don't wait!

Qualifying officer may accept/hold qualifying papers starting on:

April qualifying – April 16, 2018

June qualifying – June 4, 2018



# Beware – laws that may affect you

## Resign to Run

Current officer seeking another public office

If term overlaps office term being sought, officer must resign  
– seek advice

## Federal Hatch Act

Restricts political activity if employee's entire salary is completely funded from federal dollars

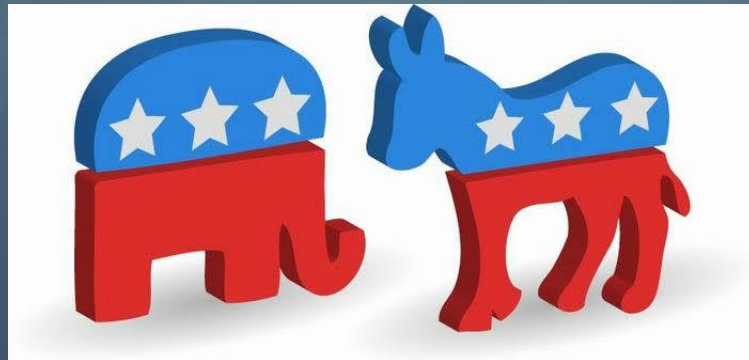
Employee is precluded from being a candidate for public office in a partisan race  
– seek advice

\* qualifying officer cannot remove candidates's name from ballot if candidate does not comply

# Political Party Candidates

May not have been a registered member of any other political party for:

365 days before the beginning of qualifying preceding the GE (June 18, 2017)



# Qualifying Fees – how much?

Fee based on salary of office sought as of July 1<sup>st</sup>, 2017

Partisan candidates = 6%

Non Partisan candidates = 4%

Exception = Special District candidates, \$25



# How do I pay fee?

**Not** acceptable:  
cashiers check  
personal check  
money order

Campaign Check 1936

DATE \_\_\_\_\_

PAY TO THE ORDER OF \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ DOLLARS

FOR \_\_\_\_\_

0000000186 000000529 1000

Security Features Details on back

Campaign Check:  
Signed by campaign treasurer OR deputy treasurer

Candidate may sign check **if** they are a treasurer or deputy treasurer

Exception: Special district candidate – personal check OK



# Fee returned if candidate:

Withdraws – prior to last date to qualify

Deceased – beneficiary entitled to fee

Fails to qualify – return check





# Petition Process

Petitions = No qualifying fee

How many?

**1066** valid petitions  
(1% of active voters in GE, 2016)



Submit to?

Local candidates - IRC SOE office

Multi-county candidates - Co. where voter is registered

Candidate responsible for submitting to correct county

# Petition Verification Fees

Fee per petition – 10 cents

Paid by:

- campaign check

- petty cash

- personal funds, reimbursed “in-kind” by campaign

- third party, reimbursed by campaign

All petitions turned in are verified

Payment in advance, need accurate count

# Deadlines

## Accepting:

Noon, April 2, 2018 (May qualifying)

Noon, May 21, 2018 (June qualifying)

## Certifying to DOE:

April 23, 2018 (May qualifying)

June 11, 2018 (June qualifying)



DON'T MISS  
THE DEADLINE!

# Petitions must contain:

Name of candidate

Office

Party designation – partisan candidate

Group or district number



**KEEP  
CALM**  
and  
**FOLLOW  
THE RULES**

# Valid petitions must:

Current petition form (DS-DE 104)

Person signing, registered to vote

DOB **OR** voter registration #

Signed / dated

Address to include city & county



# Oath of Undue Burden

Candidate must file “Oath of Undue Burden”  
DSDE-19A

No charge for verification of signatures





**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

Date: \_\_\_\_\_

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

that Leslie R. Swan submitted \_\_\_\_\_ petition signatures for the  
(Name of Candidate or Minor Party)

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

I further certify that \_\_\_\_\_ of those signatures were qualified electors in Indian River  
(No. of valid signatures)

County for the office listed above.

(SEAL)

