#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Faith Amendment .com		<b>Case No.: FEC 19-215</b>
L. Michael Nelis, Chair		Division of Elections
8901 Alafia Way		500 S Bronough Street, Room
	L. Michael Nelis, Chair	L. Michael Nelis, Chair

#### **NOTICE OF HEARING (INFORMAL HEARING)**

Tallahassee, FL 32399

316

A hearing will be held in this case before the Florida Elections Commission on August 26, 2020 at 8:30 am, EST, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via GoToWebinar, 9-Digit Meeting ID 602-468-659, or via teleconference by dialing (866) 901-6455 and entering the meeting access code 515-462-864, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

**If you are the Respondent**, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission. However, some cases (including those in which motions to dismiss or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

**If you are the Complainant**, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which motions to dismiss or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

**If you are an Appellant**, and you have requested a hearing, you may attend the hearing, and you or your attorney will have 5 *minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Riverview, FL 33578-7902

Tim Vaccaro

Executive Director Florida Elections Commission August 13, 2020 Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, he must provide the Commission with written proof of his financial resources at the hearing. A financial affidavit form is available from the Commission Clerk.



# Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050 Telephone: (850) 922-4539 · Facsimile: (850) 921-0783 FEC@mvfloridalegal.com · www.fec.state.fl.us



#### Commission Meeting August 26, 2020at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the August 26, 2020, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar Remote Video Conferencing
  - 1. Open your web browser and search GoToWebinar or enter www.gotowebinar.com
  - 2. Select Join A Webinar in the upper right corner of the website
  - 3. Enter the 9-digit Webinar ID: 602-468-659 And your email address
  - 4. Register your name and email address
  - 5. You will automatically join to the meeting as an attendee. Attendees are muted and can choose to their webcam.
- B. OpenVoice Teleconference
  - 1. Call 1-866-901-6455
  - 2. Enter Audio Access Code 515-462-864
  - 3. You will automatically join the meeting as an attendee. Attendees are muted.

While this is a public meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) when contacting our office.

Thank you,

**Commission Staff** 

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re	: Florida Faith Amendment .com	Case No.: FEC 19-215
TO:	L. Michael Nelis, Chair	 Division of Elections
	8901 Alafia Way	500 S Bronough Street, Room 316
	Riverview, FL 33578-7902	Tallahassee, FL 32399

#### **NOTICE OF HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission on August 26, 2020 at 8:30 am, EST, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video conference only. Prior to the meeting, the Commission office will send you a set of participant instructions, which will include login information for the meeting. Please be advised that the Commission will consider multiple cases that day, so you will need to wait until your case is considered. If you have questions, please contact Commission staff at (850) 922-4539.

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**If you are an Appellant**, and you have requested a hearing, you may attend the hearing, and you or your attorney will have 5 *minutes* to present your case to the Commission.

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See further instructions on the reverse side.

<u>Tim Vaccaro</u>

Executive Director Florida Elections Commission July 28, 2020 Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, he must provide the Commission with written proof of his financial resources at the hearing. A financial affidavit form is available from the Commission Clerk.

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Ke:	Florida Faith Amendment .com	Case No.: FEC 19-215 /	
ТО:	L. Michael Nelis, Chair 8901 Alafia Way Riverview, FL 33578-7902	Division of Elections 500 S Bronough Street, Room 3 Tallahassee, FL 32399	316

#### NOTICE OF CANCELLATION OF HEARING (INFORMAL HEARING)

You are hereby notified that the previously scheduled **hearing for March 24-25, 2020 is cancelled**. It is anticipated that your case will be heard at the next regularly scheduled meeting, which is currently set for May 2020. A Notice of Hearing will be mailed approximately 14 days prior to the hearing date indicating the exact date, time, and location.

Tim Vaccaro

Executive Director Florida Elections Commission March 12, 2020

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re	: Florida Faith Amendment .com		<b>Case No.: FEC 19-215</b>
		/	
TO:	L. Michael Nelis, Chair		Division of Elections
	8901 Alafia Way		500 S Bronough Street, Room 316
	Riverview, FL 33578-7902		Tallahassee FL 32399

#### NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, March 24, 2020 at 1:00 p.m., or as soon thereafter as the parties can be heard, at the following location: House Office Building, 404 South Monroe Street, Room 28-H, Tallahassee, Florida 32399. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an en masse vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will not be individually heard.

If you are the Complainant, you may attend the hearing, but you will not be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an en masse vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will not be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will not be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Tim Vaccaro

**Executive Director** Florida Elections Commission March 9, 2019

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, he must provide the Commission with written proof of his financial resources at the hearing. A financial affidavit form is available from the Commission Clerk.

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STATE OF FLORIDA
ALECTIONS COMMISSION

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Elections Commission, Petitioner,

Case No.: FEC 19-215

v.

Florida Faith Amendment .com, Respondent.

#### ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 19, 2019, in Tallahassee, Florida.

On September 26, 2019, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

#### Count 1:

On or about August 31, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 P7A Report.

#### Count 2:

On or about October 27, 2018, Florida Faith Amendment .com

violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 D1 Report.

#### Count 3:

On or about October 28, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 D2 Report.

