

# CANDIDATE HANDBOOK

2021 – 2022







**To those interested in running for public office:**

This information has been compiled for those interested in running for public office in Collier County. **It is designed to supplement the Candidate and Campaign Treasurer Handbook produced by the Florida Department of State, Division of Elections**, as well as Chapter 106 of the Florida Statutes (Florida's Campaign Finance Laws). We hope that you find it helpful.

By supplying you with information and being available to answer questions, we hope to assist you in avoiding any pitfalls. **If you are considering running for public office, please make an appointment with our Qualifying Officer, Dave Carpenter, for an orientation on the election laws and the steps necessary to qualify for office. This time spent with us, before you begin campaigning, could save you time and money later in your campaign.**

We congratulate you for taking an active role in the electoral process and we are ready to assist you wherever we can. We urge all candidates and their staff to keep in mind that it is always easier to avoid a problem than it is to solve one. Please call us before you take any action regarding your campaign.

Best of luck with your candidacy,

Jennifer J. Edwards  
Supervisor of Elections  
Collier County, Florida

**2021-2022**  
**Collier County Supervisor of Elections**  
**Candidate Handbook**

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## **Candidacy**

Florida defines a candidate as any person whom any one or more of the following applies:

- Any person who seeks to qualify for nomination or election by means of the petitioning process;
- Any person who seeks to qualify for election as a write-in candidate;
- 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 a view to bringing about his or her nomination or election to, or retention in, public office;
- Any person who appoints a campaign treasurer and designates a primary depository; or
- Any person who files qualification papers and subscribes to a candidates oath as required by law.

***No matter which office you choose to seek, you must file as a candidate with the proper filing officer prior to making any expenditures or accepting any contributions. The filing officer is determined by which office you seek.***

### **Qualifying for Election to Public Office**

Candidates seeking public office in Florida must qualify to have their names placed on the ballot. Qualifying means to fulfill all the requirements set forth by law to have your name placed on the ballot. The qualifying period is the official period in which you must file the necessary forms to complete the requirements for office.

There are three basic methods to qualify for public office in Florida:

- A candidate may qualify by paying a filing fee determined by the salary of the office sought or specified in statute. In addition, you will be required to pay an elections assessment and a party assessment (if seeking a partisan office.) *Independent District candidates are all subject to a flat \$25.00 qualifying fee (if not qualifying by petition).*
- A candidate may qualify by petition. The number of petitions required is based upon the number of registered voters in the district as of the previous General Election. All petitions must be submitted on Division of Elections Form DS-DE 104. *Independent District candidates are required to submit 25 valid petitions if qualifying by this method.*
- A candidate may qualify as a write-in candidate. No fee or petitions are required.

## **Where and When to Qualify**

**The Qualifying Period is the period set by law for the acceptance of the final papers required for ballot position. These include a signed and notarized loyalty oath, statement of financial interests, and any payment of qualifying fees. Qualifying ends at noon on the final day of qualifying. Except for Independent District candidates, all qualifying fees must be paid by a check drawn on the candidate's campaign checking account.**

In 2022, candidates qualifying for the following offices file with the **Collier County Supervisor of Elections**:

<b>Office</b>	<b>Type</b>	<b>Schedule</b>	<b>Qualifying Period</b>
County Judge	Nonpartisan	Primary/General*	4/25/22 – 4/29/22 (noon)
County Commission	Partisan	Primary/General	6/13/22 – 6/17/22 (noon)
School Board Member	Nonpartisan	Primary/General*	6/13/22 – 6/17/22 (noon)
Independent Districts	Nonpartisan	General Only	6/13/22 – 6/17/22 (noon)
Community Development	Nonpartisan	General Only	6/13/22 – 6/17/22 (noon)

Candidates who are unopposed at the close of qualifying **will not** have their names appear on the ballot and will be considered elected at the General Election in November.

*\*Candidates for School Board and County Judge have their names appear on the Primary Election ballot; if no candidate receives a majority in the Primary the top two vote getters appear on the General Election ballot to determine the winner.*

**To accommodate candidates, the Supervisor of Elections Office will accept the final qualifying papers from candidates prior to the beginning of the qualifying period. Candidates who wish to pre-file will be shown as qualified on the first day of the period.**

### **State and Federal Office Qualifying**

All federal, state and multicounty candidates qualify for ballot directly with the Florida Department of State, Division of Elections. For information on qualifying for these offices, you may contact the Division of Elections at (850)245-6200 or access their website at <https://dos.myflorida.com/elections/>.

### **Municipal Qualifying**

All City Council and Mayoral positions in Collier County are nonpartisan. The City Clerk of each city is responsible for qualifying candidates for Municipal Office. For further information regarding qualifying and running for municipal office, please contact the Clerk in your city.

## **Partisan and Nonpartisan Races**

Public offices in Florida are either partisan or nonpartisan. In Collier County the partisan offices are County Commission, Sheriff, Clerk of Courts, Tax Collector, Property Appraiser, and Supervisor of Elections. All other public offices in the county are nonpartisan.

### **Partisan Races**

Candidates running for partisan office may run as a member of any registered Florida political party or as a candidate with no party affiliation. Florida law requires a person seeking nomination as a candidate of a political party to be a member of that political party for the 365 days BEFORE the beginning of the applicable qualifying period. Additionally, the law requires a person seeking to qualify for office as a candidate with no party affiliation to not be a member of any political party for the 365 days BEFORE the beginning of the applicable qualifying period. Therefore, the last day for such person to make the applicable change is **April 24, 2021, for the first qualifying period** and **June 12, 2021, for the second qualifying period** in order for the person to meet the 365-day requirement. Candidates in partisan races must show their party affiliation in their campaign advertising disclaimer.

### **Nonpartisan Races**

Florida Statutes defines a nonpartisan office as “an office for which a candidate is prohibited from campaigning or qualifying for election or retention in office based on party affiliation.” Nonpartisan candidates campaign without reference to their own or their opponents’ party registration. Nonpartisan candidates list no party in their campaign advertising disclaimers. Nonpartisan candidates should not be confused with candidates running for a partisan office with “No Political Affiliation.” All Independent District races are nonpartisan and decided at the General Election. Whoever receives the most votes in an Independent District contest is the winner.

School Board and Judicial races are nonpartisan and appear on the Primary Election ballot. In these races, if no candidate receives 50% + 1 of the total votes then the top two vote getters face each other on the General Election ballot.

### **Write-In Candidates**

Write-In candidates run without party affiliation. All write-in candidates appear on the General Election ballot. Write-In candidates qualify like any other candidate with the exception that no fees or petitions are required.

### **Closed Primaries – Florida is a “Closed” Primary State**

Only voters who are a registered member of a political party may vote for their respective party’s candidates in a Primary Election unless all candidates for the office have the same party affiliation; in which case the Primary Election is open to all voters.

## **Qualifying Requirements for County Judge**

1. A candidate for County Judge must file their appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE 9) with the Supervisor of Elections. This must be done **prior to making any expenditures, accepting contributions, or circulating petitions**. Upon filing this form, you are responsible for all reporting under Chapter 106, Florida Statutes. This form must be filed before opening your Campaign Checking Account.
2. The candidate must open their Campaign Checking Account at the bank designated on their Form DS-DE 9. This account will be used solely for your campaign expenditures and contributions. As a candidate, you are responsible for filing **Campaign Treasurer Reports** with the Supervisor of Elections as scheduled in Chapter 106, Florida Statutes. **Late reports are subject to mandatory fines.**
3. **Within 10 days of filing Form DS-DE 9**, but no later than the day you qualify for office, you are required to file **forms DS-DE 83** (Statement of Candidate for Judicial Office) and **DS-DE 84** (Statement of Candidate) with the Supervisor of Elections.
4. If you intend to qualify for office by petition, rather than paying the qualifying fee, you may begin circulating your petitions any time after filing your DS-DE 9. You must use the State form (DS-DE 104) for your petitions. **The last date you may submit petitions for verification is noon, March 28.** A payment of ten cents per petition submitted is charged for verification unless an oath of undue burden has been filed with the Supervisor of Elections.
5. **April 11** is the first official day you may file your qualifying papers (pre-qualifying).
6. Resign to Run – If you are required under Florida Statute 99.012 to resign from an office in order to qualify for a different office your letter of resignation is to be submitted to the proper authority on or before **April 15**.
7. The official **qualifying** period for Judicial Office begins at **noon, April 25**, and lasts through **noon, April 29**. *To accommodate candidates, the Supervisor of Elections Office will accept the final qualifying papers from candidates prior to the beginning of the qualifying period. Candidates who wish to pre-file will be shown as qualified on the first day of the period.*

### **These items are required to be correctly submitted before the close of qualifying:**

- **Loyalty Oath - DS-DE 303JU Judicial Offices** (*must be notarized*)
- **Form 6 Disclosure of Financial Interests for 2021** (*must be notarized*)
- **A check drawn on the Campaign Account to cover all filing fees and assessments made payable to the Supervisor of Elections** (*unless qualified by petition*)

*The Supervisor of Elections office has a notary available for your documents, upon request.*



## **Qualifying Requirements for County Commission, Constitutional Officer & School Board**

1. A candidate for County Commission, Constitutional Office or School Board must file their appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE 9) with the Supervisor of Elections. This must be done **prior to making any expenditures, accepting contributions, or circulating petitions**. Upon filing this form, you are responsible for all reporting under Chapter 106, Florida Statutes. This form must be filed before opening your Campaign Checking Account.

