

FILED

15 MAR 23 PM 9:52

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Citizens for a Better Florida, Inc.

Case No.: FEC 13-320

F.O. No.: FOFEC 15-053A

Report: 2013 M10

FINAL ORDER

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting held on February 25, 2015, in Tallahassee, Florida.

FINDINGS OF FACT

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing law
2. Respondent's campaign treasurer's report was not filed with the filing officer on November 12, 2013, the designated due date
3. The filing officer fined the Respondent \$4,150.00 for the late filing of the report. Respondent timely appealed claiming that it was unaware a report was required to be filed because it was the first time that a monthly report was required in a non-election year, and that it failed to receive the initial notice from the Division of Elections regarding its failure to file the report by the designated due date.

CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.0703, Florida Statutes.
5. Respondent's claim that it was unaware a report was required to be filed because it was the first time that a monthly report was required in a non-election year, and that it failed to

receive the initial notice from the Division of Elections regarding its failure to file the report by the designated due date does not justify the Respondent's failure to timely file the report.

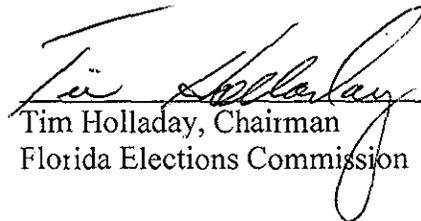
6. In determining the amount of the fine, if any, to be waived the Commission considered the mitigating and aggravating circumstances set forth in Section 106.265(2), Florida Statutes.

ORDER

Based on the foregoing facts and conclusions of law, the Commission finds that the Respondent failed to file the report on November 12, 2013, the designated due date. However, it is

ORDERED that the assessed fine of \$4,150.00 is reduced to \$550.00. The fine shall be paid to the Division of Elections, 500 S. Bronough Street, Room 316, Tallahassee, FL 32399-0250 within 30 days of the date this Final Order is filed with the Commission.

DONE AND ORDERED by the Florida Elections Commission on February 25, 2015.


Tim Holladay, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J Cunningham, Assistant General Counsel
Emmett Mitchell, IV, Attorney for Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO APPEAL

This order is final agency action. Any party who is adversely affected by this order has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a notice of administrative appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Florida Elections Commission at 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, Florida 32399-1050, and by filing a copy of the notice of appeal with the appropriate district court of appeal. The party must attach to the notice of appeal a copy of this order and include with the notice of appeal filed with the district court of appeal the applicable filing fees. **The notice of administrative appeal must be filed within 30 days of the date this**

order is filed with the Commission. The date this order was filed with the Commission appears in the upper right-hand corner of the first page of this order.

Notice to Filing Officer

The Clerk of the Florida Elections Commission will send a copy of this order to Respondent. The Final Order directs the Respondent to pay the Filing Officer. If the Filing Officer is not paid within 30 days of the date this order is filed with the Commission, the Filing Officer can file an enforcement action in circuit court to enforce the fine that is due and owing to the county or municipality. The date this order was filed with the Commission appears in the upper right-hand corner of the front page of this order.