



**ELECTIONS INFORMATION
MARCH 17, 2020 ELECTION
FOR TOWN COUNCIL
SEAT #3 SEAT #4 SEAT #5**

All required documents and forms must be fully completed and submitted to the Town Clerk by the close of qualifying week, Noon, January 10, 2020. Failure to do so will result in being an unsuccessful candidate for the office of Town Council and will not be placed on the ballot for the March 17, 2020 election.

Assessment fee: 1% of annual salary (payable from the candidate's campaign account to the Town of Fort Myers Beach). Fee is \$168.00 (1% of \$16,800.00) paid by the candidate at the time of qualifying.

Campaign Treasurer: A candidate may serve as his or her own Campaign Treasurer. The Campaign Treasurer does not have to be a registered voter in Florida or otherwise.

Campaign Treasurer Reports:

- Reports are due by 5:00 PM on the designated due date or postmarked on the designated due date.
- In accordance with state law, late reports will be assessed a fine of \$50 per day for the first three 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 general election, the fine shall be \$500 per day for each late day.
- 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.
- The Florida Elections Commission will meet and hold a hearing to determine if a fine shall be waived. The Campaign Treasurer has 7 days after receipt of a notice that a report is incomplete in which to file an addendum to the report.

Candidates:

- Must be residents of the Town and registered voters and must have resided within the corporate limits of the Town for a minimum of one year prior to qualifying. Proof of qualification includes proof of current address. Voter registration information is verified with the office of the Lee County Supervisor of Elections.
- A candidate may announce his/her candidacy at any time, however before accepting contributions or making expenditures, the Appointment of Campaign Treasurer and Designation of Campaign Depository Form (DS-DE 9) must be filed with the Town Clerk. The form must be completed before the campaign account can be opened.
- Within 10 days of opening campaign account, candidates must file Statement of Candidate form (DS-DE 84).

(99.095, FS) Candidate Petition Forms (DS-DE 104)

Candidates must use the state's form. Original wording and format must be used.

- Candidate petitions must contain a street address.
- The person signing the petition must be a registered voter within the Town.
- The office of the Lee Supervisor of Elections verifies signatures on petitions at 10 cents per signature. **Candidates may begin collecting signatures after the Appointment of Campaign Treasurer Report/Designation of Depository form has been filed with the Town Clerk.**
- The deadline for candidates to submit petitions to the office of the Lee County Supervisor of Elections is NOON December 9, 2019 (*Lee County Elections Office is located in the Constitutional Complex, 2480 Thompson Street, Fort Myers, FL 33901*).
- The Supervisor of Elections will certify the petitions by December 30, 2019.
- Candidates are urged to submit more petitions than are necessary in the event that some of the petition signatures are not valid, or are not registered voters.
- Candidates must obtain petitions of at least 1% of registered voters as of the books closing of the most recent Town election. There are currently 4,884 registered voters (as of the last regular election) so candidates must obtain no less than 49 certified petitions.

Contributions

- Anonymous contributions are prohibited.
- All contributions must be reported, regardless of amount.
- A candidate cannot accept contributions in cash or cashier's check in excess of \$50.
- Contribution Limits: The maximum contribution limits per contributor, per election, per candidate is \$1,000 (combination of monetary and/or in-kind). Contributions from national, state or county executive committees of a political party may not exceed \$50,000.

- Debit and credit card contributions can be accepted and are categorized as “check” for reporting purposes.
- Loans made by a candidate to his own campaign are not subject to contribution limits.
- Candidates cannot accept contributions from foreign nationals unless the contributor possesses a green card, a/k/a Resident Alien Card. Further information can be obtained by contacting the Federal Election Commission at 800-424-9530.
- Pay Pal Accounts are acceptable, and any contributions received via Pay Pal are deemed to be a check for reporting purposes. Pay Pal accounts need to be disabled by the candidate by midnight of the last day contributions can be received.

Debit Cards may be used in lieu of campaign checks. Candidates may not use credit cards. (see page 20 of Campaign Treasurer’s Handbook)

Election Signs: Election signs may be erected no earlier than thirty (30) days prior to the general election to which they relate and shall be removed no later than ten (10) days after the election. (See Fort Myers Beach Code of Ordinances Chapter [30-151- Signs](#), for information regarding size and number).