Leslie Swan  
Supervisor of Elections

# Certificate of Petition Qualifying

will be issued when 1066 valid petitions are verified



# DS-DE 104

## 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 or Voter Registration Number  
(MM/DD/YY)

Address

City

County

**Indian River**

State

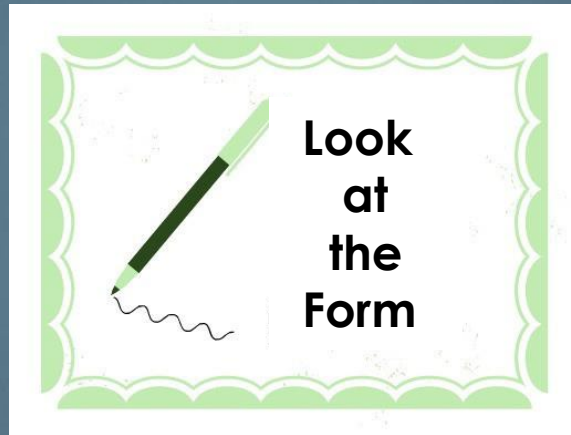
**FL**

Zip Code

Signature of Voter

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

# Exercise



## Questions?

# Write-In Candidate

**NOT** required to pay qualifying fee/submit petitions

**MUST**

Comply with finance laws

Reside in district at qualifying

**Qualify for GE ballot only**

**Name will NOT appear on ballot**



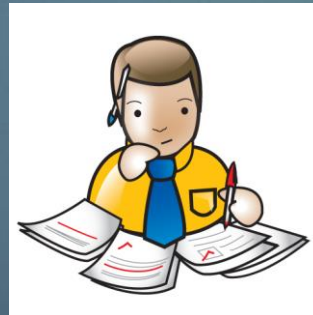
# Qualifying, forms, forms, forms

## Loyalty Oath

Name as it is to appear on the ballot

Party affiliation

Properly notarized



LOYALTY OATH CANDIDATES WITH PARTY AFFILIATION <small>(Sections 878.05-878.10, Florida Statutes)</small>		OFFICE USE ONLY	
STATE OF FLORIDA _____, COUNTY			
I, _____	_____ <small>First Name Middle Name/Initial Last Name</small>		
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.			
<b>OATH OF CANDIDATE</b> <small>(Section 99.021, Florida Statutes)</small>			
I, _____ <small>(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT — NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)</small>			
am a candidate for the office of _____, _____, _____ <small>(office) (district) (circuit)</small>			
_____, I am a qualified elector of _____ County, Florida. I am qualified <small>(group)</small>			
under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected. I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes.			
<b>STATEMENT OF PARTY</b> <small>(Section 99.021, Florida Statutes)</small>			
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.			
<b>X</b>		( )	
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: _____		Signature of Notary Public — State of Florida	
Type of Identification Produced: _____		Print, Type or Stamp Commissioned Name of Notary Public	

# Nickname on Loyalty Oath

First name, shortened version of first name, nickname

“Rob” instead of “Robert” is OK

Robert “Rob” Smith is OK

Robert “Buzz” Smith is OK

May **NOT** use descriptive information

Dr., Reverend, Esquire, etc.



# Financial Disclosure Forms

Discloses certain assets / sources of income

Form 1 – requires less information

Form 6 – requires more information

Not the same as a “financial statement”

Only a snap shot of “financial situation”

Why?

Monitor potential conflicts of interest

Deters activity that may result in conflict of interest





# More forms...important information

Public Test notification

Poll Watcher information

Political Signage information

Candidate Handbook

Canvassing Board dates



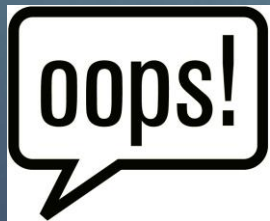


# Qualifying ends – and the fun begins

Qualifying ends at **12 noon** on June 22, 2018



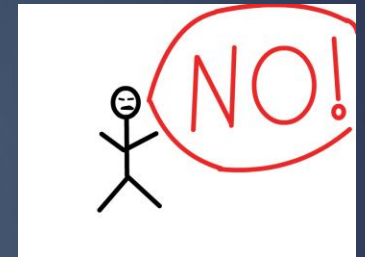
No corrections to qualifying papers after the close of qualifying



# Let's talk about Campaign Finance

Common violations filed with FEC:

DS-DE 9, taking contributions / making expenditures before filing the form



Campaign Treasurer's report, incomplete or false information

Campaign funds, spending funds that have already been obligated

# Treasurer's duties

- Keep detailed accounts -

Accounts are current (within 2 days)

Deposit funds within 5 business days

Bank slip to contain name of each contributor

Preserve accounts (term of office = years preserved)

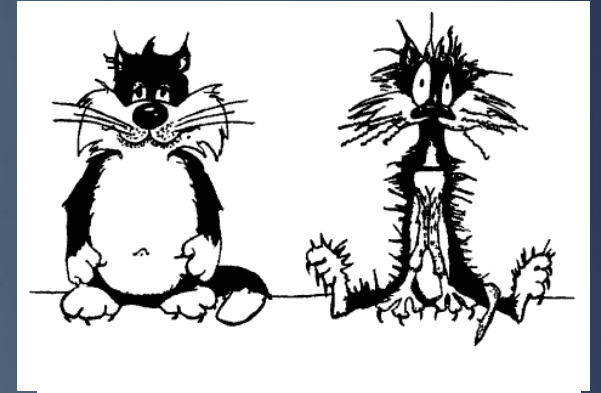


# IMPORTANT

It is imperative that the Campaign Treasurer reviews every bank statement when it is received

All transactions **must be** recorded in the campaign finance report

- Deposits
- Expenditures
- Bank fees
- Other Fees (such as Pay Pal)



Very helpful if campaign treasurer has some basic bookkeeping and computer skills

Keeping accurate records will insure the ease of the Termination Report !!!!!

