

# 2018-2019

## TOWN OF FORT MYERS BEACH CANDIDATE ELECTION CALENDAR

Regular Election—March 5, 2019

Two (2) council positions

### ANNOUNCING CANDIDACY

A candidate for Town council must be a resident of the Town and a registered voter and must have resided within the corporate limits of the Town for a minimum of one year prior to qualifying for election. A person may announce his or her candidacy at any time. No person shall accept ANY contribution, make ANY expenditure, or collect ANY signature on a candidate-petition with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person’s behalf unless such person has appointed a campaign treasurer and designated a primary campaign depository. Florida Statute 106.021 (1) (a)

CANDIDATE QUALIFYING TIMELINE	REFERENCE
<p><b><u>Open campaign file. Campaign file can be opened with the Town Clerk any time prior to or during qualifying week. (required of all candidates)</u></b>                      Final candidate-qualifying documents must be finalized and submitted during the qualifying period (Candidate qualifying is Noon, January 14, 2019 through Noon, January 18, 2019)</p>	<p>FS §106.021 and FS §99.061                      Ordinance No. 15-16                      for more details</p>
<p><b><u>File Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository. Once this form is filed, a candidate who intends to qualify by the petition process may begin collecting candidate petition signatures. (required candidate-qualifying form)</u></b>                      Only persons designated as treasurer or deputy treasurer may sign campaign account checks. A candidate may be his/her own treasurer or deputy treasurer. A candidate can appoint up to 3 deputy treasurers to sign checks in the treasurer’s absence. Town Clerk shall provide the form.</p>	<p>FS §99.095 and FS §106.021                      for more details</p>
<p><b><u>Open campaign checking account at bank.</u></b>                      Opening a campaign checking account at the bank does not need to be done immediately. However, a candidate may not accept campaign contributions or make campaign expenditures until the campaign checking account is established, therefore, it is recommended that the account be opened as soon as possible after filing the Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository. A candidate’s filing fee must be paid with funds drawn on the candidate’s campaign account.</p>	<p>FS §106.021                      for more details</p>
<p><b><u>Within 10 days of opening campaign file, candidate must file a Statement of Candidate Form DS-DE 84 with the Town Clerk.</u></b>                      Form DS-DE 84 Statement of Candidate states that the candidate has been provided access to and has read, and understands the requirements of Florida Statutes Chapter 106 (Campaign Financing). Town Clerk shall provide the form.</p>	<p>FS §106.023                      for more details</p>
<p><b><u>Filing of required campaign treasurer’s reports. (filing of campaign reports is required)</u></b>                      A candidate will be provided with an election cycle calendar of campaign treasurer’s reporting dates. The reports must be filed when due even if a campaign checking account HAS NOT been opened. Reports must be filed even if the candidate accepts no contributions or makes no expenditures. As a courtesy, the Town Clerk MAY provide candidates will a verbal or written reminder when reports are due, however, this is not a requirement. The candidate and treasurer are collectively responsible for the timely filing of all campaign treasurer’s reports.                      (Please refer to attached calendar for reporting dates).</p>	<p>FS §106.07                      for more details</p>