2. The candidate must open their Campaign Checking Account at the bank designated on their Form DS-DE 9. This account will be used solely for your campaign expenditures and contributions. As a candidate you are responsible for filing **Campaign Treasurer Reports** with the Supervisor of Elections as scheduled in Chapter 106, Florida Statutes. **Late reports are subject to mandatory fines.**

3. **Within 10 days of filing Form DS-DE 9**, but no later than the day you qualify for office, you are required to file Form **DS-DE 84** (Statement of Candidate) with the Supervisor of Elections.

4. If you intend to qualify for office by petition, rather than paying the qualifying fee, you may begin circulating your petitions any time **after filing your DS-DE 9**. You must use the State form (DS-DE 104) for your petitions. **The last date you may submit petitions for verification is noon, May 16.** A payment of ten cents per petition submitted is charged for verification unless an oath of undue burden has been filed with the Supervisor of Elections.

5. **May 30** is the first official day you may file your qualifying papers (pre-qualifying).

6. Resign to Run – If you are required under Florida Statute 99.012 to resign from an office in order to qualify for a different office your letter of resignation is to be submitted to the proper authority on or before **June 3**.

7. The official **qualifying** period begins at **noon, June 13** and lasts through **noon, June 17**. *To accommodate candidates, the Supervisor of Elections Office will accept the final qualifying papers from candidates prior to the beginning of the qualifying period. Candidates who wish to pre-file will be shown as qualified on the first day of the period.*

**These items are required to be correctly submitted before the close of qualifying:**

- **Loyalty Oath** – the proper oath for the office sought (*must be notarized*)
- **Form 6 Disclosure of Financial Interests for 2021** (*must be notarized*)
- **A check drawn on the Campaign Account to cover all filing fees and assessments made payable to the Supervisor of Elections (unless qualified by petition)**

***Note:** to qualify as a partisan candidate, you must be a registered member of that political party for the 365 days BEFORE the beginning of the qualifying period. Those qualifying for office as a candidate with no party affiliation must not be a member of any political party for the 365 days BEFORE the beginning of the qualifying period.*

***The Supervisor of Elections office has a notary available for your documents, upon request.***

## **Qualifying Requirements for Independent Districts**

*Independent Districts include Fire Districts, Mosquito Control District, Soil & Water Conservation District and all Community Development Districts.*

***Candidates may qualify by paying a fee of \$25.00 or submitting 25 valid petitions from registered voters in the district.***

1. Candidates desiring to qualify by petition must submit 25 valid petitions signed by district voters before **noon, May 16**. You must use the State form (DS-DE 104) for your petitions.
2. Resign to Run – If you are required under Florida Statute 99.012 to resign from an office in order to qualify for a different office your letter of resignation is to be submitted to the proper authority on or before **June 3**.
3. The official **qualifying** period begins at **noon, June 13** and lasts through **noon, June 17**. *To accommodate candidates, the Supervisor of Elections Office will accept the final qualifying papers from candidates prior to the beginning of the qualifying period. Candidates who wish to pre-file will be shown as qualified on the first day of the period.*

**These items are required to be correctly submitted before the close of qualifying:**

- **Loyalty Oath for Non-Partisan Office (DS-DE 302NP)** *(must be notarized)*
- **Form 1 Disclosure of Financial Interests for 2021**
- **Collier County Affidavit of Intent**
- **\$25.00 cash or check (unless qualifying by petition).**

### **Important information for Independent District Candidates:**

You may have yourself listed by the Supervisor of Elections as a candidate at any time prior to qualifying by filing an Affidavit of Intent with our office.

Candidates for Independent District Offices are not required to name a Campaign Treasurer and Depository or file campaign reports as long as you make no expenditures or accept any contributions on behalf of your campaign. This prohibition includes any in-kind contributions, even from yourself. This means that you may talk about your campaign, but no signs, flyers, etc.

*If at any time you should decide to make expenditures or accept contributions, you are required to file the necessary forms with the Supervisor of Elections beforehand. Upon filing the additional candidacy forms with the Supervisor you are required to follow Chapter 106, Florida Statutes, and file all required campaign finance reports.*

**The Following forms are required before accepting donations or making expenditures:**

- **Form DS-DE 9 Appointment of Campaign Treasurer and Depository**
- **Form DS-DE 84 Statement of Candidate**

***The Supervisor of Elections office has a notary available for your documents, upon request.***

## **Qualifying Requirements for Write-In Candidates**

You may qualify for any office as a “write-in” candidate. You are still required to comply with all of the campaign finance laws and submit the proper loyalty oath and financial disclosure for the office sought at the time of qualifying. You will not, as a write-in candidate, be required to pay a filing fee or submit nominating petitions to qualify. Write-in candidates may qualify for the General Election ballot only and their names will not appear on the ballot. A blank space for voters to write the name will appear instead of the candidate’s name. For ballots to be tabulated for a write-in candidate in Florida, the candidate must have qualified for the ballot.

Write-In candidates are subject to Chapter 106, Florida Statutes, regarding Campaign Finance as well as all other election statutes including:

1. Resign to Run – If you are required under Florida Statute 99.012 to resign from an office in order to qualify for a different office your letter of resignation is to be submitted to the proper authority on or before **April 15** for County Judge or **June 3** for all other county offices.
2. Write-In candidates qualify at the same time as other candidates; depending upon the office they seek. The qualifying period for Judicial Office begins at **noon, April 25**, and lasts through **noon, April 29**. The qualifying period for all other offices begins at **noon, June 13** and lasts through **noon, June 17**.

**Before the close of the qualifying period a write-in candidates must file:**

- **Form DS-DE 9 Appointment of Campaign Treasurer and Depository**
- **Form DS-DE 84 Statement of Candidate**
- **Financial Disclosure form appropriate to the office sought (Form 1 or Form 6) for 2021**
- **Appropriate notarized Loyalty oath for the office sought**

*The Supervisor of Elections office has a notary available for your documents, upon request.*

## **2022 Petitions Required for Qualification**

### **County Office**

County Judge	2,317
School Board	2,317
County Commission, District 2	463
County Commission, District 4	463

2022 is a redistricting year and therefore the petition count is based on the ideal size of a district and petitions for county office may be signed by any registered voter in the county.

