



COLLIER COUNTY CANDIDATE HANDBOOK

2014 ~ 2015

Last update
October 2013

To those interested in running for local office:

This information has been compiled for those interested in running for elected office in Collier County. **It is designed to supplement the Candidate and Campaign Treasurer's Handbook produced by the Florida Department of State, Division of Elections**, as well as Florida Statutes Chapter 106 (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 when you are not certain of the laws or requirements.

Best of luck with your candidacy,

A handwritten signature in black ink, reading "Jennifer J. Edwards". The signature is fluid and cursive, with the first name "Jennifer" being the most prominent part.

Jennifer J. Edwards
Supervisor of Elections
Collier County, Florida

2014-2015
Collier County Supervisor of Elections
Candidate
Qualifying and Campaign
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.*
- 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. *Independent District Candidates are required to submit 25 valid petitions if qualifying by this method.* All petitions must be submitted on Division of Elections Form DS-DE 104.
- A candidate may qualify as a write-in candidate. No fee or petitions are required.

Where and When to Qualify:

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.

In 2014, candidates qualifying for the following offices file with the Collier County Supervisor of Elections:

<u>Office</u>	<u>Type</u>	<u>Schedule</u>	<u>2014 Qualifying Period</u>
County Judge	Nonpartisan	Primary/General *	4/28/14 - 5/02/14
County Commission	Partisan	Primary/General	6/16/14 - 6/20/14
School Board Member	Nonpartisan	Primary/General*	6/16/14 - 6/20/14
Soil & Water Cons. District	Nonpartisan	General Only	6/16/14 - 6/20/14
Mosquito Control District	Nonpartisan	General Only	6/16/14 - 6/20/14
Independent Fire Districts	Nonpartisan	General Only	6/16/14 - 6/20/14
Community Development	Nonpartisan	General Only	6/16/14 - 6/20/14

**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 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 <http://election.dos.state.fl.us>.

Municipal Qualifying:

All city councils positions and mayors in Collier County are nonpartisan. The 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 of your city.

Partisan and Nonpartisan Races:

Public offices in Florida are either partisan or nonpartisan. At the county level 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:

Partisan Candidates are required to pay a party assessment at the time of qualifying and any political advertisement shall express the name of the political party of which the candidate is seeking nomination or is the nominee. If a candidate is running for a partisan office as a candidate with no party affiliation, any advertisement must state that the candidate has no party affiliation. A candidate who is registered in a political party may run as a candidate without party affiliation without changing his or her registration. Candidates in partisan races are required to include their party identification in their campaign advertising disclaimer. Party nominees are chosen in the

Primary Election. Winners of the Primary proceed to the General Election. **To qualify for a partisan office you may not have been a registered member of any other political party in the 365 days previous to the start of qualifying.**

Non-Partisan Races:

The Florida Statutes defines a non-partisan 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 opponent’s 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 non-partisan and decided at the General Election. Whoever receives the most votes in an Independent District contest is the winner. There is no “runoff.”

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

Write-In Candidates:

Write-In candidates run without party affiliation. All write-in candidates appear on the general election ballot.

Closed Primaries – Florida is a closed primary state:

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

Qualifying for County Judge:

- 1) File appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE 9) with the Supervisor of Elections. **This must be done before you make expenditures, accept donations or circulate petition forms.** Once you file this form you are responsible for all reporting under Chapter 106, F.S.
- 2) Open your Campaign Checking Account at the designated bank. This account will be used solely for your campaign expenditures and contributions
- 3) If you intend to qualify for office by petition you may begin circulating your petitions any date after appointing your treasurer and designating your depository. You must use the State form (DS-DE 104) for each petition.
- 4) **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).
- 5) Petition Process: if you intend to qualify by petition instead of paying the qualifying fee, the **last date you may submit petitions for verification is noon, March 31st**. Your campaign will be charged ten cents for each petition checked.
- 6) **April 14th** is the first official day you may file your qualifying papers (pre-qualifying).
- 7) If you are required to **Resign to Run** under Florida Statute 99.012 the last date to submit your written resignation is **April 18th**.
- 8) The official qualifying period for Judicial Office begins at noon, **April 28th**, and lasts through noon, **May 2nd**.

