



2020 GENERAL ELECTION INFORMATION

Candidate Information

Each candidate must be a qualified elector and meet the requirements set forth in the City's Charter and Code of Ordinances. Each candidate must comply with Federal Election Laws, Public Disclosure and Conflicts of Interests Act, Florida Election Code (Florida Statutes, Chapter 97 to 106), and the City Charter and City Code of Ordinances.

Qualifying for Office

Qualifying period opens at Noon (12:00PM), Monday, June 8, 2020 and closes at Noon (12:00PM) on Friday, June 12, 2020. When a candidate files for qualification, he/she must:

1. Submit General Candidate Information Sheet.
2. Provide proof of residency (one-year minimum requirement) e.g. Driver's License, Florida Identification OR Valid U.S. Passport along with a Utility Bill and evidence of residency timeframe required.
3. Provide proof he/she is a qualified elector. i.e. Voter's Registration Card
4. Submit to a background check authorization form.
5. Submit to fingerprinting by the City of Hallandale Beach Police Department and return the original fingerprint card into the City Clerk's office.
6. Notice of Candidacy.
7. Pay required filing fees; State Election Assessment Fee equal to 1% of annual salary for the office sought and a \$50 fee to Hallandale Beach).
8. File appointment of Treasurer and Depository (Treasurer must be a registered voter, FSS 106.021(1)(C), and must be completed prior to accepting contributions or making expenditures) Treasurer must accept appointment in writing on the appropriate form (Candidate may appoint themselves as Campaign Treasurer or Deputy) (This form may be completed prior to the qualifying period)
9. Complete Statement of Candidate regarding Florida Statutes Chapter 106 (must be received by City Clerk's Office within 10 days of filing the Appointment of

Campaign Treasurer & Designation of Campaign Depository DS-DE9 (This form may be completed prior to the qualifying period)

10. Signed Loyalty and Candidate Oath (at time of filing) (This form must be notarized)
11. Submit completed Form 1 Financial Interest Form
12. Submit completed Notice of Pre-Election Testing (Logic & Accuracy Test) Time and Location to be announced.
13. Submit completed Statement of Ethical Campaign Practices (Optional)

After filing for office, a candidate is responsible to submit Treasurer's Reports pursuant to the requirements in the Florida Statutes, Chapter 106.

Qualifying and Assessment Fee (FS 99.901(1) and 99.093(1)): A \$50 qualifying fee plus 1% of the annual salary must be paid at the time the candidate qualifies for office. The fees must be paid by a check and drawn on the campaign account. City of Hallandale Beach Commissioners and Mayor are paid \$35,000 per year. The State of Florida Election assessment fee is \$350. Each Candidate will provide two separate checks one for \$50.00 and the second for \$350 both made payable to the City of Hallandale Beach.

Financial Disclosure: A completed Form 1 Statement of Financial Interests (reflecting the preceding tax year) must be filed at the time the candidate files he/her qualifying papers.

Statement of Candidate (Florida Statute 106.023): Each candidate must file the statement with the City within ten (10) days after he/she files the Appointment of Campaign Treasurer and Designation of Campaign Depository form, stating he/she had read and understands the requirements of Chapter 106, Florida Statutes.

Campaign Account and Treasurer (Florida Statute 106.021): Before accepting any campaign contributions, expending any funds or qualifying as a candidate, a campaign depository must be designated, and a campaign treasurer must be appointed. This appointment must be done by completing an "Appointment of a Campaign Treasurer and a Designation of Campaign Depository" form. This form is contained within this Candidate Package.

Contributions:

A contribution is:

1. A gift, subscription, conveyance, deposit, loan, payment or distribution of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. These include contributions in-kind, having an attributable monetary value in any form;
2. A transfer of funds between political committees, between committees of continuous existence, or between a political committee and a committee of continuous existence;
3. The payment, by any person other than a candidate, of compensation for the

personal services of another person which are rendered to a candidate without charge to the candidate for such services; or

4. The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit. The term includes any interest earned on such account or certificate.

The exceptions are:

1. Services provided without compensation by individuals volunteering a portion or all their time on behalf of a candidate including, but not limited to, legal and accounting services;
2. Editorial endorsements.

IMPORTANT: The law provides no exceptions for reporting contribution information, regardless of the size of the contribution (e.g., the reporting requirements would be the same for a 50 cent contribution as for a \$500 contribution). (Section 106.011(3), F.S.)

Unauthorized Contributions

Any contribution received by a candidate with opposition in an election or by the campaign treasurer or deputy campaign treasurer on the day of that election or less than five days prior to the day of the election must be returned to the contributor and may not be used or expended by or on behalf of the candidate. (Section 106.08(3), F.S.)