### **Independent Districts**

Fire District	25
Mosquito Control District	25
Soil & Water Conservation District	25
Community Development District	25

### **Petition Guidelines**

To be valid, a petition must be submitted on the form adopted by the State of Florida (DS-DE 104). A fee of ten cents for each petition processed is charged by the Supervisor of Elections unless the candidate files an oath of undue burden before submitting petitions. In 2021-22 petitions for County Judge, County Commission, and School Board may be signed by any registered voter in the county. Petitions for Independent Districts must be signed by registered voters registered in the district. **All candidates, except for Independent District candidates, must file their ‘Designation of Campaign Treasurer and Depository’ (DS-DE 9) before soliciting petition signatures.**

### **Petition Deadlines**

For consideration, petitions must be delivered to the Supervisor of Elections Office on or before the following dates:

**County Judge Candidates: Noon, Monday, March 28, 2022.**

**County Commission, School Board and Independent District Candidates: Noon, Monday, May 16, 2022.**

*It is strongly recommended that petitions be submitted in batches as they are obtained. This allows our office to keep candidates informed as to the status of their petition effort. Upon request, we will provide you with a file of those who have signed your petition.*

**2022 Qualifying Fees**

<b>Qualifying Fees</b>	<b>Salary</b>	<b>3% Filing Fee</b>	<b>1% Election Assessment</b>	<b>2% Party Assessment*</b>	<b>Total Fee</b>
County Judge	\$ 156,377.00	\$ 4,691.31	\$ 1,563.77	N/A	\$ 6,255.08
County Commission	\$ 89,573.00	\$ 2,687.19	\$ 895.73	\$ 1,791.46	\$ 5,374.38
School Board	\$ 42,418.00	\$ 1,272.54	\$ 424.18	N/A	\$ 1,696.72
Independent Districts	N/A	\$ 25.00	N/A	N/A	\$ 25.00

*\*The 2% Party Assessment is not required for candidates running with no party affiliation (NPA).*

**Qualifying Fees for all candidates, *except Independent Districts*, must be paid by a check drawn upon the candidates’ campaign checking account and made payable to the Supervisor of Elections. Payment must be made before noon on the date set for the close of qualifying.**

**Distribution of Qualifying Fees received by the Collier County Supervisor of Elections:**

- The Election Assessment is deposited in the Florida Elections Commission Trust Fund.
- For Nonpartisan Candidates, including School Board and Judicial, the Filing Fee is deposited in The Florida Elections Commission Trust Fund.
- For Partisan Candidates, the Filing Fee and Party Assessment is remitted to the political party of the candidate.
- For candidates running with no political affiliation (NPA) in partisan races, the Filing Fee is deposited in the County’s General Fund.
- The Filing Fee for Independent District candidates is deposited in the County’s General Fund.

## **Resign to Run & Hatch Act**

### **Resign to Run**

Florida Statute 99.012 *Restrictions on individuals qualifying for public office* is the so called “Resign to Run” law. The law essentially prohibits any elected or appointed “officer” from qualifying as a candidate for another state, district, county or municipal public office if any parts of the terms overlap. If you are an elected official or officer *Resign to Run* may apply to you.

If you are required to resign to run you must submit your resignation on or before **April 15, 2022** for County Judge and on or before **June 3, 2022** for all other offices. The date of your resignation must be set to avoid any overlap of terms. Your resignation must be filed with the officer before whom you qualified. If you hold a county or district office a copy of your letter must also be sent to the Governor and the Department of State. Your resignation is irrevocable. If you fail to file your resignation by the required date, you must resign effective immediately in order to qualify for office.

The “Resign to Run” law does not apply to 1) *political party offices*, 2) persons serving *without salary* on an appointed board or authority, and 3) persons seeking *federal* office.

**Local governments may require resignation from advisory boards if you seek office; this should be discussed with your board’s coordinator or attorney.**

For additional information on “Resign to Run” please review the Florida Department of State, Division of Elections Candidate & Campaign Treasurer Handbook or call the Division of Elections at (850)245-6200.

### **Hatch Act**

The Hatch Act prohibits a state, county, or municipal employee from being a candidate for public office in a partisan race *if the employee’s salary is completely funded with federal dollars*. It is only when the covered employee’s entire salary is paid from federal funds that the employee would have to resign *under the Hatch Act* before becoming a candidate for partisan office; however, an employee’s conduct is also subject to the laws of the state and the regulations of the employing agency, so the employee should check with his or her supervisor, personnel office, or the agency’s general counsel to determine what state or local law or agency rules or policies may apply regarding the employee’s political activities. (*A partisan election means one in which any candidate will be listed on the ballot as a candidate for a political party, for example, the Republican or Democratic Party.*)

#### Hatch Act Unit

U.S. Office of Special Counsel  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505  
Phone: (800)854-2824 or (202)254-3650  
E-mail: [hatchact@osc.gov](mailto:hatchact@osc.gov)

## **Campaign Finance & Reporting**

As a candidate you are required to comply with Florida's campaign finance laws. The laws are contained in Chapter 106, Florida Statutes. The Florida Department of State, Division of Elections, provides an excellent guide in its "Candidate and Campaign Treasurer Handbook."

**This is mandatory reading for you and your treasurer.**

Florida requires all candidates to file periodic campaign finance reports upon filing their DS-DE 9 Appointment of Treasurer and Designation of Depository. These reports are required **even if there has been no activity during the reporting period**. In those cases, you are required to file a Waiver of Report. Reports must be filed on or before the due date. **Fines for late filing of reports are automatic and must be paid from personal rather than campaign funds**. As the candidate, you are responsible for ensuring that campaign reports are accurate, complete and comply with all laws and regulations regarding campaign finance.

The Collier County Supervisor of Elections Office provides an online reporting system for your campaign finance reports. When you file your DS-DE 9 with our office, we will e-mail you your user id number and an initial password in order to access the system. You and your treasurer will login via the [www.CollierVotes.gov](http://www.CollierVotes.gov) website. Under the sub-heading 'Campaign Finance' you will be able to create and submit your campaign finance reports. Candidates can also post a brief biography and a picture. **The biography on our website may be used to support your campaign, but is not to be used to attack your opponent.**

Step-by-step instructions on using the online system are included with your campaign handbooks and are also available online on our website. Reports created and submitted on our site are assumed to be complete, accurate and certified to by both the candidate and his/her treasurer. When submitting your report through our system you are not required to submit a signed copy. If you discover an error in your report after it has been submitted and accepted, you will need to file an amended report as soon as the error has been found. If you have a reporting period in which no financial activity has occurred (bank fees are excluded), you are required to file a Waiver of Report for the period.

### **Suggestions for reporting and some common errors:**

1. Don't wait until the last minute to file your report...give yourself time in case of a problem or question.
2. Print out your bank statements and reconcile your deposits and expenses. You can export your finance report into a spread sheet and this is a good way to check for errors. It's a lot easier to do it periodically than to wait until the end of your campaign to reconcile and discover the source of an error.
3. Keep an eye out for multiple contributions which may violate the \$1,000 limit per individual entity.
4. Remember to have an address for all contributions and an occupation for those over \$100.

5. Never list an in-kind contribution under your expenditures...it's not money and can't be spent!
6. Try and stay away from cash. Remember an individual may only contribute a maximum of \$50 in cash to your campaign.
7. Your campaign legally needs to always operate in the black. **You should never have a negative balance!**
8. Watch for husband and wife contributions. They each can give up to \$1,000, however they will need to issue separate checks as all joint checks are attributed to the signer.
9. The Primary and General are viewed as separate elections. You may accept the \$1,000 maximum from a contributor for each election **even if you are not opposed in the Primary and therefore are not on the Primary ballot!**
10. The candidate has no limit on the amount he/she may loan his/her campaign and may reimburse themselves at any time during or after the campaign if funds are available. Any money contributed by the candidate should be shown as a loan. **Only the candidate may loan money to his campaign.**
11. If you have a question regarding Campaign Finance, the first step is to consult the "Treasurer Handbook" and Chapter 106 and if the answer still isn't clear to you, contact our office. We are not a substitute for contacting an attorney and cannot offer you legal advice; however, we can help you find an answer to most questions so please feel free to use us as a resource. As a candidate, you are also free to contact the Florida Division of Elections directly.

### **Your Report is a Public Record**

*Once the Supervisor of Elections Office receives your report it becomes a public record. It will be posted on our website and will be available for inspection by the press and the public. The function of the Supervisor of Elections Office regarding your reports is ministerial. We will examine your report for completeness, but not necessarily correctness.*

*We are not the elections police. Errors in your reporting, like other campaign violations, are the province of the Florida Elections Commission. Remember that your report will likely be scrutinized by the press and your opponents.*



## **E-mail Policy for Candidates**

E-mail addresses are highly valued by the Collier County Supervisor of Elections Office. They provide a cost effective and rapid means of communicating with our voters regarding election related matters. Therefore, the use of e-mail addresses held by the Supervisor of Elections should be done in a thoughtful and prudent manner. The purpose of this policy statement is to provide guidance and recommendations regarding the use of voter e-mail addresses supplied by the Collier County Supervisor of Elections.

