

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Democratic Women's Club of Florida Political  
Committee**

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**Case No.: FEC 17-305**

**TO:** Democratic Women's Club of Florida Political  
Committee  
Nancy Hulbert, Chair  
35624 Cypress Court  
Leesburg, FL 34788

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

**NOTICE OF HEARING (AUTOMATIC FINE)**

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 8:30 am**, *or as soon thereafter as the parties can be heard*, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

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.**

***Amy McKeever Toman***  
Executive Director  
Florida Elections Commission  
February 26, 2018

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.

**FLORIDA ELECTIONS COMMISSION  
CASE REPORT**

**Case Number: FEC-17-305**

**NAME:** **DEMOCRATIC WOMEN'S CLUB OF FLORIDA POLITICAL COMMITTEE**

**DATE APPEAL RECEIVED:** 10/27/17

**DATE REPORT DUE:** 08/23/17 (2017 SG1)

**DATE OF ELECTRONIC RECEIPT:** 09/07/17

**DATE FILING OFFICER RECEIVED REPORT:** 09/07/17

**NUMBER OF DAYS LATE:** 15

**AMOUNT OF FINE:** \$87.50

**FINE BASED ON:** ( ) NUMBER OF DAYS ( ) 25% OF RECEIPTS (X) 25% OF EXPENDITURES

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$0

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$350.00

**DATE FIRST NOTIFICATION WAS SENT:** 08/31/17

CANDIDATE [ ]	STATE [ X ]
PC [ X ]	DISTRICT [ ]
CCE [ ]	COUNTY [ ]
POLITICAL PARTY [ ]	CITY [ ]
ECO [ ]	

**SUMMARY:** Democratic Women's Club of Florida Political Committee is a political committee (PC) registered with the State of Florida. The PC's chair is Nancy Hurlbert and its treasurer is Francine Garcia.

The PC is appealing the fine claiming there was no clear notice of the filing for the special election and there was no way for them to know that a report was due. According to Nancy Hurlbert and Francine Garcia, "The fine is connected to our contribution made to a candidate in a special election. Neither Ms. Garcia nor I were aware that a report was required, because nowhere in our account were we notified that a filing was required for this contribution. After Ms. Garcia filed our campaign report for the month of July, due August 11, 2017, the next report in our queue was for the month of August, due September 10, 2017. Only after a conversation with a representative from the division of elections was Ms. Garcia made aware of the August 23<sup>rd</sup> filing."

- The 2017 SG1 Report covers the time period from 07/21/17 through 08/18/17.
- The 2017 SG1 Queued-Transactions Report reflects that this report was created on September 7, 2017, at 4:08 PM, before being filed on September 7, 2017, at 4:12 PM
- In an e-mail dated 09/05/17, Ms. Kristi Willis advised commission staff that when a special election has been called, the Division sends out a memo to PCs via the e-mail system, advising that a special election has been called and providing dates and information for filing special election reports. The information is also posted on the Division's website. In addition, the Division also sends out a report reminder to all PCs regarding special election reports, if the PC has provided an e-mail address in order to receive the reminder.
- The PC has not provided an e-mail address to the Division, in order to receive the reminders.

**PRIOR CASES:** This PC has been involved in prior appeals of automatic fines. In the matter of FEC 14-241, the Commission found no unusual circumstances and upheld the automatic fine of \$233.84. In the matter of FEC 14-243, the Commission found no unusual circumstances and upheld the automatic fine of \$102.50. In the matter of FEC 14-244, the Commission found no unusual circumstances and upheld the automatic fine of \$133.75.

DM



RECEIVED

2017 OCT 27 A 11: 10

STATE OF FLORIDA  
ELECTIONS COMMISSION

15346 Ponce DeLeon Lane  
Clermont, FL 34714

October 14, 2017

Ms. Donna Ann Malphurs, Agency Clerk  
Florida Elections Commission  
107 West Gaines Street, Ste. 224  
Tallahassee, Florida 32399-0150

Dear Ms. Malphurs:

This correspondence is in response to a letter dated October 6, 2017 from the Florida Division of Elections, which states that I, as *the chairman* of our Political Committee, must acknowledge that the letter of appeal, written by my treasurer, Francine Garcia, was representing me (Chair) when the letter of appeal was written.

The fine is connected to our contribution made to a candidate in a special election. Neither Ms. Garcia nor I were aware that a report was required, because nowhere in our account were we notified that a filing was required for this contribution. After Ms. Garcia filed our campaign report for the month of July, due August 11, 2017, the next report in our queue was for the month of August, due September 10, 2017.

Only after a conversation with a representative from the division of elections was Ms. Garcia made aware of the August 23rd filing.

Please consider waiving the \$87.50, because we do not believe there was any clear notice of the filing for this special election and there was no way for either of us to know that a report was due. We are now aware of special reporting for special elections.