# 2018-2019

## TOWN OF FORT MYERS BEACH CANDIDATE ELECTION CALENDAR

CANDIDATE QUALIFYING TIMELINE	REFERENCE
<p><b><u>Candidate petition process for municipal candidates.</u></b> Candidates may qualify by submitting the signatures of registered electors of the Town of Fort Myers Beach. The candidate must FIRST file Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository with the Town Clerk, before collecting ANY candidate petition signatures. <b>The deadline to submit candidate petition signatures to the Lee County Supervisor of Elections is Noon, December 17, 2018.</b> Candidate petition signatures shall be submitted to the Main Office of the Lee County Supervisor of Elections for signature verification. The signature verification fee is 10 cents per signature submitted and payable by campaign check or cash. When a candidate has obtained the required number of candidate petition signatures, the Lee County Supervisor of Elections will issue the Town Clerk and the candidate a Certification of Candidate Petition Signatures.</p>	<p>DEADLINE TO SUBMIT SIGNATURES FS 99.095§ for more details <b>50 SIGNATURES PRIOR TO NOON MONDAY DECEMBER 17, 2018</b> Signature Verification Fee <b>10 cents per signature</b></p>
<p><b><u>Candidate Pre-Qualifying.</u></b> The pre-qualifying period allows a candidate who may not be able to appear during the qualifying period, to finalize and submit all required candidate-qualifying forms during the pre-qualifying period. The Town Clerk may accept and hold qualifying papers submitted no earlier than 14 days prior to the beginning of the qualifying period. Pre-qualifying for candidates begins: <b>Monday, December 31, 2018.</b></p>	<p>FS §99.061 for more details <b>PRE-QUALIFYING BEGINS MONDAY DECEMBER 31, 2018</b></p>
<p><b><u>Florida Resign-To-Run Law. (Local Candidates) 10 Days Prior To The 1<sup>st</sup> Day of Qualifying.</u></b> No person or elected officer may qualify as a candidate for more than one public office, whether federal, state, district, county or municipal if the terms or any part thereof run concurrently with each other. Elected officers must resign from the office he/she presently holds. The resignation is irrevocable. The WRITTEN resignation must be submitted at least 10 days prior to the 1<sup>st</sup> day of qualifying and must be effective no later than the earlier of the following dates: the date the officer would take office, if elected or the date the officer's successor is required to take office. An original written statement must be filed with the qualifying officer with whom the official originally qualified, and a copy filed with the Governor's Office in Tallahassee. Statutory exceptions for legal holidays, Saturdays and Sundays may not be used in the application of the resign-to-run law. <b>The deadline to submit the resignation is 5:00 p.m., Friday, January 4, 2019.</b></p>	<p>FS 99.012§ for more details <b>DUE ON OR BEFORE Friday JANUARY 4, 2019</b> USPS Postmark is <b>NOT</b> acceptable.</p>
<p><b><u>QUALIFYING BEGINS NOON, MONDAY, 01-14-19.</u></b> Qualifying begins for municipal candidates on January 14, 2019. Candidates shall qualify for office with the Town Clerk.</p>	<p>Ordinance No. 15-16 For more details <b>NOON 01-14-19 THROUGH NOON 01-18-19</b></p>
<p><b><u>Candidate Oath for Non Partisan Office (required candidate-qualifying form).</u></b> During the pre-qualifying period or during the qualifying period, a candidate must file the appropriate Form DS-DE 302NP Candidate Oath for Non Partisan Office. The Town Clerk will provide this form. A candidate's name, as the candidate wants it to appear on the ballot, shall be taken from the completed and signed Candidate Oath, and MAY NOT be changed after the qualifying period has ended.</p>	<p>FS §99.021 and FS §99.061 for more details</p>
<p><b><u>Financial Disclosure Form 1 Statement of Financial Interest for 2018 (required candidate-qualifying form).</u></b> During the pre-qualifying period or during the qualifying period a candidate must file a Form 1 Statement of Financial Interest for 2018. Town Clerk shall provide the form.</p>	<p>FS 99.061 and Florida Constitution Article II Section 8 for more details</p>
<p><b><u>Notice of Canvassing Board Meeting and Logic and Accuracy Testing Schedule.</u></b> At the time of qualifying, each candidate shall receive written notice of the time and location of the public pre-election test of the automatic tabulating equipment and the county canvassing board-meeting schedule. The Town Clerk will obtain a signed receipt indicating that such notice was provided to the candidate; if the schedule is not available at the time the candidate qualifies for office, the Town Clerk shall mail the schedule to the candidate, by certified mail, when said schedule becomes available.</p>	<p>FS §101.5612 and FS §102.141 for more details</p>
<p><b><u>QUALIFYING ENDS AT NOON, FRIDAY 01-18-19.</u></b> The Town Clerk must receive, before the close of the qualifying period, for each candidate qualifying by the candidate petition method, the official certification of valid candidate petition signatures from the Lee County Supervisor of Elections. The Town Clerk must also be in possession of each candidate's required and properly executed candidate-qualifying forms before the close of the qualifying period.</p>	<p><b>QUALIFYING ENDS NOON 01-18-19</b></p>

