



*Supervisor of Elections  
Mark Andersen  
Bay County*

# **MUNICIPAL CANDIDATE GUIDE**

## **2024/2025 Election Cycle**

**Callaway | Lynn Haven**

**Mexico Beach | Panama City**

**Panama City Beach | Parker | Springfield**



## **KNOW THE LAWS YOUR CANDIDACY DEPENDS ON IT!**

**THIS GUIDE WAS CREATED TO ENHANCE YOUR UNDERSTANDING OF THE FLORIDA ELECTION LAWS.  
THIS IS NOT A REPLACEMENT OF THE LAWS PROVIDED BY THE STATE OF FLORIDA.**

Web-site: [www.bayvotesfl.gov](http://www.bayvotesfl.gov) E-mail: [Candidates@bayvotesfl.gov](mailto:Candidates@bayvotesfl.gov)  
Authorized by the Bay County Supervisor of Elections



**Revisions Page – December 17, 2009 Initial Start Date**

<b>Revision Date</b>	<b>Revision Made</b>
12/21/09	Pg. 2 Added change page that did not exist prior. Pg. 48 Added Campaign Check view. Pgs. 97-105 Updated Table reference format and Public Testing added Pg 100 Corrected Qualifying Date
01/14/10	Pg. 104 Changed Springfield Commissioner Ward 1 & 2 Salary & Fees
11/29/10	Standard format of all Pre-headers and data, Pg. 3, 9, 15, 16, 18, 79, 83, 84, 85, 86 Made minor grammar corrections. Pg. 21, 25, 30, 32, 41, 44, 51, 59, 66, 68, 69, 72 Updated content. Pg. 97-107 Updated Candidate races, dates, and Salaries. Removed Parker Vote for two process per City Clerk.
01/05/11	Pg. 15 & 96-103 Added Forms 16452 PAC Affidavit of Residency, 16454 PRK Affidavit of Residency, 16456 SPR Affidavit of Residency, 16458 PCB Affidavit of Residency, 16460 MXB Affidavit of Residency Pg. 99 & 103 Corrected Book Closing Date Pg. 102 Added City of Parker 3-month residency requirement clause Various 1.5 spacing for all Warning/Caution/Notes.
01/27/11	Added LYN Affidavit of Residency
08/03/11	<ul style="list-style-type: none"><li>Deleted reference to Form 16404 Debit Card Users Form throughout document</li><li>Deleted reference to Form 10602 Candidate Checklist Form throughout document</li><li>Changed names of all files to reflect current naming conventions</li><li>Included updates necessitated by adoption of HB 1355</li><li>Added Deputy Treasurer forms</li></ul>
10/11/11	Removed initial forms pages 5 thru 15 to 1602A Municipal Candidate Application/reformat Table templates.
02/21/12	Pg. 88-94 Assessment fee clarification
05/21/12	Assessment Pg. 88-94 Update to Correct Language by SOE.
11/26/12	Updated all Snapshot pages
12/06/12	Updated Candidate Salaries for PAC & LYN
11/14/13	Updated based on legislative changes and election year
11/26/13	Added DOE Opinion DE 97-02 Municipal Election Assessment Added DOE Rule Nickname on Ballot Corrected Petition/Book closing numbers
01/03/14	Book Closing Issues/Numbers
1/28/14	Springfield Update.
12/12/14	Annual Update



12/19/14	Changed Public Testing Dates, and added F.S 99.095, Changed “reference” title and updated “due date” language
07/07/15	Updated all Snapshot pages.
12/05/16	Update Snapshot pages for 2017/2018
03/21/17	Added (City) to sign disclaimers
08/24/17	Update Snapshot pages for 2018/2019, change table format and lock formatting
12/20/17	DOE update of Rule 1S-2.0001 - Candidate Oath-Non Partisan Office
02/08/18	Update PCB Election Assessment
12/10/18	Update all Snapshot pages.
12/20/18	Corrected and verified snapshot pg. charter references
10/15/19	Annual update, verified salaries, Qualifying Fees, and Election Assessments.
10/28/19	Added PCB Residency Affidavit form to snapshot pg.
05/18/20	Update Bay County, PCB, and Mexico Beach Sign Ordinance and contact numbers
12/01/20	Annual update, salary verification
10/26/21	Annual update, salary verification
11/15/22	Annual update, salary verification
12/07/22	Update Parker Seat #s
07/12/23	Annual update, change email and website to bayvotesfl.gov, update report schedule to quarterly, update to current statutes
10/19/23	Update salaries and petitions #'s
10/31/23	Update Financial Disclosure filing information
01/11/24	Update Financial Disclosure filing information



*Supervisor of Elections  
Mark Andersen  
Bay County*

TO: All Candidates, Campaign Treasurers & Campaign Managers

FROM: Bay County Supervisor of Elections Mark Andersen

SUBJECT: Candidate Guide

The Municipal Candidate Guide has been created to aide Candidates, Campaign Treasurers and Campaign Managers in learning their respective duties and responsibilities under the Florida Election Code.

The Supervisor of Elections recommends that candidates contact the SOE Office as soon as possible to schedule a 1 hour “one on one” meeting to go over all possible areas of concern and answer any questions candidates may have regarding campaigns. Candidates may decide to forego this appointment; however, time will be limited for help during peak qualifying and election cycle periods.

Most forms can be found at [www.bayvotesfl.gov](http://www.bayvotesfl.gov) by using the link to the Division of Elections website. Special forms required by some cities must be obtained from the SOE Office. Do not use leftover forms from prior years. Laws change and the most current forms must be used. A list of forms and a description of their use is located in this guide.

Proper use and tracking of campaign reports is also an area of great concern. It is **MANDATORY** to use the free campaign software provided by the SOE Office for proper tracking of reports. Using the campaign software enables the SOE Office to review and validate campaign reports prior to the official electronic submittal, which helps to prevent possible amended reports. The SOE Office can review and validate your report via the internet at any time during the submitting time frame.

It is the intention of the SOE Office for the guide to be a valuable reference to candidates during the campaign. However, situations will arise that have not been addressed in the guide. Please call the SOE Office at any time if you have additional questions or need clarification. My staff and I stand ready to assist in any way that Florida law permits.

Sincerely,

*Mark Andersen*

Bay County Supervisor of Elections

**The SOE Office is here to answer questions BEFORE they become problems.  
Call or E-mail the office.**

**Phone (850) 784-6101**  
**E-mail: [Candidates@bayvotesfl.gov](mailto:Candidates@bayvotesfl.gov)**



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## **I. CANDIDATE PROCEDURES**

### **A. Candidate Education**

#### **Description:**

This section outlines the recommended education and materials for a candidate to run for public office.

#### **Federal Statutes:**

None

#### **State Statutes:**

99 CANDIDATES  
105 NONPARTISAN ELECTIONS  
106 CAMPAIGN FINANCING

#### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State  
1S-2.017 Reporting Requirements for Campaign Treasurer's Reports  
DE 97-02 Opinion Municipal Election Assessment

#### **Forms:**

16002A Municipal Candidate Application  
16410 Candidate Petition Certification  
16450 CLW Affidavit of Residency  
16452 PAC Affidavit of Residency  
16454 PRK Affidavit of Residency  
16456 SPR Affidavit of Residency  
16458 PCB Affidavit of Residency  
16460 MXB Affidavit of Residency  
16498M MUN Certification of Candidate Qualification  
CE Form 6 Full and Public Disclosure of Financial Interests  
DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates  
DS-DE 84 Statement of Candidate  
DS-DE 104 Candidate Petition Form  
DS-DE 302NP Candidate Oath – Nonpartisan Office

#### **Procedures:**



**NOTE**

***The Candidate Class is not required to run for public office but is highly recommended by the SOE even for candidates which have run for public office in the past.***

**1. Candidate Class**

- a) Each candidate desiring to run for countywide office in Bay County should schedule a one-hour appointment for one-on-one training to become better informed and educated on the requirements to run for public office in Bay County.
- b) Each candidate will be informed of the specific requirements to run for the office sought and the general requirements of running a political campaign in Bay County and the State of Florida, including financial reporting.

**2. Candidate Materials**

- a) The SOE Office will provide each candidate desiring to run for municipal office in Bay County the following materials:
  - 1) Municipal Election Candidate Guide
  - 2) Division of Elections Chapters 99, 105 & 106 of the Florida Statutes.
- b) Each candidate will be required to sign an acknowledgement of receiving the above two documents.
- c) Each candidate will be required to sign an acknowledgement of the requirement to file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form with the SOE Office.
- d) Each candidate will be required to sign an acknowledgement of either scheduling a one-hour Candidate Class or declining to schedule a Candidate Class.



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## **B. Candidate Filing**

### **Description:**

This section outlines the documents required for a candidate to run for public office.

### **Federal Statutes:**

Federal Hatch Act

### **State Statutes:**

97.021 Definitions

99 Candidates

99.012 Restrictions on individuals qualifying for public office.

105 Nonpartisan Elections

106 Campaign Financing

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.023 Statement of Candidate.

106.19 Violations by candidates, persons connected with campaigns, and political committees.

106.25 Reports of alleged violations to Florida Elections Commission; disposition of findings.

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain repeat offenders previously released from prison.

775.083 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

16002A Municipal Candidate Application

16410 PET Qualification All Offices CTY & MUN Cert Form

16450 CLW Affidavit of Residency

16498M MUN Certification of Candidate Qualification

CE Form 6 Full and Public Disclosure of Financial Interests

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

DS-DE 84 Statement of Candidate

DS-DE 104 Candidate Petition Form

### **Procedures:**



## 1. Definition of a Candidate

### *NOTE*

*This definition does not include any candidate for a political party executive committee.*

- a) Section 97.021(7), F.S. defines candidate as:
- 1) Any person who seeks to qualify for nomination or election by means of the petition process
  - 2) Any person who seeks to qualify for election as a write-in candidate
  - 3) Any person who receives contributions or makes expenditures or gives his or her consent for any other person to receive contributions or make expenditures with intent to bring about his or her nomination or election to, or retention in, public office
  - 4) Any person who appoints a treasurer and designates a primary depository
  - 5) Any person who files qualification papers and subscribes to a candidate's oath as required by law

## 2. Florida Candidate Restrictions

- a) No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other.
- b) No officer may qualify as a candidate for another state, district, county, or municipal public office if the terms or any part thereof run concurrently with each other without resigning from the office he or she presently holds.
- 1) The resignation is irrevocable.
  - 2) The written resignation must be submitted at least 10 days prior to the first day of qualifying for the office he or she intends to seek.
  - 3) The resignation must be effective no later than the earlier of the following dates:
    - (a) The date the officer would take office, if elected; or
    - (b) The date the officer's successor is required to take office.
- c) A person who is a subordinate officer, deputy sheriff, or police officer must resign effective upon qualifying pursuant to Section 99.012, F.S., if the person is seeking to qualify for a public office that is



currently held by an officer who has authority to appoint, employ, promote, or otherwise supervise that person and who has qualified as a candidate for reelection to that office.

### **3. Federal Hatch Act-Federal Employees**

a) The Federal Hatch Act restricts certain individuals from participating in certain political activities if the individual is either a federal employee or works for an entity which is funded in part or entirely by federal funding. Candidates should investigate the impacts of the Federal Hatch Act early in the campaign process to avoid violations. A brief summary is contained in this manual for information purposes but is not a substitute for the candidate researching the possible impact of the Federal Hatch Act. More information on the Federal Hatch Act can be found at

<https://osc.gov/Services/Pages/HatchAct-Policies.aspx>

b) The Federal Hatch Act allows most federal employees to:

- 1) be candidates for public office in nonpartisan elections
- 2) register and vote as they choose
- 3) assist in voter registration drives
- 4) express opinions about candidates and issues
- 5) contribute money to political organizations
- 6) attend political fundraising functions
- 7) attend and be active at political rallies and meetings
- 8) join and be an active member of a political party or club
- 9) sign nominating petitions
- 10) campaign for or against referendum questions, constitutional amendments, municipal ordinances
- 11) campaign for or against candidates in partisan elections
- 12) make campaign speeches for candidates in partisan elections
- 13) distribute campaign literature in partisan elections
- 14) hold office in political clubs or parties

c) The Federal Hatch Act restricts most federal employees from:



- 1) wearing partisan political buttons on duty
- 2) using official authority or influence to interfere with an election
- 3) solicit or discourage political activity of anyone with business before their agency
- 4) soliciting or receiving political contributions (may be done in certain limited situations by federal labor or other employee organizations)
- 5) being candidates for public office in partisan elections
- 6) engaging in political activity while:
  - (a) on duty
  - (b) in a government office
  - (c) wearing an official uniform
  - (d) using a government vehicle

#### **4. Federal Hatch Act-State and Local Employees**

- a) The Federal Hatch Act restricts certain individuals from participating in certain political activities if the individual is either a federal employee or works for an entity which is funded in part or entirely by federal funding. Candidates should investigate the impacts of the Federal Hatch Act early in the campaign process to avoid violations. A brief summary is contained in the manual for information purposes but is not a substitute for the candidate researching the possible impact of the Federal Hatch Act. More information on the Federal Hatch Act can be found at <https://osc.gov/Services/Pages/HatchAct-Policies.aspx>
- b) The Federal Hatch Act allows most state and local employees to:
  - 1) run for public office in nonpartisan elections
  - 2) campaign for and hold office in political clubs and organizations
  - 3) actively campaign for candidates for public office in partisan and nonpartisan elections
  - 4) contribute money to political organizations and attend political fundraising functions
- c) The Federal Hatch Act restricts most state and local employees from:
  - 1) Being candidates for public office in a partisan election



- 2) Using official authority or influence to interfere with or affect the results of an election or nomination
- 3) Directly or indirectly coercing contributions from subordinates in support of a political party or candidate

## 5. Form DS-DE 9

- a) Each candidate seeking to run for public office must submit a Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE Office. The candidate must file the DS-DE 9 prior to opening a bank account, collecting contributions, expending money, or collecting qualifying petitions.

## 6. Form DS-DE 84

### WARNING

*Willful failure to file the DS-DE 84 is considered to be a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes. (See Chapter 106.19(1)(c), 106.25(3), and 106.023, Florida Statutes for detail.)*

- a) Each candidate seeking to run for municipal office must submit a DS-DE 84 Statement of Candidate to the SOE Office if designated as filing officer within 10 days of submission of the DS-DE 9 form.

## 7. Petition Undue Burden Statement

- a) Candidates can qualify to be placed on the ballot by paying a qualifying fee or collecting a set number of DS-DE 104 Candidate Petition Forms.
- b) Candidates qualifying by petition can file a 16002A Municipal Candidate Application- Undue Burden Written Certification to be exempted from the standard fee for verifying DS-DE 104 Candidate Petition Forms.
- c) If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath.



d) Some municipalities require candidates to qualify by both paying a qualifying fee and collecting the candidate petitions forms. The requirements of each municipality are contained in the Qualifications Section of the manual.

