



Ready, Set, Elect! Understanding Municipal Elections 101 and 102

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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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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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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 especially District / Seat #, 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) – Check with your SOE for details on accessing the online training.
 - 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 be 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
- 3 Ways to Vote
 - **Vote-by-Mail**
 - SOE handles voter requests, mailing of ballots, verifying signatures on return, and processing (**Exhibit 17**)
 - 2023 Law change – request good for only 1 Federal 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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- **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
- Monitor polling places accessibility, poll workers arrival, and confirm readiness to open at 7:00 AM
 - Visit polling places
 - Be accessible for calls from your candidates, SOE, and residents and voters
 - VMB ballot processing, if municipal canvassing board

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- 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
 - SOE may provide ongoing reports until all results are in
 - F.S. 98.0981(3) – 30 votes or LESS – 0
 - 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(3)(6)
 - 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 in 4 locations
 - 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 **Machine Recount** needed (F.S. 102.141(7)) – 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 one-quarter of 1% difference, **Manual Recount** required
 - If manual recount, no audit required (F.S. 102.166)
- 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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VOTE BY MAIL STAND-ALONE ELECTIONS

- F.S. 101.6102 – Mail Ballot Elections; Limitations
 - Annexation and Referendum Elections Only – Not allowed for candidates –

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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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