



CLAY COUNTY CANDIDATE FILING AND QUALIFYING CHECKLIST

FILING DOCUMENTS

NOTE: No person shall accept petitions (except for special district candidates), open a campaign bank account, solicit or accept campaign contributions or make expenditures prior to filing DS-DE 9 form designating Campaign Treasurer and Campaign Depository 106.021 F.S.

*Local/County Candidates **and** Special District/CDD candidates collecting contributions*

- ☐ **DS-DE 9 Appt. of Treasurer** ☐ **DS-DE 9** (Appt. of Deputy Treasurer- optional)
- ☐ **DS-DE 84 Statement of Candidate**
- ☐ **Candidate Acknowledgement**

Judicial Candidates

- ☐ **DS-DE 9 Appt. of Treasurer** ☐ **DS-DE 9** (Appt. of Deputy Treasurer- optional)
- ☐ **DS-DE 84 Statement of Candidate**
- ☐ **DS-DE 83 Statement of Candidate for Judicial Office**
- ☐ **Candidate Acknowledgement**

*Special District/CDD Candidates **NOT** collecting contributions*

- ☐ **Affidavit of Intention for Special District Candidates**
- ☐ **DS-DE 84 Statement of Candidate**

QUALIFYING DOCUMENTS

Candidate Oath (notarized) **Select one:**

- ☐ **DS-DE 301A** State and Local Partisan Office – with Party Affiliation
- ☐ **DS-DE 301B** State and Local Partisan Office – No Party Affiliation
- ☐ **DS-DE 301C** State and Local Partisan Office – Write-in Candidate
- ☐ **DS-DE 302 NP** Nonpartisan Office (CDDs, Soil & Water)
- ☐ **DS-DE 303 JU** Judicial Office
- ☐ **DS-DE 304 SB** School Board Nonpartisan Office

- ☐ **Form 1** Statement of Financial Interests (copy of electronic filing) (CDDs, Soil & Water)
~OR~
- ☐ **Form 6** Full and Public Disclosure of Financial Interest (copy of electronic filing)
(CC, SB, Const. Officers, and Judicial)

- ☐ **Qualifying Fee** (check drawn on campaign account, made payable to Clay County SOE, signed by Treasurer or Deputy Treasurer, except for Special District/CDD candidates)
~OR~
- ☐ **Alternative Method Petition Certification** (Letter of Petition Certification)

- ☐ **Notice of Logic & Accuracy Test**

- ☐ **Soil & Water Affidavit** (Soil & Water only)

2026 Election Cycle Calendar

Primary
August 18, 2026

General
November 3, 2026

Petition Deadlines

Federal, Judicial, State Attorney
and Public Defender Candidates

Noon, Monday, March 23, 2026

Statewide, Multi-County, County
and District Candidates

Noon, Monday, May 11, 2026

Candidate Qualifying Dates

Federal, Judicial, State Attorney
and Public Defender Candidates

Noon, Monday, April 20, 2026
Noon, Friday, April 24, 2026

**Note: Qualifying papers will be accepted beginning April 6, 2026, pursuant to Section 99.061(8) F.S.*

Statewide, Multi-County, County
and District Candidates

Noon, Monday, June 8, 2026
Noon, Friday, June 12, 2026

**Note: Qualifying papers will be accepted beginning May 25, 2026, pursuant to Section 99.061(8), F.S.*

Voter Registration Books Close

Primary
July 20, 2026

General
October 5, 2026

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the filing officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

☐ Initial Filing of Form ☐ Re-filing to Change: ☐ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. Name of Candidate (in this order: First, Middle, Last):
(Please Print or Type Name)

3. Address (include PO Box or Street, City, State, Zip Code):

4. Telephone:

()

5. Candidate's Voter Registration #:

(not required for qualifying purposes)

6. Email Address:

7. Office Sought (include district, circuit, group, or seat #):

8. If a candidate for a nonpartisan office, check the box if applicable:

☐ I intend to run as a Write-In Candidate.

9. If a candidate for partisan office, check the box and fill in the name of the party as applicable: I intend to run as a

☐ Write-In Candidate. ☐ No Party Affiliation Candidate. ☐ _____ Party candidate.

10. I have appointed the following person to act as my:

☐ Campaign Treasurer

☐ Deputy Treasurer

11. Name of Treasurer or Deputy Treasurer:

12. Telephone:

()

13. Email Address:

14. Mailing Address:

15. City:

16. State:

17. Zip Code:

18. I have designated the following bank as my (check appropriate box): ☐ Primary Depository ☐ Secondary Depository

19. Name of Bank:

20. Address:

21. City:

22. County:

23. State:

24. Zip Code:

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR THE APPOINTMENT OF THE CAMPAIGN TREASURER AND DESIGNATION OF THE CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date:

26. Signature of Candidate:

X

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate box)

I, _____ do hereby accept the appointment designated above as:
(Please Print or Type Name)

☐ Campaign Treasurer.

☐ Deputy Treasurer.

28. Date:

29. Signature of Campaign Treasurer or Deputy Treasurer

X

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, _____ ,

candidate for the office of _____ ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X

Signature of Candidate

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



Chris H. Chambliss

Supervisor of Elections

Clay County, Florida

Candidate Acknowledgement

Pursuant to Resolution No. 08/09-76, as described below, I, _____, candidate for the office of _____; have been advised of, and understand the written acknowledgement requirement regarding Electronic Filing. Furthermore, by initialing each subsection herewith mentioned in Section 4, I express my understanding of all resolution requirements as in accordance to Chapter 106, Florida Statutes.