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

- **DS-DE 26 Judicial Offices Loyalty Oath** (*must be notarized*)
- **Form 6 Disclosure of Financial Interests for 2013** (*must be notarized*)
- **A check drawn on you Campaign Account to cover all filing fees and made payable to the Supervisor of Elections** (*unless qualified by petition or qualifying as a write-in candidate.*)

The Supervisor of Election has a Notary Public available for your documents.

Qualifying for County Commission & School Board:

- 1) File appointment of Campaign Treasurer and Designation of Campaign Depository (Form DS-DE 9) with the Supervisor of Elections. **This must be done before you make expenditures, accept donations or circulate petition forms.**
- 2) Open your Campaign Checking Account at designated bank. This account will be used solely for your campaign expenditures and contributions.
- 3) If you intend to qualify for office by petition you may begin circulating your petitions any date **after appointing your treasurer and designating your depository**. You must use the State form (DS-DE 104) for your petitions.
- 4) **Within 10 days of filing your appointment of Campaign Treasurer, you are required file your Statement of Candidate** (Form DS-DE 84) with the Supervisor of Elections. This form affirms that access to Chapter 106 Florida Statutes has been provided and that you understand the requirements of the campaign finance statutes.
- 5) Filing of Periodic Treasurer Reports. As a candidate you are responsible for filing Campaign Treasurer Reports with the Supervisor of Election as scheduled in Chapter 106. **Late Reports are subject to mandatory fines.**
- 6) Petition Process. If you intend to qualify by petition in lieu of paying a qualifying fee; the required number of valid petitions are due in the Supervisor of Elections office no later than **noon, May 19th**. (*The number of petitions required varies by office.*)
- 7) **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 delivered to the proper authority on or before **June 6th**.
- 8) The official qualifying period begins at **noon, June 16th** and lasts through **noon, June 20, 2014**.

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 2103-** *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 party candidate for County Commission, you cannot have been a registered member of another party in the 365 days before qualifying begins. (This does not apply to those who may have been registered NPA)

The Supervisor of Election has a Notary Public available for your documents.

Qualifying Requirements for Independent Districts:

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.

- 1) Candidates desiring to qualify by petition must submit 25 valid petitions signed by district voters before **noon, May 19th**. 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 delivered to the proper authority on or before **June 6th**.
- 3) The official qualifying period begins at **noon, June 16th** and closes at **noon, on June 20th**. Candidates are encouraged to prequalify by submitting their documents prior to the start of qualifying and we will hold them until qualifying period begins.

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

- **Loyalty Oath for Non-Partisan Office (DS-DE 25) (must be notarized)**
- **Form 1 Disclosure of Financial Interests**
- **A check for \$25.00 made payable to the Supervisor of Elections**
- **Collier County Affidavit of Intent**

Important information for 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 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 before making any expenditures or accepting contributions. In doing so you must then follow all of the requirements of Chapter 106 of the Florida Statutes (Campaign Finance)

Required Forms before accepting donations or making expenditures:

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

Qualifying for Office as a Write-In Candidate:

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 at 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. This includes following the reporting guidelines.

- 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 must be delivered to the proper authority on or before **April 18th** for County Judge and **June 6th** for all other offices
- 2) Write-In candidates qualify at the same time as other candidates; depending upon the office they seek. The qualifying period for County Judge is from **noon April 28th through noon May 2nd**. The qualifying period for all other offices begins at **noon June 16th and ends at noon June 20th**.

Before the close of the qualifying period 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)**
- **Appropriate notarized loyalty oath the office sought**

2014 Petitions Required for Qualification:

Office

County Judge	1806
County Commission District 2	433
County Commission District 4	388
School Board	1806

Independent Special Districts

Soil & Water Conservation	25
Collier Mosquito Control	25
Fire Districts	25
Community Development Districts	25

Petition Guidelines

To be valid, a petition must be submitted on the form adopted by the State of Florida (DS-DE 104) and 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. Petitions for County Judge or School Board may be signed by any registered voter in the county. Petitions for County Commission and independent Special Districts must be signed by registered voters residing in the district. **All candidates, *except for Special 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 31st.