# 2018-2019

## TOWN OF FORT MYERS BEACH CANDIDATE ELECTION CALENDAR

<p><b><u>Payment of filing fee and election assessment.</u></b>                  A candidate for a position on the council, who did not obtain the required number of candidate petition signatures, will be required to pay a qualifying fee based on 4% of the annual salary for the office sought. The filing fee is broken down as follows: 3% filing fee and a 1% election assessment. A candidate's campaign check for the filing fee, returned by the financial institution due to insufficient funds, shall be disqualified <u>and</u> his/her name shall not appear on the ballot.</p> <p><b><u>Payment of the election assessment.</u></b>                  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. Any person seeking to qualify for nomination or election to a municipal office who is unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her shall, upon written certification of such inability, given under oath, to the qualifying officer, be exempt from paying the election assessment.</p> <p>A candidate who qualifies by the candidate petition method will not be required to pay the 3% filing fee, however, will be required to pay the 1% election assessment unless the candidate certifies under oath that he/she be exempt from paying the election assessment pursuant to FS 99.093.</p> <table border="1" data-bbox="115 758 1177 867"> <thead> <tr> <th>2019 Office Sought</th> <th>Annual Salary</th> <th>If Paying 4% Full Qualifying Fee</th> <th>If Paying Only 3% Fee and 1% Fee Waived</th> <th>Successful Petitions Paying Only 1% Fee and/3% Fee Waived</th> </tr> </thead> <tbody> <tr> <td><b>Councilmember</b></td> <td><b>\$16,800.00</b></td> <td><b>\$672.00</b></td> <td><b>\$504.00</b></td> <td><b>\$168.00</b></td> </tr> </tbody> </table>	2019 Office Sought	Annual Salary	If Paying 4% Full Qualifying Fee	If Paying Only 3% Fee and 1% Fee Waived	Successful Petitions Paying Only 1% Fee and/3% Fee Waived	<b>Councilmember</b>	<b>\$16,800.00</b>	<b>\$672.00</b>	<b>\$504.00</b>	<b>\$168.00</b>	<p>FS §99.093 and 106.141(6)                  for more details  <b>PRIOR TO                  NOON 01-18-19</b></p>
2019 Office Sought	Annual Salary	If Paying 4% Full Qualifying Fee	If Paying Only 3% Fee and 1% Fee Waived	Successful Petitions Paying Only 1% Fee and/3% Fee Waived							
<b>Councilmember</b>	<b>\$16,800.00</b>	<b>\$672.00</b>	<b>\$504.00</b>	<b>\$168.00</b>							
<p><b><u>Voter registration books close.</u></b>                  Monday, February 4, 2019 for the March 5, 2019 Regular Election.</p>	<p>FS §97.055                  for more details  <b>MONDAY                  FEBRUARY 4, 2019</b></p>										
<p><b><u>Last day to request a Vote-by-Mail ballot.</u></b>                  The Lee County Supervisor of Elections will accept a request for a Vote-by-Mail ballot up to 5:00 p.m.</p> <p>Wednesday, February 27, 2019 for the March 5, 2019 Regular Election</p> <p>To request a Vote-by-Mail ballot, call the Lee County Supervisor of Elections Office at (239) LEE-VOTE (533-8683).</p>	<p>FS §101.62                  for more details  <b>WEDNESDAY                  February 27, 2019</b></p>										
<p><b><u>Election Day.</u></b>                  Polling places are open from 7:00 a.m. to 7:00 p.m.</p>	<p>FS §100.011  <b>MARCH 5, 2019                  ELECTION DAY                  POLLS OPEN                  7 AM TO 7 PM</b></p>										
<p><b><u>Elected council member(s) take office.</u></b>                  The term of a member of the council shall begin at the first council meeting following the Town election <u>or</u> as to be determined.</p>	<p>Town Charter §5.02                  for more details  <b>T/B/D</b></p>										

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## TOWN OF FORT MYERS BEACH CANDIDATE ELECTION CALENDAR

### CALENDAR OF CAMPAIGN TREASURER'S REPORTING DATES

Campaign treasurer's reports must be filed no later than 5:00 p.m., Eastern Standard Time, on or by the report's designated due date. File the report with the Town Clerk. Any report postmarked by the United States Postal Service no later than midnight of the day designated is deemed to have been filed in a timely manner. Any report received by the Town Clerk within 5 days after the designated due date that was delivered by the United States Postal Service is deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date.