X

Signature of Candidate

Date

RESOLUTION NO. 08/09-76

COMMISSIONERS OF CLAY COUNTY, FLORIDA, IMPLEMENTING THE PROVISIONS OF SECTION 106.07(2)(a)2., FLORIDA STATUTES, PERTAINING TO ELECTRONIC FILING REQUIREMENTS FOR THE CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES AND POLITICAL COMMITTEE; PROVIDING DEFINITIONS; REQUIRING ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES AND POLITICAL COMMITTEES; PROVIDING FOR THE ESTABLISHMENT OF AN ELECTRONIC FILING SYSTEM AND PRESCRIBING THE MINIMUM REQUIREMENTS THEREOF; REQUIRING A WRITTEN ACKNOWLEDGEMENT REGARDING CERTAIN MATTERS PERTAINING TO THE ELECTRONIC FILING SYSTEM; PROVIDING FOR THE ESTABLISHMENT OF AN ALTERNATIVE PROCEDURE FOR FILING OF CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES AND POLITICAL COMMITTEES; AND PROVIDING AN EFFECTIVE DATE.

Section 4. Acknowledgement. The Supervisor must require each person given a secure sign-on to the electronic filing system to sign a written statement on a form prepared by the Supervisor acknowledging the following:

- _____ (a) Campaign finance reports must be completed and filed through the electronic filing system not later than midnight of the day required by law therefore.
- _____ (b) Campaign finance reports not filed by midnight of the required day are deemed late-filed and are subject to the penalties prescribed under Section 106.07(8), Florida Statutes.
- _____ (c) Campaign finance reports filed through the electronic filing system are considered to be certified as to correctness within the meaning of Section 106.07(5), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, or the political committee's chair and treasurer, in the case of a political committee, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.
- _____ (d) The person signing the statement is responsible for protecting the sign-on credentials from disclosure, and for all filings using such credentials, unless the person has notified the Supervisor that such credentials have been compromised.



Chris H. Chambliss

Supervisor of Elections Clay County, Florida

Upon filing a **DS-DE 9, State of Florida Appointment of Campaign Treasurer and Designation of Campaign Depository** with the Supervisor of Elections Office, you will be e-mailed a **Candidate ID, Password and two Electronic Filing Numbers (Pins)** along with detailed instructions for the electronic filing process.

The reporting process is summarized below:

1. Go to **www.ClayElections.gov**
2. Select Candidates and Committees
3. Select Electronic Reporting Login
4. Enter assigned "**Candidate ID**" and "**Password**" and select Login
5. Once the report is properly completed, the Candidate and Treasurer will each enter his/her pin number and submit the report electronically (both pins must be entered). The report must be submitted by midnight of the reporting period due date. Once submitted, the report will be considered filed and will be posted on-line upon review.

The Electronic Reporting Login allows you to enter a **Candidate Biography and Photograph** to provide voters with information about yourself.

- Select the button at the top of the screen labeled "Edit Candidate Bio Information/Upload Photo"

To file financial reports you will need a computer equipped with:

- An internet connection
- A web browser configured to accept cookies and with pop-up blockers disabled.
- Adobe Acrobat Reader (free to download from www.Adobe.com)

If a system meeting these requirements is unavailable to you, the Supervisor of Elections office has designated a system, which is available during the regular business hours (8:30 a.m. to 4:30 p.m. Monday-Friday) for this purpose.

Candidate / Committee filing support will be available during regular business hours by contacting Kemie Mahan at (904) 269-6350 or via e-mail at **Candidates@ClayElections.gov**.

2025 Calendar of Reporting Dates

Political Committees and 2026 Candidates

<u>Cover Period</u>	<u>Report Code</u>	<u>Due Date</u>
1/1/25 – 3/31/25	2025 Q1	4/10/2025
4/1/25 – 6/30/25	2025 Q2	7/10/2025
7/1/25 – 9/30/25	2025 Q3	10/10/2025
10/1/25 – 12/31/25	2025 Q4	1/12/2026

Qualifying Fee and Petition Information for 2026 Election

~ Local Candidates ~

Office	Salary*	Filing Fee 3%	Assessment Fee 1%	Party Assmnt Fee (Dem/Rep) 2%	Total Fees		Registered Voters Last Gen Election	Petitions
Florida Statutes		99.061(2), 99.0955(2), 105.031(3)	99.092(1), 99.093(1)	99.061(2), 103.121,				99.095
BCC	\$37,000	\$1,110.00	\$370.00	\$740.00	\$2,220.00	\$1,480.00		
Dist 2							29,359	294
Dist 4							29,902	299
School Board	\$0	\$0.00	\$0.00	\$0.00	\$0.00		155,957	1,560
Dist 1, 4, & 5								

Judicial Candidates: Circuit & County Judges

Petitions must be submitted by 3/23/26 at noon.

Qualifying papers can be accepted beginning 4/6/26

Candidate Qualifying - 4/20/26 at noon until noon on 4/24/26

Fees to be paid during qualifying period if not filing by petition method.

Qualifying check must be drawn on the campaign account.

Write-in Candidates

No filing fees or petitions need to be submitted.

Write-in candidates need to file all paperwork during qualifying week.

A campaign account & treasurer must be designated.

Name does not appear on the ballot.