#### Count 4:

On or about October 29, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 D3 Report

**DONE AND ORDERED** by the Florida Elections Commission on November 19, 2019.

Joni Alaxis Politier, Vice Chair Florida Elections Commission

Copies furnished to: Michael T. McGuckin, Assistant General Counsel Florida Faith Amendment .com, Respondent Division of Elections, Complainant

#### NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by <u>consent order</u> where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an <u>informal hearing</u> held before the Commission, if you <u>do not</u> dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will

have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a <u>formal hearing</u> held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re:	Re: Florida Faith Amendment.com		No.: FEC 19-215
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TO: Florida Faith Amendment.com L. Michael Nelis, Chair 8901 Alafia Way Riverview, FL 33578-7902

Division of Elections 500 S Bronough Street, Room 316 Tallahassee, FL 32399

#### NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, November 19, 2019 at 9:00 am, or as soon thereafter as the parties can be heard, at the following location: Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

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Tim Vaccaro

Executive Director Florida Elections Commission November 1, 2019 Please refer to the information below for further instructions related to your particular hearing:

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#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re:	Florida Faith Amendment .com	Case No.:	FEC 19-215
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#### STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7)**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 9, 2019, the following facts and law support this staff recommendation:

- 1. On April 3, 2019, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Division"), alleging that Florida Faith Amendment .com ("Respondent") violated Chapter 106, Florida Statutes.
  - 2. Respondent is a political committee registered with the Division. (ROI Exhibit 1)<sup>1</sup>
- 3. By letter dated May 2, 2019, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P7A
- 2018 D1
- 2018 D2
- 2018 D3
- 4. By letter dated July 17, 2013, Kristi Reid Bronson, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received its Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees forms. (ROI Exhibit 2, page 1)
- 5. The acknowledgment letter advised Respondent that all of the Division's publications and reporting forms were available on its website and directed Respondent to print out the 2013 Calendar of Reporting Dates as well as other relevant documents. (ROI Exhibit 2, page 3)

<sup>&</sup>lt;sup>1</sup> The Report of Investigation is referred to herein as "ROI."

- 6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the political committee is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.
- 7. The *Political Committee Handbook* references the statutory requirement regarding written notification and directs political committees to notify the Division by way of the Division's electronic filing system. (ROI Exhibit 3, page 4) The *Political Committee EFS User's Guide* shows the process through which to notify the Division. The user's guide instructs political committees to select the relevant reporting period and place a checkmark in a box titled "Waiver" to indicate the lack of reportable financial activity. (ROI Exhibit 4, pages 3 & 4)
- 8. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods, as set forth in the table below. (ROI Exhibit 5, page 1)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 P7A	08/24/18	08/31/18	09/01/18	1
2018 D1	10/20/18 - 10/26/18	10/27/18	10/28/18	1
2018 D2	10/27/18	10/28/18	10/30/18	2
2018 D3	10/28/18	10/29/18	10/30/18	1 .

- 9. Respondent failed to respond to Commission staff's investigation. (See ROI, p. 1, ¶8; ROI Exhibit 6)
- 10. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. Schmitt v. State, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. Department of Highway Safety and Motor Vehicles v. Favino, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).
- 11. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the following reporting periods: 2018 P7A, 2018 D1, 2018 D2, and 2018 D3.

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with violating the following:

#### Count 1:

On or about August 31, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 P7A Report.

#### Count 2:

On or about October 27, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 D1 Report.

#### Count 3:

On or about October 28, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 D2 Report.

#### Count 4:

On or about October 29, 2018, Florida Faith Amendment .com violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2018 D3 Report.

Respectfully submitted on September 26, 2019.

Stephanie J. Csaningham Assistant General Counsel

I reviewed this Staff Recommendation this 260 day of September 2019.

Tim Vaccaro

**Executive Director** 

#### FLORIDA ELECTIONS COMMISSION

#### Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 19-215

Respondent: Florida Faith Amendment.com

Section 106.07(7), Florida Statutes, failure of a
political committee that did not receive any
contributions or make any expenditures during a
reporting period to notify timely the filing officer, in
writing, that no report is being filed.

Respondent: Florida Faith Amendment.com

Complainant: Division of Elections

Respondent Type:

Candidate

X Political Committee

#### I. Preliminary Information:

- 1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on July 16, 2013. (Ex. 1)
- 2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 6 on July 17, 2013 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Political Committee Handbook* and the Calendar of Reporting Dates. (Ex. 2)
- 3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.
- 4. The *Political Committee Handbook* discusses filing a notification-of-no-activity when there is no activity to disclose on page 26. (Ex. 3)
- 5. Pages 12, 13, 45, and 46 of the *Political Committee EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)
- 6. In a telephone interview on April 2, 2014, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on page 12, the only available option on the report summary screen will be "Go To File Report" as shown on page 13. Choosing "Go To File Report" will take the user directly to the screens where the chairman/treasurer PINS are entered as shown on pages 45 and 46.

#### II. Alleged Violation of Section 106.07(7), Florida Statutes:

7. Respondent's filing history reflects the untimely filed notifications summarized below. (Ex. 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2018 P7A	08/24 - 08/24/18	08/31/18	^09/01/18	1
2018 D1	10/20 - 10/26/18	10/27/18	10/28/18	1
2018 D2	10/27 - 10/27/18	10/28/18	10/30/18	2
2018 D3	10/28 - 10/28/18	10/29/18	10/30/18	1

8. Respondent's chairperson, Michael Nelis, did not provide a written response to the referral.

9. According to Respondent's filing history, a notification-of-no-activity was filed timely for a number of reporting periods prior to the 2018 P7A reporting period (Ex. 5)

#### III. FEC History:

10. Respondent has a prior history with the Florida Elections Commission. In FEC 14-145, probable cause was found that Respondent violated Section 106.07(7), Florida Statutes, on two occasions; Respondent paid a \$500 fine. In FEC 15-107, Respondent agreed to a pre-probable cause consent order and paid a fine in the amount of \$650; Respondent violated Section 106.07(7), Florida Statutes, on 15 occasions. In FEC 16-508, Respondent agreed to a consent order and paid a fine in the amount of \$250; Respondent violated Section 106.07(7), Florida Statutes, on five occasions.