Expenditures. All campaign expenditures must be by a check drawn on the campaign account (except petty cash). Petty cash funds must be in amounts of less than \$100. Debit cards may be used in lieu of campaign checks.

Filing fee is 3% of the annual salary of the Town Council, or \$504. In lieu of paying the filing fee, candidates may collect signatures on petitions of 1% of the registered voters as of the last municipal election (see qualifying by petition).

Fines: Each candidate is personally responsible for compliance with F.S. [Chapter 106](#) requirements. Failure to file a campaign report on the designated due date will result in a fine of \$50 per day for each day late, up to three days, \$500 each day after the third day or 25% of total receipts of expenditures, whichever is greater. All fines must be paid from the candidate’s personal funds, not campaign funds.

Fund Raiser Tickets or Advertising: Tickets and advertising for campaign fund raisers require political disclaimers if the event satisfies the definition of campaign fund raiser ([FS §106.143](#)).

Loans by Candidates: A candidate who makes a personal loan to his/her campaign does not have to wait until the campaign is over to be reimbursed; instead, the candidate may be reimbursed by the campaign at any time the campaign has sufficient funds to repay the loan and satisfy its other obligations.

Nonpartisan Election. The Town of Fort Myers Beach elections are non-partisan.

(In nonpartisan elections, each candidate for office is eligible based on her or his own merits rather than as a member of a political party. No political affiliation (if one exists) is shown on the ballot next to a candidate.)

Political Advertisement Disclaimer. Any political advertisement paid for by a candidate and is published, displayed or circulated prior to, or on the day of the election shall state: “Political advertisement paid for and approved by (name of candidate), for (office sought)” OR “Paid by (name of candidate) for (office sought).” Disclaimer must also appear on any individual website or web page.

Pre-Qualifying: 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 Friday, December 23, 2019.

Qualifying Period: For the March 17, 2020 election year only, the provision of Section 5.01 of the Town of Fort Myers Beach Charter relating to the Town Council candidate qualifying period, said qualifying period shall be from noon of the 71st day to noon of the 67th day prior to the March 17, 2020 election (Town of Fort Myers Beach ordinance 19-13). For the March 17, 2020 election, the qualifying period shall be from noon January 6, 2020 to noon January 10, 2020.

Qualifying Documents: In order for a candidate to be qualified, the following items must be received in the Town Clerk’s office, 2525 Estero Boulevard, no later than Noon on January 10, 2020:

- A properly executed check drawn upon the candidate’s campaign account in the amount of \$168.00, (the election assessment) made payable to The Town of Fort Myers Beach.
- Filing fee, (\$504.00) or sufficient number of petitions certified by the office of the Lee County Supervisor of Elections. The filing fee must be drawn on the candidate’s campaign account, made payable to The Town of Fort Myers Beach.
- Candidate Oath-Nonpartisan Office (DS–DE 302NP)
- Appointment of Campaign Treasurer and Designation of Depository (DS-DE 9)
- Form 1 Statement of Financial Interests (CE Form 1)
- Statement of Candidate (DS-DE 84)

Resign to Run: No person or elected officer may qualify as a candidate for more than one public office, whether federal, state, district, county or municipality 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 1st 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 Town Clerk, and a copy filed with the Governor's office in Tallahassee. The deadline to submit the resignation is December 27, 2019.

Resources:

<http://election.dos.state.fl.us/>

<http://www.ethics.state.fl.us/>

<https://www.lee.vote/>

Terms of office: Terms shall be for three years*. (**Note: there is a referendum on the March 17, 2020 ballot asking whether council members' terms should be extended to 4 years*). Each Council Member will remain in office until a successor is elected and assumes the duties of the position; the term of a member of the Council shall begin at the first council meeting following the general election.

Waiver of Report: If a candidate does not collect or spend any money during a reporting period, the filing of the required regular report is waived. A candidate must file a Waiver of Report in lieu of a regular report on or before the date of the regular report.

By my signature, I acknowledge receipt of this information.

Signature

Date