Candidate Workshop
2020

IMPORTANT: Information in this presentation is subject to change upon passage of new legislation
This Power Point Presentation is available via our website:

www.voteindianriver.com
2020 Elections

Presidential Preference Primary Election: March 17, 2020
Book Closing: February 18, 2020

Primary Election: August 18, 2020
Book Closing: July 20, 2020

General Election: November 3, 2020
Book Closing: October 5, 2020
PLEASE REVIEW YOUR HANDOUT: 2020 ELECTIONS DATES CALENDAR
Becoming a Candidate

Becoming a candidate is a two-part process:

- Filing for office
- Qualifying for office
Becoming a Candidate

Two forms are required to become a candidate:

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

- DS-DE 84: Statement of Candidate
FILING FOR OFFICE
Filing Officer: SOE

The SOE is the filing officer

*Exception*: municipal candidates
IRC Candidate Requirements

Prior to submitting the DS-DS 9 form, IRC candidates must be:

- Registered voter in IRC
- Legal resident of the district they are representing when assuming office

*Exception:* School board and write-in candidates must be legal residents of their district at qualifying.
Candidates must:

- Designate a primary campaign depository
- Appoint a treasurer and/or deputy treasurer(s)
- File with the SOE office *prior* to opening a bank account (Banks require a clocked-in copy of the form)
Prior to Submission of DS-DE 9

DO NOT:

- Accept contributions
- Make expenditures
- Accept signed petitions
PLEASE LOOK AT YOUR NEXT HANDOUT PAGE
Who signs the DS-DE 9?

- Candidate
- Campaign Treasurer
- Deputy Treasurer(s)
Filling Out the DS-DE 9

- Form must be signed and dated by the candidate and treasurers (no more than 3 deputy treasurers)

- Depository must be a Florida authorized bank, savings & loan, or credit union

- May open a separate interest bearing account

Candidates: Consider being a treasurer or deputy treasurer in order to sign campaign checks
What if my treasurer resigns?

Resignation or removal of a treasurer and/or deputy treasurer:

- Must be in writing
- Not effective until filed with the SOE
PLEASE LOOK AT YOUR NEXT HANDOUT PAGE
STATEMENT OF CANDIDATE
(Section 106.023, F.S.)
(Please print or type)

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

Must file within 10 days of filing DS-DE 9
QUALIFYING FOR OFFICE
3 Ways to Qualify as a Candidate

- Pay a qualifying fee
- Petition process
- Write-in candidate
Qualifying Officer: SOE

- Responsibility is ministerial in nature only
- Examines the face of qualifying papers
- Reviews documents to determine they are properly completed
- May not determine whether contents of papers are accurate
- Accepts documents if in proper order
April Pre-Qualifying & Qualifying Weeks

Offices that Qualify with the Florida Division of Elections:
- US Senator
- US Representative
- State Attorney
- Public Defender
- Judicial candidates (except County Court Judges)

Office that Qualifies with IRC SOE:
- County Court Judges

Pre-qualifying: April 6 through April 17, 2020
Qualifying: Noon, April 20 through Noon, April 24, 2020
June Pre-Qualifying & Qualifying Weeks

Offices that Qualify with the Florida Division of Elections:
- Statewide
- Multi-County candidates (Sebastian Inlet Taxing District)

Offices that Qualify with IRC SOE:
- Constitutional Officers
- County Commissioners
- School Board
- IRC Hospital District
- IRC Soil & Water Management
- IRC Mosquito Control

Pre-qualifying: May 26 through June 5, 2020
Qualifying: Noon, June 8 through Noon, June 12, 2020
Laws that may affect candidates

Resign to Run

Affects a current officer who is seeking another public office. If both terms overlap, officer must resign from current office. – seek DOE opinion
Federal Hatch Act

Restricts political activity if the 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 DOE opinion
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 general election for which the person seeks to qualify

May run as a no-party affiliate without changing party affiliation
Qualifying Fees