#### Conclusion:

- 11. I attempted to contact Respondent's chairman on two occasions to give him an opportunity to discuss the allegations in the referral. As of the date of this report, Mr. Nelis has not returned my calls.
  - 12. The Investigative Phone Log is included with this report. (Ex. 6)

SIGNATURE OF INVESTIGATOR:	Keill Smith	Date: 69/09/19

# FLORIDA ELECTIONS COMMISSION

# REPORT OF INVESTIGATION Florida Faith Amendment.com -- FEC 19-215

LIST OF EXHIBITS		
Exhibits #s	Description of Exhibits	
Exhibit 1	DS-DE 6 form	
Exhibit 2	Acknowledgment letter	
Exhibit 3	Page 26 – Political Committee Handbook	
Exhibit 4	Pages 12,13,45 and 46 – Political Committee EFS User Guide	
Exhibit 5	Filing history/Campaign Finance Activity	
Exhibit 6	Phone Log	

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

**POLITICAL COMMITTEES** 

(Sections 106.011(1) and 106.021(1), F.S.)

TOTIVED

13 JUL 16 PM 2: 09

DIVISION OF ELECTIONS SECRETARY OF STATE

CHECK APPROPRIATE BOX:			OFFICE USE ONLY
Original Appointment of Treasurer Reappoin	ntment of Treasurer		Deputy Treasurer
1. Committee or Organization Florida Faith Amendment.co	im	2. Telephone ( <i>8B</i> ) <i>601</i>	1-7323
Name of Treasurer or Deputy Treasurer     4. Email (optional)	)	5. Telephone (d	optional)
Dena L. Nelis		( )	
6. Mailing Address			
P.O. BOX 2525, BYas	rdon, FL	335	68
7. Street Address 10020 Carr Road, R	ivenvieu	, FL	33569
8. The following bank has been designated as the Prin	mary Depository	Seconda	ry Depository
9. Name of Bank Region & Bank ##	10. Street Address	Figh Ha	uk Plul.
11. City Lithia	12. State	£.	13. Zip Code 33547
X Signature of Chairman Stell	15. Name of Chain	man (Print ör Typ Charel N	
Campaign Treasurer's Ac	ceptance of A	ppointment	
1. Dena L. Nelis		, do hereb	by accept the appointment as
(Please Print or Type) treasurer or deputy treasurer for Florida	Faith A	mendme	ent .com.
	(Committee or Organiza	<del></del>	
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HA ACCEPTANCE OF APPOINTMENT AND	AVE READ THE FO THAT THE FACTS	REGOING CAMP STATED ARE TO	'AIGN TREASURER'S RUE.
7/10/13 EXHIBIT	Joen Sy	India /	
Date	Signature of Campa	ign Treasurer or	Deputy Treasurer



RICK SCOTT Governor KEN DETZNER Secretary of State

July 17, 2013

L. Michael Nelis, Chairperson Florida Faith Amendment.com Post Office Box 2525 Brandon, Florida 33568

Dear Mr. Nelis:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Florida Faith Amendment.com, which were placed on file in our office on July 16, 2013. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee that supports and opposes issues.

#### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on October 10, 2013. The report will cover the period of July 1, 2013 - September 30, 2013. All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

#### Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed scaled envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential signon. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: https://efs.dos.state.fl.us

Identification Number: 60540



Division of Elections

R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250 Telephone: (850) 245-6240 • Facsimile: (850) 245-6259 elections.myflorida.com

Commemorating 500 years of Florida history www.fla500.com

EXHIBIT (10f3)



Mr. L. Michael Nelis, Chairperson July 17, 2013 Page Two

#### Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelope provides a confidential pin number for the chairperson. By copy of this letter, a confidential pin number to access the EFS was sent to the treasurer.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as What is your mother's maiden name?) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

#### **Timely Filing**

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

#### Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.



Mr. L. Michael Nelis, Chairperson July 17, 2013 Page Three

#### Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <a href="http://elections.mvflorida.com">http://elections.mvflorida.com</a>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, 2012 Political Committee Handbook, 2013 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/lkb

**Enclosures** 

cc: Ms. Dena L. Nelis, Treasurer

EXHIBIT  $2 (3 \times 3)$ 

# 2016 Political Committee Handbook

Florida Department of State Division of Elections R. A. Gray Building, Room 316 500 South Bronough Street Tallahassee, FL 32399-0250 850.245.6240

(Rev. 01/27/2016)

EXHIBIT 3 (144)

## Political Committee Handbook

•	
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#### Political Committee Handbook

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Unless the electronic filing requirements of Section 106.0705, Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date. (See Chapter 12, Electronic Filing of Campaign Reports.)

> (Sections <u>106.07</u>, <u>106.0705</u> and <u>106.141</u>, F.S.)

### Penalty for Late Filing

Any political committee failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports due immediately prior to the primary and general elections, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

(Section 106.07(8), F.S.)

#### Notice of No Activity

When there has been no reportable activity in the campaign account during a reporting period (no funds expended or received) the filing of the report is waived. The political committee shall notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date. The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section 106.07, F.S.)

A notice of no activity filed with the Division must be filed electronically using the Division's electronic filing system.

(Section 106.0705, F.S.)