# Be aware

Campaign reports must be filed on time by Treasurer or Deputy Treasurer

Fined for:

- Not filing a report

- Incomplete report

- Inaccurate report

- Fines must be paid from candidate's personal funds



Campaign accounts can be inspected before, during, after election by rep. of DOE or FEC

# When are reports due?

Reports are filed on 10<sup>th</sup> day following end of each calendar month after filing for office

Frequency of reports due increases after qualifying period



Non election year – 12 reports due

Election year – reports increase to 20 reports due

\*statewide candidates – check with DOE for reporting dates



# Fines are hefty for late reports

First 3 days  
= \$50 per day

After first 3 days  
= \$500 per day



Reports immediately preceding Primary & GE  
= \$500 per day

Fines cannot exceed 25% of total receipts / expenditures,  
whichever is greater

Fines must be paid within 20 days of notice of payment due



No contributions or expenditures in  
reporting period?

Required to file a report:

“Waiver of Report”



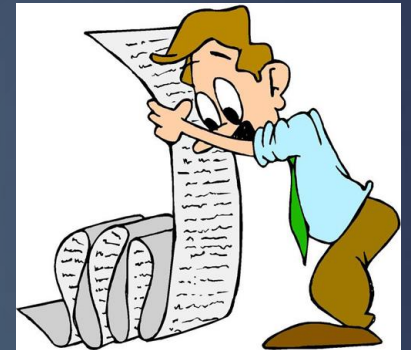
# Incomplete Reports

Accepted on a conditional basis

Will notify why report is incomplete

Addendum due within 7 days

Addendum to include info. to complete report



# Campaign Finance – Contributions

## What is considered a contribution?

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

The transfer of funds between political committees

# More. . .

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

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

## Exceptions are:

- Services by volunteers (no compensation)
- Editorial endorsements



## Important:

- Regardless of the size of the contribution, all contributions must be reported
- Reporting requirements for contributions are the same whether 50¢ or \$1000

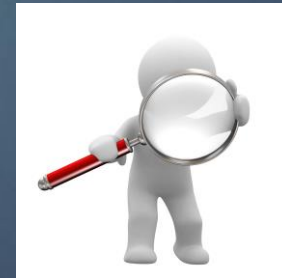
# Reporting Contributions

Reporting for each contribution, **must** list:

- Full name
- Address
- Specific occupation (individual), if contribution is more than \$100.00
- Principal type of business (corporation), if contribution is more than \$100.00
- Amount
- Date

Report of any transfer of funds

Report any loans





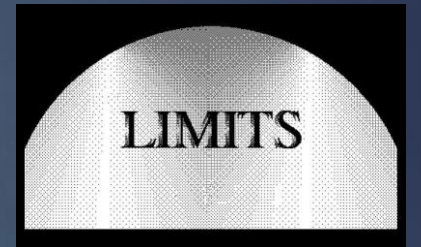
# Contribution limits for candidates

## Contribution Limits:

**\$3,000** Candidate for statewide office, retention as a Justice of the Supreme Court

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

- Candidate
- Retention as a Judge of a District Court of Appeal
- County Court Judge or Circuit Judge
- Legislative office
- Multicounty office
- Countywide office
- OR in any election conducted on less than a countywide basis





**Candidates 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 or she withdraws his or her candidacy, is defeated, or becomes unopposed or is elected**

More. . .

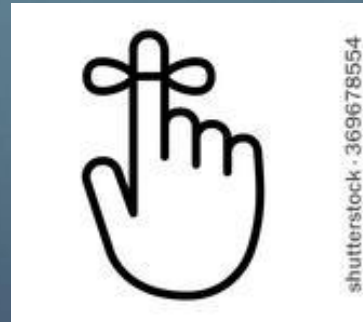


Contribution limits **do not** apply to:

- Contributions made by a state or county executive committee of a political party
- Affiliated party committee regulated by Chapter 103
- Contributions by a candidate to his or her own campaign

# Remember!!

The Primary and General Elections  
**are separate elections**



# Debit and credit card contributions

A candidate may accept contributions via:

- Credit Card
- Debit Card
- Money Order

Categorized as a “**check**” for reporting purposes



# Cash Contributions

A cash contribution or a contribution by means of a cashiers check (in aggregate from the same contributor) may not be in excess of \$50 per election