Fee is based on salary of office sought as of July 1, 2019

- Partisan candidates: 6%
- Non-partisan candidates: 4%

*Exception*: Fee is $25 for special district candidates
## Qualifying Fees

<table>
<thead>
<tr>
<th>Office</th>
<th>Annual Salary</th>
<th>3% Filing Fee</th>
<th>1% Election Assessment</th>
<th>2% Party Assessment</th>
<th>Total Qualifying Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk of Court</td>
<td>$129,783.00</td>
<td>$3,893.49</td>
<td>$1,297.83</td>
<td>$2,595.66</td>
<td>$7,786.98</td>
</tr>
<tr>
<td>County Commission</td>
<td>$64,339.00</td>
<td>$1,930.17</td>
<td>$643.39</td>
<td>$1,286.78</td>
<td>$3,860.34</td>
</tr>
<tr>
<td>Property Appraiser</td>
<td>$129,783.00</td>
<td>$3,893.49</td>
<td>$1,297.83</td>
<td>$2,595.66</td>
<td>$7,786.98</td>
</tr>
<tr>
<td>Sheriff</td>
<td>$139,211.00</td>
<td>$4,176.33</td>
<td>$1,392.11</td>
<td>$2,784.22</td>
<td>$8,352.66</td>
</tr>
<tr>
<td>Supervisor of Elections</td>
<td>$129,783.00</td>
<td>$3,893.49</td>
<td>$1,297.83</td>
<td>$2,595.66</td>
<td>$7,786.98</td>
</tr>
<tr>
<td>Tax Collector</td>
<td>$129,783.00</td>
<td>$3,893.49</td>
<td>$1,297.83</td>
<td>$2,595.66</td>
<td>$7,786.98</td>
</tr>
<tr>
<td>School Board</td>
<td>$35,607.00</td>
<td>$1,068.21</td>
<td>$356.07</td>
<td>$0.00</td>
<td>$1,424.28</td>
</tr>
<tr>
<td>Hospital District</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Soil and Water</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Mosquito Control</td>
<td>$4,800.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$25.00</td>
</tr>
</tbody>
</table>
How do I pay fees?

Campaign check signed by the campaign treasurer or deputy treasurer

Candidates may sign the check if they are a treasurer or deputy treasurer

*Not acceptable:* Cashiers check, personal check or money order

*Exception:* Personal check is OK for special district candidates
Returned fees

Fees are returned if the candidate:

- Withdraws prior to last date to qualify
- Deceases prior to the last date to qualify, then the candidate’s beneficiary is entitled to the fee
- Fails to qualify
Petition Process

- No qualifying fee
- 1,134 valid petitions (Based on 1% of active voters in the 2018 general election)
- Submit petitions to:
  - Local candidates: IRC SOE office
  - Multi-county candidates: County where voter is registered

Candidate is responsible for submitting petitions to the correct county
Petition Verification Fees

- Fee is 10 cents per petition

- Fee can be paid by:
  - Campaign check
  - Petty cash
  - Third party, reimbursed by campaign

- Candidate is responsible for providing an accurate count

- Payment is required when submitting petitions

- All petitions submitted to SOE are verified
Petition Due Date

Deadlines for submitting petitions for verification:

✓ April qualifying: Noon, March 23, 2020

✓ June qualifying: Noon, May 11, 2020
PLEASE LOOK AT YOUR NEXT HANDOUT

Look at the Form
Petitions must contain:

- Name of candidate
- Party designation
- Office, including district, circuit, group or seat number, if applicable
Petition Requirements

Valid petitions must be signed by registered voters and include:

- Name
- Date of birth or voter registration number
- Address, including city and county
- Signature and date signed
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 104.183, 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 registration 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

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)

Be sure to verify the date of birth for accuracy

Indian River FL
Certificate of Petition Qualifying

Issued when 1,134 valid petitions are verified
Oath of Undue Burden:

Candidate must file “Oath of Undue Burden”

No charge for verification of signatures
Write-In Candidate

- Not required to pay a qualifying fee or submit petitions
- Must comply with finance laws
- Must reside in the district at qualifying
- Qualify for general election ballot only
- Name will not appear on ballot
Qualifying Forms

- Candidate oath (SOE will provide correct oath)
- Name on oath is name printed on the ballot
- Party affiliation
- Properly notarized
Nickname on Candidate Oath

- First name, shortened version of first name or nickname:
  - Rob” instead of “Robert” is OK
  - Robert “Rob” Smith is OK
  - Robert “Buzz” Smith is OK

- May not use descriptive information, such as esquire, doctor, reverend, etc.
Financial Disclosure Forms:
Form 1 and Form 6

- SOE will provide proper form
- Form 1 requires less information
- Form 6 requires detailed information
Why Financial Disclosure Forms?