Sincerely,

Nancy Hurlbert, Chair  
Democratic Women's Club of Florida Political Committee

cc: Florida Division of Elections



RECEIVED

2017 OCT -5 A 10:47

STATE OF FLORIDA  
ELECTIONS COMMISSION

15346 Ponce DeLeon Lane  
Clermont, FL 34714

September 26, 2017

Florida Elections Commission  
107 West Gaines Street, Ste. 224  
Tallahassee, Florida 32399-0150

To Whom It May Concern:

This correspondence is in response to a letter dated September 19, 2017 from the Florida Division of Elections, which states that our Political Committee has been assessed a late fine of \$87.50 for not filing a campaign report on August 23, 2017.

The fine is connected to our contribution made to a candidate in a special election. I was not aware that a report was required, because nowhere in our account were we notified that a filing was required for this contribution. After I filed my campaign report for the month of July, due August 11, 2017, the next report in my queue was for the month of August, was due September 10, 2017.

Only after a conversation with a representative from the division of elections was I made aware of the August 23rd filing.

Please consider waiving the \$87.50, because there wasn't any clear notice of the filing for this special election and there was no way for me to know that a report was due. We are now aware of special reporting for special elections.

Sincerely,

Francine Garcia, Treasurer  
Democratic Women's Club of Florida Political Committee

cc: Florida Division of Elections



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

September 19, 2017

Francine Garcia, Treasurer  
Democratic Women's Club of Florida Political Committee  
15346 Ponce DeLeon Lane  
Clermont, FL 34714-4714

**Special Election Report** PAC 60969  
Senate 40 - 561

Dear Ms. Garcia:

The campaign treasurer's report that was due on August 23, 2017, was filed on September 7, 2017. By law, you are automatically assessed a late fine of \$87.50.

**You have 20 days from the receipt of this notice to either:**

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections  
R.A. Gray Building, Room. 316  
500 South Bronough Street,  
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission  
107 West Gaines Street, Ste. 224  
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief  
Bureau of Election Records

cc: Nancy Hurlbert, Chairperson



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 31, 2017

Francine Garcia, Treasurer  
Democratic Women's Club of Florida Political Committee  
15346 Ponce DeLeon Lane  
Clermont, FL 34714-4714

PAC 60969

**Special Election Report**  
Senat 40-361

Dear Ms. Garcia:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was August 23, 2017.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
  - \$50 per day for the first 3 days late
  - \$500 per day for each day after the 3rd day late
  - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

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

Sincerely,

Kristi Reid Willis, Chief  
Bureau of Election Records

cc: Nancy Hurlbert, Chairperson

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Democratic Women's Club of Florida Political Committee (2) 60969  
 Candidate, Committee or Party Name I.D. Number

(3) Post Office Box 496024 Port Charlotte FL 33949-6024  
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

Candidate (office sought):  
 Political Committee  Check If PC has DISBANDED  
 Committee of Continuous Existence  Check If CCE has DISBANDED  
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 07/21/2017 To 08/18/2017 Report Type: SG1

Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$0.00
<i>Total Monetary</i>	\$0.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$350.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$350.00

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

I certify that I have examined this report and it is true, correct and complete

Name of  Treasurer  Deputy Treasurer

X  
Signature

I certify that I have examined this report and it is true, correct and complete

Name of  Candidate  Chairman (PC/PTY Only)

X  
Signature



ID:

**CAMPAIGN MANAGER'S REPORT - ITEMIZED CONTRIBUTIONS**

Name: Democratic Women's Club of Florida Political Committee

Report: 2017 SG1

Period: 07/21/2017 to 08/18/2017

**\*\* Records in Filed Report \*\***

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend

Name: Democratic Women's Club of Florida Political Committee

Report: 2017 SG1

Period: 07/21/2017 to 08/18/2017

\*\* Records in Filed Report \*\*

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 08/14/2017	ANNETTE TADDEO CAMPAIGN, (Office: STS 040) 5975 SUNSET DR. STE. 803 MIAMI, FL 33143	CAN	CAMPAIGN CONTRIBUTION	\$350.00

ID:

**CAMPAIGN DISBURSER'S REPORT - ITEMIZED DISBURSEMENTS**

Name: Democratic Women's Club of Florida Political Committee Report: 2017 SG1 Period: 07/21/2017 to 08/18/2017

**\*\* Records in Filed Report \*\***

Seq #	Full Name (Last, Suffix, First, Middle)	Recipient	Purpose	Amount
Date	Street Address & City, State, Zip	Type	Related Expenditure	Amend

ID:

**CAMPAIGN CONTRIBUTOR'S REPORT – ITEMIZED CONTRIBUTIONS**

Name: Democratic Women's Club of Florida Political Committee

Report: 2017 SG1

Period: 07/21/2017 to 08/18/2017

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

**Queued Items for 2017-SG1**

Account: 60969

**Democratic Women's Club of Florida Political Committee**

Rpt Seq: 90

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	60969	9/7/2017 4:08:17 PM	9/7/2017 4:08:17 PM
Review Pending Report	Processing Complete	60969	9/7/2017 4:11:23 PM	9/7/2017 4:11:23 PM
File Pending Report	Processing Complete	60969	9/7/2017 4:12:18 PM	9/7/2017 4:12:18 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Committee Name: Democratic Women's Club of Florida Political Committee

Account: 60969

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
10/10/2017	M9	10/6/2017						
10/6/2017	SG2	10/5/2017						
9/22/2017	M8	9/7/2017						
8/23/2017	SG1	9/7/2017	APP	15	\$87.50		\$87.50	\$0.00
8/10/2017	M7	8/10/2017						
7/10/2017	M6	7/8/2017						
6/12/2017	M5	6/7/2017						
5/10/2017	M4	5/9/2017						
4/10/2017	M3	4/7/2017						
3/11/2017	M2	3/10/2017						
2/10/2017	M1	2/9/2017						
1/10/2017	M12	1/10/2017						
12/12/2016	M11	12/12/2016						
11/4/2016	D6	11/3/2016						
11/4/2016	G7	11/4/2016						
11/2/2016	D5	11/2/2016						
11/1/2016	D4	11/1/2016						
10/31/2016	D3	10/31/2016						
10/30/2016	D2	10/31/2016	CLO	1	\$0.00		\$0.00	\$0.00
10/29/2016	D1	10/31/2016	CLO	2	\$0.00		\$0.00	\$0.00
10/28/2016	G6	10/28/2016						
10/21/2016	G5	10/19/2016						
10/14/2016	G4	10/13/2016						
10/7/2016	G3	10/5/2016						
9/30/2016	G2A	9/28/2016						
9/23/2016	G2	9/23/2016						
9/16/2016	G1A	9/15/2016						
9/9/2016	G1	9/7/2016						
9/2/2016	P7A	8/31/2016						
8/26/2016	P7	8/26/2016						
8/19/2016	P6	8/16/2016						
8/12/2016	P5	8/11/2016						
8/5/2016	P4	7/30/2016						
7/29/2016	P3	7/25/2016						
7/22/2016	P2A	7/19/2016						
7/15/2016	P2	7/11/2016						
7/8/2016	P1A	7/6/2016						
7/1/2016	P1	7/6/2016	CLO	5	\$0.00		\$0.00	\$0.00
6/10/2016	M5	6/7/2016						
5/10/2016	M4	5/9/2016						
4/11/2016	M3	4/6/2016						
3/10/2016	M2	3/9/2016						
2/10/2016	M1	2/8/2016						
1/11/2016	M12	1/8/2016						
12/10/2015	M11	12/9/2015						

11/10/2015	M10	11/5/2015					
10/13/2015	M9	10/12/2015					
9/10/2015	M8	9/10/2015					
8/10/2015	M7	8/8/2015					
7/10/2015	M6	7/8/2015					
6/10/2015	M5	6/4/2015					
5/11/2015	M4	5/4/2015					
4/10/2015	M3	4/3/2015					
3/10/2015	M2	3/2/2015					
2/10/2015	M1	2/8/2015					
1/12/2015	M12	1/5/2015					
12/10/2014	M11	12/4/2014					
11/10/2014	M10	11/20/2014	CLO	10	\$0.00	\$0.00	\$0.00
10/31/2014	G7	10/31/2014					
10/30/2014	D6	10/30/2014					
10/29/2014	D5	10/30/2014	CLO	1	\$0.00	\$0.00	\$0.00
10/28/2014	D4	10/28/2014					
10/27/2014	D3	10/27/2014					
10/26/2014	D2	10/26/2014					
10/25/2014	D1	10/25/2014					
10/24/2014	G6	10/24/2014					
10/17/2014	G5	10/17/2014					
10/10/2014	G4	10/10/2014					
10/3/2014	G3	10/2/2014					
9/26/2014	G2A	9/25/2014					
9/19/2014	G2	9/17/2014					
9/12/2014	G1A	9/11/2014					
9/5/2014	G1	9/5/2014					
8/29/2014	P7A	8/29/2014					
8/22/2014	P7	8/22/2014					
8/15/2014	P6	8/14/2014					
8/8/2014	P5	8/7/2014					
8/1/2014	P4	7/31/2014					
7/25/2014	P3	7/25/2014					
7/18/2014	P2A	7/17/2014					
7/11/2014	P2	7/7/2014					
7/4/2014	P1A	7/7/2014	CLO	3	\$133.75	\$133.75	\$133.75
6/27/2014	P1	7/7/2014	CLO	10	\$102.50	\$102.50	\$102.50
6/10/2014	M5	6/25/2014	CLO	15	\$233.84	\$233.84	\$233.84
5/12/2014	M4	5/9/2014					
4/10/2014	M3	4/17/2014	CLO	7	\$0.00	\$0.00	\$0.00
3/10/2014	M2	3/7/2014					
2/10/2014	M1	2/10/2014					
1/10/2014	M12	1/6/2014					
12/10/2013	M11	12/5/2013					
11/12/2013	M10	11/4/2013					
10/10/2013	Q3	10/7/2013					