## **8. Candidate Folder**

a) All candidates filing paperwork to run for public office will have a scanned document candidate folder containing all documentation submitted by the Candidate to the SOE Office which will be stored electronically.

## **9. Florida Statutes**

### ***NOTE***

***The candidate is solely responsible for reading and understanding the requirements of the Florida Statutes relating to running for municipal office in Florida.***

- a) Each candidate filing to run for public office will be provided Chapter 99, 105, and 106, Florida Statutes by the SOE Office and must read and understand the requirements of the Florida Statutes.
- b) Each candidate will be required to sign a statement acknowledging the candidate has received Chapter 99, 105, and 106, Florida Statutes.

## **10. Changing of Office Sought**

- a) Section 106.021(1)(a), F.S., allows a candidate to change the office sought and run for a different office after becoming a candidate, providing that the candidate:
  - 1) Provides written notice of the termination of the prior candidacy to the filing officer.
  - 2) Files a new Appointment of Campaign Treasurer and Designation of Campaign Depository, designating the new office;
  - 3) Within 15 days of the change in office, the candidate must notify in writing, all contributors of the change in office and offers to return contributions pro rata. The DS-DE 86 Request for Return of Contributions Form may be used for this purpose;
  - 4) If contributors do not request that contributions be returned within 30 days of the above mentioned notice, the candidate may use the funds in the campaign for the newly designated office.



## **C. Campaign Bank Account**

### **Description:**

This section outlines the required actions for a candidate to open a bank account to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.11 Expenses of and expenditures by candidates and political committees.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

16002A Municipal Candidate Application

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

DS-DE 84 Statement of Candidate

### **Procedures:**

#### **1. Filing Requirements**

- a) Before a candidate can open a campaign bank account, receive contributions, or expend funds, the candidate must file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE. (See Section 106.021, Florida Statutes.)
- b) Candidates for municipal office must also file any paperwork required by the municipality to the SOE.

#### **2. Bank Account Requirements and Restrictions**

- a) Any bank, savings and loan association, or credit union authorized to transact business in this state may be designated as a campaign depository.



- b) The bank, savings and loan association, or credit union the candidate selects as a campaign depository must be reported on the DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates.
- c) The campaign account shall be separate from any personal or other account and shall be used only for the purpose of depositing contributions and making expenditures for the candidate or political committee.
- d) As stated in Section 106.021, F.S., candidates must designate one primary campaign depository for the purpose of depositing all contributions received and disbursing all expenditures made by the candidate.
  - 1) In addition, candidates may also designate one (1) secondary depository for the sole purpose of depositing contributions and forwarding the deposits to the primary depository.

***NOTE***

***No expenditures may be made from a secondary depository.***

**3. Campaign Account Checks**

- a) Campaign checks must contain all of the following information (Section 106.11(1)(b).F.S.):
  - 1) Name of Candidate or committee campaign account.
  - 2) Account number and name of bank.
  - 3) Exact amount of the expenditure.
  - 4) Signature of the campaign treasurer or deputy treasurer.
  - 5) Exact purpose of the expenditure.
  - 6) Name of the payee.



#### 4. Example of a Proper Campaign Check

##### WARNING

*When issuing a check from the campaign account, the campaign treasurer or deputy treasurer shall be responsible for the completeness and accuracy of the information on the check and for insuring that such expenditure is an authorized expenditure. (See Section 106.11(3), F.S.)*

##### NOTE

*The word (for) is not required for an incumbent candidate.*

##### NOTE

*To sign the check you MUST be on the banks signature file or you cannot sign the check*

(Candidate's Name) (for) (Office Name), (District or Ward)	Date _____	00001 12-123
PAY TO THE ORDER OF _____		
_____ DOLLARS		
Bank of Florida Candidate Town FL 12345		
<i>Purchase Details</i> FOR _____	<i>Signature of Treasurer or Deputy Treasurer ONLY</i> _____	

#### 5. Debit Cards

a) Debit cards are considered bank checks and may be used for expenses if (See Section 106.11(2), F.S.):

- 1) Debit cards are obtained from the same bank that has been designated as the candidate's primary campaign depository.
- 2) Debit cards are issued in the name of the treasurer, deputy treasurer, or authorized user and state "(name of candidate) Campaign Account."
- 3) No more than three debit cards are requested and issued.
- 4) The person using the debit card does not receive cash as part of, or independent of, any transaction for goods or services.



- b) All receipts for debit card transactions must contain:
- 1) Last four digits of the debit card number
  - 2) Exact amount of the expenditure
  - 3) Name of the payee
  - 4) Signature of the campaign treasurer, deputy treasurer, or authorized user
  - 5) Exact purpose for which the expenditure is authorized

**NOTE**

***Any information required but not included on the debit card transaction receipt may be handwritten on, or attached to, the receipt by the authorized user before submission to the treasurer.***

**6. Separate Interest-Bearing Account and Certificate of Deposit**

- a) Pursuant to 106.021(1)(b), F.S., campaign treasurers may deposit any funds, which are in the primary campaign depository and not currently needed for the disbursement of expenditures, into a separate interest-bearing account in any bank, savings and loan association, or credit union authorized to transact business in the State of Florida.
- b) The separate interest-bearing account must be designated "Name of Candidate, separate interest-bearing campaign account."
- c) The campaign treasurer or deputy treasurer may then purchase a certificate of deposit with such unneeded funds in the bank, savings and loan association, or credit union.
- d) The interest-bearing account/certificate of deposit shall be separate from any personal or other account or certificate of deposit. Co-mingling of personal and campaign funds is to be strictly avoided.
- e) The transfer of funds from a primary depository to a separate interest-bearing account or certificate of deposit must be reported on the DS-DE 94 Treasurer's Report - Funds Transfer. The transfer amount will not reflect on the summary page.
- f) The transfer of funds from an interest-bearing account or certificate of deposit back to the primary account must also be reported on the DS-DE 94 Campaign Treasurer's Report - Funds Transfer. The transfer amount will not reflect on the summary page.



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Mark Andersen  
Bay County*

- g) Any interest earned must be reported as a contribution to the campaign account.
- h) Separate interest-bearing accounts cannot be used to pay campaign expenses. The only acceptable withdrawal from a separate interest-bearing account is to transfer funds back to the primary campaign account.



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## D. Campaign Treasurer

### Description:

This section outlines the required actions for a candidate to appoint a campaign treasurer to run for public office.

### Federal Statutes:

None

### State Statutes:

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.021 Campaign treasurers; deputies; primary and secondary depositories.

### Administrative Rules:

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### Forms:

16002A Municipal Candidate Application

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

DS-DE 12 Campaign Treasurer's Report - Summary (Automatic with electronic filing)

DS-DE 13 Campaign Treasurer's Report - Itemized Contributions (Automatic with electronic filing)

DS-DE 14 Campaign Treasurer's Report - Itemized Expenditures (Automatic with electronic filing)

### Procedures:

#### 1. Appointment of Campaign Treasurer

- a) A campaign treasurer must be a registered voter in the State of Florida (See Section, 106.021(1)(c), F.S.) and must accept the position in writing.

#### **NOTE**

***The requirement for written acceptance has been met when the treasurer has completed and filed Form DS-DE 9 with the filing officer.***

- b) A candidate should select a treasurer with knowledge of bookkeeping or accounting procedures, as well as basic computer skills.
- c) Candidates may serve as campaign treasurer if the candidate desires.



- d) Pursuant to 106.021(1)(a), F.S., candidates may appoint one campaign treasurer and not more than three deputy campaign treasurers.
- 1) The qualifications for a deputy treasurer are the same as those for a campaign treasurer.
  - 2) Candidates must file the treasurer's and each deputy treasurer's written acceptances with the filing officer, along with the names and addresses of all treasurers appointed. (Use Form DS-DE 9 in appointing a treasurer and each deputy treasurer.)
  - 3) A deputy treasurer may exercise any of the powers and duties of a campaign treasurer when specifically authorized to do so by the candidate and the campaign treasurer.

## **2. Campaign Treasurer Replacement**

- a) Candidates may replace treasurers or deputy treasurers at any time.
- b) Section 106.021(2), F.S., provides that in the case of the death, resignation, or removal of a campaign treasurer, the candidate must appoint a successor in the same manner in which the original treasurer was appointed. (i.e., DS-DE 9)
- c) A treasurer's resignation does not become effective until it is submitted to the candidate in writing, and a copy of the letter of resignation is filed with the Supervisor of Elections.
- d) A candidate's removal of a treasurer does not become effective until written notice of the removal is given to the treasurer and is filed with the Supervisor of Elections.

## **3. Multiple Campaign Appointments**

- a) An individual may be appointed to be treasurer for more than one campaign or committee. Section 106.021(1)(c), F.S., states that an individual may be appointed and serve as a campaign treasurer for a candidate and a political committee or two or more candidates or political committees.



## **E. Candidate Qualifying**

### **Description:**

This section outlines the requirements for a candidate to qualify to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

Section 2, Article VIII, Constitution of the State of Florida as Revised in 1968 and Subsequently Amended

99 Candidates

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.

99.092 Qualifying fee of candidate; notification of Department of State.

99.093 Municipal candidates; election assessment.

105 Nonpartisan Elections

106 Campaign Financing

166.032 Electors.

166.042 Legislative intent.

166.021 Powers.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

16002A Municipal Candidate Application

16410 Qualification All Offices CTY & MUN Cert Form

16498M Certification of Candidate Qualification

Form 6 Full and Public Disclosure of Financial Interests

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

DS-DE 302NP Candidate Oath - Nonpartisan Office

DS-DE 84 Statement of Candidate

DS-DE 104 Candidate Petition Form

### **Procedures:**

#### **1. Qualifying Period**



**NOTE**

***SOE office may accept and hold qualifying papers submitted not earlier than 14 days prior to the beginning of the qualifying period, to be processed and filed during qualifying period. F.S. 105.03(6)***

- a) Pursuant to Section 99.061, F.S., all municipal candidates must file their qualifying papers no earlier than noon of the 71st day prior to the election, but not later than noon of the 67th day prior to the date of the election.
- b) Time for the purposes of qualifying will be determined by SOE Office clocks.
  - 1) No qualifying papers will be accepted prior to noon, two weeks before the beginning date of qualifying or after noon at the end of qualifying.
  - 2) Qualifying papers will be accepted during the qualifying period at the Bay County Supervisor of Elections Office any time during normal office hours (8:00 A.M. TO 5:00 P.M.).
  - 3) Candidates may qualify by mail. Qualifying papers must be forwarded to 830 W. 11<sup>th</sup> Street, Panama City, FL 32401 within the appropriate timeline for qualifying. If not received prior to noon on the last day of qualifying or incomplete the candidate shall not be qualified.
  - 4) Emailed or faxed qualification papers will not be accepted as proper qualifying documents.

**2. Qualifying Officer**

- a) Pursuant to Section 99.061, F.S., all municipal candidates must file their qualifying papers in the office of the Supervisor of Elections.

**3. Qualifying Forms Required**

- a) Candidates must file the following forms during the qualifying period:
  - 1) DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates.
  - 2) DS-DE 84 Statement of Candidate.
    - (a) 16002A Municipal Candidate Application

**NOTE**

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



***Candidates and DS-DE 84 Statement of Candidate may be filed prior to the start of qualifying.***

- 3) DS-DE 302NP Candidate Oath – Nonpartisan Office. The candidates name will appear on the ballot exactly as it appears on the Candidate Oath and cannot be changed after qualifying.
- 4) Form 6 Full and Public Disclosure of Financial Interest
  - (a) Candidates can go to <https://disclosure.floridaethics.gov/Account/Login?ReturnUrl=%2f> for more information on how to file an Electronic Form 6.
  - (b) Per F.S. 99.061(7)(a)(5) at the time of qualifying for office you may file a copy of that disclosure or a verification or receipt of electronic filing.
- 5) 16410 PET Qualification All Offices CTY & MUN Cert Form if qualifying by candidate petitions.

***NOTE***

***Some municipalities required candidate petitions and a qualifying fee.***

- 6) Other documents required by the specific municipality for which the candidate is seeking office, such as the 16450 CLW Affidavit of Residency required by the City of Callaway or the qualifying fee.

***NOTE***

***A detailed list of each municipality's qualifying requirements is provided in the reference section of the manual. Each candidate is responsible for verifying the qualifying requirements of the municipality in which an office is sought. The SOE assumes no responsibility, other than that required by law, for educating candidates on the qualifying requirements of each municipality.***

#### **4. Qualification Fee**

- a) Each candidate must pay the necessary qualifying fee, unless exempted, before the end of the qualifying period. (Section 99.061(7)(a)(1), F.S.)
- b) The qualifying fee must be paid by a check drawn on the candidate's campaign account made payable to the municipality for which the candidate seeks office.
- c) The total qualifying fee includes two possible candidate fees.



- 1) An election assessment of 1% of the annual salary for the office sought.
- 2) A city qualifying fee if one has been approved.
- d) The following municipalities currently charge a city qualifying fee:
  - 3) City of Panama City
  - 4) City of Panama City Beach
  - 5) City of Springfield
- e) The following municipalities do not currently charge a city qualifying fee:
  - 1) City of Callaway
  - 2) City of Lynn Haven
  - 3) City of Mexico Beach
  - 4) City of Parker

## **5. Qualifying Fee Exemption**

- a) Pursuant to Section 99.093(2), F.S., candidates may be exempted from the election assessment fee if the candidate is “unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her”, unless otherwise stated by municipal code.
- b) The candidate must provide written certification of such inability given under oath to the SOE. Submission of the 16004 Affidavit of Undue Burden Election Assessment to the SOE Office fulfills the required written certification requirement.
- c) Write-In candidates are not required to pay a qualifying fee unless specifically required by the municipality for which office is sought.

## **6. Qualifying Fee Refund**

- a) Section 99.092(1), F.S., provides for reimbursement of the qualifying fee provided the candidate withdraws before the qualifying period ends.

## **7. Qualifying by Petition**



- a) Candidates for municipal offices with a City qualifying fee may qualify by petition instead of paying the fee.
- b) Candidates must submit candidate petitions for verification and pay the required verification fees to the SOE Office.
  - 1) The verification fee is \$0.10 per petition and must be paid prior to petition verification.
  - 2) Petitions submitted without payment of the fee will not be verified until the verification fee is paid.
  - 3) Petitions will be accepted until noon of the 28th day proceeding the first day of the qualifying period for the office sought.
- c) Candidates must have accumulated the required number of verified petitions before the start of the qualifying period, or the qualifying fee must be paid.