- Only a snap shot of “financial situation” to disclose certain assets and sources of income
- Not the same as a “financial statement”
- Monitors potential conflicts of interest
- Deters activity that may result in conflict of interest
More Qualifying Forms

- Public test notification
- Poll watcher information
- Political signage information
- Candidate handbook
- Canvassing board dates
Qualifying ends and the fun begins

- Qualifying ends June 12, 2020 at noon
- Qualifying for judicial candidates ends April 24, 2020 at noon

No corrections can be made to qualifying papers after the close of qualifying
CAMPAIGN FINANCE RULES
Common FEC Violations

- Taking contributions or making expenditures before filing the DS-DE 9 Form
- Giving incomplete or false information on campaign reports (others are watching)
Campaign Treasurer

- Campaign treasurer should have some basic bookkeeping and computer skills.
- It is imperative that the campaign treasurer reviews every bank statement when it is received.
- Maintain accurate record keeping.
Treasurer’s Duties
Keep Detailed Accounts

- Deposit funds within 5 business days
- Bank slip must include the name of each contributor
- Preserve accounts (term of office = years preserved)
Record all Transactions

All transactions must be recorded in the campaign finance report:

- Contribution
- Expenditures
- Bank fees
- Other fees, such as Pay Pal service fees
Be Aware

Campaign reports must be filed on time by the treasurer or deputy treasurer

Fined for:
- Not filing a report

Fines must be paid from candidate’s personal funds

Campaign accounts can be inspected before, during or after an election by a DOE or FEC representative.
When are reports due?

- * Reports are due on the 10th day following the end of each calendar month after filing for office

- Frequency of reports increases after the qualifying period:
  - ✓ Non-election year: 12 reports are due
  - ✓ Election year: 20 reports are due

*Statewide candidates should check with the 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 and general elections: $500 per day

Fines cannot exceed 25% of total receipts or 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 “Waiver of Report”
Incomplete Reports

- All reports are accepted on a conditional basis
- We will notify you if a report is incomplete
- Addendum is due within 7 days
- Addendum must include updated information to complete the 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, made for the purpose of influencing the results of an election.
Exceptions include:

- Services by volunteers (no compensation)
- Editorial endorsements

All contributions must be reported, regardless of whether it’s 50 cents or $1,000
Reporting Contributions

Reporting for each contribution, must list:

- Full name
- Address
- Specific occupation (individual), if contribution is more than $100
- Principal type of business (corporation), if contribution is more than $100
- Amount
- Date

Be sure to report any transfer of funds or loans
Contribution limits for candidates

- $3,000 per 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
  - Any election conducted on less than a countywide basis
When to Stop Accepting Contributions

Candidates may not accept contributions after:

- The date the candidate withdraws his or her candidacy
- Is defeated
- Becomes unopposed
- Is elected
Exception: Contribution limits do not apply to 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 may not exceed $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

Candidates may give unlimited in-kind donations to their own campaign

In-kind contributions:
- Must be reported using a fair market value
- Are subject to contribution limits
Exceptions to In-kind Contributions

- Personal services provided without compensation by volunteers
- Independent expenditures, as defined in Section 106.011(5)F.S.
- Endorsements of 3 or more candidates by political committees or parties
Anonymous Contributions

- Must be reported as an anonymous contribution

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

- Candidate cannot spend the anonymous contribution, but at the end of the campaign, can donate funds to the 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 person signing the check is considered the contributor.
Fundraisers

- All monies and contributions received from campaign fundraisers 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.
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 the contribution
Returning Contributions

- Report returned contributions
- Use the itemized contribution report to record the contribution type as “refund”
- Returned contributions are reported as a negative
Candidates Changing Designated Office

If a candidate changes the designated office for which they are a candidate:

- Must submit a new Form DS-DE 9 and a written statement to SOE 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
Candidates Changing Designated Office

- 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.
If a contributor would like a refund, use the DS-DE 86 form to request the return of the contribution.
Loans

- Loans are considered contributions and are subject to contribution limitations

Exception: Loans made by a candidate to his or her own campaign are not subject to contribution limits

