

BECOMING A MUNICIPAL CANDIDATE

(Revised: February 2, 2022)

Information provided may be subject to Legislative Changes

What is a Candidate?

A candidate is defined in 97.021(5), Florida Statutes, as any person to whom any one or more of the following applies:

- Any person who seeks to qualify for nomination or election by means of a 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 treasurer and designates a primary depository.
- Any person who files qualification papers and subscribes to a candidate's oath as required by law.

However, this definition does not include any candidate for a political party executive committee.

Who can be a Candidate?

- You must be a registered voter in Volusia County to run for local public office.
- Most municipalities require that the candidate reside within the district for which they are qualifying at the time of qualifying.
- If required by the "resign to run law" to resign from one's current position or office, the irrevocable letter of intent to resign must be filed at least 10 days prior to the first day of qualifying. (99.012(3), Florida Statutes)

Announcing Candidacy and Forms Required

- Candidacy may be announced at any time;
- You **MUST** file an Appointment of Campaign Treasurer and Designation of Campaign Depository (**Form DS-DE 9**) with the Municipal Clerk before any contributions are accepted, before opening a campaign account, and before expenditures are made (106.021, Florida Statutes);
- You **MUST** file a Statement of Candidate (**Form DS-DE 84**) within ten (10) days of filing the Appointment of Campaign Treasurer and Designation of Campaign Depository (106.023, Florida Statutes)

Filing Qualifying Papers

Qualifying is the final step that allows a candidate to have his or her name on the ballot. Pursuant to 99.061 and/or 105.031, Florida Statutes, **you must file your qualifying papers in the office of the Municipal Clerk during the qualifying period.**

All Municipalities; except Ponce Inlet
NOON, June 13, 2022 – NOON, June 17, 2022

Ponce Inlet
9 AM, June 6, 2022 – NOON, June 17, 2022

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Forms Required to File

Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository and Statement of Candidate (**Form DS-DE 84**), unless you have already filed these forms with the Supervisor of Elections.

Additional Requirements at the time of Qualifying

1. Loyalty Oath
Form DS-DE 302NP, for Candidates running in a Non Partisan election.
2. **Form 1** Statement of Financial Interests for **2021** for local officers and candidates for local offices.
3. If required by charter, the candidate must pay a qualifying fee. Checks must be drawn on the campaign account.

AND/OR

If required by charter, certification of the required number of petition signatures.

4. Election Assessment Fee; required by state

F.S. 99.093 Municipal candidates; election assessment. (1) Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment. The election assessment shall be an amount equal to 1 percent of the annual salary of the office sought. Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund.

Contact your Municipal Clerk for other requirements and instructions that apply; as Municipal Charter dictates the method of candidate qualifying.

Please Note: Qualifying office may accept and hold qualifying papers 14 days prior to the beginning of the qualifying period to be processed and filed during qualifying period.

Petition Process - For candidates required to submit petitions

It is recommended that at least 15 – 20% more signatures be obtained to allow for those that do not meet eligibility requirements.

- Candidates are encouraged to submit petitions periodically while they are being gathered.
- The Supervisor of Elections will notify the respective City/Town Clerk, in writing, whether the required number of signatures has been obtained, prior to the first day of qualifying.
- **During the qualifying period, you will submit the petition certification form**, along with your qualifying papers to the respective City/Town Clerk.
- The supervisor shall be paid in advance the sum of **10 cents for each signature** checked. If you are unable to pay such charges without imposing an undue burden on personal resources or upon the resources otherwise available to you, you may file written certification of such inability given under oath to the supervisor and be entitled to have the signatures verified at no charge. (99.097(4), Florida Statutes).
- If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted, shall be paid by the candidate.

Please Note: Prior to disposing of campaign funds, pursuant to 106.141, Florida Statutes, any candidate who filed an oath stating that he or she was unable to pay the election

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assessment or fee for verification of petition signatures, or who qualified through the petition process and was not required to pay an election assessment, shall reimburse the state or local governmental entity, whichever is applicable, for such waived assessment or fee for verification or both. Such reimbursement shall be made first for the cost of petition verification and then, if funds are remaining, for the amount of the election assessment. The remaining funds shall be disbursed in the manner prescribed.

Frequently Asked Questions

If my qualifying papers are filed with an error or omission, will I be considered disqualified?

Pursuant to 99.061(7), Florida Statutes; if the filing officer receives qualifying papers that do not include all items required, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. (**NOON, June 17, 2022**)

After filing as a candidate; may I later change the way my name is to appear on the ballot?

Pursuant to 99.061(7)(b), Florida Statutes; a candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

May I get my qualifying fee back if I decide not to run?

Yes, 99.092(1), Florida Statutes; provides for reimbursement for the qualifying fee, provided that you withdraw your candidacy before the qualifying period ends.

May a candidate appoint himself or herself as campaign treasurer?

Yes, 106.021(1)(c), Florida Statutes; a candidate may appoint herself or himself as campaign treasurer.

How many deputy treasurers may a candidate or political committee have?

Pursuant to 106.021(1)(a), Florida Statutes; Candidates for statewide office may appoint up to 15 deputy treasurers. Other candidates and political committees may appoint up to 3 deputy treasurers.

If I make a mistake on my report, can I go back in and correct it on the Electronic Filing System (EFS)?

Once the report is submitted to the Division of Elections, the EFS will not permit you to go back and make changes. In order to correct mistakes or add and delete information, you must submit an amended report.

How long are campaign records kept at the Division of Elections or the Supervisor of Elections Offices?

Pursuant to 98.015(5) and 106.22(4), Florida Statutes; the supervisor shall preserve statements and other information required to be filed with the supervisor's office pursuant to chapter 106 for a period of 10 years from date of receipt.

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TIPS...

1. Read "Chapter 106 Florida Statutes" and the "Candidate Handbook on Campaign Financing".
2. File the "Appointment of Campaign Treasurer and Designation of Campaign Depository" (**Form DS-DE 9**) with your respective, Municipal Clerk's office.
3. It is a good idea for the Candidate to appoint themselves as a Deputy Campaign Treasurer.
4. File the "Statement of Candidate" (**Form DS-DE 84**) with your respective, Municipal Clerk's office, within ten days of filing the DS-DE 9.
5. File Campaign Treasurer's Reports according to the reporting schedule for the current year. Avoid late fees.
6. If you are assessed with a late fee, you cannot pay the fee from your campaign account. Payment is to be made on a personal basis.
7. Remember to safeguard your password. If you change it, we can only reset it.
8. When accepting contributions, remember to get the person's name and address to document on your Campaign Treasurer's Report.
9. All contributions, whether monetary or in-kind must be recorded.
10. Keep campaign and personal transactions separate in order to avoid confusion when documenting and filing your reports.

2022 Election Dates

Primary/General
August 23, 2022

General/Runoff
November 8, 2022

The information contained on these pages and other literature is not all-inclusive. It is the responsibility of the candidate to become acquainted with relevant Florida election laws and local charters, which may have a bearing on a campaign or qualifications to run for an office.

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For further information go to dos.myflorida.com/elections