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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Bay Building Industries
Association Political Action
Committee**

**Case No.: FEC 15-193
F.O. No.: FOFE 15-152 W**

CONSENT FINAL ORDER

Respondent, Bay Building Industries Association Political Action Committee, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On February 3, 2015, a complaint was filed with the Commission alleging that Respondent violated Chapter 106, Florida Statutes.
2. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
 - a. Respondent is a political committee currently registered with the Department of State, Division of Elections, and Curt Hartog is listed as the committee's chairperson. Joe Holliday is listed as the committee's treasurer.
 - b. During the 2014 election cycle, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because the committee had not received funds, made contributions, or expended reportable funds during the 2014 M2 Report,

2014 M3 Report, 2014 M4 Report, 2014 M5 Report, 2014 P1 Report, 2014 P1A Report, 2014 P5 Report, 2014 P6 Report, 2014 D2 Report, 2014 D3 Report, and the 2014 D4 Report.

- c. On April 14, 2014, Mr. Holliday filed waivers-of-report for the committee's 2014 M2 and 2014 M3 Reports. On July 7, 2014, Mr. Holliday filed waivers-of-report for the committee's 2014 M4, 2014 M5, 2014 P1, and the 2014 P1A Reports. On August 18, 2014, Mr. Holliday filed waivers-of-report for the committee's 2014 P5 and 2014 P6 Reports. On October 28, 2014, Mr. Holliday filed waivers-of-report for the committee's 2014 D2 and 2014 D3 Reports. On October 29, 2014, Mr. Holliday filed a waiver-of-report for the committee's 2014 D4 Report.

CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

ORDER

6. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

7. The parties shall each bear its own attorney's fees and costs that are in any way associated with this case.

8. The Commission will consider the Consent Order at its next available meeting.

9. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

10. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be

responsible for all fees and costs associated with enforcement.

11. If the Commission does not receive the signed Consent Order and payment of the civil penalty by the close of business on May 1, 2015, the staff withdraws this offer of settlement and will proceed with the case.

12. Payment of the civil penalty by cashier's check, money order, and good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated the following provision of Chapter 106, Florida Statutes, and imposes the following fine:

A. Respondent has violated Section 106.07(7), Florida Statutes, when Mr. Holiday, acting as treasurer for Bay Building Industries Association Political Committee (BBIA-PC), failed to notify the filing officer on the prescribed reporting date that no report would be filed for the 2014 M2 Report, 2014 M3 Report, 2014 M4 Report, 2014 M5 Report, 2014 P1 Report, 2014 P1A Report, 2014 P5 Report, 2014 P6 Report, 2014 D2 Report, 2014 D3 Report, and the 2014 D4 Report. Respondent is fined \$550.00 for the violation.


Therefore it is

ORDERED that the Respondent shall remit to the Commission a civil penalty in the amount of \$550.00, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should be made payable to the Florida Elections Commission and sent to 107 West Gaines

Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

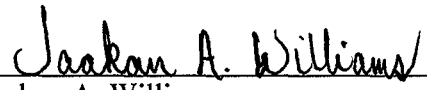
Respondent hereby agrees and consents to the terms of this Order on

4/16, 2015.

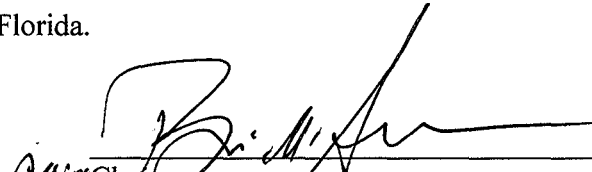

Curt Hartog, Chair
Bay Building Industries Association PC
2428 Lisenby Avenue
Panama City, FL 32405

Commission staff hereby agrees and consents to the terms of this Consent Order on

April 21st, 2015.


Jaakan A. Williams
Assistant General Counsel
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on May 20 -21, 2015 in Tallahassee, Florida.


Chairman
Florida Elections Commission

Copies furnished to:
Jaakan A. Williams, Assistant General Counsel
Curt Hartog, Chair
Division of Elections, Complainant

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK. THE FRONT OF THE DOCUMENT

PERSONAL MONEY ORDER

HAS A MICRO-PRINT SIGNATURE LINE. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.



Trustmark

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PAY TO THE ORDER OF Florida Elections Commission

DATE 4/16/2015

=NOT VALID FOR OVER ONE THOUSAND U.S. DOLLARS=

AMOUNT ***Five Hundred Fifty and 00/100*****

DOLLARS

DRAWER: TRUSTMARK NATIONAL BANK

PURCHASER, BY SIGNING YOU AGREE TO THE TERMS ON THE CUSTOMER COPY

00777 US

[Signature]
PURCHASER, SIGNER FOR DRAWER

Case # FED 15-193 F.O. No. - FOEC

BBIA-2428 Lisenby Ave, PC, FL 32405
ADDRESS

DRAWEE: TRUSTMARK NATIONAL BANK, JACKSON, MS

