STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re	: Jestine Iannotti	Ca	ase No.: FEC 21-060
		/	
TO:	Jestine Iannotti	Di	vision of Elections
	625 David Street	50	0 South Bronough Street, Room 316
	Winter Springs FL 32708-2613	Ta	llahassee FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, May 17, 2023 at 8:30, or as soon thereafter as the parties can be heard, at the following location: Via Webinar Registration URL:

https://attendee.gotowebinar.com/register/571953185404345941

Audio participation: Attendee – muted: 1-877-309-2074 966-952-589

After registering, you will receive a confirmation email containing information about joining the webinar.

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.

<u>Tim Vaccaro</u>

Executive Director Florida Elections Commission May 2, 2023 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.

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 21-060
v.

Jestine Iannotti, Respondent.

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission ("Commission") at its regularly scheduled meeting on January 24, 2023, in Tallahassee, Florida.

On October 4, 2022, 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 violations:

Count 1:

On or about July 17, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P3 Report.

Count 2:

On or about July 24, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P4 Report.

Count 3:

On or about July 31, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P5 Report.

Count 4:

On or about August 14, 2020, Jestine lannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P7 Report.

Count 5:

On or about September 11, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G2 Report.

Count 6:

On or about September 25, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G3 Report.

Count 7:

On or about October 9, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G4 Report.

Count 8:

On or about October 23, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G5 Report.

Count 9:

On or about October 30, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing

officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G6 Report.

DONE AND ORDERED by the Florida Elections Commission on January 24, 2023.

Tim Vaccaro, J.D., Executive Director *For* Nicholas Primrose, Chairman Florida Elections Commission

Copies furnished to: Mattie T. Clay, Assistant General Counsel Jestine Iannotti, 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 thirty (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 thirty (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 thirty (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 West 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: Jestine Iannotti Case No.: FEC 21-060

TO: Jestine Iannotti Division of Elections

625 David Street, Room 316

Winter Springs, FL 32708-2613 Tallahassee, FL 32399-6596

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **January 24, 2023 at 1:00 p.m.**, or as soon thereafter as the parties can be heard, at the following location: Join Zoom Meeting - https://us06web.zoom.us/j/86542842462?pwd=VjdKeGRjcFAvZko2Y1pTZmo1cU5pdz09

Meeting ID: 865 4284 2462 Passcode: 5UuWmT

AUDIO PARTICIPATION:

1-301-715-8592

Meeting ID: 865 4284 2462

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:

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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.

<u>Tim Vaccaro</u>

Executive Director Florida Elections Commission January 9, 2023 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.

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Jestine Iannotti Case No.: FEC 21-060

TO: Jestine Iannotti

625 David Street Winter Springs, FL 32708-2613 Division of Elections 500 S. Bronough Street, Room 316 Tallahassee, FL 32399-6596

NOTICE OF CANCELLATION OF HEARING (PROBABLE CAUSE DETERMINATION)

You are hereby notified that **the previously scheduled hearing for December 14, 2022, is cancelled**. It is anticipated that your case will be heard at the next regularly scheduled meeting, which will be scheduled for a date to be determined in either January 2023 or February 2023.

A Notice of Hearing will be mailed to you approximately 14 days prior to the new hearing date.

Tim Vaccaro

Executive Director Florida Elections Commission December 13, 2022

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re	: Jestine Iannotti		Case No.: FEC 21-060
		/	
TO:	Jestine Iannotti		Division of Elections
	625 David Street		500 S. Bronough Street, Room 316
	Winter Springs, FL 32708-2613		Tallahassee FL 32399-6596

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, December 14, 2022 at 10:30 a.m., or as soon thereafter as the parties can be heard, at the following location: House Office Building, 402 South Monroe Street, 306 HOB, Mashburn Hall, Tallahassee, Florida 32399.

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.

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director Florida Elections Commission November 30, 2022

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

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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.