Commission, School Board and Special District Candidates: Noon, Monday, May 19th.

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.

2014 Qualifying Fees

OFFICE	ANNUAL SALARY	3% FILING FEE	1% ELECTION ASSESSMENT	2% PARTY ASSESSMENT	TOTAL QUALIFYING FEE
County Judge	\$137,202.00	\$4,110.60	\$1,372.20	N/A	\$5,480.80
County Commission	\$78,319.00	\$2,349.57	\$783.19	\$1,566.38	\$4,699.14
County Commission NPA*	\$78,319.00	\$2,349.57	\$783.19	N/A	\$3,132.76
School Board	\$37,673.00	\$1,130.19	\$376.73	N/A	\$1,506.92
Special Districts	N/A	\$25.00	N/A	N/A	\$25.00

****The 2% Party Assessment is not required for candidates running without party affiliation (NPA).***

Qualifying Fees for all candidates, except Special 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 1% 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 without political affiliation (NPA) in partisan races, the Filing Fee is deposited in the County's General Fund.

The Filing Fee for Special District candidates is deposited in the County's General Fund.
Resign to Run.

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 the terms or any part of the terms overlap, if the person did not resign from the office he presently holds. If you are required to resign to run you must submit your resignation on or before April 18, 2014 for County Judge and on or before June 6, 2013 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. Your resignation is irrevocable. If you fail to file your resignation by the required date, you must resign effective immediately to qualify for office.

The “resign to run” laws 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.

For additional information on resign to run; check the State Division of Elections website at: <https://doe.dos.state.fl.us/gen-faq.shtml> for answers to frequently asked questions.

Hatch Act:

The Hatch Act is a federal law which restricts your political activities (including running for partisan office) if your salary is derived from federal funding. Employees of educational and religious organizations may be exempt from the act.

Enforcement of the Hatch Act is by the Office of the United States Special Counsel. You may request advice from them by phone, fax, mail or email:

Hatch Act Unit

United States Office of Special Counsel

1730 M Street, N.W., Suite 201

Washington, D.C. 20036-4505

Phone: 800.854.2824 or 202.254.3650

Fax: 202.653.5151

E-mail: hatchact@osc.gov

Website address: <http://www.osc.gov/hatchact.htm>

Attorneys:

Potential candidates are encouraged to consult with their Employer and/or Attorney of your employer, the attorney for the agency for the office being sought, and/or your personal attorney regarding how the Hatch Act may apply to you.

Campaign Finance Reports:

Once a candidate has filed their designation of Campaign Treasurer and Campaign Depository, they are required to follow the schedule for Campaign Finance Reports.

The candidate and treasurer are responsible for making certain that all Campaign Treasurer's Reports are filed correctly and on time. The calendar included in the rear of this manual specifies the dates that the reports are due and in Chapter 106 of the Florida Statutes you will read about the fines which are automatically imposed for late filing. *Remember that late fines are paid by the candidate personally and not from the campaign account!* The Elections Office will attempt to remind candidates of upcoming reports; however, **the candidate is responsible for timely filing of reports.**

Candidates may submit their reports manually by providing signed copies or electronically using the Supervisor of Elections online reporting system. We urge candidates to use the online system. It is simple to use and meets all of the standards set forth by the State. When submitting reports online; you and your treasurer are attesting to the accuracy of the report. You may also use this section of the site to post a brief biography and photograph. To file electronically you will be asked to sign a statement attesting to the accuracy of your electronic reports.

If you are submitting your report electronically, you must submit it on or before the reporting date. Manually submitted reports must be dropped off at the Supervisor of Elections Office before 5 pm on the date due or postmarked on or before the due date.