<b>ELECTION CYCLE REPORTING DATES FOR MARCH 5, 2019 REGULAR ELECTION</b>				
<b>REPORT DUE DATE</b>	<b>TIME</b>	<b>REPORT TYPE</b>	<b>REPORTING PERIOD COVERED</b>	<b>SPECIAL INSTRUCTIONS</b>
November 13, 2018	5:00 p.m.	M10	10-01-18 through 10-31-18	Monthly Report
December 10, 2018	5:00 p.m.	M11	11-01-18 through 11-30-18	Monthly Report
January 10, 2019	5:00 p.m.	M12	12-01-18 through 12-31-18	Monthly Report
**February 08, 2019	5:00 p.m.	ER1	01-01-19 through 02-01-19	Election Report 25 <sup>th</sup> Day Prior to 03-05-19 Election <b>**See Termination Report Due Dates for April 18, 2019</b>
February 22, 2019	5:00 p.m.	ER2	02-02-19 through 02-15-19	Election Report 11 <sup>th</sup> Day Prior to 03-05-19 Election
<b>LAST DAY TO ACCEPT CAMPAIGN CONTRIBUTIONS FOR THE MARCH 5, 2019 REGULAR ELECTION IS: MIDNIGHT, THURSDAY, FEBRUARY 28, 2019 THE ER3 REPORT IS DUE THE NEXT DAY!</b>				
March 01, 2019	5:00 p.m.	ER3	02-16-19 through 02-28-19	Election Report 4 <sup>th</sup> Day Prior to 03-05-19 Election
<b>TERMINATION REPORT DUE DATES</b>				
**April 18, 2019(see note below)	5:00 p.m.	TR1	01-01-19 through 04-18-19	90-day Termination Report Unopposed After Qualifying Ends 01-18-19
<b>**A candidate that is unopposed at the close of qualifying on 01-18-19 is not required to file the MR1 Report that is due 02/08/19. The candidate is required to file the TR1 Termination Report that is due 04-18-19.</b>				
June 03, 2019	5:00 p.m.	TR2	03-01-19 through 06-03-19	90-day Termination Report Elected or Defeated at 03-05-19 Election

**Avoid a significant fine and file your report on time!**

## **Filing Campaign Finance Reports Sections 106.07 and 106.141 Florida Statutes**

### **FILING CAMPAIGN TREASURER'S REPORTS**

Candidates and political committees shall file all campaign treasurers' reports with the Town Clerk. Candidates and political committees must report all contributions and expenditures on required campaign finance reporting forms. The Town Clerk shall provide each candidate, campaign treasurer, or political committee with the appropriate reporting forms.

Campaign treasurer's reports must be filed no later than 5:00 p.m., Eastern Standard Time, on or by the report's designated due date. A United States postmark bearing the due date or an earlier date is acceptable. Campaign treasurer's reports must be filed at designated intervals (see reporting calendar). Depending upon when a Town candidate files his/her "Form DS-DE 9 Appointment of Campaign Treasurer and Designation of Campaign Depository" with the Town Clerk, reports will be filed monthly, then on the 25<sup>th</sup>, 11<sup>th</sup> and 4<sup>th</sup> days preceding the regular election. The candidate and campaign treasurer or deputy treasurer shall collectively certify the accuracy and truthfulness of each report filed with the Town Clerk.

### **WAIVER OF CAMPAIGN TREASURER'S REPORT**

During a reporting period, with no campaign finance activity, i.e., (no contributions received and funds expended or received) the filing of the report may be waived by notifying the filing officer, in writing, that no activity has occurred. The notification shall be made by filing a form DS-DE 87 Waiver of Campaign Treasurer's Report Form on or by the designated due date. Mail or file the form in person. A United States postmark bearing the due date or an earlier date is acceptable. The Waiver of Report must be signed by both the candidate and treasurer or deputy treasurer.

### **PENALTIES FOR FILING A LATE REPORT**

Late reports are subject to a fine of \$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. For a report that is due immediately preceding the Town election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late-report.

The Town Clerk has no statutory authority to waive a fine. Only the Florida Elections Commission may waive a fine based on a timely appeal filed by a candidate or political committee. The Commission shall meet and hold a hearing to determine if a fine shall be waived or upheld.

### **TERMINATION REPORTS AND LATE FILING PENALTIES**

Each candidate shall, within 90 days after having withdrawn, become unopposed, been eliminated or elected to office, dispose of all funds in the campaign account and file a final report with the Town Clerk. Any candidate failing to file a termination report on the designated due date shall be subject to a fine of \$50 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. The Town Clerk shall within 14 days, notify each candidate in writing, who is required to file a termination report.

### **DEADLINE TO ACCEPT CAMPAIGN CONTRIBUTIONS**

Florida Statutes §106.08

The deadline for candidates with opposition in the 03/05/19 Town Municipal Regular Election to accept campaign contributions is THURSDAY, 02/28/19 no later than Midnight. Contributions received after Midnight must be returned to the contributor. Be aware that the **SA3 report** is due immediately following the contribution deadline.

#### **Form DS-DE 2 Contributions Returned.**

Form DSDE-2 Contributions Returned is required for disclosing contributions *that are not deposited in the campaign account* and are returned to the contributor. Form DS-DE 2 will be provided to the candidate and campaign treasurer, by the Town Clerk. Form DSDE-2 can be filed after the report has been filed.

In order to file Form DS-DE 2, return the completed form as a scanned attachment in an email, mail the completed form to Town of Fort Myers Beach, 2525 Estero Blvd., Fort Myers Beach, FL 33931, or hand deliver the form to the Town Hall.