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Jestine Iannotti	Case No.:	FEC 21-060

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 8, 2022, the following facts and law support this staff recommendation:

- 1. On February 1, 2021, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Division"), alleging that Jestine Iannotti ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent was a candidate for State Senator, District 9, in the 2020 election. Respondent's Statement of Candidate form ("DS-DE 84") was filed on June 4, 2020. (ROI Exhibit 2, page 1)¹
- 3. By letter dated March 5, 2021, 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 2020 candidate for State Senator, District 9, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because she had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2020 P3
- 2020 P7
- 2020 G4

- 2020 P4
- 2020 G2
- 2020 G5

- 2020 P5
- 2020 G3
- 2020 G6
- 4. On June 4, 2020, Respondent filed her Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") appointing herself as treasurer for her campaign. (ROI Exhibit 1, page 1)
- 5. By letter dated June 5, 2020, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received her Appointment of

¹ The Report of Investigation is referred to herein as "ROI."

Campaign Treasurer and Designation of Campaign Depository for Candidates form and that her name had been placed on the 2020 active candidate list. (ROI Exhibit 3, page 1)

- 6. The acknowledgment letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system ("EFS"), and provided Respondent with a user identification number and initial password to grant access to the EFS. (ROI Exhibit 3, page 1) The letter further advised Respondent that all the Division's publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 3, page 2)
- 7. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a candidate 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 candidate is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.
- 8. The Candidate and Campaign Treasurer Handbook references the statutory requirement regarding written notification and directs candidates to notify the Division by way of the Division's electronic filing system. (ROI Exhibit 4, page 2) The Candidate EFS User's Guide shows the process through which to notify the Division. The user's guide instructs candidates 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 5, pages 3 & 4)
- 9. 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 6, page 1)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2020 P3	6/27/20 - 7/10/20	7/17/20	8/5/20	19
2020 P4	7/11/20 – 7/17/20	7/24/20	8/5/20	12
2020 P5	7/18/20 - 7/24/20	7/31/20	8/5/20	5
2020 P7	8/1/20 - 8/13/20	8/14/20	8/20/20	6
2020 G2	8/22/20 - 9/4/20	9/11/20	9/12/20	1
2020 G3	9/5/20 - 9/18/20	9/25/20	9/26/20	1
2020 G4	9/19/20 - 10/2/20	10/9/20	10/15/20	6
2020 G5	10/3/20 - 10/16/20	10/23/20	12/9/20	47
2020 G6	10/17/20 - 10/29/20	10/30/20	12/9/20	40

10. Respondent did not reply to the investigation. (ROI Exhibit 7, page 1)

- 11. Respondent was a first-time candidate and was defeated in the general election held in November 2020. (ROI, page 1, P1)
- 12. "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).
- 13. The facts set forth above show that Respondent was a 2020 candidate for State Senator, District 9. Respondent failed to notify the filing officer on the prescribed reporting dates that no reports would be filed for the 2020 P3, 2020 P4, 2020 P5, 2020 P7, 2020 G2, 2020 G3, 2020 G4, 2020 G5, and 2020 G6 reporting periods.

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 July 17, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P3 Report.

Count 2:

On or about July 24, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P4 Report.

Count 3:

On or about July 31, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P5 Report.

Count 4:

On or about August 14, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 P7 Report.

Count 5:

On or about September 11, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G2 Report.

Count 6:

On or about September 25, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G3 Report.

Count 7:

On or about October 9, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G4 Report.

Count 8:

On or about October 23, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G5 Report.

Count 9:

On or about October 30, 2020, Jestine Iannotti violated Section 106.07(7), Florida Statutes, when she failed to notify the filing officer in writing on the prescribed reporting date that she would not be filing the campaign's 2020 G6 Report.

Respectfully submitted on October _______, 2022.

Mattie T. Clay

Assistant General Counsel

I reviewed this Staff Recommendation this 4th day of October 2022.

