

## BECOMING A CANDIDATE

(Revised: December 28, 2018)

**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.
- A candidate for County Council shall be a qualified elector of the county, and shall have been a resident of the county for two years immediately preceding the date on which they qualify to run for office. District candidates shall have resided within the district from which they are elected for at least six months prior to the date on which they qualify to run for office ([County Charter, Sec. 302](#)).
- School Board candidates must reside in the district for which they are qualifying at the time of qualifying. For specific requirements of qualifying as a candidate for school board, please contact the [Volusia County School Board](#).
- If required by the "resign to run law" to resign from one's current position or office, the written resignation must be filed by **April 17, 2020 for U.S. Senator, Representative in Congress, Circuit Court Judge, State Attorney and Public Defender candidates or June 5, 2020 for all other candidates.** (99.012(3), Florida Statutes). The Resignation is irrevocable.

### 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 Supervisor of Elections Office 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).
- Candidates for County Judge MUST file a Statement of Candidate for Judicial Office ([Form DS-DE 83](#)).

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### Filing Qualifying Papers

Qualifying is the final step that allows a candidate to have his or her name on the ballot. Qualifying must be finalized during the assigned dates. Municipal Candidates qualifying dates may vary according to municipal charters. Contact your municipality for dates.

#### When

**U.S. Senator, Representative in Congress, Circuit Court Judge, State Attorney and Public Defender candidates:**

**NOON April 27, 2020 – NOON May 1, 2020**

**All federal, statewide, multi-county, county and district candidates:**

**NOON June 15, 2020 – NOON June 19, 2020**

#### Where

- For federal, state, or multi county offices, you must file your qualifying papers with the Department of State.
- For county and special district offices, you must file your qualifying papers with the Supervisor of Elections. (\*see notation below)
- For municipal offices, you must file your qualifying papers with the City Clerk's office in your municipality.

\*For county and special district offices - Qualifying papers will be accepted at the Volusia County Department of Elections Office at any time during the qualifying period.

### Forms Required to File

1. **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.
2. Loyalty Oath  
Partisan Races:  
**Form DS-DE 301SL**, for Candidates with Party affiliation or,  
**Form DS-DE 301SL**, for Candidates with No Party affiliation  
Non Partisan Races:  
**Form DS-DE 302NP**, for Candidates running in a Non Partisan election. (All Candidates Except for School Board and Judiciary)  
**Form DS-DE 303JU**, for Candidates running for Judicial Office  
**Form DS-DE 304SB**, for School Board Candidates
3. **Form 6** Full and Public Disclosure of Financial Interests for **2019** (and any other forms applicable as identified on Form 6) for all elected constitutional officers and candidates for such office. A public officer who has filed the full and public disclosure or statement of financial interests for the year **2019** with the Commission on Ethics prior to qualifying for office may file a copy of that disclosure at the time of qualifying.  
**OR**  
**Form 1** Statement of Financial Interests for **2019** for local officers and candidates for local offices.

## **BECOMING A CANDIDATE**

### **Qualifying Methods (Qualifying Fee or Petition Process)**

#### **Qualifying Fee**

Pursuant to 99.092, Florida Statutes, qualifying fees for 2020 Volusia County candidates are comprised as follows:

- Filing Fee 3.0% of salary for office being sought as of July 1, 2019
- Election Assessment Fee 1.0% (deposited into the Elections Commission Trust Fund)
- Party Assessment Fee 2.0% (Partisan offices only)

#### **The qualifying fee must:**

- Be on a properly executed check; and drawn upon the candidate's campaign account;
- Be made payable to County of Volusia;
- Be in an amount not less than the fee required.

#### **Qualifying fee by office for 2020 is as follows:**

County Judge	\$ TBD
Clerk of the Court	\$ TBD
Sheriff	\$ TBD
Property Appraiser	\$ TBD
Supervisor of Elections	\$ TBD
County Council Chair	\$ TBD
County Council District 2	\$ TBD
County Council District 4	\$ TBD
School Board District 2	\$ TBD
School Board District 4	\$ TBD
Volusia Soil & Water Conservation District:	\$25
West Volusia Hospital Authority:	\$25

NOTE: A candidate should contact the Department of Elections for the exact amount of the qualifying fee that is due in advance of the deadline to qualify.

#### **Petition Process**

Pursuant to 99.095, Florida Statutes, a person seeking to qualify for nomination to any office may qualify to have their name placed on the ballot by means of the petitioning process.

#### **Where to obtain petition cards:**

Candidates who have filed the Appointment of Campaign Treasurer and Designation of Campaign Depository (**Form DS-DE 9**) and Statement of Candidate (**Form DS-DE 84**) may obtain petition cards (**Form DS-DE 104**) from the Division of Elections website (**<http://dos.myflorida.com/elections/forms-publications/forms/>**).

Pursuant to 99.095(2)(a), Florida Statutes, petition cards must be properly completed and signed by 1% of the eligible, registered voters within the District as of the last general election. Pursuant to 99.095(2)(c), Florida Statutes, petition forms are to be reproduced by the candidate.

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### Petition requirement by office for 2020 is as follows:

County Judge	3,824
Clerk of the Court	3,824
Sheriff	3,824
Property Appraiser	3,824
Supervisor of Elections	3,824
County Council Chair	3,824
County Council District 2	767
County Council District 4	756
School Board District 2	742
School Board District 4	759
Volusia Soil & Water Conservation District:	25
West Volusia Hospital Authority:	25

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

- Signed petitions must be submitted to the Supervisor of Elections Office for verification prior to:  
**NOON, March 31, 2020** for U.S. Senator, Representative in Congress, Circuit Court Judge, State Attorney and Public Defender candidates and  
**NOON, May 18, 2020** for all other candidates
- 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, 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.
- 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.

**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.

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### **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, May 1, 2020 for U.S. Senator, Representative in Congress, Circuit Court Judge, State Attorney and Public Defender candidates or NOON, June 19, 2020 for all other candidates)**

#### **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

## BECOMING A CANDIDATE

### 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 the Supervisor of Elections 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 the Supervisor of Elections 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.

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#### Municipal Candidates:

- Municipal Candidates must file with their respective municipality.
- Refer qualifying and campaign questions to your City/Town Clerk.
- The City/Town Clerk of your municipality is your Qualifying Officer.

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 that might have a bearing on a campaign or qualifications to run for an office.

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

Historic Courthouse, 125 West New York Avenue, Deland, Florida 32720-5415

Area Code for all numbers is (386)

West Volusia: 736-5930

Fax: 943-7073

**For further information go to:**

**[dos.myflorida.com/elections](https://dos.myflorida.com/elections)**

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