- 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
Form DS-DE 73: Campaign Loans Report

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 FINANCE: EXPENDITURES
Campaign Finance: Expenditures

An expenditure is a purchase, payment, distribution, loan, advance or transfer of funds for the purpose of influencing the results of an election.
Campaign Expenditures

A candidate must:

- Pay all campaign expenditures with a campaign check (except petty cash)
- Pay all expenses upon final delivery and acceptance of goods and services
- Pay for public utilities when bill is received (utility companies must charge a deposit to meet all anticipated charges during a billing period)
Campaign Account

Campaign accounts must contain:

- Name of the candidate or committee within it
- Name of bank
- Account number
Campaign Checks

Checks must contain as a minimum the following information:

- Exact amount of expenditure
- Signature of campaign treasurer/deputy treasurer, who is responsible for accuracy of all checks
- Exact purpose of expenditure
- Name of the payee
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

Information may be typed or hand printed on starter checks provided by the bank until printed checks arrive.
Debit cards

Debit cards may be used for campaign expenditures:

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

All debit card receipts must contain:

- Last four digits of the debit card number
- Exact amount of the 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, such as governor, cabinet and 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 the full amount of the expenditure
- Sufficient funds to honor all other checks drawn on the account
- All expenses previously authorized but not yet paid
Reporting Expenditures

Each report must contain:

- Full name
- Address
- Amount
- Date
- Purpose of expenditure
- Total amount withdrawn from total spent from petty cash
- Total sum of expenditures during the reporting period
Reimbursing Expenses

Reimbursement for authorized expenses made in connection with the campaign

For example, Candidate Smith paid for printing of campaign signs with his own money
Reimbursing Expenses

This type of reimbursement will require **two entries**

Entry #1: **ITEMIZED EXPENDITURES**

A check to reimburse Mr. Smith for the cost for printing campaign signs would be recorded as a reimbursement
Click **Input/Exit** to bring up a list of the expenditures recorded so far.

Click **Edit** to modify details on an existing expenditure.

Click **Delete** to remove the entry altogether.

Click **Add Expenditures** to bring up the form for entering expenditures.

Takes you back to the Report List.
Entry #2: **Distributions**

This entry would designate information regarding the entity who was paid for the campaign signs.
To record a distribution:

Click to bring up a page with describing the requirements for a distribution transaction.

Click to see this page:

Click Add Distribution to bring up the form for entering distributions.
If the entity receiving the distribution is an organization rather than an individual, enter the organization name in the Last field.

Enter the date the distribution occurred. This date does not have to be within the current reporting period.

Enter the amount and the purpose of the distribution. If the distribution is a contribution to a candidate, be sure to indicate the office they are running for.

If the distribution is related to a previously reported expenditure, enter:
- The year when the expenditure was reported.
- The Report Type from the first page of the report (example, M4).
- The Sequence Number (from the first column of the report's expenditures page).
When you’ve completed the form, click Submit to save the information. After the distribution is saved, you’ll get another blank distribution form.

Click Cancel when you’ve saved the last distribution you have right now. You’ll see the distributions you added highlighted in yellow, as in the example below.

![Campaign Treasurer's Report - Itemized Distributions](image-url)
### Entering Expenditures For Reimbursement

**CAMPAIGN TREASURER’S REPORT – ITEMIZED EXPENDITURES**

<table>
<thead>
<tr>
<th>(1) Name</th>
<th>Leslie Routley Smith</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Cover Period</td>
<td>11/1/2019 through 11/30/2019</td>
</tr>
<tr>
<td>(3) I.D. Number</td>
<td>396</td>
</tr>
<tr>
<td>(4) Page</td>
<td>1 of 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(5) Date</th>
<th>(6) Sequence Number</th>
<th>(7) Full Name</th>
<th>(8) Purpose (add office position if candidate)</th>
<th>(9) Expenditure Type</th>
<th>(10) Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/12/2019</td>
<td></td>
<td>Debra, Leslie 1774 Southfield Road, Wayne, MI 48191</td>
<td>postage &amp; postage</td>
<td>MI</td>
<td>$3,100.00</td>
</tr>
</tbody>
</table>

[See Reverse for Instructions and Code Values]
### Campaign Treasurer's Report - Itemized Distributions

