



MUNICIPAL ELECTIONS 101
 Florida Association of City Clerks
 Mini Makeup Fall Academy
 January 7, 2025



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SESSION OVERVIEW

- Municipal Elections in Florida
- Are Your Municipal Charter and Election Codes Up to Date?
- Working with Your County Supervisor of Elections (SOE)
- Getting Prepared for Your Municipal Elections
- After Qualifying Election Preparations
- Election Day
- Post Election Day Responsibilities

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FLORIDA MUNICIPAL ELECTIONS

- 411 Cities, Townships and Villages
- 67 Counties and Supervisors of Elections
- Municipal Elections are held when?
 - Piggy-Backing with Florida Primary Election (August) and/or with General Election (November)
 - OR**
 - Held on a County Established Municipal Election Day
 - OR**
 - Held as Stand-Alone Elections at other times



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ARE YOUR MUNICIPAL CHARTER AND CODES UP TO DATE?

- > Conduct of Municipal Elections – F.S. 100.3605
- > Consult with your Municipal Attorney and County Supervisor of Elections (SOE)
- > Ensure the Election Sections of your Charter and Codes comply with the Florida Election Code, Chapters 97-106
- > Monitor Legislative Sessions each year for new election laws
 - o The 2025 Legislative Session starts March 4th. New election laws passed usually become effective upon becoming law or on July 1st.
- > Monitor Division of Elections Website for rule changes and/or updates to forms used

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Charter and Codes Topics to Review:

- > Elected Officials – Terms of Office; Election Cycle for Each Position
 - o Terms of Office – 2, 3, or 4 years? Staggered?
 - o Term Limits?
 - o Vote for 1? -OR- Vote for a certain number to fill all positions?
 - o Single member districts or at-large? If single member district, are boundaries up to date with SOE?
 - o Annexations up to date with SOE?
- > Election Dates – General Election and Run-off, if required
 - o Do you need a Run-off Election?

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- > Qualifying Dates – Establish Starting Date/Time and Ending Date/Time
 - o F.S. 99.061(2) states qualifying begins the 71st day at noon prior to the primary, to be completed by the 67th day at noon for county candidates
 - o F.S. 100.3605(2) – "...Municipalities may, by ordinance, change dates for qualifying..."
 - o Qualifying is typically for a week starting on Monday at noon and ending on Friday at noon.

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- Prequalifying option, F.S. 99.061(8) – “...may accept and hold qualifying papers submitted NOT earlier than 14 days prior to the beginning of the qualifying period, to be processed and filed during the qualifying period.”
- Qualifying Fee – F.S. 99.093 Municipal Candidates; Election Assessment – 1% of the annual salary of the office sought
 - Hardship Waiver
 - “Write-in” Candidates Allowed?

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- Candidate Petitions
 - Method of qualifying for nomination or election – F.S. 99.061 / Rule 1S-2.045
 - Beginning and ending date **prior** to qualifying starting
 - SOE verifies / cost associated
- Process for Filling Vacancies during term of office:
 - Appointment process
 - Special Election
 - Specific Dates / Timeline

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- Municipal Canvassing Board
 - City Canvassing Board or County Canvassing Board Handling?
 - Appointment Process – Council Members or Citizens? City Clerk?
 - City Attorney or appointee should be assigned to work with Board and attend all meeting of the Board.
- Campaign Signage Ordinance
 - Dates signs can go up and when they must be taken down
 - Location and sign restrictions?

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> Other Topics being Discussed around the Country

- o Non-citizens voting in local elections
- o Some municipalities are allowing 16-year-olds to vote
- o Rank Choice Voting – F.S. 101.019 – Prohibition in Florida

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WORKING WITH YOUR COUNTY SUPERVISOR OF ELECTIONS (SOE)

> Consult with your SOE for guidance and direction before starting your preparations

> Confirm the following with the SOE:

- o Election contract required?
 - Municipal Attorney / Reviewed, prior to taking to Council
 - Approved by Council? **(Exhibit 1)**
- o Municipal Fee Schedule – to build your budget **(Exhibit 2)**
- o Key dates for the election cycle **(Exhibit 3)**
- o Selection of Polling Places and Early Voting Sites **(Exhibit 4)**
 - How are your poll workers selected and paid?

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- o Do you have the correct and up-to-date forms:
 - for Qualifying **(Exhibit 5)**;
 - Petitions **(Exhibit 6)**;
 - Campaign Treasurer Reports **(Exhibit 7)**
- o Sample ballots for voters
- o Vote-by-Mail canvassing criteria **(Exhibit 8)**
 - Who pays for the return of a Vote-by-Mail ballot – voter, county or city?
- o Supervised voting offered?
- o Security and protocols for Canvassing Board and the public

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- Keep your SOE up to date on any new developments –
 - Last minute ballot questions
 - Candidate issues; or rumors
- Does the SOE conduct Municipal Clerks Meetings?
 - Prior to and Post Elections
 - Rely on veteran clerks in your area or FACC for additional support