Waiver of Report

If during the reporting period you have received no contributions, nor made any expenditures, you may file a waiver of report for the period. The waiver still must be filed by the due date for the reporting period.

Signatures

If you are filing your report manually the signature of the candidate and treasurer are both required. If you are filing electronically no signatures are required. You are attesting to the accuracy of the report when you hit the submit button.

ID Numbers

Campaign reporting forms have a place for an "ID" number. This field will be filled in automatically for those filing online and is not necessary for those filing manually.

Amending Reports

Should you detect an error in your report after you have submitted it, you are required to file an amended report as soon as possible showing the correction.

Common Reporting Errors:

- 1) Failure to sign manually submitted report.
- 2) Failure to fill out complete names and addresses.
- 3) Adding In-Kind contributions into 'Total Monetary Contributions'.
- 4) Failure to list occupation for contributions when required (over \$100).

- 5) Accepting too much cash - \$50.00 per donor, per election.
- 6) Showing a negative balance –your campaign must be in the black.
- 7) Errors in addition or subtraction in manually reporting.
- 8) Accepting more than the maximum contribution from an individual.

Chapter 106 of the Florida Statutes and the ‘Treasurer’s Handbook’ published by the state provides guidance in filling out your reports and all other matters of campaign finance. You may always call the Qualifying Officer with your questions or the Division of Elections. Never hesitate to ask a question when in doubt.

Your Report is a Public Record:

Once the 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 (SOE). 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 SOE 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.

Section 101.62(3), *Fla. Stat.* (2012) provides the following:

For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter’s designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

The Division of Elections is of the opinion, and the SOE agrees, that the aforementioned statute pertains to e-mail addresses in the voter registration database. Thus, e-mail addresses are restricted

to specified individuals for limited purposes. Candidates, political committees, and political parties may only utilize these e-mail addresses for political purposes.

We recommend 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.**

Advertising Disclaimer:

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. Further information and examples may be found in the state “Candidate and Treasurer’s Handbook” as well as in Chapter 106.143 of the Florida Statutes.

Political Signs:

The posting of political signs is regulated by Florida Statutes, as well as County and Municipal Codes. The posting of signs at polling places by candidates and parties is prohibited by the Supervisor of Elections (see ‘Polling Place Activities).

Pursuant to Florida Statutes, Chapter 479, no political campaign advertisements shall be erected, posted, painted, tacked, nailed, or otherwise displayed, placed, or located on or above any state or county road right-of-way. The state also requires that candidates make a “good faith” effort to remove their signs within 30 days after the election; although local codes generally require a faster removal of political signs.

It is the responsibility of the candidate to make certain that all necessary permits and permissions are secured before posting any political signs. Violations of county and municipal sign codes should be reported to the proper code enforcement agency.

If you intend to use signs as part of your campaign contact the following agencies to learn about requirements and permitting:

Collier County Growth Management

239-252-2400

City of Naples Code Enforcement	239-213-5030
City of Marco Island Permits	239-389-5059
City of Everglades	239-695-3781

CALL BEFORE YOU DIG.....IT'S 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 liability for any damages incurred.**

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)). Outside of the polling place the law creates a 100 foot zone from the entrance, where soliciting voters is prohibited. This area is referred to generally 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.
- The Deputy will determine the boundaries of the no solicitation zone by placing a marker or markers identifying the restricted area.
- Questions regarding the no solicitation zone may be directed to the poll deputy.
- Individuals who persist in impeding the access of voters attempting to enter the polling place will be asked to leave, even if they are beyond the 100 ft. zone.

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

Beyond the 100’ No Solicitation Zone:

- No signs may be affixed to the polling place property, land or adjacent road rights-of-way. Signs found in violation are subject to removal without notification to the owner.
- Campaigners may have signs which can be held by an individual beyond the no solicitation zone; however they may not be affixed to the ground and must be attended to at all times if visible.
- Box trucks, motor homes or trailers used to carry political 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.

The most complaints the Elections office receives come 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 above. All solicitation activities at polling places are subject to review for compliance to 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 Election Day.