Note: Money orders and traveler's checks are **not** considered “cash”





# In-kind contributions

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

In-kind contribution must be reported using a fair market value

In-kind contributions are subject to contribution limits

## Exceptions are:

- 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

# 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

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

# Joint Accounts

When a candidate receives a contribution in the form of a check drawn on a joint account, the owner **signing the check** is considered the contributor



**Who signed  
the check?**

# Fund Raisers

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

-Subject to contribution limits



# Unauthorized contributions

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





# Returning contributions

If the contribution **has been deposited** into the campaign account:

- Report the contribution returned on Form **DS-DE 2**

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

CONTRIBUTIONS RETURNED (Section 106.87(4)(b), F.S.) (PLEASE TYPE)		OFFICE USE ONLY
<small>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.</small>		
<input type="checkbox"/> Candidate <input type="checkbox"/> Committee or Organization		
Full Name: _____		
Full Address: _____		
Full Name and Address of Contributor: _____ _____ _____	Full Name and Address of Contributor: _____ _____ _____	
Amount of Contribution: \$ _____	Amount of Contribution: \$ _____	
Date Received: _____	Date Received: _____	
Date Returned: _____	Date Returned: _____	
Full Name and Address of Contributor: _____ _____ _____	Full Name and Address of Contributor: _____ _____ _____	
Amount of Contribution: \$ _____	Amount of Contribution: \$ _____	
Date Received: _____	Date Received: _____	
Date Returned: _____	Date Returned: _____	
I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND IT IS TRUE, CORRECT AND COMPLETE.		
Type or Print Name of Candidate, Treasurer or Chairman _____		
X _____ <small>DS-DE 2 (Rev. 9/71)</small> Signature		

# More...

- 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

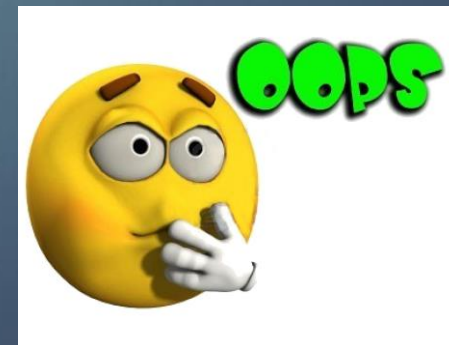
# Candidates changing designated office

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

- Must submit a new Form DS-DE 9 and a written statement to filing officer
- Must notify all contributors in writing of intent to seek a different office
- Must offer to return pro rata and upon request, return the contribution within 30 days of the notification

# More...

- 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



# More. . .

If contributor would like a refund:

-Will use the **DS-DE 86** form to request the return of the contribution

The form is titled "REQUEST FOR RETURN OF CONTRIBUTION" with the subtitle "(Section 106.021, F.S.)" and the instruction "(PLEASE TYPE)". It contains the following text: "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." Below this, there is a line for a signature marked with an "X" and a line for the date. Further down are lines for "Street Address", "City", "State", and "Zip Code". At the bottom left, it says "DS-DE 86 (Rev. 08/95)".

# Loans

Loans are considered contributions and are subject to contribution limitations



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

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

Loans must be reported on the campaign treasurer's report



# More. . .

All personal loans exceeding \$500 in value, made in the 12 months preceding a candidate's election to office must file the **DS-DE 73** form

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 by law

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

CityStateZip 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. 06/03)

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: \_\_\_\_\_

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

# Campaign Finance – Expenditures

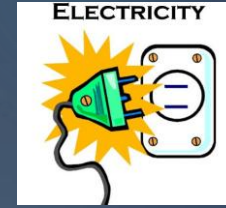
An expenditure is a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy treasurer between a primary depository and a separate interest-bearing account or CD

OR

A 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 all expenses upon final delivery and acceptance of goods / services

Pay for public utilities when bill received

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

# Campaign Checks

Check must contain as a minimum the following information:

- Account must contain the **name of the candidate or committee within it**
- Account number and name of bank
- Exact amount of expenditure
- Signature of campaign treasurer/deputy treasurer  
(responsible for accuracy of check)
- Exact purpose of expenditure
- Name of the payee

Name of the campaign account of the candidate or political committee

April 6, 2018

*Pay To The Order of*

A-1 Sign Company \$ 150.00

One Hundred 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

Debit card may be used for campaign expenditures

- From same bank as the designated primary depository
- Must be issued in the name of the treasurer, deputy treasurer, or authorized user
- Must contain name of candidate
- No more than three debit cards shall be issued
- Cannot receive cash back





# More. . .

All debit card **receipts** must contain:

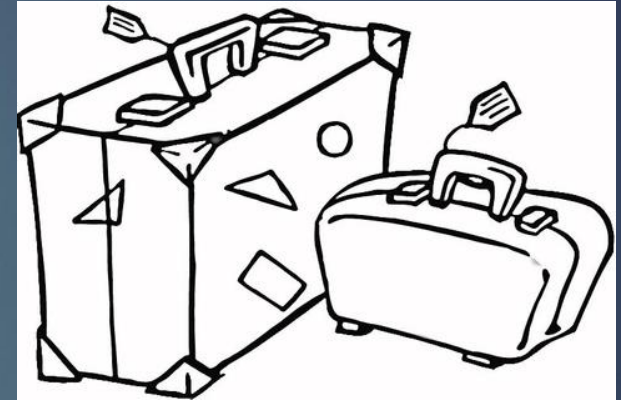
- Last four digits of the debit card number
- Exact amount of expenditure
- Name of payees
- Signature of authorized user (treasurer, etc.)
- Exact purpose of expenditure
- If not included on the receipt, information may be handwritten



# Credit cards

Candidates for **statewide** office:

- Governor
- Cabinet
- Supreme Court Justice



May obtain and use credit cards for travel related campaign expenditures

# Expenditures

**IMPORTANT:** No candidate, campaign manager, treasurer, or 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
- Purpose of expenditure
- Total amt. withdrawn from total spent from petty cash
- Total sum of expenditures during the reporting period

# Checks and expenditures

A candidate / other individual may be reimbursed for expenses by a **check** drawn on the campaign account.

Reimbursement 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 expenses with respect to a campaign fund raiser are campaign **expenditures**





# Living expenses

A candidate / spouse of a candidate **may not** use campaign funds to defray normal living expenses

Only expenses actually incurred during the campaign for transportation, meals and lodging may be reimbursed.



# 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

# More. . .

A candidate **must**:

- Spend petty cash in amounts of less than \$100
- Report total amount withdrawn / spent from petty cash per report period
- Keep complete records of petty cash



# More on petty cash...

- Each expenditure does not have to be reported individually
- Do not mix cash contribution with petty cash
- Do not use petty cash for the purchase of time, space, or services from any communications media



# More. . .

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

- Petty cash maximum is \$500 per calendar quarter

After qualifying is over and until the election:

- Petty cash maximum is \$100 per week for 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)





# 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 campaign by the candidate
- Loans to the campaign by the candidate



# More. . .

If a candidate filed an **Affidavit of Undue Burden**  
(unable to pay the fee for petition verification)

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



# Expending surplus funds

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

- Purchase **“thank you” advertising** for up to 75 days after candidate withdraws, becomes unopposed, eliminated, or elected to office
- Pay for items which were obligated** before candidate withdrew, became unopposed, was eliminated, or elected to office



# More...

- Pay for items which were obligated** before candidate withdrew, became unopposed, eliminated, or elected to office
- Pay for expenditures** necessary to close down the campaign office and to prepare final campaign reports
- Give funds** to the county executive committee of a political party per 106.141F.S.

# Surplus funds and 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 - account needs to be closed



# More...

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

- Return pro rata to each contributor the funds that have not been spent or obligated**
- Donate the excess funds to a 501(c)(3) charity or organization**
- Give the funds to the candidate's political party**



# More. . .



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

**More. . .**

**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

# Filing Campaign Reports!

Keep your bank statements current and balanced!

Keep current with your campaign contributions and expenditures in campaign reporting module

**Accurate** records will expedite the process in filing the campaign termination report!

HELP !



# Filing Candidate Reports On-line

Reports must be submitted via SOE website

Candidates enter contributions / expenditures

When data entry is complete, report is submitted using electronic signature(s)

Reports will be released to public when accepted by SOE

# Live Demonstration



“How to file candidate reports on-line” handbook will be issued to candidate when filing for office

# Political Advertising

A political advertisement is a paid expression in a communications media prescribed in Section 106.011(15) F.S.

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

Could be radio, TV, newspaper, campaign literature, mail  
or by means other than the spoken word in direct conversation





# Advertising Disclaimer required for:

Political Ad that is paid for by a candidate and published or circulated.