*Salary information provided by the Office of Economic and Demographic Research.

Federal, Statewide, Multicounty, County and Special District Candidates

Petitions must be submitted by 5/11/26 at noon.

Qualifying papers can be accepted beginning 5/25/26

Candidate Qualifying - 6/8/26 at noon until noon on 6/12/26

Fees paid during qualifying period if not filing by petition method.

Qualifying check must be drawn on the campaign account.

Special District Candidates

A special district candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a campaign depository. The qualifying fee is not required to be drawn upon the candidate's campaign account.

CANDIDATE PETITION

Notes: - All information on this form becomes a public record upon receipt by the Supervisor of Elections.
- It is a crime to knowingly sign more than one petition for a candidate. [Section 104.185, Florida Statutes]
- If all requested information on this form is not completed, the form will not be valid as a Candidate Petition form.

I, _____ the undersigned, a registered voter
(print name as it appears on your voter information card)

in said state and county, petition to have the name of _____
placed on the Primary/General Election Ballot as a: *[check/complete box, as applicable]*

☐ Nonpartisan ☐ No party affiliation ☐ _____ Party candidate for the office of

(insert title of office and include district, circuit, group, seat number, if applicable)

Date of Birth or Voter Registration Number
(MM/DD/YY)

Address

City

County

State

Zip Code

Signature of Voter

Date Signed (MM/DD/YY)
[to be completed by Voter]

1S-2.045 Candidate Petition Process.

(1) Qualification by Petition.

(a) A person who seeks to qualify as a candidate for any office may have the qualifying fee and party assessment required by chapters 99 and 105, F.S., waived by satisfying the petition requirements of this rule and sections 99.095 and 105.035, F.S. Such person must still satisfy all other requirements for qualification set out in chapters 99 and 105, F.S.

(b) Persons who seek to have their names printed on the ballot as candidates for President and Vice President of the United States as no party affiliated candidates and minor political parties that are not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States shall comply with the petition requirements in this rule to have the candidates' names placed on the ballot.

(2) Required Number of Signatures. Except in a year of apportionment as specified in sections 99.095 and 99.09651, F.S., a candidate shall obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least 1 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. Special district candidates may qualify by obtaining at least 25 signatures of voters in the geographical area represented by the office sought. Except for special district candidates who have not collected contributions and whose only expense is the signature verification fee and federal candidates, signatures may not be obtained until the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to section 106.021, F.S.

(3) Format of Petition.

(a)1. Except for presidential and vice presidential candidates, the format of a candidate petition shall be in accordance with Form DS-DE 104 (effective 9/11), entitled "Candidate Petition" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00623>).

2. The format of a candidate petition for presidential and vice presidential candidates seeking ballot position as no party affiliated candidates shall be in accordance with DS-DE Form 18A (effective 09/11), entitled "President and Vice President Candidate Petition – No Party Affiliation" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00624>), and the format of the candidate petition for a minor political party that is not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States shall be in accordance with Form DS-DE 18B (effective 9/11), entitled "President and Vice President Candidate Petition – Minor Political Party" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00625>).

3. Forms DS-DE 18A, 18B and 104 are hereby incorporated by reference and are available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240, or by download from the Division of Elections' rules webpage or forms webpage at: <http://elections.myflorida.com>.

(b) Forms DS-DE 18A, 18B, and 104 must be reproduced for use by candidates in their exact wording and formats without any changes in their text or formats, except the forms may be reduced or enlarged proportionally in size as a whole document. Also, candidates may use color highlights, circles, X's, arrows, or similar markings that draw attention to items on the form, as well as using cross-outs, line-throughs, or similar markings on items on the form that are not applicable to their candidacy. The forms may not be less than 3 inches by 5 inches and no larger than 8 1/2 inches by 11 inches. Each form must be submitted for verification as a separate card or individual sheet of paper. Candidates may have the forms translated into a minority language if the format of the forms and their blank entries remain the same. If a translated version is made, the forms may be made into a two-sided form with one side in English and the other side in a minority language; however, a voter shall complete only one side of the form. If both sides should be completed, the supervisor of elections to whom the form is submitted shall verify only the signature on the English side of the form.

(c) Except for the signature of the voter and date the voter signs the form, the entries on Forms DS-DE 18A, 18B and 104 may be completed prior to the voter signing and dating the form.

(d) A separate petition form is required for each candidate.

(e) The petition form may be included within a larger advertisement, provided the form is clearly defined by a solid or broken border. If included within a larger advertisement, the petition form may have information from the advertisement on the reverse of the petition form; otherwise, when used as a standalone petition form, it may only have a translation into a minority language on its reverse.

(f) The candidate's name on the petition form may be either a variation of the candidate's legal name or the name that the candidate places on the candidate oath in section 99.021, F.S.

(4) Submission of Petition.

(a) Each Form DS-DE 104 must be submitted before noon of the 28th day preceding the first day of the qualifying period for the office sought to the supervisor of elections of the county in which the signee is registered to vote.

(b) Each Form DS-DE 18A or Form DS-DE 18B must be submitted no later than July 15 of each presidential election year to the supervisor of elections of the county in which the signee is registered to vote.

(c) It is the responsibility of the candidate or minor political party, as applicable, to ensure that the signed petition form is properly filed with, or if misfiled, forwarded to the supervisor of elections of the county in which the signee is registered to vote. If the supervisor of elections determines that the signer of the petition is not a registered voter in his or her county, the supervisor of elections shall notify the candidate or minor political party, as applicable, that the petition has been misfiled. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county.

