

2016 Federal Qualifying Handbook

FLORIDA
★ DIVISION OF ★
ELECTIONS



Florida Department of State
Division of Elections
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PART I: GENERAL INFORMATION

Explanation

The information contained in this publication is intended as a quick reference guide only. This publication is not a substitute for the Florida Election Code or applicable constitutional and rule provisions, the text of which controls. Chapters 97-106, Florida Statutes, the Constitutions of the United States and of the State of Florida, and rules and advisory opinions of the Division of Elections should be reviewed in their entirety for complete information regarding qualifying.

This handbook explains the qualifying procedures for candidates who qualify with the Division of Elections for federal offices as party candidates, candidates with no party affiliation, or write-in candidates. It gives the qualifications for each office, with both the regular and petition methods of qualifying, along with write-in procedures for each office that qualifies with the Division.

This is an interactive handbook. Each item listed in the table of contents is linked to that section in the handbook. Each form referenced is hyperlinked directly to the form on our website. To return to the table of contents, click on the page number at the bottom of each page.

Forms and publications are available on the Division of Elections' website at:

<http://dos.myflorida.com/elections/forms-publications/>

Please direct any questions to the Florida Department of State, Division of Elections at 850.245.6280.

PART II: PRESIDENT AND VICE PRESIDENT

Qualifications

1. Must be a natural born citizen of the United States.
2. Must be at least 35 years of age.
3. Must be a resident of the United States for 14 years.

([Article 2, Section 1, U.S. Const.](#))

2016 Presidential Preference Primary

Each political party other than a minor political party shall, at the presidential preference primary, elect one person to be the party's candidate for nomination for President of the United States or select delegates to the party's national nominating convention, as provided by party rule. The presidential preference primary shall be held on the third Tuesday in March of each presidential election year. Any party rule directing the vote of delegates at a national nominating convention shall reasonably reflect the results of the presidential preference primary, if one is held. In 2016 the Presidential Preference Primary will be on Tuesday, March 15, 2016.

Each political party, other than a minor political party, shall submit a list to the Secretary of State of its presidential candidates to be placed on the presidential preference primary ballot, or candidates entitled to have delegates appear on the presidential preference primary ballot, by November 30, 2015.

The Secretary of State will prepare and publish a list of the names of the presidential candidates submitted not later than December 8, 2015. The Department of State will immediately notify each presidential candidate listed by the Secretary of State in writing, by registered mail, with return receipt requested.

A candidate's name shall be printed on the presidential preference primary ballot unless the candidate submits an affidavit to the Department of State before December 15, 2015, stating that he or she does not presently intend to become, a candidate for President at the upcoming nominating convention. The Department of State will notify the appropriate state executive committee of any candidate whose name will not be placed on the ballot.

No later than December 22, 2015, the Department of State will certify to each Supervisor of Elections the name of each candidate for political party nomination to be printed on the presidential preference primary ballot.

([Section 103.101, Fla. Stat.](#))

Presidential Preference Primary Timeline	
November 30, 2015	Deadline for major political parties to submit a list of presidential candidates to the Secretary of State for the PPP ballot (Section 103.101, Fla. Stat. – By November 30 of the year preceding the PPP)
December 8, 2015	Secretary of State to prepare and publish a list of presidential candidates and shall also notify each candidate on the list (Section 103.101, Fla. Stat. – 1 st Tuesday after the 1 st Monday in December of the year preceding the PPP)
December 14, 2015	Last day for presidential candidate to have name removed from the PPP ballot (Section 103.101, Fla. Stat. – Prior to the 2 nd Tuesday after the 1 st Monday in December preceding the PPP)
December 22, 2015	Last day for Department of State to certify the names of presidential candidates to the supervisors of elections (Section 103.101, Fla. Stat. – No later than the 3 rd Tuesday after the 1 st Monday in December of the year preceding the PPP)
January 15, 2016	Date by when state executive committee must adopt by rule the number and procedures for selection of delegates (Section 103.101(5), Fla. Stat. – At least 60 days before PPP)
March 15, 2016	The Presidential Preference Primary is held.

Presidential Electors

On or before August 31, 2016, the state executive committee of each political party shall deliver a certified copy of a resolution naming presidential electors to the Governor. On or before September 1, 2016, the Governor shall certify to the Department of State the names of a number of electors for each political party equal to the number of senators and representatives this state has in Congress (29). The Governor shall nominate only the electors recommended by the state executive committee of the respective political party. Each such elector shall be a qualified elector of the party he or she represents who has taken an oath that he or she will vote for the candidates of the party that he or she is nominated to represent. The names of the presidential electors shall not be printed on the general election ballot, but the names of the actual candidates for President and Vice President for whom the presidential electors will vote if elected shall be printed on the ballot. The names of the candidates shall be placed on the ballot in the order of the political parties with the highest number of votes for Governor in the last general election, followed by the names of other candidates who have been properly nominated.

([Section 103.021](#), Fla. Stat.)