#### **8. Errors in Qualifying Documents**

- a) A candidate will not be qualified unless all qualifying documents are complete and submitted prior to the end of the qualifying period.
- b) The SOE is required by Section 99.061, F.S. to make a “reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying.”
- c) The candidate is ultimately responsible for completion and submission of all required qualifying documents and fees.
- d) If a candidate’s check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall have until the end of qualifying to pay the fee with a cashier’s check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate. (Sec. 99.061 (7)(a)(1))



## **F. Qualifying by Candidate Petition**

### **Description:**

This section outlines the requirements for a candidate to qualify to run for public office by candidate petition.

### **Federal Statutes:**

None

### **State Statutes:**

Section 2, Article VIII, Constitution of the State of Florida as Revised in 1968 and Subsequently Amended

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.

99.095 Petition process in lieu of a qualifying fee and party assessment.

99.097 Verification of signatures on petitions.

### **Administrative Rules:**

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

1S-2.045 Candidate Petition Process.

### **Forms:**

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

DS-DE 104 Candidate Petition Form

### **Procedures:**

#### **1. Qualifying by Petition**

- a) Candidates for some municipal offices can qualify for the ballot by petition instead of paying a qualifying fee.
- b) Candidates must file the DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates prior to collecting petitions.
- c) Candidates must submit candidate petitions to the SOE Office for verification prior to noon of the 28th day proceeding the first day of the qualifying period for the office sought.
- d) The number of verified petitions required is based either on 1 percent of the total number of registered voters of that geographical area immediately preceding the last general election or a number set by city ordinance.

#### **2. Candidate Petition Form**



- a) Candidates qualifying by petition must use the DS-DE 104 Candidate Petition Form required by the State of Florida to gather voter signatures.
- b) Candidates can go to the Department of State-Division of Elections website to get a copy of the required DS DE 104 Candidate Petition Form.
  - 1) Candidates can go to <https://files.floridados.gov/media/693291/dsde104.pdf>.
  - 2) Scroll down the page to the DS-DE 104 icon and open a PDF copy of the form.
  - 3) Candidates can enter the required information on the form and print a copy of the form for replication.
  - 4) Candidates can either copy the printed document or take the copy to a print shop to have additional copies made.
- c) Each petition form must include:
  - 1) Pursuant to Section 99.095(2)(c), F.S., candidates must include the following information on the candidate petition form:
    - (a) Candidate name
    - (b) Non-Partisan box checked.
    - (c) Name of Office the candidate is seeking.
  - 2) Pursuant to Chapter 1S-2.045, Florida Administrative Code, voters must include the following on the candidate petition form:
    - (a) The voter's name.
    - (b) The voter's residential street address including city and county.
    - (c) The voter's date of birth or voter registration number.
    - (d) The voter's original signature.
    - (e) The date the voter signed the petition as recorded by the voter.

### **3. Candidate Petition Verification**

- a) Chapter 99.097, F.S. requires candidates to pay a fee of \$0.10 per petition to the SOE for the cost of verifying candidate petitions.



- b) The fee must be paid at the time petitions are submitted unless the candidate has submitted an Undue Burden Written Certification, which would exempt the candidate from the verification fee.

**NOTE**

***Candidate petitions will be accepted by the SOE Office without payment of the verification fee, but will not be verified until the candidate has paid the required verification fees.***

- c) Candidate petitions will be reviewed by the SOE Office to ensure petitions meet the requirements of law and the signatures will be matched to the voter record.
- d) Candidates are advised to ensure petitions are complete before submission for verification to avoid rejection of the petition.

**NOTE**

***The candidate can aid the voter in recording the voter name and address, but the voter must sign and date the form. The date must be “recorded by the voter” to meet the requirements of the law.***

***Candidate petitions dated by someone other than the voter will be rejected if the SOE Office can determine the date was not written by the voter.***

- e) The voter signature is recommended to be as close as possible to the most currently submitted signature on file for the voter. Section 99.097(3)(a), F.S. stipulates that the signature on a candidate petition form must be accepted by the SOE as a valid signature if the SOE can determine the signature on the petition form is the voter’s signature. The law does not require the form of the name to be identical.
- f) Section 99.097(3)(c), F.S. stipulates that if the voter lists an address on a candidate petition other than the voters home address, the SOE shall treat the signature as if the voter had listed the address where the voter is registered.
- g) Candidates are encouraged to continue collecting candidate petitions until the SOE notifies the candidate enough petitions have been verified for the candidate to qualify. If enough petitions are not submitted and verified, the candidate will be required to pay the qualifying fee.



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## **G. Write-In Candidates**

### **Description:**

This section outlines the requirements for a write-in candidate to qualify to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

Section 2, Article VIII, Constitution of the State of Florida as Revised in 1968 and Subsequently Amended

99 Candidates

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.

105 Nonpartisan Elections

106 Campaign Financing

166.032 Electors.

166.042 Legislative intent.

166.021 Powers.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

16002A Municipal Candidate Application

16410 Ballot Pet Cty & Mun Cert

16452 PAC Affidavit of Residency

16454 PRK Affidavit of Residency

16456 SPR Affidavit of Residency

16458 PCB Affidavit of Residency

16459 LYN Affidavit of Residency

16460 MXB Affidavit of Residency

16498M Certification of Candidate Qualification

CE Form 6 Full and Public Disclosure of Financial Interests

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

DS-DE 302NP Candidate Oath - Nonpartisan Office



DS-DE 84 Statement of Candidate

**Procedures:**

**1. Write-In Candidate Qualifying**

- a) Each person seeking to qualify for election to office as a write-in candidate shall file his or her qualification papers with the Supervisor of Elections, during the qualifying period for the office sought.
- b) Pursuant to Section 99.061, F.S., all municipal candidates must file their qualifying papers no earlier than noon of the 71st day prior to the election, but not later than noon of the 67th day prior to the date of the election.
- c) Time for the purposes of qualifying will be determined by SOE Office clocks.
- d) All write-in candidates must reside within the district represented by the office sought at the time of qualification.

**2. Qualifying Forms Filing Officer**

- a) Pursuant to Section 99.061, F.S., all municipal candidates must file their qualifying papers in the office of the Supervisor of Elections.

**3. Qualifying Forms Required Example**

**NOTE**

***The DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidate, DS-DE 84 Statement of Candidate and Affidavit of Residency may be filed prior to the start of qualifying.***

***A detailed list of each municipality's qualifying requirements is provided in the reference section of the manual. Each candidate is responsible for verifying the qualifying requirements of the municipality in which an office is sought. The SOE assumes no responsibility, other than that required by law, for educating candidates on the qualifying requirements of each municipality.***

- a) Candidates must file the following forms during the qualifying period:
  - 1. DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates
  - 2. DS-DE 84 Statement of Candidate
    - (f) 16002A Municipal Candidate Application



- 3) Affidavit of Residency for specific municipality (SOE Office Policy)
- 4) DS-DE 302NP Candidate Oath - Nonpartisan Office for write-in candidates
- 5) CE Form 6 Full and Public Disclosure of Financial Interests

#### **4. Qualification Fee**

- a) Pursuant to Section 99.061(4)(b), any person seeking election as a write-in candidate shall not be required to pay a filing fee, election assessment, or party assessment.

#### **5. Ballot Position**

- a) A write-in candidate is not entitled to have his or her name printed on any ballot.
- b) Space for the write-in candidate's name to be written in must be provided on the general election ballot.
- c) A person may not qualify as a write-in candidate if the person has also qualified for nomination or election to the office.



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## **II. CAMPAIGN FINANCE**

### **A. Campaign Contributions**

#### **Description:**

This section outlines the reporting requirements for campaign contributions for a candidate to run for public office.

#### **Federal Statutes:**

None

#### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.011 Definitions.

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.055 Valuation of in-kind contributions.

106.06 Treasurer to keep records; inspections.

106.07 Reports; certification and filing.

106.075 Elected officials; report of loans made in year preceding election; limitation on contributions to pay loans.

106.08 Contributions; limitations on.

106.09 Cash contributions and contribution by cashier's checks.

106.141 Disposition of surplus funds by candidates.

106.15 Certain acts prohibited.

106.19 Violations by candidates, persons connected with campaigns, and political committees.

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain repeat offenders previously released from prison.

775.083 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.

775.084 Violent career criminals; habitual felony offenders and habitual violent felony offenders; three-time violent felony offenders; definitions; procedure; enhanced penalties or mandatory minimum prison terms.

#### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State



1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

**Forms:**

16002A Municipal Candidate Application

CE Form 6 Full and Public Disclosure of Financial Interests

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

DS-DE 12 Campaign Treasurer's Report - Summary (Automatic with electronic filing)

DS-DE 13 Campaign Treasurer's Report - Itemized Contributions (Automatic with electronic filing)

DS-DE 14 Campaign Treasurer's Report - Itemized Expenditures (Automatic with electronic filing)

DS-DE 73 Campaign Loans Report (Electronic)

DS-DE 84 Statement of Candidate

**Procedure:**

**1. Campaign Contribution Authorization**

- a) Before a candidate can open a campaign bank account, receive contributions, or expend funds, the candidate must file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE. (See Section 106.021, Florida Statutes.)
- b) Candidates must also file 16002A Municipal Candidate Application (per SOE office policy).

**2. Campaign Contributions Defined**

- a) Section 106.011(5), F.S., defines a contribution as:
  - 1. A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including in-kind contributions having an attributable monetary value in any form, made for the purpose of influencing the results of an election.
  - 2. A transfer of funds between political committees, between committees of continuous existence, or between a political committee and a committee of continuous existence.
  - 3. The payment of any person other than a candidate or political committee of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or political committee for such services.
  - 4. The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit and any interest earned on such account or certificate.



5. Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee. This definition shall not be construed to include editorial endorsements.

### **3. Campaign Contribution Limitations**

- a) There is no limit to the amount a candidate can contribute to run for municipal office.
- b) Except for political parties, no person, political committee, or committee of continuous existence may, in any election, make contributions in excess of \$1000 to any candidate for election to or retention in office or to any political committee supporting or opposing one or more candidates.
1. The \$1000 limitation applies to each individual or entity contributions received by personal or business check. For example, a husband and wife may each give up to \$1000.
  2. Each contribution must be separate and the check must be signed by the contributor. (i.e., a husband cannot sign the check for the wife's contribution.)
  3. Each individual entity, such as a corporation, may give up to \$1000.
  4. Children under the age of 18 years of age may contribute up to \$1000.
  5. The law provides for a maximum but no minimum contribution.
  6. A person may not make any contribution through or in the name of another, directly or indirectly, in any election.
- c) A person may not make or accept a cash contribution or contribution by means of a cashier's check more than \$50.
- d) The primary election and general election are considered to be separate elections as long as the candidate has opposition. If a candidate is unopposed, the primary and general election is considered to be one election for contribution limitations.
- e) Candidates, political committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

***NOTE***



***Chapter 106.15(4), F.S., prohibits the acceptance of a contribution in a building owned by a governmental entity, except if the building is rented for a fundraiser.***

#### **4. In-Kind Contributions**

- a) A contribution having an attributable monetary value in any form, made for the purpose of influencing the results of an election, is considered In Kind. (106.011(5)(a), F.S.).
- b) The contributor cannot spend any additional funds in excess of the limits provided for by law for the specific purpose of furthering that candidate's nomination or election. (i.e., limitations listed above)
- c) Pursuant to 106.055, F.S., in-kind contributions must be reported on the campaign treasurer's report to the Supervisor of Elections, and a fair market value must be placed upon the contributed item by the contributor.

#### **5. Penalties for Violation of Campaign Contribution Limitations**

- a) Any person who makes or accepts a contribution in excess of the limits established by Section 106.08, F.S. commits a misdemeanor of the first degree.
- b) Any person who knowingly and willfully violates any other contribution restrictions listed above or knowingly and willfully fails to return any contribution listed above is guilty, if convicted, of a first degree misdemeanor punishable as provided in Section 775.082-775.083, F.S. for no more than one contribution.
- c) Any person who knowingly and willfully violates any contribution restrictions listed above or knowingly and willfully fails to return any contribution listed above is guilty, if convicted, of a third degree felony punishable as provided in Section 775.082-775.084, F.S. for two or more contributions.
- d) Any person found guilty of knowingly and willfully violating the restrictions listed above shall, in addition to any other penalty prescribed by law, pay to the state a sum equal to twice the amount of the contribution(s).
- e) See Chapter 106.08, F.S. for complete details on restrictions and penalties for violations of the law relating to campaign contributions.

#### **6. Campaign Contribution Recording**

- a) All candidates are required to use the free software provided by the SOE Office to report campaign contributions and expenses.



- b) Section 106.06, F.S. requires campaign treasurers to keep detailed accounts current within not more than 2 days after the date of receiving a contribution or making expenditure. For reporting purposes, contributions are required to be reported within two days of receipt.
- c) All contributions received for a candidate must be deposited no later than the end of the 5th business day following the receipt of the contribution, Saturdays, Sundays, and legal holidays excluded. All deposits shall be accompanied by a bank deposit slip containing the name of each contributor and the amount contributed by each.
- d) Each contribution received shall be reported using the free software provided by the SOE and shall include:
  - 1. Contributor's full name.
  - 2. Contributor's complete address.
  - 3. Contributor's occupation for contributions exceeding \$100.
  - 4. For business contributions, a clear description of the type of business conducted by the business.

## **7. Contribution Ending Dates**

- a) Candidates may receive contributions from the day the DS-DE 9 is filed until 5 days prior to the election date.
- b) Contributions received by a candidate with opposition or the candidate's representative on the day of election or less than 5 days prior to the day of the election must be returned by the candidate to the person or committee contributing and may not be used or expended by or on behalf of the candidate.
- c) Contributions may not be accepted by a candidate or candidate's representative after the date at which the candidate withdraws candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office. Contributions received in this manner must be returned to the person or committee contributing and may not be used or expended by or on behalf of the candidate.

## **8. Anonymous Contributions**

- a) The SOE Office recommends that the contribution be reported on the treasurer's report along with a cover letter explaining that the contribution was an anonymous contribution and the circumstances under which the contribution was received.



*Supervisor of Elections  
Mark Andersen  
Bay County*

- b) The SOE Office recommends that the contribution not be expended and be disposed of at the end of the campaign in accordance with Section 106.141, F.S.

## **9. Campaign Loans**

- a) Section 106.075, F.S., requires that a person elected to office must report to the Supervisor of Elections all loans, exceeding \$500 in value, made to the candidate and used by the candidate for campaign purposes in the 12 months preceding the candidate's election to office.
- b) The report must be made, in the manner prescribed by the Department of State, within 10 days after being elected to office.
- c) The DS-DE 73 or 73A Campaign Loans Report shall be used for this purpose.
- d) Any person making a contribution to an individual to pay all or part of a loan incurred, in the 12 months preceding the election, to be used for the individual's campaign, may not contribute more than the amount which is allowed in 106.08(1), F.S.