E-mail addresses are collected by the Supervisor of Elections from two separate sources and are treated differently by us depending on the source. The largest number of e-mail addresses comes to us through the vote-by-mail request process. E-mail addresses acquired this way are considered a part of the vote-by-mail address and distribution is limited to candidates, parties and political committees. The other source we have for e-mail addresses is from voters who opt to receive their sample ballots by e-mail at the time they register to vote. Addresses from these voters are a public record. Candidates, parties and political committees are eligible to receive both categories of e-mail addresses from our office.

**While most voters expect campaign e-mails as a matter of course, some may view your messages as intrusive.**

**Our office recommends the following guidelines:**

1. Be careful not to use language in your campaign materials that suggests that the Supervisor of Elections is the originator of potentially unwanted e-mails.
2. Include an unsubscribe feature in your e-mails. Recipients should have the opportunity to opt out of future campaign related e-mails. There are relatively inexpensive web based products to facilitate such a feature.
3. Mass e-mails should not expose the e-mail addresses of others. One way to accomplish this is to list the recipients in the "Blind Carbon Copy" or "Bcc" portion of the e-mail.
4. Use discretion in the frequency of your messages.

**Although the political disclaimer is not required on your e-mail messages, unless you have employed a service to assist you in your e-mails, we suggest you use it on all official campaign messages.**

## **Political Advertising Disclaimer & Political Signs**

As a candidate you must have the proper disclaimer prominently displayed on all of your political advertising including signs and bumper stickers. There are two acceptable disclaimers; either:

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

**or**

**“Paid by (name of candidate), (party affiliation), for (office sought).”**

Partisan candidates may abbreviate their party affiliation and nonpartisan candidates must omit it. **For non-incumbent candidates the word "for" must be used in the body of your advertisement between the candidate name and the office sought.**

Candidates should read Chapter 12 of the Florida Department of State, Division of Elections, “Candidate and Campaign Treasurer Handbook” prior to creating advertisements or signs. The ‘Handbook’ contains examples of the proper wording for political ad disclaimers and political signs.

### **Political Signs**

*No signs may be placed on any property (either public or private) without the consent of the owner.*

**CALL BEFORE YOU DIG . . . IT IS THE LAW!!!!!!!!!!!!!!!!!!!!**

If the posts for your signs extend deeper than 10” into the ground the law requires you to call **1-800-432-4770 two business days before erecting your signs.** This allows utility companies to locate and mark their buried utilities with color-coded paint, flags or stakes. **Failure to comply may result in severe penalties and personal liability for any damages incurred.**

*Candidates are responsible for complying with the sign codes of Collier County, the City of Naples, the City of Marco Island and the City of Everglades City and securing any necessary permits before posting any political signs. Violations of county and municipal sign codes should be reported to the proper code enforcement agency.*

*Remember that codes and laws can change! It's always smart to check with the permitting agency before you begin to place your signs.*

Collier County Growth Management	239-252-2400
City of Naples Code Enforcement	239-213-5030
City of Marco Island (City Clerk)	239-389-5010
City of EvergladesCity (City Clerk)	239-695-4478

## **Summaries of Sign Codes for Collier Jurisdictions**

### **Collier County**

- Candidates must obtain a bulk sign permit from the Growth Management Department located at 2800 N. Horseshoe Drive, Naples FL 34104 (239)252-2400.
- **Signs may not be placed on county or state road rights-of-way in medians or on public property.**
- The permit number should appear on every sign or be affixed to the pole.
- Signs shall not be attached to traffic signs or utility poles or any structure in the right-of way.
- Signs on private property must have the owner's permission.
- Signs in residential areas shall not exceed 4 square feet and 3 feet in height.
- Signs in non-residential zoning districts shall not exceed 32 square feet and 8 feet in height.
- Signs must be removed within 7 days of the election.

### **City of Naples**

Political signs are regulated by Sections 50-31 through 50-40, City of Naples Code of Ordinances.

**Political signs are permitted with the following restrictions:**

**Political signs are not permitted on streets, rights-of-way, beach areas, parks, public sidewalks, or upon property not having permission from the property owner.**

To assist in determining what the right-of-way is where signs are prohibited, please consider the following:

- The area between a street and a sidewalk is always the right-of-way.
- The property line for a parcel is not always readily identifiable. One way to determine what is the right-of-way, attempt to identify a street light, power line, or cable box. They are almost always on the right-of-way near the property line. Imagine a line to your location and do not place the sign between the imaginary line and the road.
- If the property contains a hedge, the hedge may or may not be on private property. If the hedge will obstruct the view of the sign, it will be deemed acceptable to place a sign next to the hedge so that one side of the sign is within a couple of inches from the hedge.

In residentially zoned areas, including single-family and multi-family:

- Signs dimension shall be 12" x 18".
- The height of the sign shall be a maximum of three (3) feet. However, the height may be increased to a maximum of four (4) feet if visibility is otherwise obstructed.
- Signs may contain color.

- There is no limit as to the number of signs. However, please remember that a property owner may post signs for other political races. To maintain an acceptable appearance in the community, we recommend discretion as to the number of signs placed on a property.
- Permission of the property owner to place a sign on the property is required.

In commercially zoned areas:

- Sign dimension shall be no greater than four square feet.
- The height of the sign shall be a maximum of three (3) feet. However, the height may be increased to a maximum of four (4) feet if visibility is otherwise obstructed.
- Signs may contain color.
- There is no limit as to the number of signs. However, please remember that a property owner may post signs for other political races. To maintain an acceptable appearance in the community, we recommend discretion as to the number of signs placed on a property.
- Permission of the property owner to place a sign on the property is required.

Signs may be affixed to a vehicle. However, a vehicle may not be parked in a single location for a period greater than 24 hours.

Signs shall be removed within seven days of the election.

### **City of Marco Island**

Political signs are regulated by Chapter 30, Article VI - Signage, of the Code of Ordinances.

A permit is not required for one election sign for each property, subject to the following criteria:

Maximum Size: Residential single-family: Four square feet; Residential multifamily: 16 square feet; Nonresidential: 24 square feet.

Maximum Height: Six feet as measured from average finished ground elevation. Residential districts: up to a cumulative total of 24 additional square feet, provided no individual sign exceeds four square feet. Nonresidential districts: up to a cumulative total of 24 additional square feet, provided any individual sign exceeding four square feet shall be set back a minimum of 15 feet from any property line.

Location: In residential districts, signs may be placed in the public right-of-way only between the hours of 7:00 a.m. and 6:00 p.m. Signs may be placed on private property at any time of the day or night, at the property line, provided that such sign shall be: Set back at least ten feet from the edge of the pavement of any adjacent public street; and If a sidewalk is present, such sign shall be setback five feet from the sidewalk. Signs may be located either parallel to or perpendicular to the adjacent right-of-way.

Time Restrictions for Placement of Elections Signs:

Temporary signage shall be allowed for the 60 days prior to, and seven calendar days following, any federal, state, county, or city election, as follows:

Primary Election: Tuesday, August 23, 2022 - Elections signage placement allowed June 24 - August 30

General Election: Tuesday, November 8, 2022 - Election signage placement allowed September 9 - November 15

Property Owner Permission is Required: No person within the city shall erect, fasten, or attach or cause to be erected, fastened, or attached in any way any sign upon any private property within the city, unless legally authorized to do so by the owner of such property. In addition to standard code enforcement action, signs placed without permission of the property owner are subject to removal by the property owner or the city at the sign owner's expense.

All Signs Subject to Florida Building Code: The construction, alteration, repair, or maintenance of all signs shall conform to the provisions established by the Florida Building Code. The city's building official has the authority to determine which signs and activities are subject to the Florida Building Code. This includes mechanical and electrical components, as well as structural components subject to wind load standards.

Sign Maintenance: Every sign, together with its framework, braces, angles, or other supports shall be maintained in a safe condition, properly secured, supported and braced to withstand wind pressure as required by the Florida Building Code or any other applicable regulatory code or ordinance in effect within the city limits.

No sign or support shall be placed in such position or manner as to obstruct or interfere, either physically or visually, with traffic circulation (pedestrian or vehicular), any fire alarm, police alarm, traffic signal or sign or any devices maintained by or under public authority.

No sign over a walkway shall have a vertical clearance of less than eight feet in height as measured from the bottom of the sign to the walkway.