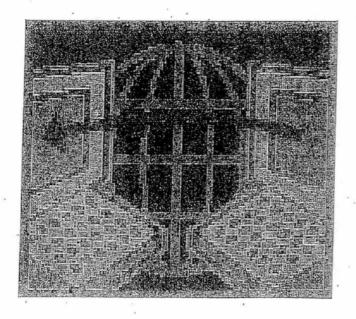
#### Special Election Reports

When a special election is called to fill a vacancy in office, all political committees making contributions or expenditures to influence the results of the special election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to Section 100.111, F.S.

When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days prior to such election.

# Department of State Division of Elections

# Political Committee EFS User's Guide



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

EFS HELP LINE: 850-245-6280

January 2011

EXHIBIT 4 (( & 6) DS-DE 110B (eff. 01/11)

Rule 1S-2.017, F.A.C.

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Take Changes to the Report after Chairperson Enters PIN	
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EXHIBIT 4 (2x6)

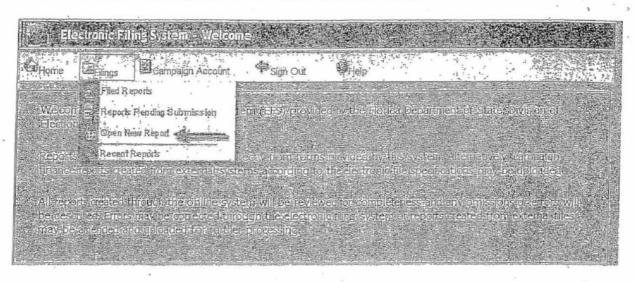
# Create a New Report by Data Entry

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Click arrow next to Election Cycle. Scroll to the cycle associated with the report you are entering.

Click arrow next to Report Type select report type corresponding to the correct cover period and due date.

The Cover Period dates will automatically fill in a the Calendar of Election and Reporting Dates.

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

If this report is for a special election, click the box next to Special Election Report. (If no special elections are scheduled this option will not be available.)

## \*\*\*\*\*NOTE\*\*\*\*

If this report is a waiver of report (no activity), click the box next to Waiver.

Evittor Cyda:	2010 General 6	lection			
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Click at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

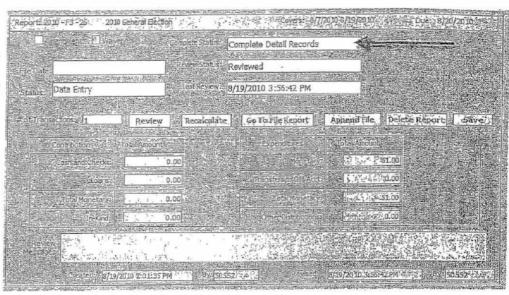
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# .File the Report

If the Review Status is <u>Updated Detail - Needs Review</u> the report has not been reviewed since the last update. (See page 39 for instructions on how to submit the report to the system for review.)

If the status of the report is <u>Complete</u> <u>Detail Records</u>, you are ready to file the report.



Click on Go to File Report

The chairperson enters his or her PIN, and then selects

Report Approved

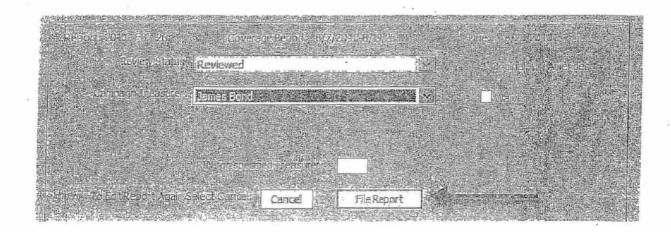
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EXHIBIT 4 (5x6)

If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.



The treasurer enters his PIN and then clicks



IMPORTANT NOTE: If changes need to be made <u>after</u> a chairperson PIN is entered, the treasurer must <u>undo</u> the chairperson PIN validation before the system will allow changes. See page 49 for instructions.

EXHIBIT 4 (604)



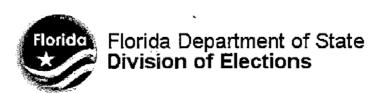
search | directory | contact us | 411 | subscribe | tour | help