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



Reminder – candidates receive copy of the Florida Election Code at filing, see Chapter 6

# Political Advertisement paid for by Candidate

If published, displayed, circulated before, or on election day must state:

“Political advertisement paid for and approved by  
name of candidate, party affiliation, for office sought “

OR

“Paid for by name of candidate, party affiliation, for office sought ”

# Exceptions to Disclaimer Requirements:

There are many exceptions to disclaimer requirements in advertising under Section 106.143, such as items designed to be worn by a person which do not require a disclaimer



Please refer to 106.143(1-10) F.S. for all disclaimer requirements

100

**Refer to 106.143(1-10) F.S. for all disclaimer requirements**

# Definitions



Incumbent – candidate who is currently holding office

Non Incumbent – candidate who is running for an office and does not currently hold the position

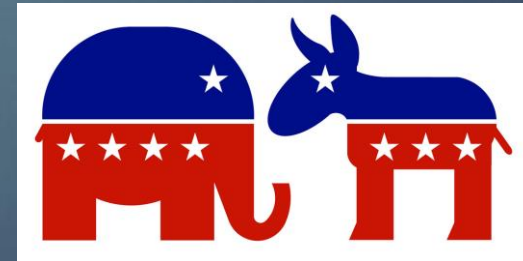
Partisan candidate – candidate who **can** campaign & qualify for office with a political party affiliation

Non Partisan candidate – candidate who is **prohibited** from campaigning & qualifying for office with a political party affiliation

# Running for a partisan office?

Shall state the name of the political party of which candidate is seeking in the advertisement

Section 106.143(3) F.S.





# Are you an incumbent candidate?

The word “**re-elect**” in advertisement may only be used for an incumbent candidate

Re-elect Jane Doe for ...

# Are you a non-incumbent candidate?

Non-incumbent candidate must use the word “**for**”  
in advertisement so that incumbency is **not** implied

Elect Jane Doe for ...

# More...

Candidate for partisan office who is running as a candidate with no party affiliation:

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

Jane Doe, NPA, for...

# More...

Candidate who is running as a write-in candidate:

Must state that the candidate is a **write-in** candidate in advertisement

Jane Doe, write-in candidate for...

# Fund Raisers

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



# Endorsements in Political Advertisements

Political ads for a candidate representing that an organization supports him, and is paid for in-kind by the organization with the specific approval from the organization in writing must:

- state who supported and paid for ad
- state “in-kind” in ad
- be approved by candidate



Candidate must provide a written statement of authorization



# Endorsements in Political Advertisements

The endorsement **does not apply to an editorial** endorsement advocating the candidacy of its nominees by any:

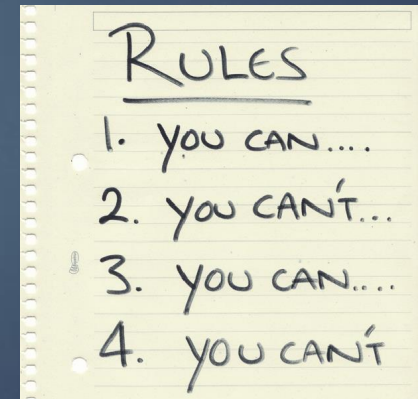
newspaper

radio

TV station

other recognized news medium

publication by a party committee



# Independent Expenditure

An expenditure made for the purpose of expressly advocating the election or defeat of a candidate

It is **NOT** controlled by, coordinated with any candidate

Must state:

Paid political advertisement paid for by name of organization

This advertisement was not approved by any candidate

Must provide a written statement that **no** candidate has approved the advertisement to the advertising medium

Section 106.143(5)(b) F.S.

# Electioneering Communication

Means communication that is publicly distributed by media and refers to or depicts a clearly identified candidate w/o expressly advocating the election or defeat of a candidate...

But is susceptible of no other reasonable interpretation other than an appeal to vote for or against a specific candidate



For details, refer to Section 106.011(8) F.S

# Advertising in another language?

May provide any disclaimers required in the language used in the advertisement



# Closed Captioning & Descriptive Narrative in all Television Broadcasts

Each candidate, political party, political committee:

Must use closed captioning and descriptive narrative or they must file a written statement with the qualifying officer for not doing so





# Telephone Solicitation

Caller must identify the persons or organization sponsoring the call:

“Paid for by” OR “Paid for on behalf of”



No telephone call shall state or imply that caller represents any organization unless given the approval in writing

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



# Exercise

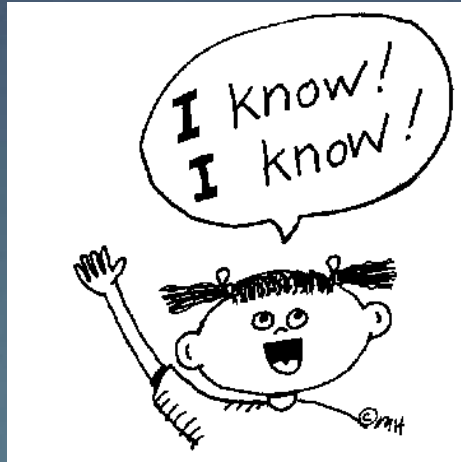
A candidate is running for a partisan office is placing and paying for an advertisement in a local newspaper to promote his/her campaign.

What disclaimer is necessary in the ad?

Let's look for the disclaimer!

