



2022 Baker County Candidate Handbook

To those interested in running for local office:

This information has been compiled for those interested in running for elected office in Baker 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 pitfalls. If you are considering running for public office, please make an appointment with our office for an orientation on the election laws and 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,



Chris Milton
Supervisor of Elections
Baker County, Florida



We are here to help!

The staff of the Baker County Supervisor of Elections Office is here to assist you through your campaign process. If you have any questions, please let us know. You can contact us by email, phone, or in person.

Baker SOE Staff:

- Chris Milton, Supervisor of Elections
Direct Email: chris.milton@bakercountyfl.org
- Paula Brittain, Assistant Supervisor of Elections
Direct Email: paula.brittain@bakercountyfl.org
- Brayden Jackson, Deputy Supervisor of Elections
Direct Email: brayden.jackson@bakercountyfl.org
- JoAnne Burger, Deputy Supervisor of Elections
Direct Email: joanne.burger@bakercountyfl.org

Office Information:

Address: 32 N. 5th St. Suite A, Macclenny, FL 32063

Main Phone Number: (904)259-6339

Regular Office Hours: 8:30am—5:00pm

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 office 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 party assessment (if seeking a partisan office).
- A candidate may qualify by petition. The number of petitions required is based upon the number of registered voters in the County as of the previous general election. 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. But your name will not appear on the Ballot per Florida Statutes 99.061(4)(b).

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 2022, candidates qualifying for the following offices file with the Baker County Supervisor of Elections. Qualifying begins at noon and ends at noon on the following days:

<u>Office</u>	<u>Type</u>	<u>2022 Qualifying Period</u>
County Commission (Dist. 2 & 4)	Partisan	06/13/22 - 06/17/22
School Board (Dist. 2,3, & 4)	Nonpartisan	06/13/22 - 06/17/22

*Candidates for School Board 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 2 weeks prior to the beginning of the qualifying period (beginning on May 31, 2022). 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 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 council positions and mayors in Baker County are nonpartisan. The Supervisor of Elections is responsible for qualifying candidates for Municipal Office. Municipal positions are typically elected in odd number years. For further information regarding qualifying and running for municipal office, please contact our office at 904-259-6339.

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, Superintendent of Schools 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 their 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.”

School board 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 as write-in, their name does not appear.

Closed Primaries—Florida is a closed primary state:

Only voters who are a 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 an Office:

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 to 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 Elections 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 16, 2022.**
7. **Resign to Run** - If you are required by 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 proper authority on or before **June 3, 2022.**

8. The official qualifying period begins at noon, June 13, 2022 and lasts through noon, June 17, 2022.

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 2021 - *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, 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 Elections has a Notary Public available for your documents.

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.

Write - In candidates qualify at the same time as other candidates; depending upon the office they seek. The qualifying period for all other offices begins at noon June 13th and ends at noon June 17th.

Before the close of the qualifying period write-in candidates must file:

- Form DS - DE 9 Appointment of Campaign Treasurer.
- Form DS - DE 84 Statement of Candidate.
- Financial Disclosure form appropriate to office sought.
- Appropriate notarized loyalty oath.

2022 Petitions Required for Qualification:

All candidates are required to collect 170 petitions.

To be valid, a petition must be submitted on the form adopted by the State of Florida (DS - DE 104). Petitions may be signed by any registered voter in the county. **All 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 date:

Noon, May 16, 2022.

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. Also its a good idea to collect extra in case some happen to be invalid. Upon request we will provide you with a file of those who have signed your petition.

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 June 3, 2022. 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 political party offices, persons serving without salary on an appointed board or authority and persons seeking federal office.

For additional information on resign to run; check the State Division of Elections website at: <https://dos.myflorida.com/elections> 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 218

Washington, D. C. 20036-4505

Phone: 800-854-2824 or 202-804-7002

Fax: 202-254-3700

Email: hatchact@osc.gov

Website address: <https://osc.gov/services/pages/HatchAct.aspx>

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 is responsible for making sure all Treasurer's Reports are filed correctly and on time. 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 must submit their reports electronically using the Supervisor of Elections online reporting system. The online system is simple to use and meets all of the standards set forth by the State. When submitting reports online; you 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 election reports.

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 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.

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 Baker County Supervisor of Elections. They provide a cost - effective and rapid means of communicating with our voters regarding election related materials. 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 Baker County Supervisor of Elections.

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; **“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.

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.

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 150 foot zone from the entrance, where soliciting voters is prohibited. This area is referred to generally as the “no solicitation zone.”

Beyond the 150’ No Solicitation Zone:

- No signs may be affixed to the polling place property, land or adjacent road right - of - ways. 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 by polling places. 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.

Candidate Resources:

By Phone:

Baker County Supervisor of Elections

32 N 5th Street, Suite A

Macclenny, FL 32063

(904) 259-6339

vote@bakercountyfl.org

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:

Baker County Supervisor of Elections - <https://www.bakerelections.com>

Division of Elections - <https://dos.myflorida.com/elections>

Florida Elections Commission - <https://www.fec.state.fl.us>

Florida Commission on Ethics - <https://www.ethics.state.fl.us>

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

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 please contact Paula Brittain, at (904) 259-6339 or paula.brittain@bakercountyfl.org.

The current prices for voter lists are:

Standard List processing fee: **\$10.00 (E - Mail or CD)**

Absentee Subscription: **\$10.00 per election**

Additional Charges:

Printed list: **.15 cents per page**

Mailing labels: **.60 cents per page**

Payment is expected at the time the list is delivered. Checks should be made payable to the Baker County Supervisor of Elections. The Supervisor of Elections does not accept credit cards.

Ethical Conduct of Candidates:

It is strongly suggested that as a candidate, you review Chapter 104 of the Florida Statutes.

Violations of any 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 Street
R A Gray Building Room 316
Tallahassee, FL 32399
850-245-6200

Voter fraud can be reported to the Division of Elections. Voter fraud hotline is 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.).

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:

“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. A nonpartisan candidate does not list a party affiliation (Section 106.143 F.S.).

You are not required to place a disclaimer on free E - Mail.

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 appoint himself or herself as campaign treasurer?

Yes (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 the 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.

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 but it can be amended.

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 by means of a cashier's check in excess of \$50 per each election (Section 106.06, 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 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.).

Candidate Calendar:

Qualifying

May 16, 2022	Deadline for state, county and district candidates to submit petitions by noon.
May 31, 2022	Supervisor of Elections can start accepting qualifying papers.
June 13, 2022	Qualifying officially begins at noon.
June 17, 2022	Qualifying ends at noon.

Primary Election

July 9, 2022	Deadline to send absentee ballots to UOCAVA voters.
July 14, 2022	Initial domestic absentee mailing.
July 25, 2022	Last day to register to vote for the Primary.
August 11, 2022	Early voting begins from 8:30 AM to 6:30 PM.
August 20, 2022	Early voting ends.
August 23, 2022	Primary Election.

Candidate Calendar:

General Election

September 24, 2022	Deadline to send absentee ballots to UOCAVA voters.
September 29, 2022	Initial domestic absentee mailing.
October 10, 2022	Last day to register to vote for the General.
October 27, 2022	Early voting begins from 8:30AM to 6:30PM
November 5, 2022	Early voting ends at 6:30PM
November 8, 2022	General Election.