The roll of a poll watcher is as an observer only.

Poll watchers need to be carefully trained by the candidate:

Guidelines:

- May not talk or interact in any way with voters in the polling place.
- Poll watchers do not have access to lists of those voting, 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. (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 sign 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 watcher designations must be submitted by the required date to the Supervisor of Elections for approval on State Form DS-DE 125

The Supervisor of Elections has seven days to approve designations. The Supervisor of Elections reserves the right to reject any poll watcher appointment. Poll watchers must be registered voters of 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 Chapter 101.131 of the Florida Statutes and consult with the Collier County Supervisor of Elections office.

The 2014 dates for submitting Poll Watcher designations are:

Primary Election Early Voting:	Noon: July 28, 2014
Primary Election Day:	Noon: August 12, 2014

General Election Early Voting;
General Election Day:

Noon: October 6, 2014
Noon: October 21, 2014

Candidate Resources:

By Phone:

Collier County Supervisor of Elections
3295 Tamiami Trl E
Naples FL 34112
Main Office: 252-VOTE (8683)
Qualifying Officer (Dave Carpenter): 252-8501

Florida Department of State – Division of Elections*
850-245-6200

Florida Elections Commission
850-922-4539

Florida Commission on Ethics (Financial Disclosure)
850-488-7864

Online:

<http://www.colliervotes.com> Collier Co. Supervisor of Elections Home Page

<http://election.dos.state.fl.us> Department of State – Division of Elections Home Page

<http://www.fec.state.fl.us> Florida Elections Commission Home Page

<http://www.ethics.state.fl.us> Florida Commission on Ethics Home Page

Email: DaveCarpenter@colliergov.net

For Sign Permit Information:

Collier County Community Development 239-252-2400
City of Naples Code Enforcement 239-213-5030
City of Marco Island Permits 239-389-5059

Notary Public Services: The Collier County SOE Qualifying Officer is a notary public and will notarize required campaign documents at no charge.

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

A Word to the Wise

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

Voter Lists and Data:

Voter lists are available to all interested parties for a fee.

Voter lists are provided in electronic format. Depending on the file size they can be emailed or burned to a cd. The file format 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. Voter lists can be specific as to district, party etc.

Absentee voter subscriptions are also available. This provides the candidate an initial list of absentee requests followed by frequent updates of new requests.

For more information or to request a voter list please contact Dave Carpenter, at 252-8501 or DaveCarpenter@colliergov.net

The current prices* for voter lists are:

Standard List processing fee:	\$10.00 (email or cd)
Absentee Subscription:	\$30.00 per election plus any printing charge

Additional charges:

Printed list	\$.15 / page
Mailing labels	\$.80 / page (20 labels per page)

Maps: Standard Maps are available upon request \$10.00: 22 x 36"

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 the list is 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:

Florida Statutes Ch. 104 deals with the violations of 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 Absentee ballots and voting; violations.—

- 1) Except as provided in s. 101.62 or s. 101.655, any person who requests an absentee 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.

104.31 Political activities of state, county, and municipal officers and employees

- 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 as a candidate, you review Chapter 104 of the Florida Statutes.

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 W. Gaines Street
Collins Building Suite 224
Tallahassee, FL 32399
850-922-4539

Division of Elections
500 South Bronough Streets
R A Gray Bldg Room 316
Tallahassee, FL 32399
850-245-6200

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

Frequently Asked Questions:

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 FS 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 (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 Email.**

"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.).

Campaign Treasurer and Reporting

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 FS 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 appointment 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 special district office may appoint one primary treasurer and up to 3 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 (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 (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, F.S., 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) and 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 the contribution is from? 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 Statutes 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) and 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 (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 (F.S. 104.31 (2)).