## **B. Campaign Fund Raisers**

### **Description:**

This section outlines the reporting requirements for campaign fund raisers for a candidate to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.011 Definitions.

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.025 Reports of alleged violations to Florida Elections Commission; disposition of findings.

106.08 Contributions; limitations on.

106.143 Political advertisements circulated prior to election; requirements.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

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

### **Procedure:**

#### **1. Fund Raising Period**

- a) Before a candidate can open a campaign bank account, receive contributions, or expend funds, the candidate must file a DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates with the SOE. (See Section 106.021, Florida Statutes)
- b) Candidates may receive contributions from the day the DS-DE 9 is filed until 5 days prior to the election date.
- c) Contributions received by a candidate with opposition or the candidate's representative on the day of election or less than 5 days prior to the day of the election must be returned by the candidate to the person or committee contributing and may not be used or expended by or on behalf of the candidate.



d) Contributions may not be accepted by a candidate or candidate's representative after the date at which the candidate withdraws candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office. Contributions received in this manner must be returned to the person or committee contributing and may not be used or expended by or on behalf of the candidate.

## **2. Fund Raiser Reporting Requirements**

a) Section 106.011(1), F.S., defines a campaign fundraiser as "any affair held to raise funds to be used in a campaign for public office."

b) All money and contributions received with respect to a campaign fund raiser shall be deemed to be campaign contributions, and shall be accounted for, and subject to the same reporting requirements and restrictions, as other campaign contributions. (See Section 106.025(1)(b), F.S.)

c) All expenditures made with respect to a campaign fund raiser shall be deemed to be campaign expenditures to be accounted for, and subject to the same restrictions, as other campaign expenditures when paid or reimbursed from the candidate's campaign bank account.

d) All expenditures made with respect to a campaign fund raiser shall be deemed to be In-Kind campaign contributions when paid by individuals on behalf of the candidate and are subject to the same reporting requirements and restrictions, as other campaign contributions. (See Campaign Contributions procedures for more information on In-Kind Contributions.) (See Section 106.08, F.S. for details on campaign contribution limitations.)

e) Tickets and advertising sold for a campaign fundraiser must comply with the disclaimer requirements of 106.143, F.S.

f) The SOE Office suggests that tickets with stubs be used so that the name and address of the contributor can be written on the stub at the time of sale and remitted to the campaign treasurer for reporting of contributions.



## **C. Campaign Expenditures**

### **Description:**

This section outlines the reporting requirements for expenditures for a candidate to run for public office.

### **Federal Statutes:**

s.501(c)(3) of the Internal Revenue Code

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.06 Treasurer to keep records; inspections.

106.011 Definitions.

106.11 Expenses of and expenditures by candidates and political committees.

106.12 Petty cash funds allowed.

106.125 Credit cards; conditions on use.

106.1405 Use of campaign funds.

106.141 Disposition of surplus funds by candidates.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

None

### **Procedure:**

#### **1. Authorized Campaign Expense**

a) Section 106.011(10)(a), F.S. defines an expenditure as “a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication.”

b) Section 106.011(10)(a), F.S. exempts a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made



by an organization, in existence prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization's newsletter from the definition of campaign expense.

c) An "expenditure" for an electioneering communication is made when the earliest of the following occurs:

1. A person enters into a contract for applicable goods or services;
2. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or
3. Electioneering communication is publicly disseminated.

d) Candidates for municipal office may not use campaign funds to offset any normal living expense of the candidate or member of the candidate's family. Candidates may pay for transportation, meals, and lodging expenses for legitimate campaign travel. (See Section 106.1405, F.S.)

e) Campaign expenses may be only be paid from either the primary campaign bank account, by check or debit card, or from a petty cash fund if one has been created.

## **2. Credit Cards**

a) Candidates for municipal office are not permitted to use credit cards for the purchase of goods and services for the campaign. (See Section 106.125, F.S.)

## **3. Debit Cards**

a) Municipal candidates are permitted to use debit cards for purchases but may not get cash back during or independent of purchase transactions. (See Section 106.11(2)(a), F.S.)

b) All receipts for debit card transactions must contain:

1. The last four digits of the debit card number.
2. The exact amount of the expenditure.
3. The name of the payee.
4. The signature of the campaign treasurer, deputy treasurer, or authorized user.
5. The exact purpose for which the expenditure is authorized.

c) Any information required but not included on the debit card transaction receipt may be handwritten on, or attached to, the receipt by the authorized user before submission to the treasurer.



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#### **4. Campaign Expense Reporting Requirements**

- a) All candidates are required to use the free software provided by the SOE Office to report campaign contributions and expenses.
- b) The campaign treasurer of each candidate shall keep detailed accounts, current within not more than 2 days after the date of receiving a contribution or making an expenditure, of all contributions received and all expenditures made by or on behalf of the candidate. (See Section 106.06, F.S.) Do not hold expense receipts or donations more than two days before recording the transactions in the reporting program.
- c) Accounts kept by the campaign treasurer of a candidate may be inspected under reasonable circumstances before, during, or after the election to which the accounts refer by any authorized representative of the Division of Elections or the Florida Elections Commission. (See Section 106.06, F.S.)
- d) Accounts kept by a campaign treasurer of a candidate shall be preserved by the campaign treasurer for the number of years equal to the term of office of the office to which the candidate seeks election.

#### **5. Petty Cash Fund**

- a) Campaign treasurers for a candidate are authorized to withdraw from the primary campaign account the amount of \$500 per calendar quarter reporting period for the purpose of providing a petty cash fund for the candidate until the close of the last day for qualifying for office. (See Section 106.12, F.S.)
- b) Following the close of the last day for qualifying and until the candidate is eliminated, elected to office, or becomes unopposed the campaign treasurer of each candidate is authorized to withdraw \$100 per week for use as a petty cash fund for the candidate.
- c) The petty cash fund shall be spent only in amounts less than \$100 and only for office supplies, transportation expenses, and other necessities.
- d) Petty cash shall not be used for the purchase of time, space, or services from communications media as defined in Section 106.011(13), F.S.

#### **6. Independent Expenditures**



- a) Section 106.011(12)(a), F.S. defines “independent expenditure” as “an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee.
- b) An expenditure for such purpose by a person having a contract with the candidate, political committee, or agent of such candidate or committee in a given election period shall not be deemed an independent expenditure.”
- c) An expenditure for the purpose of expressly advocating the election or defeat of a candidate shall not be considered an independent expenditure if the committee or person: (See Section 106.011(12)(b), F.S.)
- 1) Communicates with the candidate, the candidate's campaign, or an agent of the candidate acting on behalf of the candidate, including any pollster, media consultant, advertising agency, vendor, advisor, or staff member, concerning the preparation of, use of, or payment for, the specific expenditure or advertising campaign at issue; or
  - 2) Makes a payment in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with the candidate, the candidate's campaign, a political committee supporting the candidate, or an agent of the candidate relating to the specific expenditure or advertising campaign at issue; or
  - 3) Makes a payment for the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by the candidate, the candidate's campaign, or an agent of the candidate, including any pollster, media consultant, advertising agency, vendor, advisor, or staff member; or
  - 4) Makes a payment based on information about the candidate's plans, projects, or needs communicated to a member of the committee or person by the candidate or an agent of the candidate, provided the committee or person uses the information in any way, in whole or in part, either directly or indirectly, to design, prepare, or pay for the specific expenditure or advertising campaign at issue; or
  - 5) After the last day of qualifying for statewide or legislative office, consults about the candidate's plans, projects, or needs in connection with the candidate's pursuit of election to office and the



information is used in any way to plan, create, design, or prepare an independent expenditure or advertising campaign, with:

- (g) Any officer, director, employee, or agent of a national, state, or county executive committee of a political party that has made or intends to make expenditures in connection with or contributions to the candidate; or
- (h) Any person whose professional services have been retained by a national, state, or county executive committee of a political party that has made or intends to make expenditures in connection with or contributions to the candidate; or
- (i) After the last day of qualifying for statewide or legislative office, retains the professional services of any person also providing those services to the candidate in connection with the candidate's pursuit of election to office; or
- (j) Arranges, coordinates, or directs the expenditure, in any way, with the candidate or an agent of the candidate.

## **7. Leftover Campaign Funds**

a) Section 106.141, F.S., states that “each candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office, shall within 90 days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds.”

- 1) If there are funds in a separate interest-bearing account or certificate of deposit at the time the candidate becomes unopposed, withdraws, is eliminated as a candidate or elected, the funds and the accumulated interest earned thereon must be transferred to the campaign account within seven (7) days.
- 2) If the funds are subject to penalty if withdrawn within the seven (7) day period, the funds and the accumulated interest earned thereon may be transferred as soon as the funds may be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws candidacy, or is eliminated or elected, whichever comes first.

b) Any candidate required to dispose of funds pursuant to this section may, prior to such disposition, be reimbursed by the campaign, in full or in part, for any reported contributions by the candidate to the campaign.



c) Section 106.11(5), F.S., states “A candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office may expend funds from the campaign account to:”

- 1) Purchase "thank you" advertising for up to 75 days after the candidate withdraws, becomes unopposed, eliminated or elected.
- 2) Pay for items that were obligated before the candidate withdrew, became unopposed, or was eliminated or elected.
- 3) Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
- 4) Dispose of surplus funds as provided in Section 106.141, F.S.

d) 106.141(4)(a), F.S., provides that any funds not spent or obligated may be disposed of by the following means or combination thereof:

- 1) Return pro rata to each contributor the funds that have not been spent or obligated to be spent;
- 2) Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s.501(c)(3) of the Internal Revenue Code;
- 3) May Give funds that have not been spent or obligated to the political party of which the candidate is a member; or
- 4) Give the funds that have not been spent or obligated to the General Revenue Fund of the municipality.

e) Section 106.141(5)(d), F.S., provides that a candidate is elected to office or a candidate that will be elected to office by virtue of being unopposed may transfer from the campaign account to an office account any amount of funds on deposit in such campaign account up to \$5,000 multiplied by the number of years in the term of office for which elected.

- 1) Any funds so transferred by a candidate shall be used only for legitimate expenses in connection with the candidate’s public office.
- 2) This money retained from the campaign account must be used to open a new account to be titled "Office Account" and the candidate elected to office is required to file a report on the 10th day following the calendar quarter until the account is closed.



- 3) The reports are in the same form and contain the same type of information as the campaign reports.
  - 4) The office account shall be separate from any personal or other account, and funds may be used for travel expenses incurred by the officer or the officer's staff members, personal taxes payable on office account funds by the candidate or elected public official, or expenses incurred in the operation of the office, including the employment of additional staff.
  - 5) If a candidate is reelected to office or elected to another office and has funds remaining in the office account, the candidate may transfer surplus campaign funds to the office account. However, at no time may the funds in the office account exceed the limitation imposed by Section 106.141, F.S.
  - 6) Upon leaving public office, any candidate with funds in an office account pursuant to Section 106.141, F.S. remaining on deposit shall give such funds to a charitable organization or organizations which meet the requirements of s. 501(c)(3) of the Internal Revenue Code or to the city for deposit into the General Revenue Fund.
- f) Prior to disposing of funds pursuant to Section 106.141(7) F.S., any candidate having filed a Statement of Undue Burden for exemption from the petition verification fees or qualifying by petition is required to pay the waived fees for petition verification and the qualifying fee otherwise due to qualify to run for the elected office.

**WARNING**

***Candidates must pay waived petition verification fees prior to disposing of unused campaign funds.  
Failure to pay the required fees prior to disposition of funds is a misdemeanor of the first degree,  
punishable as provided in s. 775.082 or s. 775.083.***

- g) If a candidate receives a refund check after all surplus funds have been disposed of, the check may be endorsed by the candidate and the refund disposed of. An amended report must be filed showing the refund and the subsequent disposition. (Section 106.141(1), F.S.)



## **D. Campaign Financial Reports**

### **Description:**

This section outlines the reporting requirements for campaign financial reports for a candidate to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.07 Reports; certification and filing.

106.0705 Electronic filing of campaign treasurer's reports.

106.12 Petty cash funds allowed.

106.141 Disposition of surplus funds by candidates.

112.312 Definitions.

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain repeat offenders previously released from prison.

775.083 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

16002A Municipal Candidate Application

DS-DE 87 Waiver of Report Form (Automatic for electronic filing)

### **Procedure:**

#### **1. Financial Report Software**

- a) All municipal candidates must file campaign financial reports using the free software provided by the SOE Office.
- b) Candidates can access the software on the internet or may come to the SOE Office and use the computer provided for candidate access.



- c) All campaign contributions and expenditures must be entered electronically using the SOE provided software.
- d) The temporary Candidate/Treasurer login, password and pin are provided by the SOE office upon initial candidate filing of 16002A Municipal Candidate Application.
  - 1) Candidates are required to change their password and pin number when logging in for the 1<sup>st</sup> time.
  - 2) If password or pin number is forgotten, contact the SOE office Candidate Team and login information can be reset.

## **2. Financial Report Content**

- a) Every report must contain the full name and address of each person having made one or more contributions to the campaign within the reporting period, the amount of contribution and the date of contributions.
  - 1) Contributions over \$100.00 must also include the contributor's occupation. For businesses, the report must provide as clear a description as practicable of the principal type of business conducted.
- b) Each report shall contain the full name and address of each entity to which expenditures have been made by or on behalf of the candidate within the reporting period, as well as, the amount, date, and purpose of each expenditure.
  - 1) Expenditures made from a petty cash fund provided by 106.12, F.S., need not be reported individually. (See Campaign Expenditures procedures for detail on Petty Cash funds.)
- c) Candidates are encouraged to contact the SOE Office when questions relating to financial report content or detail arise. The SOE Office can provide guidance and instruction to aid candidates in financial report maintenance.

## **3. Financial Reporting Dates**

- a) Each campaign treasurer designated by a candidate shall file campaign financial reports for the candidate.
- b) The candidate is ultimately responsible for timely filing campaign reports.



- c) Reports shall be filed on the 10th day following the end of each calendar quarter from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day which is not a Saturday, Sunday, or legal holiday.
- d) Quarterly reports shall include all contributions received and expenditures made during the calendar quarter.