No sign shall be located within a sight visibility triangle.

No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

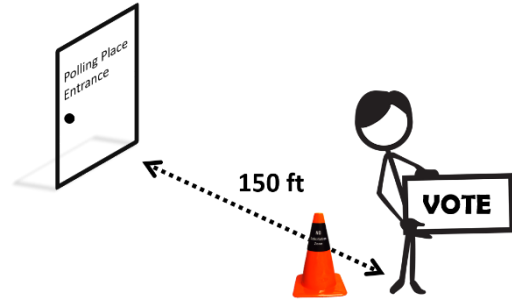
No sign shall be attached in any form, shape or manner that will interfere with any opening required for ventilation.

### **City of Everglades City**

- Each candidate must obtain a bulk sign permit; the cost of the permit is \$25.00.
- Each candidate must post a \$75.00 deposit guarantying that the candidates signs will be removed within 72 hours of the election results being determined.
- Political signs may be placed on public land and must not be larger than four square feet and not placed on the right-of-way within fifty feet of an intersection.

## Polling Place Activities

Florida Statute 102.031(4) limits activities at polling places during early voting and on Election Day. Only designated poll watchers are allowed inside the polling place while voting is taking place (see Poll Watchers, page 20).



Outside of the polling place the law creates a **150 ft. zone** from the entrance, where **soliciting voters is prohibited**.

This area is referred to as the “no solicitation zone.”

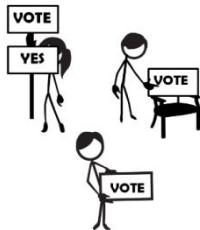
### **Poll Deputy:**

- Appointed by the Supervisor of Elections to maintain order and ensure that the no solicitation zone is adhered to.
- Determines the boundaries of the no solicitation zone by placing a marker or markers identifying the restricted area.
- Answers questions regarding the no solicitation zone.
- Individuals who persist in impeding the access of voters and engaging in prohibited conduct will be asked to leave, even if they are beyond the no solicitation zone.



The poll deputy may request the assistance of the Sheriff’s Office if necessary to maintain order.

### **Tips for Campaigning outside the 150’ No Solicitation Zone:**

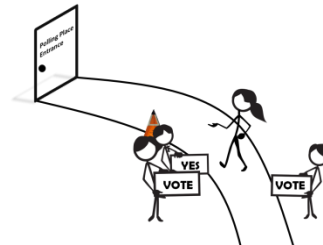


Campaigners may have signs which must be held or in close proximity (approximately 1 ft.) to the individual. All signs must be attended to at all times if visible.

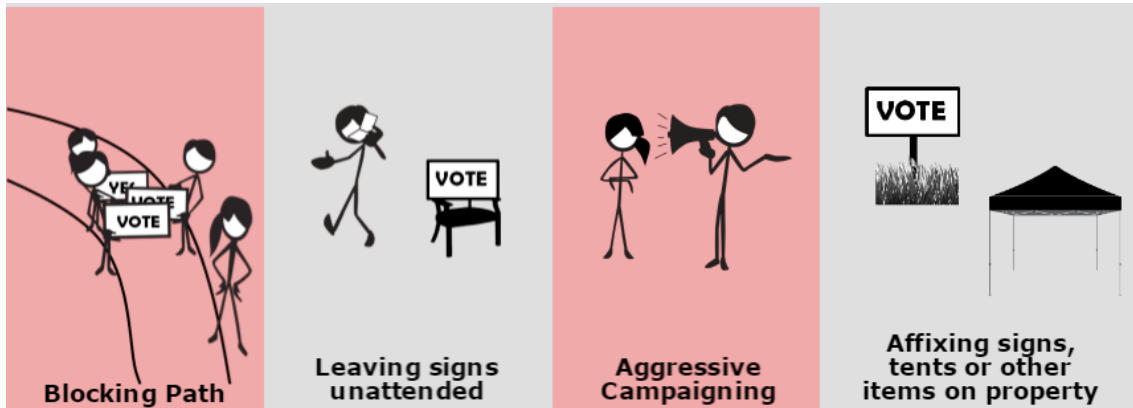
Allow unimpeded access for all voters.



Be respectful of voters and the polling place property.



## Prohibited Practices:



- No signs, tents or other campaign items may be freestanding, affixed to, planted or erected on the polling place property, land or adjacent road rights-of-way. Items found in violation are subject to removal without notification to the owner.
- Amplified sound (bull horn, loudspeaker, etc.) is not permitted.

## Vehicles:

- Box trucks, motor homes or trailers used to carry signs are not allowed to be parked at polling places.
- Other vehicles with political signs or decorations are not allowed to park within the no solicitation zone unless they are driven by a voter who is parking to vote and leaving immediately after voting.
- Political signs on permitted vehicles outside of the no solicitation zone must be affixed to or inside the vehicle. For example, bumper stickers, magnetic signs, paint or vehicle wraps would be acceptable while leaning a yard sign against or on a vehicle would not be acceptable.

## Conduct:

The majority of complaints the Collier County Supervisor of Elections Office receives are from voters upset with the tactics of campaign volunteers electioneering at polling places. The conduct of campaign workers may reflect on your campaign in either a positive or negative manner. If you choose to have campaign workers outside of a polling place, we strongly recommend that courtesy toward the voters be stressed in their training. Voters may react negatively to aggressive electioneering.

***\*Each polling place may have unique aspects that are not directly expressed in this section. All solicitation activities at polling places are subject to review for compliance of the law by the Supervisor of Elections office.***

## **Poll Watchers**

Candidates may choose to appoint poll watchers to observe polling place procedures during early voting and on Election Day. ***Poll watchers serve as observers of elections procedures only. Poll watchers do not have access to lists of those who have voted.***

**Poll watcher training is the sole responsibility of the candidate.**

Guidelines:

- Poll watchers may not talk or interact in any way with voters in the polling place.
- Any questions regarding procedures must be addressed to the Precinct Clerk.
- Poll watchers are not allowed to wear any clothing or buttons identifying a candidate or cause.
- Poll watchers need to mute their ring tone on their cell phones.
- Any calls should be conducted away from the voting area - preferably outside.
- Poll watchers who pester or interfere in any way with the orderly conduct of the polling place or fail to follow the instructions of the Precinct Clerk will be escorted from the polling place.
- Poll watchers must check in with the Precinct Clerk when arriving at a polling place.
- **Only one poll watcher per candidate is allowed in the polling place at any time during voting. Poll watchers may only represent one candidate or organization during an election.**

**Poll watcher designations must be submitted by the required date to the Supervisor of Elections on State form DS-DE 125.** Collier County does not require you to assign poll watchers a specific schedule or location for each election.

The Supervisor of Elections has seven days to approve designations and reserves the right to reject any poll watcher. **Poll watchers must be registered voters in the county and may not be law enforcement officers.**

Upon acceptance of poll watcher designations, the Supervisor of Elections will issue identification badges to the candidate; who will then distribute them to the individual poll watchers.

For more information regarding poll watchers you should review Florida Statute 101.131 and consult with the Collier County Supervisor of Elections office.

**The 2022 dates for submitting Poll Watcher designations are:**

Primary Election Early Voting:	Noon: July 30, 2022
Primary Election Day:	Noon: August 9, 2022
General Election Early Voting:	Noon: October 13, 2022
General Election Day:	Noon: October 25, 2022



## **Candidate Resources**

Collier County Supervisor of Elections  
3750 Enterprise Ave  
Naples FL 34104  
Phone: 239-252-8683  
Website: [www.CollierVotes.gov](http://www.CollierVotes.gov)

Dave Carpenter, Qualifying Officer  
Phone: 239-252-8501  
Email: [Dave.Carpenter@CollierVotes.gov](mailto:Dave.Carpenter@CollierVotes.gov)

***Notary Services: The Collier County Supervisor of Elections Office has notaries available and will notarize required campaign documents at no charge, upon request.***

Florida Department of State (Division of Elections)\*  
Phone: (850)245-6200  
Website: <https://dos.myflorida.com/elections/>

**\*As a candidate you have the right to call the Division of Elections with questions pertaining to your candidacy.**

Florida Elections Commission (Campaign Violations)  
Phone: (850)922-4539  
Website: <http://www.fec.state.fl.us>

Florida Commission on Ethics (Financial Disclosure)  
Phone: (850)488-7864  
Website: <http://www.ethics.state.fl.us>

For Sign Permit Information:

Collier County Growth Management	239-252-2400
City of Naples Code Enforcement	239-213-5030
City of Marco Island (City Clerk)	239-389-5010
City of Everglades City (City Clerk)	239-695-4478

***A Word to the Wise:***

**Election laws tend to be unforgiving! It's far better to ask permission than beg forgiveness!**

## **Voter Lists & Data**

Voter lists and data are available to campaigns for a nominal fee.

