

# **BECOMING A MUNICIPAL CANDIDATE**

(Updated January 20, 2017)

## **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)

## **When do I announce my candidacy?**

- 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)

## **Candidate Qualifying**

### **When and where do I file my qualifying papers?**

Municipal charter dictates the method of candidate qualifying. You must contact your Municipal Clerk for specific requirements for qualification in your city.

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:

**Noon, Monday, July 3, 2017 – Noon, Friday, July 7, 2017**

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### **What must I file when I qualify?**

Law requires that a candidate must file the following:

1. Form 1 Statement of Financial Interests.
2. Loyalty Oath and Oath of Candidate (Form DS-DE 25 for Non-Partisan Office).
3. If required by charter, the candidate must pay a qualifying fee. Checks must be drawn on the campaign account.
4. If required by charter, certification of the required number or signatures.
5. Appointment of Campaign Treasurer and Designation of Campaign Depository (**Form DS-DE 9**) and Statement of Candidate (**Form DS-DE 84**), unless you have already filed these forms.

**\*\*Contact your Municipal Clerk for other requirements and instructions that apply to your municipality\*\***

### **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, July 7, 2017**)

### **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.

### **Petitions**

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 you, 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 Supervisor of Elections.
- 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 you have submitted the required number of eligible signatures, you will not be required to pay the qualifying fee or party assessment and will be entitled to have your name printed on the ballot.

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**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 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.

### **STOP... Before you go any further, read the steps you must take!**

1. File the "Appointment of Campaign Treasurer and Designation of Campaign Depository" (**Form DS-DE 9**) with the Municipal Clerk Office.
2. Open your campaign bank account.
3. Read "Chapter 106 Florida Statutes" and the "Candidate Handbook on Campaign Financing".
4. File the "Statement of Candidate" (**Form DS-DE 84**) with the Municipal Clerk Office, within ten days of filing the DS-DE 9.
5. You will now be required to file campaign treasurer's reports according to the reporting schedule for the current year.

### **Lisa Lewis, Supervisor of Elections Volusia County Department of Elections**

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The information contained on this page and other literature is not all-inclusive. If you are running for office, it is your responsibility to become acquainted with relevant Florida election laws and local charters that might have a bearing on your campaign or qualification to run for an office.

**For further information go to:**

**[election.dos.state.fl.us](http://election.dos.state.fl.us)**

**[volusiaelections.org](http://volusiaelections.org)**