# Florida Department of State - Division of Elections

Florida Election System Report	rts								
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Name: florida faith		Acco	unt: 60540						
Election:	Data Dua	Tuna	Date Filed	Status	Days	Fine	Appealed	Amount	Amount
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Type: Committee	3/11/2019		3/11/2019						
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	7/20/2018		7/20/2018						
	7/13/2018	P2	7/13/2018						
	7/6/2018	P1A	7/6/2018						
	6/29/2018	P1	6/29/2018						
	6/11/2018	M5	6/6/2018						
	5/10/2018	М4	5/6/2018						
	4/10/2018	МЗ	4/3/2018						
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	11/2/2016 D5 11/2/2016					
	11/1/2016 D4 11/2/2016	FOI	1	\$0.00	\$0.00	\$0.00
	10/31/2016 D3 11/2/2016	FOI	2	\$0.00	\$0.00	\$0.00
	10/30/2016 D2 11/2/2016	FOI	3	\$0.00	\$0.00	\$0.00
	10/29/2016 D1 11/2/2016	FO1	4	\$0.00	\$0.00	\$0.00
	10/28/2016 G6 11/2/2016	FOI	5	\$0.00	\$0.00	\$0.00
	10/21/2016 G5 11/2/2016	FOI	12	\$0.00	\$0.00	\$0.00
	10/14/2016 G4 10/13/2016					
	10/7/2016 G3 10/13/2016	FOI	6	\$0.00	\$0.00	\$0.00
	9/30/2016 G2A 9/29/2016					
	9/23/2016 G2 9/29/2016	FOI	6	\$0.00	\$0.00	\$0.00
	9/16/2016 G1A 9/12/2016					
	9/9/2016 G1 9/8/2016	•				
	9/2/2016 P7A 9/3/2016					
	8/26/2016 P7 8/26/2016					,
	8/19/2016 P6 8/26/2016	FOI	7	\$0.00	\$0.00	\$0.00
	8/12/2016 P5 8/10/2016			•		
	8/5/2016 P4 8/10/2016	FOI	5	\$0.00	\$0.00	<b>\$0</b> .00
	7/29/2016 P3 7/25/2016					
	7/22/2016 P2A 7/25/2016	FOI	3	\$0.00	\$0.00	\$0.00
	7/15/2016 P2 7/10/2016					
	7/8/2016 P1A 7/10/2016	FOI	2	\$0.00	\$0.00	\$0.00
	7/1/2016 P1 7/3/2016	FOI	2	\$0.00	\$0.00	\$0.00
	6/10/2016 M5 6/8/2016					
	5/10/2016 ' M4 5/5/2016					
	4/11/2016 M3 4/1/2016					
	3/10/2016 M2 3/8/2016					
	2/10/2016 M1 2/10/2016	,				
	1/11/2016 M12 1/10/2016					
	12/10/2015 M11 12/8/2015					
	11/10/2015 M10 11/9/2015					
	10/13/2015 M9 10/10/2015					
	9/10/2015 M8 9/7/2015					
	8/10/2015 M7 8/10/2015					
	7/10/2015 M6 7/7/2015					
	6/10/2015 M5 6/9/2015					
	5/11/2015 M4 5/10/2015					
	4/10/2015 M3 4/10/2015					
	3/10/2015 M2 3/10/2015					
	2/10/2015 M1 2/10/2015					
	1/12/2015 M12 1/10/2015 12/10/2014 M11 12/4/2014					
	11/10/2014 M10 11/4/2014 10/31/2014 G7 11/4/2014	FEC	4	\$0.00	\$0.00	\$0.00
	10/30/2014 G7 11/4/2014 10/30/2014 D6 11/4/2014	FEC	5	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00
	10/29/2014 D5 10/28/2014	1 40	J	ψυ,θυ	φυ.υυ	ψυ.υυ
	10/28/2014 D3 10/28/2014 10/28/2014 D4 10/27/2014					
		5	1			
	10/27/2014 <b>EX. 10/27/20</b> 14	<u> </u>	(.Z	<u>(æ9)</u>		
			•	/		

					bound's			
10/26/2014	D2	10/27/2014	FEC	1	\$0.00		\$0.00	\$0.00
10/25/2014	D1	10/27/2014	FOI	2	\$0.00		\$0.00	\$0.00
10/24/2014	G6	10/26/2014	FOI	2	\$0.00		\$0.00	\$0.00
10/17/2014	G5	10/17/2014						
10/10/2014	G4	10/10/2014						
10/3/2014	G3	10/1/2014						
9/26/2014	G2A	10/1/2014	FOI	5	\$0.00	`	\$0.00	\$0.00
9/19/2014	G2	9/19/2014						
9/12/2014	G1A	9/11/2014						
9/5/2014	G1	8/29/2014						
8/29/2014	P7A	8/29/2014						
8/22/2014	P7	8/21/2014						
8/15/2014	P6	8/15/2014						
8/8/2014	P5	8/8/2014						
8/1/2014	P4	7/26/2014						
7/25/2014	P3	7/22/2014						
7/18/2014	P2A	7/22/2014	FOI	4	\$0.00		\$0.00	\$0.00
7/11/2014	P2	7/17/2014	FOI	6	\$0.00		\$0.00	\$0.00
7/4/2014	P1A	7/7/2014	FOI	3	\$0.00		\$0.00	\$0.00
6/27/2014	P1	7/7/2014	FO!	10	\$0.00		\$0.00	\$0.00
6/10/2014	M5	7/7/2014	FOI	27	\$0.00		\$0.00	\$0.00
5/12/2014	M4	7/7/2014	FOI	56	\$0.00		\$0.00	\$0.00
4/10/2014	МЗ	7/7/2014	FOI	88	\$0.00		\$0.00	\$0.00
3/10/2014	М2	7/7/2014	FOI	119	\$0.00		\$0.00	\$0.00
2/10/2014	М1	7/7/2014	FOI	147	\$0.00		\$0.00	\$0.00
1/10/2014	M12	1/10/2014						
12/10/2013								
11/12/2013	M10	11/26/2013	FO1	14	\$0.00		\$0.00	\$0.00
10/10/2013	Q3	11/26/2013	FOI	47	\$0.00		\$0.00	\$0.00



#### Florida Faith Amendment .com

#### **Campaign Finance Activity**

**Note:** The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. <u>About the Campaign Finance Data Base</u>. If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Contributions								
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers		
W	07/16/2013 - 09/30/2013	0.00	0.00	0.00	0.00	0.00	0.00		
W	10/01/2013 - 10/31/2013	0.00	0.00	0.00	0.00	0.00	0.00		
W	11/01/2013 - 11/30/2013	0.00	0.00	0.00	0.00	0.00	0.00		
W	12/01/2013 - 12/31/2013	0.00	0.00	0.00	0.00	0.00	0.00		
W	01/01/2014 - 01/31/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	02/01/2014 - 02/28/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	03/01/2014 - 03/31/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	04/01/2014 - 04/30/2014	0.00	0.00	0.00	0.00	0.00	0.00		
w	05/01/2014 - 05/31/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	06/01/2014 - 06/20/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	06/21/2014 - 06/27/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	06/28/2014 - 07/04/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	07/05/2014 - 07/11/2014	. 0.00	0.00	0.00	0.00	0.00	0.00		
W	07/12/2014 - 07/18/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W	07/19/2014 - 07/25/2014	0.00	0.00	0.00	0.00	0.00	0,00		
W	07/26/2014 - 08/01/2014	0.00	0.00	0.00	0.00	0.00	0.00		
W		0.00 <b>EXH</b>	BIT 0.00	5 4	<u>cq</u> ) 0.00	0.00	0.00		

