

## Campaign Financing FAQs

### ***What is a campaign treasurer?***

A campaign treasurer is an individual appointed by a candidate or political committee to manage the finances of a campaign. All candidates for election to office shall appoint a campaign treasurer.

### ***May a candidate appoint himself or herself as campaign treasurer?***

Yes. ([Section 106.021\(1\)\(c\)](#), Florida Statutes) Candidates can appoint themselves as their own campaign treasurer, or as a deputy treasurer.

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

Candidates for statewide office may appoint up to fifteen (15) deputy treasurers. Other candidates and political committees may appoint up to three (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 in the case of a candidate, or the campaign treasurer and chairperson in the case of a political committee. (Section [106.021\(4\)](#), F.S.)

### ***Who is responsible for keeping tabs on aggregate totals of campaign contributions?***

The campaign treasurer is responsible for receiving and reporting all contributions and expenditures. ([Section 106.06](#), F.S.)

### ***Do I have to itemize small contributions of \$5, \$10, \$50, etc.?***

Yes. The law provides no exceptions for the reporting of contribution information, regardless of the size of the contribution. The full name and address of the contributor are also required. (Section [106.07\(4\)\(a\)](#), F.S.)

### ***Are there contribution limits?***

The contribution limit for all municipal candidates is \$1,000 per person per election. (Contribution limits do not apply to contributions made by a candidate to his/her own campaign – a candidate may make unlimited contributions to his/her own account). No person may make or accept a cash contribution or contribution by means of a cashier's check in excess of \$50. No child under the age of 18 years may make a contribution in excess of \$100. Do not accept any contributions less than five days before the date of an election if you are a candidate with opposition. If you accept such a contribution it

must be returned to the contributor and not used or expended by or on behalf of the candidate. (Section [106.08](#) F.S.)

***Are in-kind contributions subject to the same limitations as monetary contributions?***

Yes. In [Chapter 106, F.S.](#), the definition of a "contribution" includes contributions in-kind having an attributable monetary value in any form. Therefore, in-kind contributions are subject to the same limitations set for monetary contributions. ([Section 106.011\(5\)](#) and [106.08](#), F.S.)

***How is the value of an in-kind contribution determined?***

The contributor must inform the person receiving the contribution of the fair market value at the time it is given. (Section [106.055](#), F.S.)

***I was given cash at a rally and have no information on who it is from; what do I do?***

Report this contribution on your campaign report but do not spend these funds on the campaign. After the campaign is over, dispose of the funds pursuant to Section [106.141](#), F.S. (DEO 89-02)

***Can a corporation give to a candidate, political committee, or political party?***

Yes. A corporation is under the definition of a "person" in [Chapter 106](#), F.S. (Section [106.011\(14\)](#), F.S.)

***Would a corporation have to file as a political committee if it contributes to a candidate or other political committee?***

Corporations are exempt from the definition of a "political committee" as long as the corporation's activities are limited to contributions to candidates or political committees, or expenditures in support of or in opposition to an issue, from corporate funds. Corporations remove themselves from this exemption if they solicit or receive contributions outside their corporate funds for political purposes. (Section [106.011\(16\)\(b\)2](#), F.S.)

***As a candidate, what can I do with leftover campaign funds?***

A candidate who withdraws their candidacy, becomes an unopposed candidate, is eliminated as a candidate, or is elected to office, shall dispose of the remaining funds in his or her campaign account within 90 days and shall file a report reflecting the disposition of those funds (Section [106.141\(1\)](#), F.S.).

You may disburse of funds by any of the following means or a combination thereof:

- Return pro rata to each contributor the funds that have not been spent or obligated;
- Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s. 501(c)(3) of the Internal Revenue Code;
- In the case of a candidate for state office, give the funds to the state to be deposited in the General Revenue Fund; or
- In the case of a candidate for an office of a political subdivision, to such political subdivision to be deposited in the general fund thereof.

Candidates shall reimburse the state or local government entity, in the order listed below, if they:

- Filed an oath stating they were unable to pay the election assessment; and/or
- Filed an oath stating they were unable to pay the fee for the verification of petition signatures without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her, or
- Qualified by the alternative method and was not required to pay an election assessment.

In addition to the methods listed above, a candidate elected to office (or who will be elected by virtue of being unopposed) may transfer funds from the campaign account to an office account to be used only for legitimate expenses in connection with the candidate's public office. The amount which can be transferred is limited pursuant to Section [106.141\(5\)](#), F.S.

***Can I combine my leftover campaign funds with a legislative account?***

No. The office account must be separate from any other account (including a legislative account). (Section [106.141](#), F.S.)

***I am an elected official and still have funds in my office account. I am beginning my re-election campaign. May I place the surplus funds in the office account into my campaign account for re-election?***

No. Funds retained by elected officials in their office accounts may only be used for legitimate expenses in connection with their public office. (Section [106.141\(5\)](#), F.S.)