<table>
<thead>
<tr>
<th>(1) Name</th>
<th>(2) LD. Number</th>
<th>(3) Cover Period</th>
<th>(4) Page of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leslie Rosemary Smith</td>
<td>390</td>
<td>11/1/2019 through 11/30/2019</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(5) Date Sequence Number</th>
<th>(6) Full Name (Last, Suffix, First, Middle) Street Address &amp; City, State, Zip Code</th>
<th>(7) Purpose (add office or cause if contribution to a candidate)</th>
<th>(8) Related Expenditures</th>
<th>(9) Amendment</th>
<th>(10) Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/12/2019</td>
<td>All Service Graphics, Inc. 100 West Parkade Ave. Melbourne, IL 61405</td>
<td>postage</td>
<td>2019-001-1</td>
<td></td>
<td>$3,000.00</td>
</tr>
</tbody>
</table>

*DS-DE 146 (Rev. 10-00*)
A distribution transaction does not add to your report totals. The distribution line item only explains the reason for the purchase.
A candidate or other individual may be reimbursed for expenses by a check drawn on the campaign account.

Reimbursement must be reported.
Fundraisers

All expenses incurred from a campaign fundraiser are campaign expenditures.
Living Expenses

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

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

- 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 Limits

A candidate must:

- Spend petty cash only in amounts less than $100
- Report total amount withdrawn or spent from petty cash per report period
- Keep complete records of petty cash
Each expenditure does not have to be reported individually

Do not mix cash contributions with petty cash

Do not use petty cash for the purchase of time, space or services from any communications media
Petty Cash Maximums

From the 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 his or her own funds (for example, to hold a victory party).
Disposing Surplus Funds

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

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

- Purchasing “thank you” advertising for up to 75 days after candidate withdraws, becomes unopposed, eliminated or elected to office

- Paying for items that were obligated before candidate withdrew, became unopposed, was eliminated, or elected to office
Expending Surplus Funds

Expend surplus funds by:

- Paying for expenditures necessary to close down the campaign office and prepare final campaign reports
- Giving funds to the county executive committee of a political party per 106.141F.S.
Surplus Funds and Termination Reports

Within 90 days of withdrawing as a candidate, becoming unopposed, elected or eliminated:

- A termination report must be filed
- Funds must be dispersed
- Account must be closed
Dispersing Funds

Funds may be dispersed of 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
Dispersing Funds

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

See 106.141F.S.
Dispersing Funds

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

**Note:** A candidate elected to state office may retain up to $20,000 in a campaign account for use in next campaign for the same office
Refund Checks

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
Affidavit of Undue Burden
Reimbursement

If a candidate filed an Affidavit of Undue Burden (unable to pay the fee for petition verification), he or she must reimburse any waived petition verification fees to the state or local government.
CANDIDATE FINANCE REPORTING
Filing Campaign Reports

- Start by keeping your bank statements current and balanced
- Keep current with your campaign contributions and expenditures in the campaign reporting module

*Do not forget to list on your campaign finance reports any bank charges or other expenses that are automatically deducted from your account*
Filing Candidate Reports Online

- Reports must be submitted via SOE website
- When data entry is complete, report is submitted using electronic signature(s)
- Reports will be released on VoteIndianRiver.com when accepted by SOE
Filing Candidate Reports Online

When you file for office, you will be provided with:

- Candidate ID number
- Candidate password
- Candidate PIN (for electronic signature)
- Treasurer PIN (for electronic signature)
Filing Reports

- Go to SOE website: voteindianriver.com
- Click on: Candidate Login
Candidate/Committee Log In

Don't forget that the report IS NOT LEGALLY FILED until the electronically filed and electronically signed report is received by the elections office. This must be done on or before the due date of the report. If the report is delinquent, you are subject to a fine.

Once the report is electronically received by the elections office, the elections office will publish the data entered by you on the web site.

Using the system is very easy and there is no cost to you.

Use the Candidate ID, Candidate Password, Candidate/Treasurer signature PIN number provided by the Supervisor of Elections office to log in to the Financial Reporting System.
Entering contributions and expenditures

- Choose the reporting period
- Enter contributions, expenditures, distributions, etc.