Answer is on Page 128, Section 106.143 (1)(a)





“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”

# Campaign Signage

Each municipality & the county have sign ordinances

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

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

# More about signage...

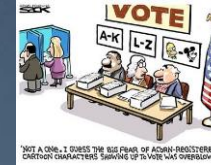
Please call the Code Enforcement Officer:

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



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

# Poll Watchers



Candidates and political parties may have **one** poll watcher in each polling room or early voting site at any one time

All members of the public may observe opening and closing procedures

Deadlines for poll watchers designations must be submitted prior to Noon of the Second Tuesday preceding the election

For early voting sites, designations must be submitted at least 14 days before early voting begins

Poll watchers shall be approved by the SOE no later than 7 days before early voting begins or Election Day



# Vote-by-Mail Ballots

Can I receive a list of who has requested a vote-by-mail ballot?

Vote-by-Mail ballot request information is confidential and exempt from public disclosure

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

Qualified candidate who is **opposed** in an upcoming election

Registered political committee

Absentee  
Ballot  
Request





### Vote-by-Mail Ballot Information Request Form

Indian River County Supervisor of Elections  
4375 43<sup>rd</sup> Avenue, Vero Beach, FL 32967  
Phone (772) 266-3440 | Fax (772) 770-5367  
VoteIndianRiver.com

Your Vote Is Your Voice...Speak Up!

Vote-by-mail ballot request information is confidential and exempt from public disclosure under Florida Statutes 101.62(3), except to the following persons or entities that may obtain and use it for political purposes: The voter requesting the ballot, a canvassing board, an election official, a political party or official, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees.

To access this information, check your qualifying category below:

☐ Voter (only to access their own ballot information) ☐ Canvassing Board ☐ Election Official  
☐ Political party or official ☐ Candidate (qualified and opposed) ☐ Registered political committee

Requester's Name: \_\_\_\_\_ Title/ Officer: \_\_\_\_\_

Name of Committee: \_\_\_\_\_

Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_

Signature of person requesting information: \_\_\_\_\_ Date: \_\_\_\_\_

*I affirm that I am a person authorized by Florida Statutes, 101.62(3) to receive this information.*

#### Vote-by-Mail Request Information Data

Election(s)	Mail Out Type	Voter Status	Party
<input type="checkbox"/> Municipal <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special	<input type="checkbox"/> Initial mail out requests only <input type="checkbox"/> All mail out requests for election cycle (initial mail out and daily mail outs)	<input type="checkbox"/> All Voters <input type="checkbox"/> Domestic <input type="checkbox"/> Military <input type="checkbox"/> Overseas <input type="checkbox"/> Military & Overseas	<input type="checkbox"/> All Parties <input type="checkbox"/> Republican <input type="checkbox"/> Democratic <input type="checkbox"/> No Party Affiliation <input type="checkbox"/> Other: _____

Data Delivery	Data Format
<input type="checkbox"/> CD <input type="checkbox"/> Email	<input type="checkbox"/> Excel Spreadsheet Format <input type="checkbox"/> Text Format

Special Instructions:

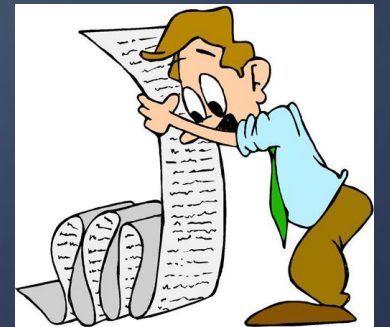
*\*If file is too large, data can only be saved on a CD*

*Note: Data files on CDs and emails are in comma delimited ASCII format unless specified. First row contains headers. For ease of interpretation, data shall be imported into a suitable database program such as Microsoft Access or Excel. The Supervisor of Elections cannot provide technical support beyond this information.*

# Requesting Registered Voter Information

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

We **DO NOT** accept credit cards or debit cards for payment



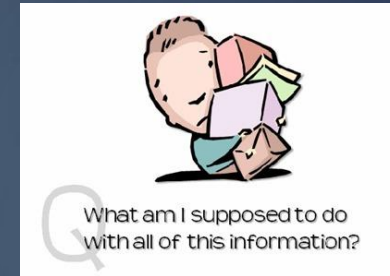
# Why would I need this list?

Walk a neighborhood house-by-house?

Send flyer to each registered voter?

Send flyer to each registered voter by house-holding the flyer?

Previous voting history



# Many sort categories (comes in EXCEL format)

Alpha by:

name

precinct

residence

household

Registered voters in IRC

specific district

specific age range

gender

race

party





### Registered Voter Information Request Form

Indian River County Supervisor of Elections

4375 43<sup>rd</sup> Avenue, Vero Beach, FL 32967

Phone (772) 266-3440 | Fax (772) 770-5367

VoteIndianRiver.com

Your Vote Is Your Voice...Speak Up!