Voter data is provided in an electronic format. Depending on file size, the data can be emailed or placed on a disc. The standard file format for our data is a text file with comma separated values (csv) and can be opened using excel or any other database program. Voter lists can include “Voter History” (voting activities in prior elections) at no additional charge. The data sets can include all information regarding the voter that we have on file except those items protected by law. Lists may include phone numbers and email addresses only if we have them on file. Phone numbers may or may not still be valid for a voter and we request that you read our **E-Mail Policy for Candidates** before contacting voters using this method.

Campaigns frequently request a ‘**Super Voter List**’. This is simply a list of targeted voters created by sorting your data file (Voter History) to produce likely voters for a particular election. Similarly, ‘**Walk Lists**’ are created by sorting the voters in a particular precinct by street name and number.

**Vote-by-mail** subscriptions are available to campaigns. These provide the candidate with an initial list of vote-by-mail requests followed by frequent updates of new requests.

For more information on voter data or to request a voter list, please contact Dave Carpenter at 252-8501 or email [Dave.Carpenter@CollierVotes.gov](mailto:Dave.Carpenter@CollierVotes.gov).

The current prices\* for voter lists and data are:

Standard list processing fee	\$10.00 (e-mail or disc)
Vote-by-mail Subscription	\$30.00 per election
Printed list	\$.15 / page
Mailing labels	\$.80 / page (20 labels per page)
Maps (22" X 36")	\$10.00 each

***District Maps are custom printed and need to be ordered at least 48 hours in advance.***

Additional services including research, etc. will be billed at \$20.00 per hour starting after the first ½ hour.

Payment is expected at the time goods and/or services are delivered. Checks should be made payable to the **Collier County Supervisor of Elections**. The Supervisor of Elections does not accept credit cards and those paying in cash should bring exact change.

\*Prices are subject to change without notice.

## **Ethical Conduct of Candidates**

**Chapter 104, Florida Statutes** deals with the violations of the Election Code.

Examples of misconduct include:

### **104.271 False or malicious charges against, or false statements about, opposing candidates; penalty.—**

(1) Any candidate who, in a primary election or other election, willfully charges an opposing candidate participating in such election with a violation of any provision of this code, which charge is known by the candidate making such charge to be false or malicious, is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083 and, in addition, after conviction shall be disqualified to hold office.

(2) Any candidate who, in a primary election or other election, with actual malice makes or causes to be made any statement about an opposing candidate which is false is guilty of a violation of this code. An aggrieved candidate may file a complaint with the Florida Elections Commission pursuant to s. 106.25. The commission shall adopt rules to provide an expedited hearing of complaints filed under this subsection. Notwithstanding any other provision of law, the commission shall assess a civil penalty of up to \$5,000 against any candidate found in violation of this subsection, which shall be deposited to the account of the General Revenue Fund of the state.

History.—s. 44, ch. 28156, 1953; s. 48, ch. 71-136; s. 27, ch. 77-104; s. 35, ch. 77-175; s. 1, ch. 85-210; s. 627, ch. 95-147; s. 44, ch. 97-13.

### **104.0615 Voter intimidation or suppression prohibited; criminal penalties.—**

(1) This section may be cited as the “Voter Protection Act.”

(2) A person may not directly or indirectly use or threaten to use force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel an individual to:

- (a) Vote or refrain from voting;
- (b) Vote or refrain from voting for any particular individual or ballot measure;
- (c) Refrain from registering to vote; or
- (d) Refrain from acting as a legally authorized election official or poll watcher.

(3) A person may not knowingly use false information to:

- (a) Challenge an individual’s right to vote;
- (b) Induce or attempt to induce an individual to refrain from voting or registering to vote; or
- (c) Induce or attempt to induce an individual to refrain from acting as a legally authorized election official or poll watcher.

(4) A person may not knowingly destroy, mutilate, or deface a voter registration form or election ballot or obstruct or delay the delivery of a voter registration form or election ballot.

(5) A person who violates subsection (2), subsection (3), or subsection (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 76, ch. 2005-277.

### **104.047 Vote-by-mail ballots and voting; violations.—**

(1) Except as provided in s. 101.62 or s. 101.655, any person who requests a vote-by-mail ballot on behalf of an elector is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) Any person who marks or designates a choice on the ballot of another person, except as provided in s. 101.051, s. 101.655, or s. 101.661, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 26, ch. 98-129; s. 34, ch. 99-2; s. 57, ch. 2001-40; s. 54, ch. 2005-278; s. 36, ch. 2016-37.

#### **104.31 Political activities of state, county, and municipal officers and employees.—**

(1) No officer or employee of the state, or of any county or municipality thereof, except as hereinafter exempted from provisions hereof, shall:

(a) Use his or her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.

(b) Directly or indirectly coerce or attempt to coerce, command, or advise any other officer or employee to pay, lend, or contribute any part of his or her salary, or any money, or anything else of value to any party, committee, organization, agency, or person for political purposes. Nothing in this paragraph or in any county or municipal charter or ordinance shall prohibit an employee from suggesting to another employee in a noncoercive manner that he or she may voluntarily contribute to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes.

(c) Directly or indirectly coerce or attempt to coerce, command, and advise any such officer or employee as to where he or she might purchase commodities or to interfere in any other way with the personal right of said officer or employee.

The provisions of this section shall not be construed so as to prevent any person from becoming a candidate for and actively campaigning for any elective office in this state. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature, of elected officials or candidates for public office in the state or of any county or municipality thereof; and the provisions of paragraph (a) shall not be construed so as to limit the political activity in general or special elections of the officials appointed as the heads or directors of state administrative agencies, boards, commissions, or committees or of the members of state boards, commissions, or committees, whether they be salaried, nonsalaried, or reimbursed for expense. In the event of a dual capacity of any member of a state board, commission, or committee, any restrictive provisions applicable to either capacity shall apply. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature of the Governor, the elected members of the Governor's Cabinet, or the members of the Legislature. The provisions of paragraphs (b) and (c) shall apply to all officers and employees of the state or of any county or municipality thereof, whether elected, appointed, or otherwise employed, or whether the activity shall be in connection with a primary, general, special, bond, referendum, or other election of any kind or nature.

- (2) An employee of the state or any political subdivision may not participate in any political campaign for an elective office while on duty.
- (3) Any person violating the provisions of this section is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
- (4) Nothing contained in this section or in any county or municipal charter shall be deemed to prohibit any public employee from expressing his or her opinions on any candidate or issue or from participating in any political campaign during the employee's off-duty hours, so long as such activities are not in conflict with the provisions of subsection (1) or s. 110.233.

History.—s. 8, ch. 26870, 1951; s. 7, ch. 29615, 1955; s. 5, ch. 29936, 1955; s. 1, ch. 59-208; s. 18, ch. 65-379; s. 53, ch. 71-136; ss. 1, 2, ch. 74-13; s. 1, ch. 75-261; s. 30, ch. 79-190; s. 1, ch. 80-207; s. 628, ch. 95-147; s. 1, ch. 2006-275.

***It is strongly suggested that you review Chapter 104, Florida Statutes, which deals specifically with violations of the Elections Code.***

Violations of these or any other election laws should be reported to the Florida Elections Commission or the Division of Elections.

Florida Elections Commission  
107 West Gaines Street  
Collins Building, Suite 224  
Tallahassee, FL 32399  
(850)922-4539

Division of Elections  
Room 316, R. A. Gray Building  
500 South Bronough Street  
Tallahassee, FL 32399  
(850)245-6200

Voter Fraud can be reported to the Division of Elections. The Voter Fraud Hotline is 1-877-VOTERFRAUD (1-877-868-3737).