	08/02/201 <b>4 -</b> 08/08/2014						
W	08/09/2014 - 08/21/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	08/22/2014 - 08/22/2014	0.00	0.00	0.00	. 0.00	0.00	0.00
W	08/23/2014 - 08/29/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	08/30/2014 - 09/05/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	09/06/2014 - 09/12/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	09/13/2014 - 09/19/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	09/20/2014 - 09/26/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	09/27/2014 - 10/03/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	10/04/2014 - 10/10/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	10/11/2014 - 10/17/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	10/18/2014 - 10/24/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	10/25/2014 - 10/25/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	10/26/2014 - 10/26/2014	0.00	0.00	0.00	0:00	0.00	0.00
w	10/27/2014 - 10/27/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2014 - 10/28/2014	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2014 - 10/29/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	10/18/2014 - 10/30/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	10/31/2014 - 10/31/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	11/01/2014 - 11/30/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	12/01/2014 - 12/31/2014	0.00	0.00	0.00	0.00	0.00	0.00
w	01/01/2015 - 01/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
w	02/01/2015 - 02/28/2015	0.00	0.00	0.00	0.00	0.00	0.00
w	03/01/2015 - 03/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
w	04/01/2015 - 04/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	EXHISP	30.00	(5 x 99)	0.00	0.00

w	05/01/2015 - 05/31/2015						
W	06/01/2015 - 06/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2015 - 07/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2015 - 08/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2015 - 09/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2015 - 10/31/2015	0,00	0.00	0.00	0.00	0.00	0.00
W	11/01/2015 - 11/30/2015	0.00	0.00	0.00	0.00	0.00	0.00
w	12/01/2015 - 12/31/2015	0.00	0.00	0.00	0.00	0.00	0.00
w	01/01/2016 - 01/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	02/01/2016 - 02/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	03/01/2016 - 03/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	04/01/2016 - 04/30/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	05/01/2016 - 05/31/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	06/01/2016 - 06/24/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	06/25/2016 - 07/01/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	07/02/2016 - 07/08/2016	0.00	0.00	0.00	0.00	0.00	0.00
W	07/09/2016 - 07/15/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	07/16/2016 - 07/22/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	07/23/2016 - 07/29/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	07/30/2016 - 08/05/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	08/06/2016 - 08/12/2016	0.00	0.00	0.00	0.00	0.00	0,00
w	08/13/2016 - 08/25/2016	0.00	0.00	0.00	0.00	0.00	0.00
w	08/26/2016 - 08/26/2016	0.00	0.00	0.00	0.00	0.00	0.00
νν	08/27/2016 - 09/02/2016	0.00	0.00	0.00	. 0.00	0.00	. 0.00
w	09/03/2016 - 09/09/2016	0.00	0.00	0.00	0.00	0.00	0.00
		0.00	(HIBITO)	0.09	629900	0.00	0.00

		0.00	EXHIB	0.00	7 <del>cc</del> 9)0.00	0.00	0.0
W	10/01/2017 - 10/31/2017	0.00	0.00	0.00	ļ	0.00	0.0
W	09/01/2017 - 09/30/2017	0.00	0.00	0.00	0.00	0.00	0.0
W	08/01/2017 - 08/31/2017	0.00	0.00	0.00		0.00	0.0
W	07/01/2017 - 07/31/2017	0.00	0.00	0.00	0.00	0.00	0.0
W	06/01/2017 - 06/30/2017	0.00	0,00	0.00	0.00	0.00	0.0
W	05/01/2017 - 05/31/2017	0.00	0.00	0.00	0.00	0.00	0.0
w	04/01/2017 - 04/30/2017	0.00	0.00	0.00	0.00	0.00	0.0
W	03/01/2017 - 03/31/2017	0.00	0.00	0.00	0.00	0.00	0.0
W	02/01/2017 - 02/28/2017	0.00	0.00	0.00	0.00	0.00	0.0
W	01/01/2017 - 01/31/2017	0.00	0.00	0.00	0.00	0,00	0.0
W	12/01/2016 - 12/31/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	11/04/2016 - 11/30/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/22/2016 - 11/03/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	11/02/2016 - 11/02/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	11/01/2016 - 11/01/2016	0.00	0.00	0.00	0.00	0.00	0.0
w	10/31/2016 - 10/31/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/30/2016 - 10/30/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/29/2016 - 10/29/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/22/2016 - 10/28/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/15/2016 - 10/21/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/08/2016 - 10/14/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	10/01/2016 - 10/07/2016	0.00	0.00	0.00	0.00	0.00	0.0
W	09/24/2016 - 09/30/2016	0.00	0.00	0.00	0.00	0.00	0.0
w	09/17/2016 - 09/23/2016	0.00	0.00	0.00	0.00	0.00	0.0
w	09/10/2016 - 09/16/2016						