NOTE: The RED Help button is a step-by-step tutorial for “How to File Finance Reports Online”
## Entering Contributions

<table>
<thead>
<tr>
<th>Date</th>
<th>Date of Item (mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/15/2017</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contributor Name</th>
<th>Enter last name or company name if a business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last</td>
<td></td>
</tr>
<tr>
<td>First</td>
<td></td>
</tr>
<tr>
<td>Middle</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address 1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address 2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>ST</th>
<th>Zip</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Amount $</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Contributor Type</th>
<th>Select the type that best describes this contributor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contributor Occupation</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Contribution type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>In-kind Description</th>
<th>Type the description of any In-kind contribution.</th>
</tr>
</thead>
</table>

*Per F.S. 106.09 effective 01/01/08 - A person may not make or accept a cash contribution in excess of $50.*
Click “submit” after each entry

When finished with all entries for your session, select “cancel and return to list”
## Entering Expenditures

<table>
<thead>
<tr>
<th>Date</th>
<th>12 ▼ 15 ▼ 2017 ▼</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vendor Name</td>
<td>Last</td>
</tr>
<tr>
<td>Address 1</td>
<td></td>
</tr>
<tr>
<td>Address 2</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
</tr>
<tr>
<td>Amount $</td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td></td>
</tr>
<tr>
<td>Expenditure type</td>
<td>Monetary</td>
</tr>
</tbody>
</table>

**Date of item (mm/dd/yyyy)**
Enter last name or company name if a business

**Type the purpose of the expenditure.**

Please refer to the [Campaign Treasurer Handbook](#) for the state of Florida to ensure you are using the correct transaction type.
Finalizing the report

When done entering all information for the reporting period, select “prepare totals”
Previewing the Report

Preview a report -

Draft

Check the draft report carefully to verify everything is correct and complete.

The preview version of the report has a DRAFT watermark on each page.
The elections office cannot accept a draft report. You must submit a final report.
We'll explain how to do this on page 29.

Forgot to add a contribution or expenditure?
That's OK: You can continue to add them after doing the preview.

On the Report List, notice that the Prepare Totals button is now labeled Preview.
To finalize the report:

Click

- Import Entries
- Enter Contributions
- Enter Expenditures
- Enter Transfers
- Enter Distributions
- Preview
- Create Final Report For Review
- Export CSV

Create Final Report For Review

Candidate: Carolyn J. Gadson (FL) Office: County Commissioner, District 3
Report Filed: 09/11/2023

Contributions $7,250.00; Expenditures $5,998.39
Transfers $0.00; Contributions $0.00

PLEASE NOTE: This report is NOT filed until it is electronically signed by the Candidate/Committee and Treasurer using their respective electronic PIN.
Use your PIN, which is an electronic signature...followed by an online view of the report.
Electronic signature

You must enter:

- Candidate’s PIN
- Treasurer’s PIN

Always select “Assign PIN”
Creating a Final Report

Final report appears and “draft” is gone

Notice the submitted date and time
Notice that report has been received on the reports page.

Upon SOE approval, report will be released on SOE website.
Modifying a report

You can always change a report by filing an amended report for a current or a past reporting period.
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.

Political advertisements include radio, TV, newspaper, campaign literature, mail or messages other than the spoken word in direct conversation.
Advertising Disclaimers

Advertising disclaimers are required for political ads that are paid for by a candidate and published or circulated.

Disclaimers must be verbatim per Section 106.143 F.S.

Reminder: All candidates receive a copy of the Florida Election Code when filing.
Political Ads Paid for by Candidate

If published, displayed or circulated before or on election day, political advertisements 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”

Section 106.143(1)(a)(1), F.S
Disclaimer Exceptions

There are many exceptions to disclaimer requirements in advertising under Section 106.143 (1-10) F.S., such as items designed to be worn by a person, which do not require a disclaimer.
Disclaimer Exceptions

Any candidate running for an office with a district, group or seat number does not have to indicate the district, group or seat number in a political advertisement.

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 and qualify for office with a political party affiliation

**Non Partisan candidate**: Candidate who is prohibited from campaigning and qualifying for office with a political party affiliation
Candidate shall state the name of the political party of which candidate is seeking in the advertisement

Section 106.143(3) F.S.
Incumbent Candidates

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

  Example: Re-elect Jane Doe for ...