Treasurer Report Schedule:

PERIOD	START DATE	END DATE	DUE DATE
2013-M11	1-Nov-13	30-Nov-13	10-Dec-13
2013-M12	1-Dec-13	31-Dec-13	10-Jan-14
2014-M1	1-Jan-14	31-Jan-14	10-Feb-14
2014-M2	1-Feb-14	28-Feb-14	10-Mar-14
2014-M3	1-Mar-14	31-Mar-14	10-Apr-14
2014-M4	1-Apr-14	30-Apr-14	12-May-14
2014-M5	1-May-14	31-May-14	10-Jun-14
2014-P1	1-Jun-14	20-Jun-14	27-Jun-14
2014-P2	21-Jun-14	4-Jul-14	11-Jul-14
2014-P3	5-Jul-14	18-Jul-14	25-Jul-14
2014-P4	19-Jul-14	25-Jul-14	1-Aug-14
2014-P5	26-Jul-14	1-Aug-14	8-Aug-14
2014-P6	2-Aug-14	8-Aug-14	15-Aug-14
2014-P7 *	9-Aug-14	21-Aug-14	22-Aug-14
2014-G1	22-Aug-14	29-Aug-14	5-Sep-14
2014-G2	30-Aug-14	12-Sep-14	19-Sep-14
2014-G3	13-Sep-14	26-Sep-14	3-Oct-14
2014-G4	27-Sep-14	3-Oct-14	10-Oct-14
2014-G5	4-Oct-14	10-Oct-14	17-Oct-14
2014-G6	11-Oct-14	17-Oct-14	24-Oct-14
2014-G7**	18-Oct-14	30-Oct-14	31-Oct-14

**FINAL REPORT BEFORE ELECTION DAY – LATE FINES BEGIN AT \$500 PER DAY!*

Termination (Final) Reports:

Termination (Final) reports are due 90 days after you are due after win, withdraw, are eliminated or become unopposed. The report begins the day after your previous period ends and continues without interim reporting until your final (TR) report.

After the close of Judicial Qualifying the final report is due on or before July 31, 2014.

After the close of County Qualifying the final report is due on or before September 18, 2014

After the Primary Election the final report is due on or before November 24, 2014.

After the General Election the final report is due on or before February 2, 2014.

Candidate Calendar:

Qualifying

March 31st - Noon	Deadline for Federal & Judicial Petitions to be submitted to the Supervisor of Elections
April 18th	Deadline for Resign to Run for Judicial Candidates
April 21st	Deadline for Supervisor of Elections to Certify Petitions
April 28th - Noon May 2nd - Noon	Judicial Qualifying Opens Judicial Qualifying Closes
May 19th - Noon	Deadline for County and District candidate Petitions to be submitted to the Supervisor of Elections
June 6th	Deadline for Resign to Run for County & District Candidates
June 9th	Deadline for Supervisor of Elections to Certify Petitions
June 16th -noon	Qualifying officially opens (County & District) *candidates may pre-qualify prior to this date.
June 20th - Noon	Qualifying closes (County & District)
Primary Election	
July 12th	Military and Overseas Absentee Mailing
July 22nd - July 19th	Initial Domestic Absentee Mailing
July 28th	Voter Registration Deadline
August 5th 10:00 a.m.	Public Test of Voting Tabulation System (Logic & Accuracy) Supervisor of Elections Office
August 14th -August 23rd 10:00a.m. - 6.00 p.m.	Early Voting
August 26th 7:00a.m. - 7:00 p.m.	Primary Election

General Election

September 20th	Military and Overseas Absentee Mailing
September 30th - October 7th	Initial Domestic Absentee Mailing
October 6th	Voter Registration Deadline
October 14th	Public Test of Voting Tabulation System (Logic & Accuracy) Supervisor of Elections Office
October 23rd - November 1st 9:00 a.m. - 7:00 p.m.	Early Voting
November 4th 7:00a.m. - 7:00 p.m.	General Election

Early Voting Locations for the 2014 Election Cycle:

1. Supervisor of Elections Office (Government Center)
2. Norris Center (Cambier Park)
3. Library Headquarters (Orange Blossom)
4. Golden Gate Community Center
5. Marco Island Library
6. Immokalee Community Park
7. Everglades City Hall
8. North Collier Regional Park