## **Closing Your Campaign Account**

Once a candidate becomes **unopposed, is eliminated, or is elected to office**, he or she is no longer required to file interim Campaign Finance Reports, but is required to file a final Termination Report (TR) within 90 days. The Termination Report must reflect that the campaign account has been closed and any surplus funds distributed in accordance with Florida Statute 106.141. The Termination Report should show your monetary contributions equaling your expenditures.

Prior to disposing of surplus funds from the campaign account the candidate may:

- Purchase "thank you" advertising for up to 75 days.
- Pay for items which previously obligated.
- Pay for expenditures necessary to close down the campaign office and prepare the final campaign report.
- **May not accept any contributions.**

Disposing of Surplus Campaign Funds

- **The candidate may be reimbursed in full or in part for any loans or contributions made to the campaign.**
- May return pro rata to the contributors the funds which have not been spent.
- May donate funds to a charitable organization or organizations that meet the qualifications of Section 201(c)(3) of the Internal Revenue Code.
- May give up to \$25,000 to the candidate's political party.
- May donate the money to the general fund of the governmental body of which the candidate ran for elected office.
- Elected or unopposed candidates may create an office account in accordance with Florida Statute 106.141(5). Candidates for county office or a candidate for a less than countywide office may deposit a maximum of \$5,000 multiplied by the number of years in office for which they were elected for. Candidates for County Judge may deposit a maximum of \$3,000 per year for the term elected to. Candidates creating an office account must file with the Supervisor of Elections and report activity in accordance with the procedures established in Florida Statute 106.141(5). The statute also places limitations on purposes for which office account funds may be expended.

## **Frequently Asked Questions (from the Division of Elections)**

### **If I decide to change my office designation, can I use the campaign funds I collected for one office to seek a different office?**

Yes. You are not prohibited from changing your office designation and using campaign funds to seek another office, however, the guidelines set forth in Florida Statute 106.021 must be followed. You must also make your change of office designation prior to the candidate-qualifying period, and you may not change your political party designation. Changing office requires notification of contributors and offering to refund contributions. (Section 99.061, 106.021 F.S.)

### **As a candidate, am I required to use closed-captioning and descriptive narrative in my television broadcasts?**

Yes. Each candidate, political party and political committee is required to use closed-captioning and descriptive narrative in all television broadcasts regulated by the Federal Communication Commission. If you do not use closed captioning you must file a statement with the Supervisor of Elections stating your reasons for not using closed captioning. (Section 106.165, F.S.)

### **Do I have to use a political disclaimer on all of my campaign literature?**

Any political advertisement that is paid for by a candidate and that is published, displayed, or circulated prior to, or on the day of, any election must prominently state: You are not required to place a disclaimer on free e-mail.

"POLITICAL ADVERTISEMENT PAID FOR AND APPROVED BY (NAME OF CANDIDATE), (PARTY AFFILIATION), FOR (OFFICE SOUGHT)."

**OR**

PAID BY (NAME OF CANDIDATE), (PARTY AFFILIATION), FOR (OFFICE SOUGHT)."

If you are a No Party Affiliation candidate you will use No Party Affiliation as your party affiliation. A nonpartisan candidate does not list a party affiliation. (Section 106.143, F.S.)

### **Do I have to file my appointment of Treasurer and Designation of Depository before I actually open my campaign checking account?**

Yes, in a requirement under Florida Statute 106.021. In addition, most banks will ask for a copy of your appointment form DS-DE 9 as well as your social security number.

### **May a candidate appoint himself or herself as campaign treasurer?**

Yes. (Section 106.021(1)(c), F.S.)

### **Must a campaign treasurer be a registered voter in Florida?**

The campaign treasurer can be anyone you choose; they do not have to be a registered voter. (Section 106.021(1)(c), F.S.)

**How many deputy treasurers may a candidate have?**

Candidates for county and independent district office may appoint one primary treasurer and up to three deputy treasurers. (Section 106.021(1)(a), F.S.)

**Can a deputy treasurer file and submit campaign reports?**

Yes. A deputy treasurer may perform all of the duties of a campaign treasurer when specifically authorized to do so by campaign treasurer and the candidate. (Section 106.021(4), F.S.)

**Can I sign checks on my campaign account?**

Yes, but only if you are the campaign treasurer or a deputy treasurer for your campaign. Only a campaign treasurer or deputy campaign treasurer is allowed to sign checks drawn on the campaign account. The campaign treasurer or deputy campaign treasurer who signs a check is responsible for the completeness and accuracy of the information on the check and for ensuring it is an authorized expenditure.

**If my treasurer is out of town, can I have an extension to file my report?**

No. The election laws do not provide for an extension under these circumstances. (Section 106.07(2)(b), F.S.)

**If I make a mistake on my report can I go back and correct the mistake?**

Once the report is submitted to the Supervisor of Elections it may not be altered. You will need to file an amended report to make the corrections.

**If I am late submitting my report, how is my fine calculated?**

\$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater for the period covered by the late report. However, for reports immediately preceding the Primary and General Election, the fine shall be \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, which is greater, for the period covered by the late report. (Section 106.07, F.S.)

**If I receive an in-kind contribution of office space and it exceeds the limits, what should I do?**

You may accept an in-kind contribution up to the contribution limit threshold. You may not exceed the limit. You may pay, with campaign funds, for the office space after the limit is reached. (Section 106.08, F.S.)



**If I receive a contribution after I withdraw, become unopposed or after I am elected or eliminated, what do I do?**

You must return the contribution to the contributor. You may not expend the contribution. You may simply return the contribution without depositing it. (Section 106.11, 106.141, F.S.)

**Can I accept cash contributions?**

A person may not make or accept a cash contribution or contribution by means of a cashier's check in excess of \$50 per each election. (Section 106.06, F.S.)

**Can I accept a contribution from a foreign national?**

No. Federal law prohibits contributions from foreign nationals to any federal, state or local candidate; unless the foreign national possesses a green card also known as Resident Alien Card. Further information can be accessed by contacting the Federal Election Commission at 1-800-424-9530 or their web site at <http://www.fec.gov/pages/brochures/foreign.shtml>.

**How is the value of an in-kind contribution determined?**

The contributor must inform the person receiving the contribution of the fair market value at the time it is given. (Section 106.055, F.S.)

**What are the contribution limits for a candidate?**

No person or political committee may make contributions monetary or in-kind, in excess of \$1,000 per election to any candidate for election or retention in office. For contribution purposes, the Primary and General Elections are considered separate elections.

These limits do not apply to contributions made by a state or county executive political party committee of a political party regulated by Chapter 103, Florida Statutes, or to amounts contributed by a candidate to his own campaign. (Section 106.08(1)(a)(b)1 F.S.)

**Are in-kind contributions subject to the same limitations as monetary contributions?**

Yes. The definition of a "contribution" includes contributions in-kind having an attributable monetary value in any form. Therefore, in-kind contributions are subject to the same contribution limitations set for monetary contributions. (Section 106.011(3), 106.08, F.S.)

**Do I have to itemize small contributions of \$5, \$10, \$50, etc.?**

Yes. The law provides no exceptions for the reporting of contribution information, regardless of the size of the contribution. The full name and address of the contributor are also required. (Section 106.07(4)(a), F.S.)

**May a candidate accept a contribution from a trust fund?**

Yes. Chapter 106, F.S., defines a "person" as an individual, corporation, association, firm, partnership, joint venture, Joint Stock Company, club, organization, estate, trust, business trust, syndicate, or other combination of individuals having collective capacity. The term also includes a political party, political committee or committee of continuous existence. (Section 106.011(8), F.S.)

**Can a corporation contribute to a candidate?**

Yes. A corporation is defined as a "person" and may contribute to a candidate. (Section 106.011(8), F.S.)

**I am opposed in the General Election, but I have no opposition in the Primary Election, therefore, my name will not be on the Primary Election ballot. Must I abide by the prohibition on accepting contributions less than five days prior to the Primary Election?**

No. Only candidates opposed in the Primary Election are required to comply. However, since you are opposed and your name will appear on the General Election ballot, you are required to abide by the prohibition on accepting contributions less than 5 days prior to the General Election. (Section 106.08(3), F.S.)