**NOTE**

***Municipal Elections timelines are not the same as countywide elections for reporting.***

***This is due to the short period between the 1<sup>st</sup> Election (General Election) and the 2<sup>nd</sup>***

***Election (Run-off Election).***

- e) 1<sup>st</sup> Election April- Following the last day of qualifying for office, campaign financial reports shall be filed on the 60<sup>th</sup>, 46<sup>th</sup>, 32<sup>nd</sup>, 25<sup>th</sup>, 18<sup>th</sup>, 11<sup>th</sup> and 4<sup>th</sup> days immediately preceding the 1<sup>st</sup> April election, for a candidate who is opposed in seeking nomination or election to any municipal office. (Exact reporting period dates are provided on the home page of the SOE online reporting software.)
- f) 2<sup>nd</sup> Election May - Following the 1<sup>st</sup> Election April, campaign financial reports shall be filed on the 25<sup>th</sup>, 18<sup>th</sup>, 11<sup>th</sup>, and 4<sup>th</sup> days immediately preceding the 2<sup>nd</sup> election May, for a candidate who is opposed in seeking election to any municipal office. (Exact reporting period dates are provided on the home page of the SOE online reporting software.)
- g) Candidates are required to file a Termination Report within 90 days after the election in which the candidate is either elected or defeated. The Termination Report shall contain all previously unreported expenditures and shall reflect disposition of funds as required by Section 106.141, F.S.
- h) Following the last day of qualifying for office, any unopposed candidate need only file a report within 90 days (Termination Report) after the date the candidate became unopposed.
  - 1) The Termination Report shall contain all previously unreported contributions and expenditures as required and shall reflect disposition of funds as required by Section 106.141, F.S.
- i) Reports for any reporting period during which a candidate has not received or expended any reportable funds may be waived.



- 1) The campaign treasurer or candidate must submit a DS-DE 87 Waiver Report showing no activity using the SOE online reporting software.
- 2) The next regular report must specify that the report covers the period starting at the beginning of the waived reporting period and ending with the current reporting period. (See Section 106.07(7), F.S.)

#### **4. Filing Financial Reports Online**

- a) All municipal candidates must file campaign financial reports using the free online software provided on the SOE website.
- b) The “How to File Financial Reports Online” guide is available on the SOE website which provides detailed instructions for the reporting software.
- c) Your reporting schedule can be found on the homepage of the SOE online reporting software once you have logged in.
- d) Candidates and campaign treasurers should submit completed campaign financial reports for review during the required filing period.
  - 1) If errors are found prior to the last date of required submittal, candidates will have the opportunity to make corrections prior to the end of the filing period.
  - 2) If errors are found on the last day of required submittal, candidates will be notified by email and must submit an amended report, unless Candidate requests immediate access to make corrections.
- e) A Candidate pin number and Treasurer pin number must be “assigned” using the SOE online software. (This serves as your electronic signature)

#### ***NOTE***

***The Candidate will be copied on all emails circulated in the review process.***

- f) Campaign reports go through a two-person review process.
  - 1) 1<sup>st</sup> review passed or failed.
  - 2) Final review Accepted or Rejected and will give a reason.
- g) Campaign financial reports become visible on the SOE website for public viewing after the reports are accepted.



## 5. Late Reports

- a) Campaign treasurers are tasked with submission of reports, but Candidates are ultimately responsible for ensuring the timely filing of all required campaign reports. The candidate will be subject to fines if campaign reports are late. (See Section 106.07, F.S.)
- b) Any campaign treasurer, candidate, or political committee chair who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in Section 775.082 or 775.083, F.S.

### **WARNING**

***Campaign financial reports cannot be filed prior to the end of the reporting period regardless of activity or inactivity.***

- c) Any report deemed incomplete by the SOE Office will be accepted on a conditional basis and the campaign treasurer will be notified by the SOE Office of why the report is deemed to be incomplete.
  - 1) The SOE Office will notify the campaign treasurer of the incomplete report by email, telephone that the report is incomplete and request the information necessary to complete the report.
  - 2) Fines will be applied if the report is not completed within 7 days of the receipt of the email or cert. mail explaining why the report is incomplete by filing an amendment to the report providing all information necessary to complete the report.

## 6. Late Report Fines

- a) Any candidate failing to file a report on the last day of the filing period shall be subject to a fine for each late day payable only from personal funds of the candidate. (See Section 106.07(8), F.S.)
  - 1) The fine shall be \$50 per day for the first 3 days late, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.
  - 2) The fine shall be \$500 per day for each additional late day after the initial 3 days late not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.
  - 3) The fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report for reports immediately preceding each primary and general election. (i.e. 4<sup>th</sup> day reports)



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- 4) The fine for late Termination Reports shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.
- b) The SOE will determine the amount of the fine due based upon the earliest of the following:
- 1) When the report is received by the SOE.
  - 2) When the electronic receipt is issued pursuant to Section 106.0705, F.S. or other electronic filing system authorized in this section is dated.
- c) Fines shall be made payable to the municipality but submitted to the SOE Office within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission. Fines are not considered allowable campaign expenditures and must be paid from the personal funds of the candidate.
- d) Any candidate may appeal or dispute a fine based upon, but not limited to, unusual circumstances surrounding the failure to file on the last day of the required filing period to the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part.



## **E. Campaign Advertising**

### **Description:**

This section outlines the reporting requirements for campaign advertising for a candidate to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.021 Campaign treasurers; deputies; primary and secondary depositories.

106.143 Political advertisements circulated prior to election; requirements.

106.1435 Usage and removal of political campaign advertisements.

106.165 Use of closed captioning and descriptive narrative in all television broadcasts.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

N/A

### **Procedures:**

#### **1. Campaign Advertisement Disclaimer**

a) Section 106.143, F.S. contains specific elements which must be included in all advertising purchased by a candidate for public office. The SOE Office strongly recommends that candidates become familiar with the requirements of Section 106.143, F.S. to prevent any violations of the law.

#### ***WARNING***

***The party affiliation is NOT used for municipal elections, it is left blank. Candidates are not allowed to put party affiliation on any campaign materials of any kind.***

b) Any political advertisement that is paid for by an incumbent candidate and that is published, displayed, or circulated prior to, or on the day of, any election can use the words "re-elect" must



prominently state: "Political advertisement paid for and approved by (name of candidate), (City) (office sought)."

c) No political advertisement of a candidate who is not an incumbent of the office for which the candidate is running shall use the word "re-elect." Additionally, such advertisement must include the word "for" between the candidate's name and the office for which the candidate is running, in order that incumbency is not implied. This subsection does not apply to bumper stickers or items designed to be worn by a person. (Sect. 106.143(6), F.S.)

d) Any political advertisement made pursuant to Section 106.021(3)(d), F.S. must be marked "paid political advertisement" or with the abbreviation "pd. pol. adv." and must prominently state, "Paid for and sponsored by (name of person paying for political advertisement). Approved by (names of persons, and offices sought (City and position) in the political advertisement)."

e) It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports the candidate unless the person or organization has given specific approval in writing to the candidate to make the representation. However, this subsection does not apply to:

1. Editorial endorsement by any newspaper, radio or television station, or other recognized news medium.
2. Publication by a party committee advocating the candidacy of committee nominees.

f) Any political advertisement which is published, displayed, or produced in a language other than English may provide the information required by this section in the language used in the advertisement.

## **2. Independent Campaign Advertisement Disclaimer**

a) Any political advertisement published, displayed, or circulated prior to, or on the day of, any election which is not paid for by a candidate must prominently:

1. Be marked "paid political advertisement" or with the abbreviation "pd. pol. adv."
2. State the name and address of the persons sponsoring the advertisement.
3. State whether the advertisement and the cost of production is paid for or provided in-kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or



- b) Any political advertisement made pursuant to Section 106.021(3)(d), F.S. must be marked "paid political advertisement" or with the abbreviation "pd. pol. adv." and must prominently state, "Paid for and sponsored by (name of person paying for political advertisement). Approved by (names of persons, and offices sought (City and position) in the political advertisement)."
- c) Any political advertisement not paid for by a candidate, including those paid for by a political party or affiliated party committee, other than an independent expenditure, offered on behalf of a candidate must be approved in advance by the candidate. Such political advertisement must expressly state that the content of the advertisement was approved by the candidate and must state who paid for the advertisement. The candidate shall provide a written statement of authorization to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution.
- d) Any person who makes an independent expenditure for a political advertisement shall provide a written statement that no candidate has approved the advertisement to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution. The advertisement must also contain a statement that no candidate has approved of the advertisement.

### **3. Political Disclaimer Exceptions**

- a) Section 106.143, F.S. does not apply to novelty items having a retail value of \$10 or less which support, but do not oppose, a candidate or issue.
- b) Section 106.143, F.S. does not apply to items designed to be worn by a person.
- c) This section does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:
- 1) Designed to be worn by a person.
  - 2) Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).
  - 3) Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).



- 4) Placed at no cost on an Internet website for which there is no cost to post content for public users.
- 5) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.
- 6) Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with subsection (1).
- 7) Sent by a third-party user from or through a campaign or committee's website, provided the website complies with subsection (1).
- 8) Contained in or distributed through any other technology-related item, service, or device for which compliance with subsection (1) is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with subsection (1) impracticable.

#### **4. Closed Caption Requirements**

a) Section 106.165, F.S. requires candidates to use closed captioning and descriptive narrative in all television broadcasts regulated by the Federal Communications Commission that are on behalf of, or sponsored by a candidate or must file a written statement with the SOE stating the reasons closed captioning is not provided.

- 1) Failure to file the statement with the SOE constitutes a violation of the Florida Election Code and falls under the jurisdiction of the Florida Elections Commission.



**5. Sign Disclaimer Examples FS 106.143**

**Example-INCUMBENT (Currently in Office)**

VOTE ME

(City Name) City Commissioner (Seat #, Ward #)

Political advertisement paid for and approved by ME, (City Name) City Commissioner (Seat #, Ward #)

**Example - NON-INCUMBENT (Not Currently in Office)**

VOTE ME

FOR

(City Name) City Commissioner (Seat #, Ward #)

Political advertisement paid for and approved by ME, for (City Name) City Commissioner (Seat #, Ward #)

**EXAMPLE -INCUMBENT (Currently in Office)**

VOTE ME

(City Name) Council Member (Seat #, Ward #, Group #)

Political advertisement paid for and approved by ME, (City Name) Council Member (Seat #, Ward #, Group #)

**Example - NON-INCUMBENT (Not Currently in Office)**

VOTE ME

FOR

(City Name) Council Member (Seat #, Ward #, Group #)

Political advertisement paid for and approved by ME, for (City Name) Council Member (Seat #, Ward #, Group #)



## **F. Campaign Signs**

### **Description:**

This section outlines the requirements for campaign signs for a candidate to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

106.143 Political advertisements circulated prior to election; requirements.

106.1435 Usage and removal of political campaign advertisements.

337.407 Regulation of signs and lights within rights-of-way.

479.11 Specified signs prohibited.

479.16 Signs for which permits are not required.

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

N/A

### **Procedures:**

#### **1. Political Sign Requirements**

a) Political signs, regardless of size, must contain the disclaimer required by Section 106.143, F.S.

Signs must state "Political advertisement paid for and approved by (name of candidate), for (City) (office sought)."

b) Candidates who are not an incumbent of the office for which the candidate is running shall not use the word "re-elect" on political signs.

c) Signs for non-incumbents must include the word "for" between the candidate's name and the office for which the candidate is running to avoid the implication of incumbency.

#### **2. Sign Restrictions by State Law**



- a) The Florida Statutes do not currently contain size limitations on political signs. However, many municipalities have enacted restrictions both on sign size and placement.
- b) Candidates are advised to review the restrictions on signs enacted by each municipality in which the candidate plans to campaign. Candidates should be aware of size and placement restrictions prior to purchasing signs to avoid violations of the law.
- c) Section 479.11(8), F.S., provides that political campaign signs may not be placed on the right of way of any state highway. The DOT has generally interpreted this to mean that signs may be placed behind the line of telephone poles along the highways.
- d) Do not nail, fasten, or affix to any tree or any Public Utility pole.
- e) Section 479.16(14), F.S., states that temporary political campaign signs placed on private property but visible from a state highway are statutorily exempted from any sign permit.
- f) All political campaign signs placed on the State right of way will be picked up by the Florida Department of Transportation staff and stored for two weeks at the Panama City Maintenance yard (3633 Highway 390), where candidates or campaign workers may reclaim the signs.
- g) Candidates are advised to educate all campaign staff/workers of the regulations for political sign placement. Any violations of the law reflect on the candidate regardless of how the sign was placed.
- h) For questions related to State Sign requirements, contact Florida Department of Transportation Outside Advertisement at (850) 414-4600.

### **3. Bay County Sign Limitations**

- a) Bay County Land Development Regulations Section 3004(15) prohibits all signs on any public street or right of way, except for those erected and maintained by a governmental authority.
- b) Unauthorized signs are prohibited from being placed in, on or affixed to any other County owned property such as public buildings, parking lots or recreational areas.
- c) Bay County Land Development Regulations restrict political signs to 16 square feet per sign face and may be back-to-back or single faced signs.
- d) Bay County Land Development Regulations restrict political signs to no more than five feet in height measured from the average surrounding ground to the top of the sign.



- e) Bay County Land Development Regulations require political signs associated with advocacy of political candidates to be removed within seven (7) days after the event the signs were to promote.
- f) Bay County Land Development Regulations do not contain any other regulations on political sign removal so all other required sign removal provisions of Section 106.1435, F.S. apply.
- g) Bay County Land Development Regulations also contain generic sign limitations or restrictions that are also relevant to but are not specific to political signs.
  - 1) Signs may not be placed on vehicles which are not registered and/or operable.
  - 2) Signs may not obstruct the view of, be confused with or purport to be a governmental or official traffic direction or safety sign, or any official marker erected by city, state or federal authority.
  - 3) Signs may not obstruct or impair driver vision at vehicular ingress/egress points or inter-sections.
  - 4) Signs may not be placed on or within any street or public right-of-way, or the Gulf of Mexico.
  - 5) Signs may not be placed on or within any freshwater wetlands or salt marsh areas subject to periodic inundation by tidal saltwater.
  - 6) Signs may not be placed on or towed behind a boat or raft on waters within the county.
  - 7) Signs may not exceed 25 percent of the total area of a window.
  - 8) Signs may not be placed on fences within the county.
  - 9) Signs may not be placed on benches within the county.
  - 10) Signs may not be placed closer than 15 feet to a street right of way.
  - 11) Signs may not be placed in a manner to constitute a traffic hazard as determined by the Planning Official.
- h) For questions related to Bay County Sign requirements, contact Bay County Code Enforcement at (850) 248-8290.

#### **4. Panama City Sign Limitations**

- a) The Panama City Municipal Code states political signs:
  - 1) Must be placed on private property with the property owner's permission.
  - 2) May be two-faced or single face.