Presidential electors will be elected at the general election on November 8, 2016. Votes cast for the actual candidates for President and Vice President shall be counted as votes cast for the presidential electors supporting such candidates. The Department of State will certify as elected the presidential electors of the candidates for President and Vice President who receive the highest number of votes.

([Section 103.011](#), Fla. Stat.)

When a person nominated or elected as a presidential elector is unable to serve because of death, incapacity, or otherwise, the Governor may appoint a person to fill such vacancy who possesses the qualifications required for the elector to have been nominated in the first instance. The person appointed shall file an oath with the Governor that he or she will support the same candidates for President and Vice President that the person who was unable to serve was committed to support.

([Section 103.021\(5\)](#), Fla. Stat.)

Minor Party Candidates

1. A minor party affiliated with a national party holding a national convention to nominate candidates for President and Vice President may have the names of its candidates printed on the general election ballot if:
 - a. by **September 1, 2016**, the minor party submits a certificate naming the candidates for President and Vice President to the Department of State; and
 - b. by **September 1, 2016**, the minor party submits a list containing the names and addresses of 29 persons to serve as electors to the Department of State. Each elector must be a qualified elector of the party he or she represents.
2. A minor party that is **not** affiliated with a national party holding a national convention to nominate candidates for President and Vice President may have the names of its candidates printed on the general election ballot if:
 - a. not later than **July 15, 2016**, petitions¹ are signed by 119,316 registered electors of the state.
 - b. by **September 1, 2016**, the minor party submits a list containing the names and addresses of 29 persons to serve as electors to the Department of State. Each elector must be a qualified elector of the party he or she represents.

(Sections [99.097](#) and [103.021](#), Fla. Stat.)

No Party Affiliation Candidates

No party affiliation candidates may have their names printed on the general election ballot if:

1. not later than **July 15, 2016**, petitions² are signed by 119,316 registered electors of the state.
2. by **September 1, 2016**, the candidate submits a list containing the names and addresses of 29 persons to serve as electors to the Department of State.

(Sections [99.097](#) and [103.021](#), Fla. Stat.)

¹ See [DS-DE 18B](#) and the [Candidate Petition Handbook](#) for additional information.

² See [DS-DE 18A](#) and the [Candidate Petition Handbook](#) for additional information.

Write-in Candidates

Write-in candidates may have a blank space provided on the general election ballot for their names to be written in if:

1. the candidate files an Oath of Candidate (Form [DS-DE 85](#)) with the Division of Elections between **8 a.m., July 5, 2016 and Noon, July 12, 2016**. Form [DS-DE 85](#) may be downloaded from the Division of Elections website at:

<http://dos.myflorida.com/media/693642/dsde85.pdf>

2. not later than **September 1, 2016**, the candidate submits a list containing the names and addresses of 29 persons to serve as electors to the Department of State.

([Section 103.022](#), Fla. Stat.)

PART III: UNITED STATES SENATOR

United States Senators from Florida shall be elected at the general election held preceding the expiration of the present term of office, and such election shall conform as nearly as practicable to the methods provided for the election for state officers.

([Section 99.081](#), Fla. Stat.)

Qualifications

1. Must be a citizen of the United States for at least 9 years.
2. Must be at least 30 years of age.
3. Must be an inhabitant of the state when elected.

([Article 1, Section 3](#), U.S. Const.)

Qualifying Dates and Location

Noon, June 20, 2016 – Noon, June 24, 2016

Florida Department of State, Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250

*([Section 99.061\(9\)](#), Fla. Stat.
- year of apportionment)*

Filing Timeline

Time is of the essence in qualifying as a candidate. In order to be deemed timely filed with the Division of Elections, qualifying items must actually be filed at the Division's physical location by the close of the qualifying period. The U.S. Postal Service does not deliver mail directly to the Division of Elections. The U.S. Postal Service's designated hours for mail pick-up do not correspond to the qualifying deadline. To ensure that the qualifying items are timely submitted, candidates or someone on their behalf should hand-deliver directly to the Division or use a commercial express courier delivery service that delivers directly to the Division.

Qualifying items shall be deemed filed by the qualifying office upon the date of actual receipt by the qualifying office, except for those qualifying items accepted and held during the 14-day period before the beginning of the qualifying period to be processed and filed during the qualifying period pursuant to [Section 99.061\(8\)](#), F.S. The qualifying items that

are received and held during the 14-day period before the beginning of the qualifying period shall not be deemed filed until the beginning of the qualifying period.

(Rule 1S-2.0001, F.A.C.)

Qualification Requirements

The following items must be received by the Division of Elections **no later than noon, June 24, 2016:**

Candidates Paying the Qualifying Fee:

1. Party Affiliation Candidates: Form [DS-DE 27](#), Federal Candidate Oath – Candidate with Party Affiliation; or

No Party Affiliation Candidates: Form [DS-DE 27B](#), Federal Candidate Oath – Candidate with No Party Affiliation

2. Qualifying Fee:

Party Affiliation Candidates: (\$10,440) – 6% of annual salary as of July 1, 2015;
or

No Party Affiliation Candidates: (\$6,960) – 4% of annual salary as of July 1, 2015.