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GETTING PREPARED FOR YOUR MUNICIPAL ELECTIONS

- Build your Election Calendar
- Build your Budget
 - Turnout prediction – using similar prior election turnout results
 - If piggy-backing with County – is it Gubernatorial or Presidential cycle
- Prepare your Election Ads/Notices – election called; election date(s); positions to be filled; qualifying dates; deadline to register to vote; deadline to request Vote-by-Mail ballot; Early Voting dates; Logic and Accuracy Test date; polling places; any amendments; Canvassing Board meeting schedule; post election audit
- Prepare Candidate Control **Documentation Checklist (Exhibit 9)**
 - Create file or notebook for each candidate

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- Prepare Candidate Information Packets
 - Never know when first candidate wants to file Intent to Run
 - DS-DE 9 – Appointment of Campaign Treasurer and Designation of Campaign Depository (**Exhibit 5**)
 - Candidate and Campaign Treasurer Handbook – DOE website
 - CE Form 1 – Statement of Financial Interest – Commission on Ethics
 - Election Assessment Fee for position
 - DS-DE 12 – Campaign Treasurer’s Report Summary (**Exhibit 7**)
 - DS-DE 13 – Campaign Treasurer’s Report – Itemized Contributions (**Exhibit 7**)
 - DS-DE 14 – Campaign Treasurer’s Report – Itemized Expenditures (**Exhibit 7**)

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- DS-DE 87 – Waiver of Report (**Exhibit 7**)
 - To be used if no contributions or expenditures to report
- DS-DE 84 – Statement of Candidate (**Exhibit 10**)
- Example of an Information Sheet for Candidates (**Exhibit 11**)
- Resign to Run – F.S. 99.012(3)(a-d)
 - Examples – Council seat to Mayor or City Council to County Commission

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- Petition Submittal / Process
 - DS-DE 104 – Candidate Petition Forms (**Exhibit 6**)
 - Candidates should have draft of petition form verified by the SOE office before starting
 - Completed petitions should be submitted to City Clerk – Clerk to SOE for verification
 - Process should be completed prior to qualifying starting
 - The certification of completion form from the SOE is used in lieu of a qualifying check
 - SOE is paid 10 cents for each petition verified – who pays?

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- Candidate / Political Committee / Electioneering Communication Organization
 - Prepare reporting schedule for each election (**Exhibit 12**)
 - F.S. 106.07(F) Report; Certification and filing
 - Paper reports or electronic filing?
 - Are reports available on your website?
 - Notice of Late Filing and Fees – F.S. 106.0702(7)(a)(b)
 - Campaign Treasurers Handbook – DOE Website

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- Candidate Qualifying Packet
 - Mailed or given to announced candidates
 - DS-DE 302 NP (latest revision) – Candidate Oath NonPartisan Office (**Exhibit 13**)
 - New: Affidavit of Nickname Section – F.S. 99.0215
 - If county is qualifying your candidates – request copies
 - As you qualify candidates, you should share with SOE to aid them with ballot preparation
 - Commission on Ethics Form back to Form 1, effective June 10, 2024

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- Prepare receipts for Qualifying Fee (**Exhibit 14**) –
 - When issued, make copies of receipt and check for Candidate; your records; your Financial Officer
- Candidate Withdraws **Before, During and After** Qualifying
 - Submit notice of withdrawal letter
 - Must submit termination report within 90 days
- Candidate Withdraws **During** Qualifying
 - Qualifying fee returned
- Candidate Withdraws **After** Qualifying has Ended
 - Qualifying Fee is not returned
 - Consult with SOE concerning status of ballots

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- Candidate Seminar?
 - Pre or post qualifying
 - One more chance to educate!
- For Voter Lists, maps, mailing dates, Vote-by-Mail requests and returns, candidates should contact the local SOE office

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Role of Qualifying Officer

- Pursuant to F.S. 99.061(7)(c), the filing officer, usually the Municipal Clerk, performs only a **ministerial function** in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified (by oath or affirmation) pursuant to F.S. 92.525(1)(a). **The filing officer may not determine whether the contents of the qualifying papers are accurate.**

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**AFTER QUALIFYING
ELECTION PREPARATIONS**

- Immediately following close of Qualifying, SOE will begin to finalize your ballot(s)
 - Must have candidate oath forms for name
 - Must have your English and Spanish for any questions; preferably as soon as Council approves them for ballot
 - Receive and proof Contest Titles, Candidate Names, and Amendment Language
 - SOE needs to be able to receive test ballots from printer ASAP!

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- If Municipal Canvassing Board, schedule orientation session
 - Review Election Calendar from orientation to end of recount, if needed. Emphasize participation and quorum needed.
 - All Canvassing Board Members required to have Signature Verification Training – F.S. 97.012(17) – FIOG/FSU produced the training for DOE
 - City Clerk or a representative should be present and observe at meetings or activities that involve the city election, such as if piggy-backing with County, the County Canvassing Board meetings; Logic and Accuracy Test; VBM public viewings; poll worker training; supply distribution; etc.
 - Determine if Sargent of Arms / Law Enforcement Officer is needed at meetings.