- 3) Multiple signs of the same candidate must be at least ten feet apart.
  - 4) Political signs shall not exceed eight (8) square feet per sign face and shall not exceed five (5) feet in sign height measured from aggregate grade. This includes signs carried in the back of trucks.
  - 5) Political signs shall not be placed until 120 days before the election and only if a candidate has opposition in the election.
  - 6) All political signs shall be removed within ten days after the election date or any runoff election date.
  - 7) When an election involves a primary and general election, political signs of candidates for a particular office shall be removed within ten days after the primary election date where the candidate is elected in a primary election and unopposed in the general election; otherwise, within ten days after the general election date.
- b) The Panama City Municipal Code also contains generic sign limitations or restrictions that are also relevant to but are not specific to political signs.
- 1) Signs may not be placed in the area between the shoreline and the road right-of-way in the area along Beach Drive between Johnson Bayou and Frankford Avenue.
  - 2) Vehicle signs, (including signs on trailers) are prohibited except for standardized, uniform, registered or licensed business logos on business vehicles or trailers. Such vehicles or trailers, with proper logos, may only be parked at the physical location of the business which the logo represents, when not in use for the primary business intended. Such vehicles or trailers may not be parked and left unattended in areas away from the physical location of the business, for purposes of advertisement, e.g. parking lots not owned and operated by the vehicle's owner.
  - 3) Signs may not be placed which obstruct the view of, may be confused with or purport to be a governmental or official traffic direction or safety sign, or any official marker erected by city, state, or federal authority.
  - 4) Signs may not be placed which obstruct or impair driver vision at vehicular ingress/egress points or intersections.



- 5) Signs may not be placed on or within any street or public right-of-way, coastal setback area, or St. Andrew Bay.
  - 6) Signs may not be erected or displayed in any freshwater wetlands or salt marsh areas subject to periodic inundation by tidal saltwater.
  - 7) Signs may not be placed on or towed behind a boat or raft on waters within the city.
  - 8) Signs may not be placed on benches.
  - 9) Signs may not be constructed as “L” shaped (two-faced at 90 degree angles), triangular shaped (three-faced), or boxed (four-faced) signs.
  - 10) Signs must be placed on private property at least five feet from the nearest right-of-way line.
- c) For Questions relating to Panama City sign requirements, contact Panama City Code Enforcement at (850) 691-4593 or (850) 691-4596 (*Sec. 106-7 of Panama City Municipal Code*)

## **5. Panama City Beach Sign Limitations**

- a) The Panama City Beach Land Development Code states:
- 1) Up to five (5) additional Non-Commercial Temporary Signs (Back-to-Back or single Face) not exceeding four and one-half (4.5) square feet per Sign Face and three (3) feet in Sign Height in any Residential district, and sixteen (16) square feet per Face and six (6) feet in Sign Height in a Business District, for the ninety (90) days preceding any federal, state, or City of Panama City Beach election and the seven calendar days following the date of that election. The Panama City Beach Land Development Code also contains generic sign limitations or restrictions that are also relevant to but are not specific to political signs.
- b) The Panama City Beach Land Development Code also contains generic sign limitations or restrictions that are also relevant to but are not specific to political signs.
- 1) Vehicle signs are prohibited.
  - 2) Signs may not be placed which obstruct the view of, may be confused with or purport to be a governmental or official traffic direction or safety sign, or any official marker erected by city, state, or federal authority.
  - 3) Signs may not be placed which obstruct or impair driver vision at vehicular ingress/egress points or intersections.



- 4) Signs may not be placed on or within any street or public right-of-way or Gulf of Mexico.
  - 5) Signs may not be erected or displayed in any freshwater wetlands or salt marsh areas subject to periodic inundation by tidal saltwater.
  - 6) Signs may not be placed on or towed behind a boat or raft on waters within the city.
  - 7) Signs may not be placed on benches.
- c) The Panama City Beach Municipal Code does not contain any other regulations on political sign removal so all sign removal provisions of Section 106.1435, F.S. apply.
- d) For questions relating to Panama City Beach sign requirements, contact Panama City Beach Code Enforcement at (850) 233-5054. *(5.07.00 of Panama City Beach Land Development Code)*

## **6. Parker Sign Limitations**

- a) The Parker Municipal Code states political signs:
- 1) May not be placed in any public right-of-way, in any public park, or on any other public property.
  - 2) May not exceed six (6) square feet in size for residential yard signs.
  - 3) May not exceed thirty-two (32) square feet in size for all other signs.
  - 4) May not exceed eight (8) feet in height, including support polls.
  - 5) Signs may not be placed which obstruct or impair driver vision at vehicular ingress/egress points or intersections.
  - 6) Restrictions shall not apply to political advertisements on permitted outdoor advertising signs (Billboards).
- b) The Parker Municipal Code requires all signs to be removed within thirty (30) days of the date the candidate or event is withdrawn, eliminated, elected, or enacted.
- c) For questions relating to Parker sign requirements, contact Parker Code Enforcement at (850) 871-2825.

## **7. Callaway Sign Limitations**

- a) The Callaway Municipal Code states:



- 1) No political sign shall be posted on any public right-of-way, in any public park or on any other public property. The prohibition contained in this subsection shall in no way apply to election announcement signs posted by the City or the Supervisor of Elections announcing each election to be held in the City.
- 2) Pennants, banners, and portable political signs are permitted only during the campaign.
- 3) Political signs shall be set back far enough from roadway intersections to avoid obstructing the view of the motorist.
- 4) All political signs shall be removed no later than ten (10) days following the date of the election to which they pertain.

(k) Failure to timely remove political signs shall constitute a violation of the city code.

(l) All signs shall be discarded in a proper manner to prevent litter and trash from accumulating within the city.

- 5) Political signs not removed within the specified time shall be removed by a political subdivision or government entity with the authority to remove advertisements and such entities may charge the candidate the actual cost for such removal.
  - 6) The Callaway Municipal Code does not currently contain size limits pertaining to political signs.
- b) For questions relating to Callaway sign requirements, contact Callaway Code Enforcement at (850) 871-4672. (Sec. 15.765.12 of Callaway Municipal Code)

## **8. Lynn Haven Sign Limitations**

- a) The Lynn Haven Municipal Code contains generic sign limitations or restrictions that are also relevant to but are not specific to political signs.
- 1) Signs may not resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape, or color, would conflict with the proper functioning of any traffic or signal or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.
  - 2) Signs may not obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets. Nothing shall be erected, placed, or parked in such a manner as to materially



impede vision between a height of two feet and ten feet above the grade, measured at the centerline of the intersection.

- 3) Nongovernmental signs may not be designed to resemble governmental signs that use the words "stop," "look," "danger," "caution," "yield" or any similar word, phrase, or symbol.
- 4) Signs may not be placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing pursuant to Section 337.407, F.S., or as authorized by the city manager-clerk.
- 5) Signs may not be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on public property, or on private property, such as private utility poles, located on public property, or erected over or across any public street.
- 6) The Lynn Haven Municipal Code does not currently contain size limits pertaining specifically to political signs. However, the code does have some limitations on temporary signs that apply.

(m) Limit of two signs per parcel in residential areas. No limit is stated for non-residential areas.

(n) Sign size is limited to 6 sq. ft. per sign face in residential areas and 64 sq. ft. in non-residential areas.

(o) Sign height may not exceed eight (8) feet in residential areas and ten (10) feet in non-residential areas.

(p) Signs in non-residential areas must be one hundred (100) feet apart on the same parcel.

b) The Lynn Haven Municipal Code regulations on political sign removal require the removal of political signs within 14 days after a candidate:

- 1) Withdrawals from candidacy,
- 2) Is elimination as a candidate, or
- 3) Is elected to office.

c) Candidates are not expected to remove signs used by outdoor advertising businesses. (i.e., Billboards)



- d) For questions relating to Lynn Haven sign requirements, contact Lynn Haven Code Enforcement at (850) 265-4111.

## **9. Springfield Sign Limitations**

- a) The Springfield Municipal Code states:
- 1) Political signs shall NOT be posted in any public right-of-way, in any public park, or on any other public property.
  - 2) All legally placed signs have 30 days to be removed after the advertised candidate or event is withdrawn, eliminated, elected, or enacted. No specific city requirements (defaults to state requirements).
  - 3) Political signs not removed within the specified time shall be removed by a political subdivision or government entity with the authority to remove advertisements and such entities may charge the candidate the actual cost for such removal.
  - 4) The Springfield Municipal Code does not currently contain size limits pertaining to political signs.
  - 5) For questions relating to Springfield sign requirements, contact Springfield Code Enforcement at (850) 872-7570.

(q)

## **10. Mexico Beach Sign Limitations**

- a) The Mexico Beach Municipal Code states:
- 1) (Sec. 5.03.05(H) of Mexico Beach FL Land Development Code)
  - 2) Placement: Signs shall be placed on private property only and with the permission of the property owner. The signs may be placed back-to-back, or single face, but multiple signs of the same candidate shall not be placed within ten (10) feet of one another, regardless of size.
  - 3) Dimensions: Political signs shall not exceed eight (8) square feet per sign face and shall not exceed five (5) feet in sign height measured from the aggregate grade.
  - 4) Timelines for Placement: All political signs shall not be displayed prior to ninety (90) days before the date of any election and shall be removed within ten (10) days following the end of



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any election cycle. If a primary or run off exists, only candidates or issues advancing will be allowed to continue sign placement.

b) For questions relating to Mexico Beach sign requirements, contact Mexico Beach Code Enforcement at (850) 340-3410



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## **G. Campaign Sign Removal**

### **Description:**

This section outlines the requirements for campaign sign removal.

### **Federal Statutes:**

None

### **State Statutes:**

106.1435 Usage and removal of political campaign advertisements.

### **Administrative Rules:**

None

### **Forms:**

None

### **Procedures:**

#### **1. Political Sign Removal by State Law**

a) Section 106.1435, F.S. requires all political candidates to make a good faith effort to remove all political campaign advertisements within 30 days after:

1. Withdrawal of his or her candidacy.
2. Having been eliminated as a candidate; or
3. Being elected to office.

b) A candidate is not expected to remove political campaign advertisements which are in the form of signs used by an outdoor advertising business, advertisements placed on motor vehicles, or campaign messages designed to be worn by persons.

c) If political campaign advertisements are not removed within the specified period, the political subdivision or governmental entity has the authority to remove such advertisements and may charge the candidate the actual cost for such removal.

d) Political campaign advertisements shall not be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on or above any state or county road right-of-way.

e) Municipalities may impose additional or more stringent requirements on the usage and removal of political campaign advertisements than are contained in the Florida Statutes.



## **2. Bay County Sign Removal**

Section 3010. Enforcement of the Bay County Land Development Regulations states:

- 1) Right of entry. The Planning Official or his designee shall have the authority to enter upon any premises within the county containing a sign for the limited purpose of enforcing the provisions of this Chapter.
- 2) Violation sticker. When a sign exists in violation of this law, the county manager or his designee may, in addition to any other remedy available, follow the following procedure.
  - (r) The County Manager or designee shall attach a highly visible sticker of at least 40 square inches reading “VIOLATION” to the sign face. In the event the sign is one of several signs in violation due to excessive aggregate area, the sticker shall be placed prominently on one of the larger signs. The sticker shall include the date that was attached to the sign and instructions to call the appropriate county office to obtain a permit application for the sign. It shall be unlawful for any person other than the Planning Official or this designee to remove the sign violation sticker, and the sticker shall so state.
  - (s) Within 14 days of attachment of the violation sticker, the owner or person entitled to possession of the sign shall bring the sign into conformity with this Chapter, and if required submit a completed application for a permit and fee for a permit for the sign. If the application and fee is not submitted timely, or if the application must be denied, or if the sign is not or cannot be brought into conformity with this Chapter, the county manager or his designee shall have the sign removed and impounded without any further notice. The owner or person entitled to possession of a sign impounded may recover same prior to the expiration of the 30 day impoundment period upon the payment to the county of the costs incurred in impounding such sign, including attorney’s fees. In the event any sign is not so claimed within 30 days, the county manager as surplus or abandoned county property.
- 3) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

## **3. Panama City Sign Removal**

- a) The Panama City Municipal Code states:



- b) All political signs shall be removed within ten days after the election date or any runoff election date. Where an election involves a primary and general election, political signs of candidates for a particular office shall be removed within ten days after the primary election date where the candidate is elected in a primary election and unopposed in the general election; otherwise, within ten days after the general election date. Sec. 106-7(3)(c).
- c) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

#### **4. Panama City Beach Sign Removal**

- a) The Panama City Beach Land Development Code states:
- 1) An Election Sign shall be removed within seven calendar days following the election to which it pertains. State law references: F.S. 106.1435 (removal)
  - 2) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

#### **5. Callaway Sign Removal**

- a) Political signs may be removed by city officials when illegally placed and the actual cost of removal charged to the candidate. Callaway has not chosen to charge candidates in the past but candidates are advised to contact Callaway Code Enforcement for current practice.
- b) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

#### **6. Parker Sign Removal**

- a) Parker Municipal Code states that:
- 1) "Political signs not removed within the specific time shall result in the removal and impound of the signs after a forty-eight (48) hour notice to the candidate; after which disposal will occur within ten (10) days. Fines of \$100 per day will be imposed."
- b) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

#### **7. Lynn Haven Sign Removal**



a) Lynn Haven Municipal Code provides:

- 1) Political signs may be removed by city officials when illegally placed and the actual cost of removal charged to the candidate. Lynn Haven has not chosen to charge candidates in the past, but candidates are advised to contact Lynn Haven Code Enforcement for current practice.
- 2) Political signs removed by city officials shall be maintained by the City for retrieval by the appropriate candidates for a period not to exceed 30 days during the active campaign period for the candidate. Candidates have 14 days to remove signs after the campaign is no longer active.

b) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

#### **8. Springfield Sign Removal**

a) Political signs may be removed by city officials when illegally placed and the actual cost of removal charged to the candidate. Springfield has not chosen to charge candidates in the past but candidates are advised to contact Springfield Code Enforcement for current practice.

b) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.

#### **9. Mexico Beach Sign Removal**

a) All political signs erected during a campaign season shall be removed within ten (10) days following the end of any election cycle. If a primary or run off exists, only candidates or issues advancing will be allowed to continue sign placement.

b) Candidates are advised to educate campaign volunteers on property sign placement to avoid the loss of signs and the potential charging of fines for the collection of illegally placed signs.



## **H. Ballots**

### **Description:**

This section outlines the general requirements for election ballots.

