

BECOMING A MUNICIPAL CANDIDATE

Information provided may be subject to legislative changes.

What is a Candidate?

A candidate is defined in Florida Statutes 97.021(5) as any person to whom any one or more of the following applies:

- Any person who files qualification papers and subscribes to a candidate's oath as required by law.
- Any person who appoints a treasurer and designates a primary depository.
- 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.

However, this definition does not include any candidate for a political party executive committee.

Who can be a Candidate?

- To run for Ormond Beach City Commission, a person must have continuously and permanently resided within the City of Ormond Beach for at least one (1) year prior to the first day of the qualification period.
- If running for a City Commissioner office, a person must have permanently and continuously resided within the zone they seek to represent for at least thirty (30) days immediately prior to the first date of the qualification period.
- 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 ten days prior to the first day of qualifying. (*Florida Statutes 99.012(3)*)

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 City Clerk before any contributions are accepted, before opening a campaign account, and before expenditures are made. (*Florida Statutes 106.021*)
- 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. (*Florida Statutes 106.023*)
- You **MUST** file an Acknowledgement for Electronic Filing of Campaign Finance Reports with your initial candidacy paperwork, indicating your understanding of the electronic campaign finance reporting system.

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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. Pursuant to Florida Statutes 99.061 and/or 105.031, **you must file your qualifying papers in the office of the City Clerk during the qualifying period.**

The 2020 qualifying period runs from 12:00 p.m. (noon) on Monday, June 8, 2020, to 12:00 p.m. (noon) on Friday, June 12, 2020.

Forms Required to File During Qualifying

Municipal Charters dictate the method of candidate qualifying. To qualify for Ormond Beach City Commission, the following forms are required to be filed during the qualifying period:

1. Form DS-DE 9 (Appointment of Campaign Treasurer and Designation of Campaign Depository) – *unless already filed*
2. Form DS-DE 84 (Statement of Candidate) – *unless already filed*
3. Form DS-DE 302NP (Oath of Candidate – Non-Partisan)
4. Form 1 (Statement of Financial Interests 2019)
5. Loyalty Oath
6. Notice of Candidacy

At the time of qualifying, the candidate must also provide a current voter registration card (or Certificate of the Supervisor of Elections) to show that they are **a duly qualified elector**. Candidates will also be required to have a Certificate of City Clerk and a candidate checklist completed, as well as initial their acknowledgement of the 2020 Dates for Logic & Accuracy Testing.

Candidates must also pay **a qualifying fee** at the time of qualifying. This must be done through a check drawn on the campaign account.

Petition Process

Pursuant to Florida Statutes 99.095, a person seeking to qualify for nomination to any office may qualify to have their name placed on the ballot by means of a petitioning process. A person meeting the requirements in 99.095 would not be required to pay the qualifying fee. To qualify by petition, a candidate shall obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least one percent of the total number of registered voters of that geographical area, as shown by the compilation by the Department of State for the immediately preceding general election.

If a candidate chooses to qualify by petition, please be aware of the following:

- The candidate still must file qualifying forms as described above.

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- It is recommended that *at least* 15 to 20 percent *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 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 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. (*Florida Statutes 99.097(4)*)
- 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.
- The Supervisor of Elections will notify the City Clerk, in writing, whether the required number of signatures has been obtained prior to the first day of qualifying.
- **During the qualifying period, a candidate will submit the petition certification form from the Supervisor of Elections**, along with the necessary qualifying papers, to the City Clerk.

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.