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- Review Canvassing Board duties: F.S. 102.141
 - Attend Logic and Accuracy Test (L&A) (**Exhibit 15**)
 - Canvass Vote-by-Mail Ballots (VBM) (Pre, On, Post, Election Day)
 - A Canvassing Board Member must be present when VBM's are processed
 - Review and adopt the Canvassing Board Criteria Chart (**Exhibit 8**)
 - Canvass Precinct Results
 - Canvass Provisional Ballots
 - Conduct Recount, if needed
 - Conduct Post-Election Audit

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- Publish all Required Legal Ads – F.S. 100.342 (Website use) and F.S. 50.0311 (Defines "Municipal" use)
- 3 Ways to Vote
 - **Vote-by-Mail**
 - SOE handles voter requests, mailing of ballots, verifying signatures on return, and processing
 - 2023 Law change – request good for only 1 election cycle
 - Military/Overseas Ballots – 45 days prior – Federal Law
 - Local Ballots mailed – (40 – 33 days prior)
 - SOE handles signature verification process
 - Who pays for signature verification?
 - All Ballots returned to SOE, not City Clerk's office

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- **Early Voting**
 - F.S. 101.657 – Municipal Option for Early Voting
 - Coordinate with SOE on locations, days, hours, staffing and costs
 - If not, SOE may offer it during normal business hours prior to Election
 - Poll watchers – DS-DE 125 completed, submit to City Clerk, then Clerk forwards to SOE (**Exhibit 16**)

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- o **Election Day**
 - Finalize polling locations, Poll worker recruitment, and Poll worker training schedule
 - SOE provides voting equipment, ballots, precinct supplies and technical staff
 - Poll watchers – DS-DE 125 / City to SOE (separate list from Early Voting) (**Exhibit 16**)
 - SOE handles registering voters and maintains the Voter rolls
 - Direct any Election Day calls, concerns, etc. to SOE
- Most counties have Real-Time Voter Turnout and Vote-by-Mail returns on-line

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IT'S ELECTION DAY

- During Voting Hours – 7:00 AM to 7:00 PM in both time zones
 - o Monitor polling places accessibility, poll workers arrival, and confirm readiness to open at 7:00 AM
 - o Visit polling places
 - o Be accessible for calls from your candidates, SOE, and residents and voters
 - o VMB ballot processing, if municipal canvassing board

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- o Finalize your agenda for Canvassing Board Meeting on Election Day
 - Minutes from prior meeting
- All voting ends at 7:00 PM; unless voter is in line prior to 7:00 PM
- All results are "UNOFFICIAL" on Election Night
 - o SOE may provide ongoing reports until all results are in
 - o F.S. 98.0981(3) – 30 votes or LESS – 0
 - o Results displayed on website – City, County or both

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- Depending on unofficial results, number of Provisionals issued, and number of potential VMB cures, you can begin anticipating if a Recount or Run-off Election will be required
- Canvassing board can pre-select contest and precinct(s) for the Post-Election Audit
- Confirm with Canvassing Board dates and timelines for certification meeting; recount, if needed and when post-election audit will be done
- Food for the Canvassing Board, your support staff, and SOE staff is highly recommended

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POST ELECTION DAY RESPONSIBILITIES

- Canvassing Board Meeting to certify Election
 - Review minutes from Election Night meeting
 - Review of Precinct results / includes "unscanned ballots"
 - Thursday after election day, 5:00 PM deadline for:
 - Provisional Ballots, if any
 - Cure Affidavits, VBM signatures, if any
- Once all canvassing is complete, "OFFICIAL" results will be provided by SOE

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- Post Election Audit – F.S. 101.591
 - Election must be audited unless there is a manual recount.
 - If audit, Canvassing Board needed, SOE staff will gather ballots for separation
 - Ads must be posted before audit
 - Minutes required
 - Audit forms must be signed by Canvassing Board

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- Recounts – Anticipate it happening and then celebrate when it doesn't.
- When is a Recount needed (F.S. 102.166) – one-half of 1% difference, for winner or for who goes to run-off election
 - If recount, notify candidates, ads, observers, more minutes, Canvassing Board involved
 - If manual recount, no audit required
- If Run-off Election required, go back to beginning and start over – or get voters to eliminate it!

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- Retention of Ballots and Election Materials – depending on ballots
 - 1 year for only City Contest / City Clerk retains
 - 24 months if on County ballot / SOE retains
- Request your invoice from the SOE!
 - Reminder: Your Election calendar and your Fiscal Year End may overlap
 - Keep final budget for starting point for the next election

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RESOURCES

- ▶ Florida Division of Elections – dos.fl.gov/elections
- ▶ Online Sunshine – leg.state.fl.us/Welcome/index.cfm
- ▶ Florida Elections Commission – fec.state.fl.us
- ▶ Florida Commission on Ethics – ethics.state.fl.us
- ▶ Florida Supervisors of Elections – myfloridaelections.com
- ▶ FACC Webinar – "Special Elections and Recalls" – August 22, 2024

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