### **Federal Statutes:**

None

### **State Statutes:**

99	Candidates
101.151	Specifications for ballots
101.20	Publication of ballot form; sample ballots
101.62	Request for Vote by Mail ballots
101.68	Canvassing of Vote by Mail ballot
105	Nonpartisan Elections
106	Campaign Financing

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State  
1S-2.032 Uniform Primary and General Election Ballot  
Directive 05-11-10 Use of nickname on Ballot

### **Forms:**

16462 Affidavit to Use Nickname

### **Procedures:**

#### **1. Ballot Positioning**

a) As required in Section 101.151(2), F.S., election ballots are by group number or district with the candidates listed alphabetically by surname for each race. For run-offs, nominees chosen in the first election shall appear on the run-off election ballot in the same numbered group or district as on the first election ballot. Section 101.151(4), F.S., provides that when two or more candidates running for the same office in an election ballot have the same or similar surname, the word “incumbent” shall appear next to the incumbent’s name.

#### **2. Sample Ballots**

a) Sample ballots shall be published in the newspaper prior to the election (Section 101.20, F.S.) or sent via mail to all registered voters.



b) Additional copies of the sample ballot will also be available in the SOE Office and on the SOE website at [www.bayvotesfl.gov](http://www.bayvotesfl.gov).

### **3. Vote by Mail Ballot Requests**

- a) Any registered voter may request/vote a Vote by Mail ballot. The supervisor may accept a request for a Vote by Mail ballot from an elector in person, in writing, or a telephonic request from the elector, or, if directly instructed by the elector, a member of the elector's immediate family or legal guardian.
- b) The person making the Vote by Mail ballot request must disclose:
1. The name of the elector for whom the ballot is requested
  2. The elector's address
  3. The elector's date of birth
  4. The elector's FL driver license number, FL ID card number, or the last four digits of their social security number
  5. The requester's name
  6. The requester's address
  7. The requester's driver's license number, FL ID card number, or the last four digits of their social security number, if available
  8. The requester's relationship to the elector
  9. The requester's signature (written requests only)
- c) A request for a Vote by Mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 10<sup>th</sup> day before the election by the supervisor of elections. The supervisor of elections shall mail Vote by Mail ballots to voters requesting ballots by such deadline no later than the 8 days prior to the election.

### **4. Vote by Mail Ballot Delivery**

- a) An elector or elector's representative may receive a Vote by Mail ballot in person, by mail, or by electronic delivery provided the elector has provided written authorization for the representative.
- b) Vote by Mail ballots may be delivered to a designee on Election Day or up to 9 days prior to the day of an election when the elector has provided written authorization.



## 5. Vote by Mail Ballot Mailing

- a) The initial mailing of Vote by Mail ballots requested by overseas voters shall occur not later than 45 days before the primary election and general election.
- b) The initial mailing of Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) Vote by Mail ballots will occur between the 40<sup>th</sup> and 33<sup>rd</sup> day prior to an election, after this period the Supervisor shall mail Vote by Mail ballots within 2 business days after receiving a request for such a ballot.
- c) Vote by Mail ballots for overseas and domestic ballot requests will be processed daily after the initial mailing of each category.
- d) Vote by Mail lists will be made available for download to Candidates and/or their representatives via the Candidate File Distribution link located on the SOE website. New lists will be generated daily as additional requests are received.

### ***NOTE***

***Lists are not available until the ballots are processed for mailing.***

- e) Sect. 104.0616(2) F.S. states that any person who distributes, orders, requests, collects, delivers, or otherwise physically possesses more than two vote-by-mail ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, except as provided in ss. 101.6105-101.694, including supervised voting at assisted living facilities and nursing home facilities as authorized under s. 101.655, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

## 6. Vote by Mail Ballot Processing

- a) The SOE office shall receive the voted ballot and shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and must record on the elector's registration record that the elector has voted. (Sect. 101.68 F.S)
- b) The county canvassing board may begin the canvassing of vote-by-mail ballots upon the completion of the public testing of automatic tabulating equipment pursuant to s. 101.5612(2) but must begin such canvassing by no later than noon on the day following the election. However,



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notwithstanding any such authorization to begin canvassing or otherwise processing vote-by-mail ballots early, no result shall be released until after the closing of the polls in that county on election day.

***NOTE***

***It is a 3rd degree felony to release election results or information prior to the closing of the polls on election night. Candidates are advised not to attempt discovery of election results during an election.***

c) If any elector or candidate present believes that a vote-by-mail ballot is illegal due to a defect apparent on the voter's certificate or the cure affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the voter's certificate or the cure affidavit, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or cure affidavit may not be accepted after the ballot has been removed from the mailing envelope.



## **I. Voter Data**

### **Description:**

This section outlines the general requirements for requesting voter data.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

### **Administrative Rules:**

**None**

### **Forms:**

10404 Public Record Request

### **Procedures:**

#### **1. Voter Lists**

- a) Candidates for public office may request voter lists from the SOE Office for use during the campaign.
- b) To ensure clarity all candidates requesting voter data are encouraged to email their request to [publicrecordrequest@bayvotesfl.gov](mailto:publicrecordrequest@bayvotesfl.gov), but may request in person, by phone or in writing using 10404 Public Record Request, if desired.
- c) The SOE Office can provide voter lists in either hard copy or electronic formats including:
  1. Email
  2. CD disk
- d) Candidates requesting a printed copy of voter lists are required to pay \$0.15 per page to cover the cost of printing the lists.
- e) Candidates are not charged for electronic files as long as the recording media is provided by the candidate.

#### **NOTE**

*Email address used to request a Vote by Mail ballot is not public record.*



## **2. Voter Data**

- a) Voter lists can contain voter names and addresses, phone number and email address if provided, voter registration data such as party affiliation and precinct, and voter history.

### ***NOTE***

***Voter histories only contain the elections voted in and do not indicate how the individuals voted.***

- b) Candidates are advised to be specific in requesting voter data to help prevent production of voter lists that are not useful to the candidate.
- c) Candidates should request voter lists early in the campaign to avoid delays closer to Election Day.
- d) Voter data can also be provided in several electronic formats, such as label formats or delineated files.
- e) Candidates are advised to be specific in requesting the format for electronic files.
- f) As always, the SOE staff encourages candidates to contact the office with any questions or if additional information is desired.



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## **J. Public Testing of Election Equipment**

### **Description:**

This section outlines the general requirements for public testing of election equipment.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

101.5612 Testing of tabulating equipment.

### **Administrative Rules:**

None

### **Forms:**

None

### **Procedures:**

#### **1. Logic and Accuracy Tests**

- a) Section 101.5612(1), F.S., states all electronic or electromechanical voting systems shall be thoroughly tested at the conclusion of maintenance and programming. Tests shall be sufficient to determine that the voting system is properly programmed, the election is correctly defined on the voting system, and all the voting system input, output, and communication devices are working properly.
- b) The automatic tabulating equipment shall be tested Wednesday, not more than 10 days prior to the commencement of early voting. Testing of the equipment will continue until satisfactorily completed.
- c) Candidates are encouraged to attend public testing of equipment if possible. A schedule of testing dates and locations is provided at qualifying, or the candidate may call the SOE for the next scheduled testing date.



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### **III. Poll Watchers**

**Description:**

This section outlines the general requirements for poll watchers on Election Day.

**Federal Statutes:**

None

**State Statutes:**

99 Candidates

101.131 Watchers at polls.

**Administrative Rules:**

None

**Forms:**

DS-DE 125 Poll Watcher Designation

**Procedures:**

**1. Watching the Polls (101.131 F.S.)**

- a) Each candidate and political party may have one Poll Watcher in each polling room and early voting area at any one time during an election.
- b) No watcher shall be permitted to come closer to the officials' table or the voting booths than is reasonably necessary to properly perform his or her functions, but each shall be allowed within the polling room or early voting area to watch and observe the conduct of electors and officials.
- c) The Poll Watchers must furnish the materials and necessities for poll watching and shall not be allowed to obstruct the orderly conduct of any election.

**2. Qualified Poll Watchers**

- a) Each poll watcher must be a qualified and registered voter of the county in which the individual desires to serve as a poll watcher.
- b) No candidate, sheriff, deputy sheriff, police officer or other law enforcement officer may be designated as a poll watcher.
- c) Each candidate requesting to have poll watchers on election day must designate the names of poll watchers, the assigned precincts on the DS-DE 125 and submit to the SOE office prior to noon of the second Tuesday preceding election day.



- d) Each candidate requesting to have poll watchers for early voting, must designate the names, assigned locations on the DS-DE 125 and submit to the SOE office at least 14 days before early voting begins.
- e) The poll watchers for each polling place will be approved by the supervisor of elections on or before the Tuesday before Election Day, or no later than 7 days before early voting begins for early voting poll watchers.
- f) Designation of poll watchers shall be made by the chair of the county executive committee of a political party, the chair of a political committee, or the candidate requesting to have poll watchers.
- g) All poll watchers shall be allowed to enter and watch polls in all polling rooms and early voting areas within the county in which they have been designated if the number of poll watchers at any particular polling place does not exceed the number provided in this section.
- h) The supervisor of elections shall provide to each designated poll watcher an identification badge that identifies the poll watcher by name.

### **3. Poll Watcher Conduct**

- a) Poll watchers must dress appropriately so as not to disrupt the flow of voting while watching the polls.
- b) Each poll watcher must wear their identification badge while performing their duties.
- c) The poll watchers shall pose any questions regarding polling place procedures directly to the clerk for resolution and may not interact with voters.



*Supervisor of Elections  
Mark Andersen  
Bay County*

## **IV. QUALIFICATION SUMMARY**

### **A. Municipal Qualifying Summary**

**Description:**

This section outlines the general qualification summary for each municipal government for candidates to run for public office.

**Federal Statutes:**

None

**State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

**Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

**Forms:**

None

**Procedure:**

See next page.



<b>B. Municipal Qualifying/Election Cycle</b>		
<b>Municipal Location</b>	<b>Offices</b>	<b>Qualifying Year/Election Cycle</b>
<b>Callaway</b>	<b>Mayor</b>	<b>2024 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 1 and 2</b>	<b>2026 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 3 and 4</b>	<b>2024 &amp; every 4 years thereafter (4 year term)</b>
<b>Lynn Haven</b> (General Election/Runoff)	<b>Mayor</b>	<b>2027 &amp; every 4 years thereafter (4 year term)</b>
	<b>Seat 1 and 2</b>	<b>2027 &amp; every 4 years thereafter (4 year term)</b>
	<b>Seat 3 and 4</b>	<b>2025 &amp; every 4 years thereafter (4 year term)</b>
<b>Mexico Beach</b>	<b>Mayor/Group 1</b>	<b>2025 &amp; every 2 years thereafter (2 year term)</b>
	<b>Group 2 and 3</b>	<b>2025 &amp; every 2 years thereafter (2 year term)</b>
	<b>Group 4 and 5</b>	<b>2024 &amp; every 2 years thereafter (2 year term)</b>
<b>Panama City</b> (Primary Election/General Election)	<b>Mayor</b>	<b>2025 Every odd numbered year (2 year term)</b>
	<b>Ward 1 and 4</b>	<b>2025 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 2 and 3</b>	<b>2027 &amp; every 4 years thereafter (4 year term)</b>
<b>Panama City Beach</b>	<b>Mayor</b>	<b>2024 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 1 and 3</b>	<b>2026 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 2 and 4</b>	<b>2024 &amp; every 4 years thereafter (4 year term)</b>
<b>Parker</b> (General Election/Runoff)	<b>Mayor</b>	<b>2025 Every odd numbered year (2 year term)</b>
	<b>Seat 1 and 3</b>	<b>2025 &amp; every 4 years thereafter (4 year term)</b>
	<b>Seat 2 and 4</b>	<b>2027 &amp; every 4 years thereafter (4 year term)</b>
<b>Springfield</b> (General Election/Runoff)	<b>Mayor</b>	<b>2026 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 1 and 2</b>	<b>2024 &amp; every 4 years thereafter (4 year term)</b>
	<b>Ward 3 and 4</b>	<b>2026 &amp; every 4 years thereafter (4 year term)</b>



Supervisor of Elections  
Mark Andersen  
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<b>C. Callaway Municipal Offices 2024</b>		
<b>Mayor, Commissioners Wards 3 and 4 (Non-Partisan)</b>		
<b>Election Date</b>	<u><b>April 16, 2024</b></u>	Runoff: N/A
<b>Term of Office</b>	4 Years	
<b>Commence Term:</b>	Noon, First Friday after election	
<b>District:</b>	At Large Citywide Election	
<b>Residency Qualification:</b>	Registered voter and resident of Callaway. Mayoral candidates must have resided within city limits for at least 36 months immediately prior to election day. Commission candidates must reside in the ward for which they are candidates at least 6 months immediately prior to election day and must have resided within city limits for at least 36 months immediately prior to election day.	
<b>Annual Salaries</b>	Mayor: <u><b>\$10,000.00</b></u> Commissioner: <u><b>\$10,000.00</b></u> (Subject to Verification October 1)	
<b>Mandatory Initial Application:</b>	<input type="checkbox"/> 16002A Candidate Application	
<b>Mandatory Initial Forms</b>	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16450 CLW Affidavit of Residency (Supplement History Table Part I-Charter, Article II, Sec. 2.04)	
<b>Mandatory Initial Statement:</b>	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
<b>Not planning to pay Qualifying Fee</b>	<input type="checkbox"/> N/A No Qualifying Fee Set - (Chapter 6, Article I, Sec 6-4)	
<b>Petition Requirements:</b>		
<b>Petition Deadline:</b>	<input type="checkbox"/> N/A No Qualifying Fee Set - (Chapter 6, Article I, Sec 6-4)	
<b>Qualifying Period</b>	<u><b>NOON February 5, 2024 through NOON February 9, 2024</b></u>	
<b>City Qualifying Fee</b>	<input type="checkbox"/> N/A No Qualifying Fee Set - (Chapter 6, Article I, Sec 6-4)	
<b>1% Assessment Fee</b>	<input type="checkbox"/> Mayor: <u><b>\$100.00</b></u> <input type="checkbox"/> Commissioner: <u><b>\$100.00</b></u> <i>(Campaign Check made payable to City OR Undue Burden Statement Cert. F.S. 99.093(2) (DOE Opinion 97-02)</i> <i><b>(Based on July 1<sup>st</sup> 2022/23 MUN Fiscal Salary \$10,000)</b></i>	
<b>Candidate Oath</b>	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
<b>Disclosure:</b>	<input type="checkbox"/> Form 6- Full and Public Disclosure of Financial Interests	



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## D. Lynn Haven Municipal Offices 2025