(d) A voter has no authority to revoke his or her signature on a petition after the petition is submitted to the supervisor of elections or other applicable filing officer.

(5) Verification of Signatures.

(a) Upon receipt of candidate petition forms and payment of applicable signature verification fees, the supervisor of elections shall verify the signatures on each petition form to ensure that each person signing the petition form is a registered voter in the county, district, or other geographical area represented by the office sought, unless otherwise specified in sections 99.095 and 99.09651, F.S.

(b) Except for special district candidates who have not collected contributions and whose only expense is the signature verification fee and federal candidates, the supervisor of elections shall also verify that the date the voter signed the petition form is on or after the date the candidate filed the appointment of campaign treasurer and designation of campaign depository pursuant to section 106.021, F.S., with the appropriate filing officer.

(c) If the candidate is running for an office that requires a group or district designation, the petition must indicate that designation and, if it does not, the signatures are not valid, unless otherwise specified in sections 99.095 and 99.09651, F.S.

(d) No signature on a candidate petition form shall be counted toward the number of signatures required unless it is on the candidate petition form prescribed by the Division in this rule.

(e) A signature on a candidate petition form shall not be counted toward the number of signatures required if the voter has previously signed a candidate petition form for the same candidate for the same office in the same election that had been verified as valid.

(f) In addition to the above requirements, the supervisor of elections shall not verify as valid a signature on a candidate petition form unless all of the following information is contained on the petition form:

1. The voter's name;
2. The voter's address (including city and county);
3. The voter's complete voter registration number or date of birth (to include the month, day, and year) that matches the date of birth on the voter's registration application;
4. The voter's original, ink signature; and,
5. The date the voter signed the petition (to include the month, day, and year) as recorded by the voter.

(g) If all other requirements for the petition are met, a signature on a petition shall be verified and counted as valid for a registered voter if, after comparing the signature on the petition and the signature of the registered voter in the voter registration system, the supervisor is able to determine that the petition signer is the same as the registered voter, even if the name on the petition is not in substantially the same form as in the voter registration system.

(h) If a voter signs a petition and lists an address other than the legal residence where the voter is registered, the supervisor shall treat the signature as if the voter had listed the address where the voter is registered.

(i) The following represents a nonexclusive listing of examples based upon the requirements in this rule that will make the candidate petition invalid:

1. The petition is signed and dated before the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S., unless the candidate is a special district candidate who has not collected contributions and whose only expense is the signature verification fee or the candidate is a candidate for federal office.

2. The petition has a different party affiliation or office being sought by the candidate than that listed by the candidate on the current form the candidate has on file for the appointment of campaign treasurer and designation of campaign depository pursuant to section 106.021, F.S.

3. The petition fails to list a group, seat, or district designation, except when otherwise provided by law.
 4. The petition indicates conflicting or incorrect information regarding the candidate's status as a nonpartisan, no party affiliated, or party affiliated candidate. Conflicting information on DS-DE 104 is not deemed to have occurred if the boxes for "Nonpartisan" and "No party affiliation" are X'ed out along with the words "Nonpartisan" and "No party affiliation" being X'ed out and an "X" or similar marking also appears in the box preceding the "_____ Party" entry on the form when the petition lists the name of the party; in this situation, the petition is to be considered as a candidate petition for the named party.
 5. The petition is signed by a voter who is not a registered voter in the county, district, or other geographical area represented by the office sought, unless otherwise specified in sections 99.095 and 99.09651, F.S., at both the time of signing and verification of the petition.
 6. The petition is dated after the date the petition is submitted to the supervisor of elections.
 7. The petition fails to contain the original signature of the voter. (Photocopied, scanned, electronic, or facsimile signatures are not original for purposes of this rule.)
 8. The petition is in a different format than the applicable candidate petition form incorporated by reference in this rule.
 9. The petition was circulated for a different election than the election for which the candidate is seeking to qualify, unless the candidate seeks to qualify in an intervening special election for the identical office for which the candidate was originally seeking to qualify. (If the candidate does not seek to qualify for the intervening special election, the candidate may continue to use his or her petitions to qualify in the subsequent general election for the office being sought.)
- (6) Determination of Required Number of Signatures.
- (a) Supervisors of elections shall report online to the Division the number of valid and invalid signatures submitted on candidate petition Forms DS-DE 18A, 18B, and 104 by using the "SOE Handbook on Certifying Candidate Petitions" (Form DS-DE 134, eff. 3/2015) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05906>) under the section entitled "How to Enter Valid and Invalid Petitions." Form DS-DE 134 is hereby incorporated by reference and is available from the Division of Elections, Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240, or by download from the Division of Elections' rules webpage or forms webpage at: <http://elections.myflorida.com>.
- (b) No later than 5:00 p.m. on the 7th day before the first day of the qualifying period, supervisors of elections shall submit to the Division of Elections the number of valid and invalid signatures received on Form DS-DE 104 for each candidate for federal, state, multicounty district, or multicounty special district office.
- (c) Supervisors of elections shall submit to the Division of Elections the number of valid and invalid signatures received on Forms DS-DE 18A and 18B, respectively, for each candidate for President and Vice President and minor political party, as applicable, on or before the date of the primary election held in the presidential election year.
- (d) A minor political party that is not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States and that has obtained the requisite number of signatures on DS-DE 18B shall file with the Department of State no later than September 1 of the year in which the election is held a certificate naming its candidates for President and Vice President of the United States and listing the required number of persons to serve as presidential electors.
- (e) The Division shall determine whether the required number of signatures has been obtained under paragraphs (b) and (c), and shall notify the candidate and minor political party, as applicable.
- (f) Supervisors of elections shall determine whether the required number of signatures have been obtained for candidates for county, district or special district office not covered by paragraph (b) or (c), and shall notify the candidate.
- (g) If the required number of signatures has been obtained, the candidate is eligible to qualify pursuant to section 99.061 or 105.031, F.S., as applicable.
- (7) Effect on Previously Approved Candidate Petition Form. Only forms DS-DE 18A, 18B, and 104, approved by the Division of Elections with an effective date of 9/2011, may be used and circulated for signature gathering. No other versions of a candidate petition form may be used after the effective date of this rule.