		0.00	XHIB	0.08	8&9) <sup>0.00</sup>	0.00	0.0
W	10/13/2018 - 10/19/2018	0.00	0.00	0.00	0.00	0.00	0.0
M	10/06/2018 - 10/12/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	09/29/2018 - 10/05/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	09/22/2018 - 09/28/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	09/15/2018 - 09/21/2018	0.00	0.00	0.00	0,00	0.00	0.0
W	09/08/2018 - 09/14/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	09/01/2018 - 09/07/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	08/25/2018 - 08/31/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	08/24/2018 - 08/24/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	08/11/2018 - 08/23/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	08/04/2018 - 08/10/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	07/28/2018 - 08/03/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	07/21/2018 - 07/27/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	07/14/2018 - 07/20/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	07/07/2018 - 07/13/2018	0.00	0.00	0,00	0.00	0.00	0.0
W	06/30/2018 - 07/06/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	06/23/2018 - 06/29/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	06/01/2018 - 06/22/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	05/01/2018 - 05/31/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	04/01/2018 - 04/30/2018	0.00	0.00	0.00	, 0.00	0.00	0.0
W	03/01/2018 - 03/31/2018	0.00	0.00	0.00	0.00	0.00	0.0
W	02/01/2018 - 02/28/2018	0.00	0.00	0.00	0.00	0.00	0.0
w	01/01/2018 - 01/31/2018	0.00	0.00	0.00	0.00	0.00	0.0
w	12/01/2017 - 12/31/2017	0.00	0.00	0.00	0.00	0.00	0.0
N	11/01/2017 - 11/30/2017						

W	10/20/2018 - 10/26/2018						
W	10/27/2018 - 10/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2018 - 10/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2018 - 10/29/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2018 - 10/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2018 - 10/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/20/2018 - 11/01/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	11/02/2018 - 11/30/2018	0.00	0.00	0.00	, 0.00	0.00	0.00
W	12/01/2018 - 12/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2019 - 01/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2019 - 02/28/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2019 - 03/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	·04/01/2019 - 04/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2019 - 05/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2019 - 06/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2019 - 07/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2019 - 08/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
	All Dates (Totals)	0.00	0.00	0.00	0.00	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

 $oldsymbol{W}$  Indicates that a waiver was filed and  $oldsymbol{L}$  Indicates that a loan report was filed

 Select Detail Type
 Select Sort Order
 Select Output Type

 Contributions
 ✓
 Date(Ascending)
 ✓

 Display On Screen
 ✓

Submit Query Now

Query the Campaign Finance Data Base

EXHIBIT (9 & 9)

## FLORIDA ELECTIONS COMMISSION PHONE LOG

Case No.: FEC 19-215

Respondent: Florida Faith Amendment .com

Complainant: Division

1. **Date and time:** 05/31/19; 5:21 p.m.

Name: L. Michael Nelis, Respondent's chairman

**Phone** #: 813-601-7323

Summary: I phoned, reached his (Mike Nelis) voice-mail message; I identified myself, provided my contact number, requested he return my call and again provided my contact

number.

Memo to File? No Entered by: HH

2. **Date and time:** 08/28/19 @ 1:39 p.m.

Name: Michael Nelis – Respondent's chairman

**Phone #**: 813-601-7323

Summary: I called and left a message for Mr. Nelis, explaining the purpose of my telephone

call, and asked that he return my call at his earliest convenience.

Memo to File? No Entered by: KS

3. **Date and time:** 09/03/19 @ 3:20 p.m.

Name: Michael Nelis – Respondent's chairman

**Phone #:** 813-601-7323

Summary: I tried calling Mr. Nelis regarding the referral. I left a message asking that he

return my call at his convenience.

Memo to File? No Entered by: KS

4. Date and time:

Name:

Phone #:

**Summary:** 

Memo to File? No

Entered by:

5. Date and time:

Name:

Phone #:

**Summary:** 

Memo to File? No

Entered by:

EXHIBIT 6 (142)

#### 6. Date and time:

Name:

Phone #:

**Summary:** 

Memo to File? No

Entered by:

#### 7. Date and time:

Name:

Phone #:

**Summary:** 

Memo to File? No

Entered by:

#### 8. Date and time:

. Name:

Phone #:

Summary:

Memo to File? No

Entered by:

#### 9. Date and time:

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

#### 10. Date and time:

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

EXHIBIT (2 + 2)



#### FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

www.fec.state.fl.us; fec@myfloridalegal.com

May 2, 2019

L. Michael Neils, Chair Florida Faith Amendment .com Post Office Box 2525 Brandon, FL 33509

RE: Case No.: FEC 19-215: Respondent: Florida Faith Amendment .com

Dear Mr. Neils:

On April 3, 2019, the Florida Elections Commission received a complaint alleging that your committee violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violation(s):

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2018 P7A
- 2018 D1
- 2018 D2
- 2018 D3

However, prior to an investigation, you have the option to <u>resolve your case now by</u> signing a minor violation consent order and <u>paying a fine of \$200</u>, per Rule 2B-1.003, Florida Administrative Code, <u>rather than the potential \$1,000 per violation</u> provided for in Section 106.265, Florida Statutes.

If you sign the consent order, you would not be required to admit or deny the allegation(s) in the complaint, but you would be required to immediately correct the violation, if feasible.

Florida Faith Amendment .com May 2, 2019 Page 2 FEC 19-215

The signed consent order would then be considered by the Commission at its next available meeting, and would constitute final action by the Commission once it is accepted and approved by the Commission.

<u>Please contact Stephanie Cunningham at 850-922-4539</u>, or at the address listed above, to accept this minor violation consent order offer.

If you choose not to resolve the case by consent order, an investigation will be conducted, and then the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of the fine to be imposed upon you. For more information, please see our FAQs available at http://www.fec.state.fl.us.