### Commissioners Seats 3 and 4 (Non-Partisan)

Election Date	<u>April 22, 2025</u>	(If required) Run-Off: <u>May 20, 2025</u> (Part I Charter, Article IV, Sec 31)
Term of Office	4 Years / Term Limit of 2 Full Terms per office	
Commence Term:	First Commission meeting following the Certification	
District:	At Large Citywide Election	
Residency Qualification:	Registered voter and resident of Lynn Haven. Must designate seat number for which candidate is qualifying.	
Annual Salaries	Mayor: <u>\$18,540.00</u> Commissioner: <u>\$15,449.98</u> (Subject to Verification October 1)	
Mandatory Initial Application:	<input type="checkbox"/> 16002A Candidate Application	
Mandatory Initial Forms	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16459 LYN Affidavit of Residency (Part I Charter, Article II Sec. 12)	
Mandatory Initial Statement:	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
Not planning to pay Qualifying Fee Petition Requirements:	<input type="checkbox"/> N/A No Qualifying Fee Set - (Subpart A, Chapter 18, Sec 18-2)	
Petition Deadline:	<input type="checkbox"/> N/A No Qualifying Fee Set - (Subpart A, Chapter 18, Sec 18-2)	
Qualifying Period	<u>NOON February 10, 2025 through NOON February 14, 2025</u>	
City Qualifying Fee	<input type="checkbox"/> N/A No Qualifying Fee Set - (Subpart A, Chapter 18, Sec 18-2)	
1% Assessment Fee	<input type="checkbox"/> Mayor: <u>\$185.40</u> <input type="checkbox"/> Commissioner: <u>\$154.50</u> (Campaign Check made payable to City OR Undue Burden Statement Cert. F.S. 99.093(2) (DOE Opinion 97-02) (Based on July 1 <sup>st</sup> 2023/24 MUN Fiscal Salary, Mayor <u>\$18,540.00</u> , Commissioner <u>\$15,449.98</u> )	
Candidate Oath	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
Disclosure:	<input type="checkbox"/> Form 6- Full and Public Disclosure of Financial Interests	



## E. Mexico Beach Municipal Offices 2024

### Council Member Groups 4 and 5 (Non-Partisan)

<b>Election Date</b>	<u>April 16, 2024</u>	Run-Off: N/A
<b>Term of Office</b>	2 Years	
<b>Commence Term:</b>	First Monday in June	
<b>District:</b>	Citywide At Large Election	
<b>Residency Qualification:</b>	Registered voter in Bay County, must designate Group for which candidate is qualifying and must have resided within city limits of Mexico Beach for 1 year prior to qualifying for office. (The Mayor-Councilman is designated as Group 1.)	
<b>Annual Salaries</b>	Mayor: <u>\$13,200.00</u> Council Member: <u>\$8,400.00</u> (Subject to Verification October 1)	
<b>Mandatory Initial Application:</b>	<input type="checkbox"/> 16002A Candidate Application	
<b>Mandatory Initial Forms</b>	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16460 MXB Affidavit of Residency ( <i>Article II Sec. 2.02</i> )	
<b>Mandatory Initial Statement:</b>	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
<b>Not planning to pay Qualifying Fee</b>	<input type="checkbox"/> N/A No Qualifying Fee Set ( <i>Article II Sec. 2.02</i> )	
<b>Petition Requirements:</b>		
<b>Petition Deadline:</b>	<input type="checkbox"/> N/A No Qualifying Fee Set ( <i>Article II Sec. 2.02</i> )	
<b>Qualifying Period</b>	<u>NOON February 5, 2024 through NOON February 9, 2024</u>	
<b>City Qualifying Fee</b>	<input type="checkbox"/> N/A No Qualifying Fee Set ( <i>Article II Sec. 2.02</i> )	
<b>1% Assessment Fee</b>	<input type="checkbox"/> Mayor: <u>\$132.00</u> <input type="checkbox"/> Council Member: <u>\$84.00</u> (Campaign Check made payable to City OR Undue Burden Statement Cert. F.S. 99.093(2) (DOE Opinion 97-02) (Based on July 1 <sup>st</sup> 2022/23 MUN Fiscal Salary, Mayor \$13,200, Council Member \$8,400)	
<b>Candidate Oath</b>	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
<b>Disclosure:</b>	<input type="checkbox"/> Form 6- Full and Public Disclosure of Financial Interests	



## F. Panama City Municipal Offices 2025

### Mayor, Commissioners Wards 1 and 4 (Non-Partisan)

<b>Election Date</b>	<u><b>April 22, 2025</b></u>	<b>(If required) General Election: <u>May 20, 2025</u></b> (Subpart A- General, Chapter 10, Sec 10-5)
<b>Term of Office</b>	Mayor: 2 Years      Commissioner: 4 Years	
<b>Commence Term:</b>	Noon 2 <sup>nd</sup> Wednesday following date of the General Election	
<b>District:</b>	Mayor: Citywide At Large Election      Commissioners: Ward Specific	
<b>Residency Qualification:</b>	Registered voter and resident of City of Panama City for 6 continuous months prior to election. Candidates for Commissioner must reside in the ward for which they are qualifying.	
<b>Annual Salaries</b>	Mayor: <u><b>\$40,647.48</b></u> Commissioner: <u><b>\$38,768.28</b></u> (Subject to Verification Oct.1)	
<b>Mandatory Initial Application:</b>	<input type="checkbox"/> 16002A Candidate Application	
<b>Mandatory Initial Forms</b>	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16452 PAC Affidavit of Residency (Subpart A-General, Ch. 10, Sec 10-12)	
<b>Mandatory Initial Statement:</b>	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
<b>Not planning to pay Qualifying Fee Petition Requirements:</b>	<input type="checkbox"/> <u><b>Mayor: 224</b></u> Valid Verified Petitions <input type="checkbox"/> <u><b>Ward 1: 63</b></u> Valid Verified Petitions <input type="checkbox"/> <u><b>Ward 4: 51</b></u> Valid Verified Petitions 1% of the registered voters as of the immediately preceding (City/Ward) General Election. F.S. 99.095(2)(a) to obtain Candidate Petition Certification	
<b>Petition Deadline:</b>	<u><b>NOON January 13, 2025</b></u> Received in Supervisor of Elections Office. F.S. 99.095(3)	
<b>Qualifying Period</b>	<u><b>NOON February 10, 2025 through NOON February 14, 2025</b></u>	
<b>(5% of Annual Salary) City Qualifying Fee</b>	<input type="checkbox"/> Mayor: <u><b>\$2,032.37</b></u> <input type="checkbox"/> Commissioner: <u><b>\$1,938.41</b></u> Campaign Check made payable to City OR Petition Certification (Charter-Subpart A-General, Ch. 10, Sec 10-16) (Based on July 1 <sup>st</sup> 2023/24 MUN Fiscal Salary Mayor \$40,647.48 Commissioner \$38,768.28)	
<b>1% Assessment Fee</b>	<input type="checkbox"/> Mayor: <u><b>\$406.47</b></u> <input type="checkbox"/> Commissioner: <u><b>\$387.68</b></u> Campaign Check made payable to City OR Undue Burden Statement Cert. F.S. 99.093(2) (DOE Opinion 97-02) (Based on July 1 <sup>st</sup> 2023/24 MUN Fiscal Salary, Mayor \$40,647.48 Commissioner \$38,768.28)	
<b>Candidate Oath</b>	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
<b>Disclosure:</b>	<input type="checkbox"/> Form 6- Full and Public Disclosure of Financial Interests	



## G. Panama City Beach Municipal Offices 2024

### Mayor, Council Members Wards 2 and 4 (Non-Partisan)

Election Date	<u>April 16, 2024</u>	Runoff: N/A
Term of Office	4 Years/ 2 Full Terms per office	
Commence Term:	First Council Meeting After Election	
District:	Citywide At Large Election	
Residency Qualification:	Registered voter and resident of Panama City Beach. Council Members must have resided in the ward for which they are qualifying for 12 months prior to election. Mayoral candidates may reside in any ward but must have resided in the city for 12 months prior to election. Must NOT have served in that office for 2 full terms.	
Annual Salaries	Mayor: <u>\$25,000.00</u> Council Member: <u>\$25,000.00</u> (Subject to Verification October 1)	
Mandatory Initial Application:	<input type="checkbox"/> 16002A Candidate Application	
Mandatory Initial Forms	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16457 PCB Mayor Affidavit of Residency( <i>Part 1, Art 7, Sec 7-1,7-2</i> ) <input type="checkbox"/> 16458 PCB Council Affidavit of Residency( <i>Part 1, Art 7, Sec 7-1,7-2</i> )	
Mandatory Initial Statement:	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
<i>Not planning to pay Qualifying Fee</i> Petition Requirements:	<input type="checkbox"/> <u>137</u> Valid Verified Petitions 1% of the registered voters as of the immediately preceding (City) General Election. F.S. 99.095(2)(a) to obtain Candidate Petition Certification	
Petition Deadline:	<input type="checkbox"/> <u>NOON January 8, 2024</u> Received in Supervisor of Elections Office. F.S. 99.095(3)	
Qualifying Period	<u>NOON February 5, 2024 through NOON February 9, 2024</u>	
City Qualifying Fee	<input type="checkbox"/> Mayor: <u>\$500.00</u> <input type="checkbox"/> Council Member: <u>\$500.00</u> Campaign Check made payable to City OR Petition Certification (Chapter 9, Article I, Sec 9-4 Set Fee)	
1% Assessment Fee	<input type="checkbox"/> Mayor: <u>\$250.00</u> <input type="checkbox"/> Council Member: <u>\$250.00</u> Campaign Check made payable to City OR Undue Burden Statement Cert. (F.S. 99.093(2)) (DOE Opinion 97-02) (Based on July 1 <sup>st</sup> 2022/23 MUN Fiscal Salary \$25,000)	
Candidate Oath	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
Disclosure:	<input type="checkbox"/> Form 6- Full and Public Disclosure of Financial Interests	



Supervisor of Elections  
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## H. Parker Municipal Offices 2025

### Mayor, Council Members Seats 1 and 3 (Non-Partisan)

Election Date	<u>April 22, 2025</u>	(If required) Run-Off: <u>May 20, 2025</u> Chapter 34, Sec 34-40
Term of Office	Mayor: 2 Years    Council Members: 4 Years	
Commence Term:	First Tuesday After Election	
District:	Citywide At Large Election	
Residency Qualification:	Registered voter and resident of City of Parker for at least 3 consecutive months	
Annual Salaries	Mayor: <u>\$1.00</u> Council Member: <u>\$1.00</u> (Subject to Verification October 1)	
Mandatory Initial Application:	<input type="checkbox"/> 16002A Candidate Application	
Mandatory Initial Forms	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16454 PRK Affidavit of Residency ( <i>Charter Sec 5 &amp; Sec 9</i> )	
Mandatory Initial Statement:	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
<i>Not planning to pay Qualifying Fee</i> Petition Requirements:	<input type="checkbox"/> No Qualifying Fee Set - N/A	
Petition Deadline:	<input type="checkbox"/> No Qualifying Fee Set - N/A	
Qualifying Period	<u>NOON February 10, 2025 through NOON February 14, 2025</u>	
City Qualifying Fee	<input type="checkbox"/> No Qualifying Fee Set - N/A	
1% Assessment Fee	<input type="checkbox"/> Mayor <u>\$.01</u> <input type="checkbox"/> Councilman <u>\$.01</u> Campaign Check made payable to City OR Undue Burden Statement Cert. F.S. 99.093(2) (DOE Opinion 97-02) (Based on July 1 <sup>st</sup> 2023/24 MUN Fiscal Salary \$1.00)	
Candidate Oath	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
Disclosure:	<input type="checkbox"/> Form 6- Full and Public Disclosure of Financial Interests	



## I. Springfield Municipal Offices 2024

### Commissioners Wards 1 and 2 (Non-Partisan)

Election Date	<u>April 16, 2024</u>	(If required) Run-Off: <u>May 14, 2024</u> (Part II, Chapter 22, Sec 22-15)
Term of Office	4 Years	
Commence Term:	First Monday After Election	
District:	Citywide At Large Election	
Residency Qualification:	Registered voter and resident of City of Springfield. Candidates for Commissioner must have resided in the Ward they seek to represent for 6 months immediately prior to the election and candidates for Mayor must have resided in Springfield for 6 months immediately prior to the election.	
Annual Salaries	Mayor: <u>\$14,400</u> Commissioner: <u>\$7,200</u> (Subject to Verification October 1)	
Mandatory Initial Application:	<input type="checkbox"/> 16002A Candidate Application	
Mandatory Initial Forms	<input type="checkbox"/> DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository <input type="checkbox"/> 16456 SPR Affidavit of Residency (Ord.# 349 Section 8)	
Mandatory Initial Statement:	<input type="checkbox"/> DS-DE 84 Statement of Candidate	
Petition Requirements:	<input type="checkbox"/> <u>Mayor: 30</u> Valid Verified Petitions <input type="checkbox"/> <u>Commissioner: 15</u> Valid Verified Petitions (Part II, Chapter 22, Sec 22-6)	
Petition Deadline:	<u>NOON January 8, 2024</u> Received in Supervisor of Elections Office. F.S. 99.095(3)	
Qualifying Period	<u>NOON February 5, 2024 through NOON February 9, 2024</u>	
City Qualifying Fee (5% Annual Salary)	<input type="checkbox"/> Mayor: <u>\$720.00</u> OR <i>Additional 20 Valid Petitions</i> <input type="checkbox"/> Commissioner: <u>\$360.00</u> OR <i>Additional 35 Valid Petitions</i> (Based on July 1 <sup>st</sup> 22/23 MUN Fiscal Salary, Mayor \$14,400 Commissioner \$7,200)	
1% Assessment Fee	<input type="checkbox"/> Mayor: <u>\$144.00</u> <input type="checkbox"/> Commissioner: <u>\$72.00</u> Campaign Check made payable to City OR Undue Burden Statement Cert. F.S. 99.093(2) (DOE Opinion 97-02) (Based on July 1 <sup>st</sup> 2022/23 MUN Fiscal Salary, Mayor \$14,400 Commissioner \$7,200)	
Candidate Oath	<input type="checkbox"/> DS-DE 302NP Nonpartisan Office	
Disclosure:	<input type="checkbox"/> Form 6 - Public Disclosure of Financial Interests	



## **J. Form and Policy Descriptions**

### **Description:**

This section outlines the most common documents candidates must be familiar with to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

See below

### **Procedure:**

#### **1. All forms**

- a) All forms are provided or can be accessed by going to [www.bayvotesfl.gov](http://www.bayvotesfl.gov) and clicking on the "Candidates & Committees" tab.
- b) Click on "Candidate Forms & Guides"
- c) All forms are specific to the office. (See the "Table of Contents" for the location of the public office you are running for).



## **K. Campaign Schedules**

### **Description:**

This section outlines the basic time schedules candidates must be familiar with to run for public office.

### **Federal Statutes:**

None

### **State Statutes:**

99 Candidates

105 Nonpartisan Elections

106 Campaign Financing

### **Administrative Rules:**

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

### **Forms:**

See below.

### **Procedures:**

#### **1. Financial Reporting Schedule**

Your filing date requirements are found in your electronic campaign finance software.