Rulemaking Authority 20.10(3), 97.012(1), 99.095, 99.097(1), 105.035(2) FS. Law Implemented 99.095, 99.061, 99.097, 103.021, 105.031, 105.035 FS. History—New 10-23-07, Amended 11-7-10, 12-5-11, 1-1-14, 10-18-15.

**CLAY COUNTY SUPERVISOR OF ELECTIONS
RESOURCE LIST FOR
POTENTIAL CONFLICT OF INTEREST, RESIGN TO RUN LAW, AND HATCH ACT**

Below are resources available to candidates and potential candidates to determine if a conflict of interest exists, if a person may be someone who would have to resign under Florida's resign-to-run law, or if a person may be precluded by the federal Hatch Act from holding his/her current job and becoming a candidate in a partisan office.

Commission on Ethics:

Opinions are issued by the Commission on Ethics (COE) and are binding on the conduct of the person who is the subject of the opinion and to assist in avoiding a prohibited conflict of interest. The Code of Ethics for Public Officers and Employees, adopted by the Legislature as Part III of Chapter 112, Florida Statutes, contains standards of ethics conduct and disclosures applicable to public officers, employees, candidates, lobbyists, and others in Florida State and local government, with the exception of Judges. (The ethical standards for Judges of Florida's judicial branch are contained in the Code of Judicial Conduct, adopted by the Florida Supreme Court.) Advisory opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation to the:

Florida Commission on Ethics
Executive Director and General Counsel
P.O. Drawer 15709
Tallahassee, FL 32317-5709

OR

3600 Maclay Boulevard, South, Suite 201 Tallahassee, FL 32312
Phone: 850.488.7864
Fax: 850.488.3077
Website address: <http://www.ethics.state.fl.us/>

Division of Elections:

Pursuant to FS 99.012(3) no officer may qualify as a candidate for another public office, whether state, district, county, or municipal, if the terms or any part thereof run concurrently with each other, without resigning from the office he or she presently holds. If required, *written resignations are due at least 10 days prior to the first day of the qualifying period.*

The Florida Department of State, Division of Elections (DOE) provides advisory opinions, as outlined in Rule 18-2010 Advisory Opinions, (attached) to Supervisors of Elections, candidates, local officers having election related duties, as well as to political parties, political committees, committees of continuous existence and other persons or organizations engaged in political activity relating to any provisions or possible violations of the Florida Election Laws. You may seek an advisory opinion in writing to the:

Florida Department of State
Division of Elections, Director's Office
500 S. Bronough Street
R.A. Gray Building, Room 316
Tallahassee, Florida 32399-0250

Phone: 850.245.6200
Fax: 850.245.6217 or 850.245.6218
E-mail: DivElections@dos.myflorida.com
Website address: <https://dos.myflorida.com/elections/>

United States Office of Special Counsel:

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. The Counsel's basic authorities come from three federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, and the Hatch Act. OSC issues advisory opinions to persons seeking advice about political activity under the Hatch Act. You may request such advice by mail, phone, fax, or e-mail to the:

Hatch Act Unit
US 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
E-mail: 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 their Employer, the attorney for the agency for the office being sought, and/or their personal attorney.

The resources listed above are for *informational purposes only* and are not inclusive of all agencies. Advisory agencies may vary depending on individual circumstances.



Guidelines for Determining When Residency Qualifications for Elected Office Must be Met

DE Reference Guide 0008 (Updated 01/2024)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

RESIDENCY REQUIREMENTS – GENERAL OVERVIEW

- **In general.** Unless otherwise provided for constitutionally, legislatively or judicially, any residency requirement for an elected office must be met at the time of assuming office.
- **Oath.** State law requires that all candidates at the time of qualifying subscribe to an oath ([s. 99.021, F.S.](#)) that they are qualified electors of their county. In order to be a qualified elector, one must be a resident of Florida and the county wherein he or she registers to vote. The oath also provides that the candidate is qualified for the office being sought. However, this oath is considered prospective in nature – it becomes effective at the time of assuming office or at time of election, as applicable, unless otherwise provided for constitutionally, legislatively or judicially.¹
- **Continuous residency.** Failure to maintain the residency throughout the term may result in vacancy in office. See generally [s. 3, Art. X, Fla. Const.](#) and [s. 114.01\(1\)\(g\), F.S.](#)²

RESIDENCY REQUIREMENTS – SPECIFIC OFFICES

The following represent residency requirements for candidates and elected officials.