The qualifying fee must:

- Be on a properly executed check (not a cashier's check);
- Be made payable to the Department of State;
- Be drawn upon the campaign account; and
- Be in an amount not less than the fee required.

(Sections [99.061](#) and [99.092](#), Fla. Stat.)

Candidates Qualifying By the Petition Process – 119,316 signatures required:³

Party Affiliation Candidates: Form [DS-DE 27](#), Federal Candidate Oath – Candidate with Party Affiliation.

No Party Affiliation Candidates: Form [DS-DE 27B](#), Federal Candidate Oath – Candidate with No Party Affiliation.

(Sections [99.061](#), [99.095](#), [99.0955](#) and [99.097](#), Fla. Stat.)

Write-in Candidates:

Form [DS-DE 27A](#), Federal Candidate Oath – Write-In Candidate.

A write-in candidate is not entitled to have his or her name printed on any ballot; however, a space for the write-in candidate's name to be written in shall be provided on the general election ballot. A write-in candidate is not required to pay a qualifying fee, election assessment or party assessment, or file petitions.

([Section 99.061](#), Fla. Stat.)

Missing or Incomplete Information

If the filing officer receives qualifying papers that do not include all items as required prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

([Section 99.061\(7\)\(b\)](#), Fla. Stat.)

³ See [DS-DE 104](#) and the [Candidate Petition Handbook](#) for additional information.

PART IV: UNITED STATES REPRESENTATIVE

A Representative to Congress shall be elected in and for each congressional district at each general election.

([Section 99.091](#), Fla. Stat.)

Qualifications

1. Must be a citizen of the United States for at least 7 years.
2. Must be at least 25 years of age.
3. Must be an inhabitant of the state when elected.

([Article 1, Section 2](#), U.S. Const.)

Qualifying Dates and Location

Noon, June 20, 2016 – Noon, June 24, 2016

Florida Department of State, Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250

*([Section 99.061\(9\)](#), Fla. Stat.
- year of apportionment)*

Filing Timeline

Time is of the essence in qualifying as a candidate. In order to be deemed timely filed with the Division of Elections, qualifying items must actually be filed at the Division's physical location by the close of the qualifying period. The U.S. Postal Service does not deliver mail directly to the Division of Elections. The U.S. Postal Service's designated hours for mail pick-up do not correspond to the qualifying deadline. To ensure that the qualifying items are timely submitted, candidates or someone on their behalf should hand-deliver directly to the Division or use a commercial express courier delivery service that delivers directly to the Division.

Qualifying items shall be deemed filed by the qualifying office upon the date of actual receipt by the qualifying office, except for those qualifying items accepted and held during the 14-day period before the beginning of the qualifying period to be processed and filed during the qualifying period pursuant to [Section 99.061\(8\)](#), F.S. The qualifying items that

are received and held during the 14-day period before the beginning of the qualifying period shall not be deemed filed until the beginning of the qualifying period.

(Rule 1S-2.0001, F.A.C.)

Qualification Requirements

The following items must be received by the Division of Elections **no later than noon, June 24, 2016:**

Candidates Paying the Qualifying Fee:

1. Party Affiliation Candidates: Form [DS-DE 27](#), Federal Candidate Oath - Candidate with Party Affiliation; or

No Party Affiliation Candidates: Form [DS-DE 27B](#), Federal Candidate Oath – Candidate with No Party Affiliation.

2. Qualifying Fee:

Party Affiliation Candidates: ($\$10,440$) – 6% of annual salary as of July 1, 2015; or

No Party Affiliation Candidates: ($\$6,960$) – 4% of annual salary as of July 1, 2015.

The qualifying fee must:

- Be on a properly executed check (not a cashier's check);
- Be made payable to the Department of State;
- Be drawn upon the campaign account; and
- Be in an amount not less than the fee required.

(Sections [99.061](#) and [99.092](#), Fla. Stat.)

Candidates Qualifying By the Petition Process:⁴

Party Affiliation Candidates: Form [DS-DE 27](#), Federal Candidate Oath - Candidate with Party Affiliation; or

No Party Affiliation Candidates: Form [DS-DE 27B](#), Federal Candidate Oath – Candidate with No Party Affiliation.

(Sections [99.061](#), [99.095](#), [99.0955](#) and [99.097](#), Fla. Stat.)

Write-in Candidates:

Form [DS-DE 27A](#), Federal Candidate Oath - Write-in Candidates.

A write-in candidate is not entitled to have his or her name printed on any ballot; however, a space for the write-in candidate's name to be written in shall be provided on the general election ballot. A write-in candidate is not required to pay a qualifying fee, election assessment or party assessment, or file petitions.

(Section [99.061](#), Fla. Stat.)

Missing or Incomplete Information

If the filing officer receives qualifying papers that do not include all items as required prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

(Section [99.061\(7\)\(b\)](#), Fla. Stat.)

⁴ See [DS-DE 104](#) and the [Candidate Petition Handbook](#) for additional information.