Anonymous Contributions

When a candidate receives an anonymous contribution, it must be reported on the candidate's campaign treasurer's report as an anonymous contribution. A cover letter should accompany the report explaining the contribution is anonymous and, therefore, impossible to return. The candidate can not spend the anonymous contribution, but at the end of the campaign can donate the amount to an appropriate entity under Section 106.141, F.S. (Division of Elections Opinion 89-02)

In-Kind Contributions

In-kind contributions are anything of value made for the purpose of influencing the results of an election. The exceptions are:

1. Money;
2. Personal services provided without compensation by individual volunteers;
3. Independent expenditures, which are expenditures by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee. Section 106.011(5), F.S.; or
4. Endorsements of three or more candidates by political committees or political parties.

IMPORTANT: Any person who makes an in-kind contribution shall, at the time of making the contribution, place a fair market value on the contribution. In-kind contributions are subject to contribution limitations (Sections 106.011 and 106.055, F.S.)

Loans

Loans are considered contributions and are subject to contribution limitations; however, loans made by a candidate to his own campaign are not subject to contribution limitations. Loans to or from each person or political committee must be reported together with names, addresses, occupations, and principal places of business, if any, of the lenders and endorsers, including the date and amount of each loan on the campaign treasurer's report. All personal loans exceeding \$500 in value, made to a candidate and used for campaign purposes and made in the twelve months preceding his or her election to office, must be reported on **Forms DS-DE 73 and 73A, Campaign Loans Report**, and filed with the filing officer within ten days after being elected to office. Any person who makes a contribution to pay all or part of a loan incurred in the twelve months preceding the election, to be used for the campaign, may not contribute more than the amount allowed in Section 106.08(1), F.S. which is \$500 (Sections 106.011, 106.07 and 106.075, F.S.)

Cash Contributions

A person may not make or accept contributions in cash or by means of a cashier's check in excess of \$50.

IMPORTANT: Cash contributions should be reported on campaign treasurer's reports to include the full name and address of each person who gave a cash contribution during the reporting period, together with the amount and date of such cash contribution. (Sections 106.07(4) and 106.09, F.S.)

Debit and Credit Card Contributions

A candidate may accept contributions via a credit card, debit card, or money order. These contributions are categorized as a "check" for reporting purposes. (Division of Elections Opinions 94-02 and 00-03)

Contribution Limits for Candidates

IMPORTANT: Except for political parties, no person, political committee, or committee of continuous existence may make contributions in excess of \$1,000 per election to any candidate for election or retention in office. The primary and general elections are separate elections.

These limits do not apply to contributions made by a state or county executive committee of a political party regulated by Chapter 103, F.S., or to amounts contributed by a candidate to his own campaign. Federal law prohibits contributions from foreign nationals to any federal, state, or local candidate, unless the foreign national possesses a green card. Further information can be accessed by contacting the Federal Election Commission at 1-800-424-9530 or on their website at www.fec.gov.

A candidate may **not**:

1. Accept contributions until Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, is filed with the filing officer;
2. Accept a contribution in excess of \$1,000 from any one person per election, provided the candidate is an opposed candidate and the contribution is received within the timeframe applicable to each election;
3. Accept contributions from family members in excess of \$1,000 per election;
4. Accept contributions from a county executive committee of a political party whose contributions in the aggregate exceed \$50,000, or from the national or state executive committees of a political party, including any subordinate committee of such political party or affiliated party committees, who contributions in the aggregate exceed \$50,000. Polling services, research services, cost for campaign staff, professional consulting services, and telephone calls are not contributions to be counted toward the contribution limits but must still be reported by the candidate. All other contributions are counted toward the contribution limits;
5. A candidate for statewide (Governor, Cabinet and Supreme Court Justice) office may not accept contributions from a national, state, or county executive committee of a political party, including any subordinate committee of a national, state, or county committee of a political party, or affiliated party committee, which contributions in the aggregate exceed \$250,000; or
6. Accept contributions after the date he or she withdraws his or her candidacy, is defeated, becomes unopposed or is elected. (*Sections 106.08 and 106.19, F.S.*)

Candidate Responsibilities

It is not the responsibility of the City Clerk's office to interpret Election Statutes as prescribed by Florida Law. For further interpretation or legal opinion, you may contact the Division of Elections at (850) 245-6240.

It is also not the responsibility of the City Clerk's office to make sure or remind candidates or treasurers when required paperwork is due. The calendar in the Candidate Package will serve as the notice that will be provided by the City. Failure to submit paperwork as required may result in a candidate not qualifying for office and/or fines being levied by the City Clerk as prescribed by Florida Statutes.

Please click the link below to obtain a copy of the Municipal Qualifying Check-Off List:

<https://hallandalebeachfl.gov/DocumentCenter/View/19994/2020-Election-Municipal-Qualifying-Check-Off-List-Final-2>.