➤ CITY COMMISSIONER

- **At the time of assuming office, unless provided otherwise by city charter or ordinance.**³

➤ CONGRESSIONAL MEMBERS (U.S. SENATORS AND U.S. REPRESENTATIVES)

- Must be an inhabitant of the state when elected. (ss. 2 & 3, Art.1., [U.S. Constitution](#))
- States have no authority to add residency requirements to federal offices.
- Questions about residency relating to a U.S. Senator or U.S. Representative should be directed to the respective Congressional chamber which has *exclusive* jurisdiction over the qualifications including the residency of its membership. See s. 5, Art. I., [U.S. Constitution](#).
- Addresses: [Clerk of U.S. House of Representatives](#), U.S. Capitol, Room H154, Washington, DC 20515–6601; phone: (202) 225–7000; [Secretary of the Senate](#), United States Senate, Washington, D.C. 20510; phone: (202) 224-3121.

➤ COUNTY COMMISSIONER

- **At the time of election.**
- See *State v. Grassi*, 532 So.2d 1055 (Fla. 1988); [s. 1\(e\), Art. VIII, Fla. Const.](#); [DE 90-30](#), [DE 92-10](#), [DE 94-04](#); & [AGO 74-293](#).

¹ See *Davis v. Crawford*, 116 So. 41 (Fla. 1928); *State v. Haskell*, 72 So. 651 (Fla. 1916)

² In absence of a statute, constitutional provision, or municipal ordinance that establishes a residency requirement, failure to establish or maintain residency alone does not trigger a vacancy in office. See AGO 75-113; AGO 88-11 (exception for redistricting)

³ See DE 94-04; DE 92-10; *Nichols v. State*, 177 So.2d 467 (Fla. 1965) & *Marina v. Leahy*, 578 So.2d 382 (Fla. 3rd DCA 1991)(re: reasonable durational residency requirements).

- **CONSTITUTIONAL COUNTY OFFICERS (E.G., CLERK OF COURT, SUPERVISOR OF ELECTIONS, PROPERTY TAX APPRAISER, SHERIFF⁴, ETC.)**
 - **At the time of assuming office.**⁵
 - By analogy, see *Advisory Opinion to Governor*, 192 So.2d 757 (Fla. 1966); [DE 92-10](#), & [DE 94-04](#)
- **GOVERNOR, LIEUTENANT GOVERNOR, AND CABINET MEMBERS**
 - **At the time of election.**
 - Must be resident of State for preceding seven years. See [s. 5, Art. IV, Fla. Const.](#)
- **JUDGES**
 - **At the time of assuming office.**
 - By analogy, see *Advisory Opinion to Governor*, 192 So.2d 757 (Fla. 1966); [DE 94-04](#), & [DE 78-31](#); [s. 8, Art. V, Fla. Const.](#) (eligibility of justice/judge must be elector of state and reside in territorial jurisdiction of court).
- **LEGISLATORS (STATE SENATORS AND REPRESENTATIVES)**
 - **At the time of election.**
 - A legislator assumes office on Election Day (*Ruiz v. Farias*, 43 So. 3d. 124, 127 (Fla. 3DCA 2010)).
 - A legislator must be a resident of the district ‘from which elected’ and be a resident in state for two years prior to election. See [s. 15, Art. III, Fla. Const.](#) (terms and qualifications, including residency).
 - Further questions about residency should be directed to the respective Florida legislative chamber which has *exclusive* jurisdiction over the qualifications of its members. See Joint Rule 7.1 of the [Senate](#)⁶ and [House](#)⁷ publications, which addresses residency for its respective membership.
- **SCHOOL BOARD MEMBER**
 - **At the time of assuming office.**
 - See ss. [1001.34](#) (membership) & [1001.361](#)⁸(election), F.S.
- **SCHOOL SUPERINTENDENT**
 - **At the time of assuming office.**
 - See DE 94-04; s. 1001.463, F.S. (vacancy - failure to maintain residency); [s. 5, Art. IX, Fla. Const.](#) (4-yr term); [s. 1001.46, F.S.](#) (elected/term); [s. 1001.461, F.S.](#) (appointed/term).
- **WRITE-IN CANDIDATE**
 - **Refer to particular office listed above.**

RESIDENCY QUESTIONS

Any questions regarding residency requirements for officials *not* expressly stated in the Florida Election Code should be addressed to the Florida Attorney General’s Office.

Sources: Division of Elections’ Advisory opinions (<https://dos.fl.gov/elections/laws-rules/advisory-opinions/>); Attorney General Opinions (<https://www.myfloridalegal.com/ag-opinions>); Florida laws, U.S. and Florida constitutions, case law.

⁴ For Sheriff residency, see [DE 18-11](#) (No residency requirements exist for a county sheriff other than those required by being a qualified elector, *i.e.*, being a legal resident of Florida and of the county in which the sheriff is registered to vote.)

⁵ No minimum residency requirements exist in Florida Constitution but some county charters may mandate durational residency.