Section 106.143(6)F.S.
Non-incumbent Candidates

- Non-incumbent candidates must use the word “for” in advertisements so that incumbency is not implied.

*Example:* Elect Jane Doe for ...
No-Party Candidates

- Candidates for a partisan office running with no party affiliation must state that the candidate has no party affiliation

Example: Jane Doe, no party affiliation, for...

Section 106.143(3) F.S
Write-in Candidates

- Write-in candidates must state “write-in candidate” in advertisements

*Example:* Jane Doe, write-in candidate for…

Section 106.143(1) F.S
Fundraisers

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

An ad placed by an organization in support of a candidate must be approved by the candidate.

Since the organization paid for the ad, it is considered an in-kind donation to the candidate, and must:

- State who supported and paid for the ad
- Include “in-kind” in the ad
- Be approved by the candidate, who must provide a written statement of authorization

Section 106.143(5) F.S.
Political Advertisement Endorsements

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

Section 106.143(4)(a) F.S.
Independent Expenditure

An expenditure made for the purpose of expressly advocating the election or defeat of a candidate and cannot be 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.
Advertising in Another Language

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

Section 106.143(9) F.S.
Closed Captioning

Each candidate, political party and political committee must use closed captioning and descriptive narrative, or must file a written statement with the qualifying SOE officer with reason for not doing so.

Section 106.165, F.S.
Telephone Solicitation

- Caller must identify the persons or organization sponsoring the call by stating “paid for by” or “paid for on behalf of”
- No telephone call shall state or imply that the caller represents any organization unless given the approval in writing

Section 106.147, F.S.
PLEASE LOOK AT YOUR NEXT HANDOUT PAGE
Q. A candidate 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?
Q & A

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

OR

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

- Each municipality and the county has sign ordinances.

- On election day, sign-related complaints (outside the 150' no-solicitation zone) must be directed to the code enforcement unit assigned to the specific voting area.

- The SOE is not be responsible for any signs left or posted outside the 150' no-solicitation zone.
More about signage

Code enforcement officers can provide information on local permits and/or sign regulations for:

- Fellsmere
- Indian River County
- Indian River Shores
- Sebastian
- Town of Orchid
- Vero Beach
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 Election Day poll watcher designations must be submitted prior to noon of the second Tuesday preceding the election
Poll Watchers

- For early voting sites, designations must be submitted prior to noon, 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 obtain a list of who has requested a vote-by-mail ballot?

Vote-by-mail ballot request information is confidential and exempt from public disclosure, unless you are one of the following:

- Canvassing board member
- Election official
- Political party or official thereof
- Qualified candidate who is opposed in an upcoming election
- Registered political committee

Section 101.62(3) F.S.
Look at your next handout
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 flyers to registered voters
- Send flyers to households
- Review previous voting history
Look at your next handout
List Categories

Lists of registered voters from Indian River County are formatted in Excel and can be sorted by:

- Name
- Precinct
- Residence
- Household
- Specific district
- Specific age range
- Gender
- Race
- Party
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.
- Candidates may not make any contribution in the name of another, directly or indirectly.
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.
Use of Campaign Funds

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

- Religious
- Charitable
- Political party
- Civic
Memberships

Candidates may continue membership in and, if they have been a member for more than six month, make donations to the following groups:

- Religious
- Charitable
- Political party
- Civic
Malicious Statements

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

This is a felony of the third degree per Section 04.271 F.S.
Judicial Candidate Limitations

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
Judicial Candidate Limitations

Limitations on political activity:

- 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
Judicial Candidate Limitations

A candidate for judicial office shall not:

- Make contributions to a political party fund
- Solicit or accept contributions for any political party
Judicial Candidate Limitations

A candidate for judicial office shall not:

- 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
Election Night Results

Election night voting results are released after the polls are closed:

- Early voting totals and vote-by-mail ballot totals are released within 30 minutes
- Election day results are updated every 45 minutes thereafter
Candidate Responsibilities

As the candidate, you are responsible for all aspects of your campaign
Polling Place Etiquette

Candidates and campaign volunteers, please take time to look around the polling sites before you leave on election day and pick up any remaining signs, flyers, trash, etc.

Our office is very fortunate to have such nice facilities available for us to rent on election day.
Thank You and Good Luck!

GO FOR IT!

GOOD LUCK!