RE: Account # 60969  
Willis, Kristi R.  
to:  
Samantha Spore  
11/08/2017 10:30 AM  
Hide Details  
From: "Willis, Kristi R." <Kristi.Willis@DOS.MyFlorida.com>  
To: Samantha Spore <Samantha.Spore@myfloridalegal.com>

Joel – please handle.

Samantha – No, no email address has been provided.

---

**From:** Samantha Spore [mailto:Samantha.Spore@myfloridalegal.com]  
**Sent:** Tuesday, November 07, 2017 3:50 PM  
**To:** Willis, Kristi R. <Kristi.Willis@DOS.MyFlorida.com>  
**Subject:** Account # 60969

Good afternoon,

This e-mail is in regards to Democratic Women's Club of Florida Political Committee (60969).

Has this PC registered an e-mail to receive reminders for special election report filing? Also, may I please get copy of the 2017 SG1 - Senate 40 Report with the associated queued transactions reports and notes?

Thank you!

**Samantha Spore**  
Investigation Specialist  
Florida Elections Commission  
The Collins Building, Ste. 224  
107 West Gaines Street  
Tallahassee, FL 32399-1050  
[samantha.spore@myfloridalegal.com](mailto:samantha.spore@myfloridalegal.com)  
PH: 850-922-4539 extension 110  
Fax: 850-921-0783  
[www.fec.state.fl.us](http://www.fec.state.fl.us)

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Special Election Reports  
Willis, Kristi R.

to:

Amy Toman

09/05/2017 12:01 PM

Cc:

Eric Lipman, Stephanie Cunningham, Donna Malphurs, Cole Kekelis

Hide Details

From: "Willis, Kristi R." <Kristi.Willis@DOS.MyFlorida.com>

To: Amy Toman <Amy.Toman@myfloridalegal.com>

Cc: Eric Lipman <Eric.Lipman@myfloridalegal.com>, Stephanie Cunningham  
<Stephanie.Cunningham@myfloridalegal.com>, Donna Malphurs

<Donna.Malphurs@myfloridalegal.com>, Cole Kekelis

<Cole.Kekelis@myfloridalegal.com>

## 2 Attachments



Email Notification Memo (COM-PTY).doc Memo - Committees.pdf

Good afternoon, Amy –

As you will be seeing some appeals dealing with special election reporting, I wanted to share some information with you.

Since at least January of 2011, the Division has included the attached memo in letters to PCs, ECOs, and political parties when acknowledging initial registration, change in treasurer/deputy treasurer, and change in chairperson. (See attached memo). As you can see, the memo advises that these entities that if they wish to receive notices from the division, **including information regarding special elections**, they must provide an email in the EFS. The memo also has step-by-step instructions on how to include an email address in an entities EFS account. The memo has been updated several times since 2011, but the body of the memo has remained the same.

When a special election has been called, the Division sends out a memo via the email system to all PCs, ECOs, and political parties advising that a special election has been called and providing dates and information for filing special election reports. (see example, attached.) The information is also posted on the Division's website.

Unlike reports required in an general election cycle, there is no way for the Division to automatically generate and send out fail to file notices for special elections. Because not all PCs, ECOs and parties are required to file special election reports, the division must manually audit and review reports filed by special election candidates to determine which entities are required to file the special election reports. This is a time consuming and cumbersome process depending on how many candidate are in the special election and how large their reports are. Thus, there can be a delay in sending out a fail to file letter to an entity who did not file a required special election report. However, the Division sends the fail to file letters out immediately upon determining which entities should have filed but did not. The Division does its best to send them out as soon as possible but ultimately it is the entity's responsibility to determine whether a special election report is required.

In addition, the Division also sends out a report reminder to all PCs, ECOs, and political parties regarding special election reports in the same manner it does for the normal election cycle. The reminder advises that an entity is required to file a special election report if it has made any expenditures to influence the results of this special

election or contributed to any special candidates. Again, an entity must have provided an email in order to receive the reminder.

I hope this information is helpful. If you or your staff have any questions, please let me know.

Regards,

Kristi Reid Willis, Chief  
Bureau of Election Records

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