⁶ https://www.flsenate.gov/UserContent/Publications/SenateRules/2022-2024_Rules.pdf

⁷ <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Reference&Committeed=&Session=2024&DocumentType=The+Rules+Of+The+House+of+Representatives&FileName=2022-2024+House+Rules+-+Edition+1.pdf>

⁸ See chapter 2023-101, Laws of Florida – changed residency requirement from time of qualifying to time of assuming office



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Supervisor of Elections

Clay County, Florida

Solicitation at Early Voting Sites and Polling Locations

Florida Statute 102.031(4)(a)

4)(a) No person, political committee, or other group or organization may solicit voters inside the polling place or within 150 feet of the entrance to any polling place, a polling room where the polling place is also a polling room, an early voting site, or an office of the supervisor where vote-by-mail ballots are requested and printed on demand for the convenience of electors who appear in person to request them. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

Clay County code: Sec. 15-10. - Use, placement or erection of certain structures on polling places and early voting sites prohibited; enforcement and penalties.

https://www.municode.com/library/fl/clay_county/codes/code_of_ordinances?nodeId=CO_CH15OFIS

(a) For purposes of this section a qualified structure means a tent or other temporary structure; an item of furniture or furnishings; or an awning, umbrella or other structure placed or erected in or on the ground or attached to a vehicle of any kind erected for the purpose of providing shade or shelter; but does not include a wheelchair or other personal mobility device actually used by a disabled person for accessibility. The use, placement or erection of a qualified structure within the property boundary of any parcel utilized as a polling place on any election day, and within the property boundary of any parcel utilized as an early voting site during any early voting period *is prohibited*.

Clay County Land Development Code Article VII, Section 7-27 (g), Election Signs.

<http://www.claycountygov.com/departments/zoning/land-development-code>

(6) With the exception of any vehicle transporting an elector to a polling place or an early voting site whose business on the parcel upon which the polling place or early voting site is located is limited to casting a ballot and the vehicle is removed from the parcel promptly upon the completion of such business, a vehicle on which any election sign or election signs are displayed may not be driven, towed, permitted to stand or parked upon any parcel utilized as a polling place on any election day, or upon any parcel utilized as an early voting site during any early voting period, unless each such election sign does not exceed two square feet in sign area, and no more than one election sign for each candidate and each issue is displayed on such vehicle.

(7) For purposes of paragraph (6), a vehicle shall mean a vehicle as defined in Section 316.003(75), Florida Statutes, or its successor in function, and any kind of trailer towed by a vehicle.

Sign Ordinance

Clay County Land Development Code Article VII, Section 7-27 (g), Election Signs.
<http://www.claycountygov.com/departments/zoning/land-development-code>

(g) Election signs.

(1) For each parcel, one election sign for each candidate and each issue may be displayed. An election sign may be displayed as an attached sign or as a freestanding sign. Except as provided below for parcels zoned Agricultural (AG) and Agricultural Residential (AR), on parcels that are in residential use, the election sign shall not exceed six square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed four feet in height. On parcels that are in nonresidential use, and on parcels zoned Agricultural (AG) and Agricultural Residential (AR), regardless of actual use, the election sign shall not exceed thirty-two square feet in sign area unless the election sign is also a permanent onsite digital sign, in which case the digital sign in its entirety may be used as the election sign; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign (i) shall be set back at least five feet from all property lines and located outside of any traveled way and sight visibility triangle and (ii) shall not exceed eight feet in height. An election sign shall be removed within seven calendar days following the election to which it pertains. The provisions of this paragraph notwithstanding, election signs may not be erected within the property boundary of any parcel utilized as a polling place on any election day, and within the property boundary of any parcel utilized as an early voting site during any early voting period.

(2) It is prohibited to display on any parcel an election sign that is in violation of the requirements of Section 106.143, Florida Statutes.

(3) In the case of any election sign displayed in violation of paragraphs (1) and (2), the owner of the parcel upon which the sign is displayed shall be deemed to be the violator.

(4) Nothing in this article shall be deemed to prohibit, restrict or otherwise regulate the use of a lawfully existing digital sign or billboard for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the County shall vote, except that such use must be discontinued within seven calendar days following the election to which it pertains.

(5) The provisions of Section 15-20 of the Clay County Code may be used to enforce each provision of this subsection (g) as a nonexclusive alternative to enforcement by any other means authorized hereunder, and the violation of any such provision shall constitute a civil infraction within the meaning of said Section 15-20.

(6) With the exception of any vehicle transporting an elector to a polling place or an early voting site whose business on the parcel upon which the polling place or early voting site is located is limited to casting a ballot and the vehicle is removed from the parcel promptly upon the completion of such business, a vehicle on which any election sign or election signs are displayed may not be driven, towed, permitted to stand or parked upon any parcel utilized as a polling place on any election day, or upon any parcel utilized as an early voting site during any early voting period, unless each such election sign does not exceed two square feet in sign area, and no more than one election sign for each candidate and each issue is displayed on such vehicle.

(7) For purposes of paragraph (6), a vehicle shall mean a vehicle as defined in Section 316.003(75), Florida Statutes, or its successor in function, and any kind of trailer towed by a vehicle. (h) Flagpoles. One flagpole is allowed for each parcel, except

Clay County code: Sec. 15-10.

https://www.municode.com/library/fl/clay_county/codes/code_of_ordinances?nodeId=CO_CH15OFIS

Sec. 15-10. - Use, placement or erection of certain structures on polling places and early voting sites prohibited; enforcement and penalties.