Sort Order	Data Delivery Preference
<input type="checkbox"/> Alpha by Name	Digital Media \$15.00
<input type="checkbox"/> Alpha by Precinct	<input type="checkbox"/> CD <input type="checkbox"/> Email
<input type="checkbox"/> Alpha by Residence (walking list)	<i>*If file is too large, data can only be saved on a CD</i>
<input type="checkbox"/> Household	Paper Printout \$ 0.15 per page
	<input type="checkbox"/> Paper Printout

Payment of cash or check accepted. Make checks payable to "Supervisor of Elections"

Please select all that apply:

<input type="checkbox"/> All registered voters in Indian River County
<input type="checkbox"/> All registered voters in District: (Mosquito, Soil & Water Conservation, etc.)
<input type="checkbox"/> Voters in Precinct(s):
Age range:
Party: <input type="checkbox"/> All <input type="checkbox"/> Republican <input type="checkbox"/> Democrat <input type="checkbox"/> No Party <input type="checkbox"/> Other(s)
Gender: <input type="checkbox"/> All <input type="checkbox"/> Males <input type="checkbox"/> Females
Race: <input type="checkbox"/> All <input type="checkbox"/> American Indian/ Alaskan Native <input type="checkbox"/> Asian/ Pacific Islander
<input type="checkbox"/> Hispanic <input type="checkbox"/> Black, non-Hispanic <input type="checkbox"/> White, non-Hispanic

Requester's Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Special Instructions:

Save file in Excel ☐ YES ☐ NO

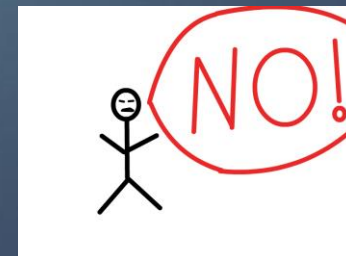
*Note: Data files on CDs and emails are in comma delimited ASCII format unless specified. First row contains headers. For ease of interpretation, data shall be imported into a suitable database program such as Microsoft Access or Excel. The Supervisor of Elections cannot provide technical support beyond this information.*

# 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.

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





more...

## -Religious, Charitable, Civic Organizations-

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

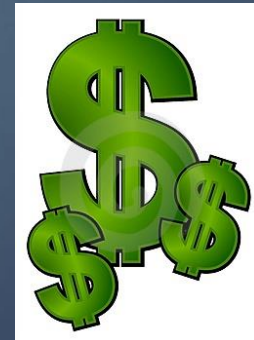
religious, charitable, political party, civic, or other organizations established primarily for the public good

more...

## -Religious, Charitable, Civic Organizations-

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

- religious
- charitable
- political party
- civic



more...

## -Religious, Charitable, Civic Organizations-

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

- religious
- charitable
- political party
- civic



groups that they have are a member for more than six months

# Making Malicious Statements

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

This is a felony of third degree per Section 04.271 F.S.



# Limitations on Political Activity Judicial Candidates



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

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

# More limitations...

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

Make contributions to a 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:

Within **30 minutes** after polls are closed for  
Early Voting totals and Vote-by-Mail Ballot  
totals

Every **45 minutes** thereafter

# REMEMBER



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

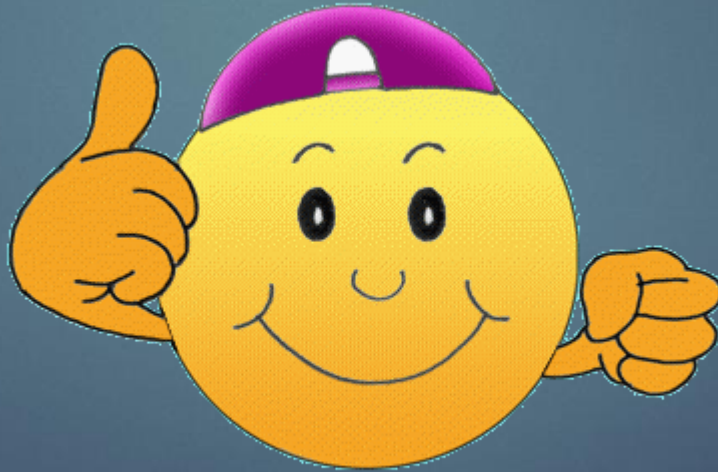
**Please remember to take the time to look around our polling sites before you leave on Election Day and pick up any remaining signs, flyers, trash, etc.**

**Our office is very lucky to have such nice facilities to rent space to us on Election Day**



Thank You  
And  
Good Luck

**GO FOR IT !**



*GOOD LUCK !*