Sincerely

Tim Vaccaro

**Executive Director** 

TV/med

# DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

Name:

Florida Faith Amendment .com

Account Number:

60540

Chairperson:

L. Michael Nelis

Treasurer:

Dena L. Nelis

Registered Agent:

L. Michael Nelis

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to Sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon repeated late fillings or failure to file notifications to the filling officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

2018 P7A

2018 D1

2018 D2

2018 D3

Sent By: Date: لاناه الله Kristi Reid Willis

dlh

April 1, 2019

# AFFIDAVIT STATE OF FLORIDA

#### County of Leon

#### Kristi Reid Willis, being duly sworn, says:

- 1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
- 2. I am of legal age and competent to testify to the matters stated herein.
- 3. Florida Faith Amendment .com (60540) is a Political Committee registered with the Division. On July 16, 2013, a DSDE 5 and DSDE 6 was filed with the Division of Elections indicating that L. Michael Nelis was the chairperson and Dena L. Nelis was the treasurer for the committee.
- 4. The 2018 P7A campaign treasurer's report was due on August 31, 2018. Ms. Nelis failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Nelis filed a notification of no activity on September 1, 2018. (See attached file receipt and letter.)
- 5. The 2018 D1 campaign treasurer's report was due on October 27, 2018. Ms. Nelis failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Nelis filed a notification of no activity on October 28, 2018. (See attached file receipt.)
- 6. The 2018 D2 campaign treasurer's report was due on October 28, 2018. Ms. Nelis failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Nelis filed a notification of no activity on October 30, 2018. (See attached file receipt.)

7. The 2018 D3 campaign treasurer's report was due on October 29, 2018. Ms. Nelis failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Nelis filed a notification of no activity on October 30, 2018. (See attached file receipt.)

I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 1st day of April, 2019.

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known

#### 图

#### **Treasurer Report Status**

ID: 60540 Name: Florida Faith Amendment .com

Report: 2018 - P7A - 108

Election: 2018 General Election

Covers: 8/24/2018-8/24/2018

Due: 8/31/2018

Print Date: 3/29/2019 9:03:57 AM

☐ Amended ☑ Waiver

Filed: **9/1/2018 7:55:06 AM** 

File Status: Filed Report

Reviewed: **9/1/2018** 

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

Number of Detail Records

0

Entry Method: Web Data Entry

Expenditures: 0

Contributions:

. . .

Fund Transfers: 0

Pending Queued Items: 0

Distributions: 0



#### FLORIDA DEPARTMENT OF STATE

#### Ken Detzner Secretary of State

#### **DIVISION OF ELECTIONS**

September 17, 2018

Dena L. Nelis, Treasurer Florida Faith Amendment .com Post Office Box 2525 Brandon, FL 33509-3509

PAC 60540

Dear Ms. Nelis:

The notification that you had no reportable activity for the report deadline of August 31, 2018, was not filed until September 1, 2018. Although the notification is late, no automatic fine is assessed because you had no receipts or expenditures during this reporting period.

However, to avoid potential issues in the future, please note that state law (s. 106.07(7), Fla. Stat.) requires you to file by the dates set out also in law, either a campaign finance report or if applicable, a notification that no reportable activity occurred for the reporting period. Failure to do may constitute a violation of sections 106.07(1) and 106.19(1)(c), Fla. Stat. The Division is required to notify the Florida Elections Commission of any apparent violation of chapter 106, Fla. Stat., or any failure to file a report or information required by chapter 106, Fla. Stat. If a matter is referred to the Florida Elections Commission, the Commission may assess a civil penalty of up to \$1,000 per violation.

If you have any questions, please contact the help desk at (850) 245-6280.

Reid Willis

Sincerely,

Kristi Reid Willis, Chief Bureau of Election Records

cc: L. Michael Nelis, Chairperson



#### Treasurer Report Status

ID: 60540 Name: Florida Faith Amendment .com

Report: 2018 - D1 - 117

Print Date: 3/29/2019 9:04:47 AM

Election: 2018 General Election

Covers: 10/20/2018-10/26/2018

☐ Amended ☑ Waiver

Due: 10/27/2018

Filed: **10/28/2018 8:13:31 AM** 

File Status: Filed Report

Reviewed: 10/28/2018

Review Status: Reviewed

Detail Complete: No Detail Records Found

· Contributions:

File Method: Web Filed

**Number of Detail Records** 

0

Entry Method: Web Data Entry

Expenditures: 0

Pending Queued Items: 0

Fund Transfers: 0

Distributions: 0

#### **Treasurer Report Status**

ID: 60540 Name: Florida Faith Amendment .com

Report: 2018 - D2 - 118

Print Date: 3/29/2019 9:05:20 AM

Election: 2018 General Election

Covers: 10/27/2018-10/27/2018

☐ Amended ☑ Waiver

Due: 10/28/2018

Filed: 10/30/2018 10:50:32 AM

File Status: Filed Report

Reviewed: 10/30/2018

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

**Number of Detail Records** 0

Entry Method: Web Data Entry

Expenditures:

Contributions:

Pending Queued Items: 0

Fund Transfers:

Distributions:

### Treasurer Report Status

ID: 60540 Name: Florida Faith Amendment .com

Report: 2018 - D3 - 119

Print Date: 3/29/2019 9:06:11 AM

Election: 2018 General Election

Covers: 10/28/2018-10/28/2018

Due: 10/29/2018

☐ Amended ☑ Waiver

Filed: 10/30/2018 10:58:08 AM

File Status: Filed Report

Reviewed: 10/30/2018

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

**Number of Detail Records** 

Entry Method: Web Data Entry

Expenditures: 0

Contributions:

y Method. Web Data Entry

Fund Transfers: 0

Pending Queued Items: 0

Distributions: 0