- (a) For purposes of this section a qualified structure means a tent or other temporary structure; an item of furniture or furnishings; or an awning, umbrella or other structure placed or erected in or on the ground or attached to a vehicle of any kind erected for the purpose of providing shade or shelter; but does not include a wheelchair or other personal mobility device actually used by a disabled person for accessibility. The use, placement or erection of a qualified structure within the property boundary of any parcel utilized as a polling place on any election day, and within the property boundary of any parcel utilized as an early voting site during any early voting period is prohibited.
- (b) Any person who willfully and deliberately violates the provisions of subsection (a) shall be guilty of an offense that, pursuant to Section 125.69, Florida Statutes, and any successor thereto, shall be prosecuted in the same manner as misdemeanors are prosecuted, and upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail, not to exceed sixty (60) days, or by both such fine and imprisonment.
- (c) As an alternative to the enforcement of subsection (a) under subsection (b), the provisions of [section 15-20](#) may be used to enforce subsection (a) as a nonexclusive alternative to enforcement by any other means authorized by law. Except where otherwise stated, an initial violation of subsection (a) shall constitute a category 2 civil infraction. A second violation of subsection (a) shall constitute a category 4 civil infraction. A habitual violation of subsection (a) shall constitute a category 8 civil infraction. Each day that a violation continues shall be deemed a separate offense. If a person contests a civil citation for a violation of subsection (a) and is found guilty, the applicable civil penalty may be increased to an amount not to exceed five hundred dollars (\$500.00).
- (d) This provisions of subsection (a) shall not apply to the erection of a qualified structure by the owner or tenant of the property, by any contractor performing work on the property or by any election official.

Florida Statute 102.031(4)(a)

4)(a) No person, political committee, or other group or organization may solicit voters inside the polling place or within 150 feet of the entrance to any polling place, a polling room where the polling place is also a polling room, an early voting site, or an office of the supervisor where vote-by-mail ballots are requested and printed on demand for the convenience of electors who appear in person to request them. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

Florida Statute 106.1435

Each candidate, whether for a federal, state, county, or district office, shall make a good faith effort to remove all of his or her political campaign advertisements within 30 days after:

- (a) Withdrawal of his or her candidacy;
- (b) Having been eliminated as a candidate; or
- (c) Being elected to office.

However, a candidate is not expected to remove those political campaign advertisements which are in the form of signs used by an outdoor advertising business as provided in chapter 479. The provisions herein do not apply to political campaign advertisements placed on motor vehicles or to campaign messages designed to be worn by persons.

(2) If political campaign advertisements are not removed within the specified period, the political subdivision or governmental entity has the authority to remove such advertisements and may charge the candidate the actual cost for such removal. Funds collected for removing such advertisements shall be deposited to the general revenue of the political subdivision.

(3) Pursuant to 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.

(4) The officer before whom a candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.

(5) This provision does not preclude municipalities from imposing additional or more stringent requirements on the usage and removal of political campaign advertisements.

1S-2.010 Advisory Opinions.

(1) General. The Division of Elections has the responsibility to render advisory opinions as to the application of Chapters 97 through 106, F.S.

(2) Those Who May Receive Advisory Opinions.

(a) Those who may formally request and receive advisory opinions as provided for in this rule include the following:

1. Supervisors of Elections.
2. Candidates.
3. Local officers having election related duties.
4. Political parties.
5. Registered political committees.
6. Certified committees of continuous existence.
7. Other persons or organizations engaged in political activity; that is, persons or members of an organization which are actually involved in the action which is the concern of the request.

(b) A representative may request an opinion in the name of his or her principal; however, the opinion will be addressed to the principal.

(3) Subject Matter of Advisory Opinions. Advisory opinions may be rendered only with respect to provisions or possible violations of Florida election law with respect to actions taken or proposed to be taken by a person or entity listed in subsection 1S-2.010(2), F.A.C.

(4) Form of Requests for Opinions. Requests for advisory opinions, pursuant to section 106.23(2), F.S., shall occur only in the form of a written request to the Florida Department of State, Division of Elections. Such request may be accompanied by pertinent attachments, exhibits and memoranda, but must contain the following information in the body of the request:

- (a) Name of Requestor.
 - (b) Address of Requestor.
 - (c) Statutory provision(s) of Florida election law on which advisory opinion is sought.
 - (d) Description of how this statutory provision may or does affect the requestor.
 - (e) Possible violation of Florida election laws on which advisory opinion is sought.
 - (f) The precise factual circumstances giving rise to the request.
 - (g) The point(s) on which the requestor seeks an opinion.
 - (h) Additional relevant information.
 - (i) Statement of necessity, if any, to expedite division's response.
- (5) Division Disposition.

(a) The division will prepare a written response to the request in a timely manner. The division shall not be limited to analyzing statutory provisions set forth in a request for an advisory opinion in its preparation of a response to the request.

(b) Once the opinion is rendered, the division shall forward a copy of it to the requestor and each county Supervisor of Elections and to any person or organization upon request.

(6) Indexing.

(a) Advisory opinions shall be dated and indexed by subject matter.

(b) Opinions shall be numbered sequentially. The first two digits of the advisory opinion shall be the last two digits of the year in which the opinion was rendered. Following the year shall be a dash and the number of the opinion.

(7) Verbal, Telephone or Other Informal Advice. The process described in the preceding provisions of Rule 1S-2.010, F.A.C., is the only process by which the Division of Elections is authorized to provide advisory opinions pursuant to section 106.23(2), F.S. Other telephone, verbal or written advice does not constitute an advisory opinion rendered pursuant to that law.

Rulemaking Authority 106.22(9) FS. Law Implemented 106.23(2) FS. History—New 9-17-79, Amended 1-31-80, Formerly 1C-7.10, 1C-7.010, Amended 12-9-03.