**I was given cash at a fundraiser and have no information on who made the contribution? What do I do?**

This type of contribution is termed an "Anonymous Contribution". Report this contribution on your campaign report but you may not spend these funds on the campaign. You should file a statement with the qualifying officer explaining the circumstances of the contribution. After the campaign is over, dispose of the funds pursuant to Section 106.141, F.S. (DEO 89-02)

**Can I, my treasurer or campaign volunteer be reimbursed by the campaign if I or the individual incurs a personal-funds "out-of-pocket" expense in connection with my campaign?**

Yes. A candidate or other individual may be reimbursed for expenses incurred in connection with the campaign by a check drawn on the campaign account and reported. The full name and address of each person to whom the candidate or other individual made payment for which reimbursement was made by check drawn upon the campaign account shall be reported, together with the purpose of such payment. (Section 106.07(4), F.S.)

**As a candidate, what can I do with leftover campaign funds?**

You may disburse of funds by any of the means listed in Florida Statute 106.141. Before disposing of surplus funds you may pay back any loans which you made to your campaign.

**I am an elected official and still have funds in my office account. I am now beginning my re-election campaign. May I place the surplus funds in the office account into my campaign account for re-election?**

No. Funds retained by elected officials in their office accounts may only be used for legitimate expenses in connection with their public office. (Section 106.141(5), F.S.)

**How long are campaign finance records kept by the Supervisor of Elections?**

Ten years from the date of receipt. (Sections 98.015(5), 106.22(4), F.S.)

**How long do I have to keep my campaign finance records?**

You must keep your campaign records for the number of years equal to the term of the office sought. (Section 106.06, F.S.)

**I currently hold an office; can my staff assist me in my campaign?**

No, not while they are on duty. “An employee of the state or any political subdivision may not participate in any political campaign while on duty”. (Section 104.31 (2), F.S.)

## **2022 Candidate Calendar**

### **Qualifying**

March 28 (Mon), Noon	Deadline for judicial candidates to submit petitions.
April 15 (Fri)	Deadline for judicial candidates to submit 'Resign to Run' letter.
April 18 (Mon)	Deadline for Supervisor of Elections to certify judicial candidate petitions.
April 25 (Mon), Noon	Federal and judicial qualifying begins.
April 29 (Fri), Noon	Federal and judicial qualifying ends.
May 16 (Mon), Noon	Deadline for county and district candidates to submit petitions.
June 3 (Fri)	Deadline for county and district candidates to submit 'Resign to Run' letter.
June 6 (Mon)	Deadline for Supervisor of Elections to certify state and district candidate petitions.
June 13* (Mon), Noon	State, county and district qualifying begins. <i>*Candidates may pre-qualify prior to this date.</i>
June 17 (Fri), Noon	State, county and district qualifying ends.

### **Primary Election**

July 9 (Sat)	Deadline to send vote-by-mail ballots to absent stateside uniformed and overseas voters (UOCAVA).
July 14 (Thu)	Beginning of mandatory window to mail all domestic vote-by-mail ballots.
July 25 (Mon)	Deadline to register to vote for the Primary Election.
July 26* (Tues), 10 a.m.	Public test of the voting tabulation system (Logic & Accuracy) at the Supervisor of Elections office. <i>*Date subject to change.</i>

July 30 (Sat), Noon	Poll watcher designations are due for early voting.
August 9 (Tues), Noon	Poll watcher designations are due for election day.
August 13* (Sat)	First day of early voting. <i>*Date subject to change.</i>
August 13 (Sat), 5 p.m.	Deadline to request a vote-by-mail ballot to be mailed.
August 20* (Sat)	Last day of early voting. <i>*Date subject to change.</i>
August 23 (Tues)	<b>Primary Election Day:</b> Polls are open from 7:00 a.m. to 7:00 p.m.

### General Election

September 24 (Sat)	Deadline to send vote-by-mail ballots to absent stateside uniformed and overseas voters (UOCAVA).
September 29 (Thu)	Beginning of mandatory window to mail all domestic vote-by-mail ballots.
October 11 (Tues)	Deadline to register to vote for the General Election.
October 12 (Wed), 10 a.m.	Public test of the voting tabulation system (Logic & Accuracy) at the Supervisor of Elections office. <i>*Date subject to change.</i>
October 13 (Thu), Noon	Poll watcher designations are due for early voting.
October 25 (Tues), Noon	Poll watcher designations are due for election day.
October 27* (Thu)	First day of early voting. <i>*Date subject to change.</i>
October 29 (Sat), 5 p.m.	Deadline to request a vote-by-mail ballot to be mailed.
November 5* (Sat)	Last day of early voting. <i>*Date subject to change.</i>
November 8 (Tues)	<b>General Election Day:</b> Polls are open from 7:00 a.m. to 7:00 p.m.

## 2022 Candidate Reporting Schedule

### 2022 CANDIDATE REPORTING SCHEDULE

*About Contribution Cut-Off Dates: Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days before the day of that election must be returned by him or her to the person or committee contributing it and may not be used or expended by or on behalf of the candidate. Section 106.08(3)(a) Florida Statutes. Any contribution received by a candidate or by the campaign treasurer or a deputy campaign treasurer of a candidate after the date at which the candidate withdraws his or her candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office must be returned to the person or committee contributing it and may not be used or expended by or on behalf of the candidate. Section 106.08(3)(b) Florida Statute.*

DUE DATE	REPORT TYPE	PERIOD COVERED	SPECIAL INSTRUCTIONS
January 10, 2022	21-M12	12/1 through 12/31	Monthly Report
February 10, 2022	22-M1	1/1 through 1/31	Monthly Report
March 10, 2022	22-M2	2/1 through 2/28	Monthly Report
April 11, 2022	22-M3	3/1 through 3/31	Monthly Report
May 10, 2022	22-M4	4/1 through 4/30	Monthly Report
June 10, 2022	22-M5	5/1 through 5/31	Monthly Report
<b>AUGUST 23, 2022 PRIMARY ELECTION REPORTING DATES</b>			
June 24, 2022	22-P1	6/1 through 6/17	60th day prior to Primary
July 8, 2022	22-P2	6/18 through 7/1	46th day prior to Primary - Bi-weekly
July 22, 2022	22-P3	7/2 through 7/15	32nd day prior to Primary - Bi-weekly
July 29, 2022	22-P4	7/16 through 7/22	25th day prior to Primary
August 5, 2022	22-P5	7/23 through 7/29	18th day prior to Primary - Bi-weekly
August 12, 2022	22-P6	7/30 through 8/5	11th day prior to Primary
August 19, 2022	22-P7	8/6 through 8/18	4th day prior to Primary
<b>LAST DAY TO RECEIVE CAMPAIGN CONTRIBUTIONS PRIOR TO THE AUGUST 23, 2022 ELECTION IS MIDNIGHT, THURSDAY, AUGUST 18, 2022 (F.S. 106.08[3][a])</b>			
<b>NOVEMBER 8, 2020 GENERAL ELECTION REPORTING DATES</b>			
September 2, 2022	22-G1	8/19 through 8/26	67th day prior to General - Bi-weekly
September 16, 2022	22-G2	8/27 through 9/9	53rd day prior to General - Bi-weekly
September 30, 2022	22-G3	9/10 through 9/23	39th day prior to General - Bi-weekly
October 14, 2022	22-G4	9/24 through 10/7	25th day prior to General
October 28, 2022	22-G5	10/8 through 10/21	11th day prior to General
November 4, 2022	22-G6	10/22 through 11/03	4th day prior to General
<b>LAST DAY TO RECEIVE CAMPAIGN CONTRIBUTIONS PRIOR TO THE NOVEMBER 8, 2022 ELECTION IS MIDNIGHT, THURSDAY, NOVEMBER 3, 2022 (F.S. 106.08[3][a])</b>			

*\*Reporting schedule is continued on the next page.*

## 2022 CANDIDATE REPORTING SCHEDULE CONTINUED

### TERMINATION REPORT DUE DATES

July 28, 2022	22-TRJQ	4/1 through 7/28	This is the 90-day termination report for judicial candidates unopposed after the close of qualifying
September 15, 2022	22-TRQ	6/1 through 9/15	This is the 90-day termination report for candidates unopposed after the close of qualifying
November 21, 2022	22-TRP	8/19 through 11/21	This is the 90-day termination report for candidates defeated in 8/23/22 Primary Election
February 6, 2023	22-TRG	11/4 through 2/6	This is the 90-day termination report for candidates elected or defeated in 11/8/22 General Election

*\*No interim reports are required to be filed prior to the filing of the Termination Report.*