Stephanie J. Cunningham

General Counsel

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

Case Number: FEC 21-060

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

Respondent: Jestine Iannotti **Respondent's Atty:** N/A

Division of Elections (Division) Referral Filed: February 1, 2021

Respondent Type: Candidate

I. Preliminary Information:

- 1. Respondent was a 2020 candidate for State Senator, District 9; she was defeated in the general election held on November 3, 2020. Respondent was a first-time candidate.
- 2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on June 4, 2020. Respondent was appointed as campaign treasurer. To review the DS-DE 9, refer to Exhibit 1
- 3. Respondent filed a Statement of Candidate with the Division on June 4, 2020, in which Respondent certified she had been provided access to read and understand Chapter 106, F.S. To review the Statement of Candidate, refer to Exhibit 2.
- 4. An acknowledgement letter was mailed to the address provided on the DS-DE 9 on June 5, 2020, advising Respondent that all candidates filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.
- 5. The acknowledgement letter also advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 3.
- 6. The *Candidate and Campaign Treasurer Handbook* discusses filing a waiver when there is no activity to disclose. To review the relevant page of the *Handbook*, refer to Exhibit 4.
- 7. The *Candidate EFS User's Guide* discusses how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, the *Handbook* instructs the user to click the box next to "waiver" if there is no activity to disclose. To review the relevant pages from the *EFS User's Guide*, refer to Exhibit 5.

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

8. I investigated whether Respondent violated this section of the election laws by not timely notifying the filing officer, in writing, that no report(s) would be filed due to not receiving any contributions or making expenditures during the following reporting period(s). To review Respondent's filing history reflecting the untimely filed notifications summarized below, refer to Exhibit 6.

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2020 P3	6/27/20 - 7/10/20	7/17/20	8/5/20	19
2020 P4	7/11/20 – 7/17/20	7/24/20	8/5/20	12
2020 P5	7/18/20 - 7/24/20	7/31/20	8/5/20	5
2020 P7	8/1/20 - 8/13/20	8/14/20	8/20/20	6
2020 G2	8/22/20 - 9/4/20	9/11/20	9/12/20	1
2020 G3	9/5/20 - 9/18/20	9/25/20	9/26/20	1
2020 G4	9/19/20 - 10/2/20	10/9/20	10/15/20	6
2020 G5	10/3/20 - 10/16/20	10/23/20	12/9/20	47
2020 G6	10/17/20 - 10/29/20	10/30/20	12/9/20	40

^{9.} Respondent did not respond to the referral.

SIGNATURE OF INVESTIGATOR:

Date: September 8, 2022_

^{10.} I attempted to contact Respondent on two occasions for the purpose of providing an opportunity to discuss the allegations made in the referral. As of the date of this report, my telephone calls have not been returned. Therefore, I am unable to ascertain whether she has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*. To review the phone log, refer to Exhibit 7.

FLORIDA ELECTIONS COMMISSION

REPORT OF INVESTIGATION

Jestine Iannotti -- FEC 21-060

	LIST OF EXHIBITS
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 Form
Exhibit 2	Statement of Candidate
Exhibit 3	Acknowledgement Letter
Exhibit 4	Relevant pages from the Candidate and Campaign Treasurer Handbook
Exhibit 5	Relevant pages from the Candidate EFS User's Guide
Exhibit 6	Filing History
Exhibit 7	Phone Log

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

DS-DE 9 (Rev. 10/10)

RECEIVED
DEFARTMENT OF STATE
2020 JUN -4 PM 4:57

NOTE: This form must be on file with the qualifying officer before opening the campaign account. OFFICE USE ONLY 1. CHECK APPROPRIATE BOX(ES): Re-filing to Change: Treasurer/Deputy Depository Initial Filing of Form Partv 2. Name of Candidate (in this order: First, Middle, Last) 3. Address (include post office box or street, city, state, zip 625 Pavid Street, Winter Springs, FL 32708 Jestine Tannotti
Telephone 5. E-mail address 6. Office sought (include district, circuit, group number)

7. If 7. If a candidate for a nonpartisan office, check if applicable: State Senate District 9 My intent is to run as a Write-In candidate. 8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a Write-In No Party Affiliation candidate. Party 9. I have appointed the following person to act as my Campaign Treasurer **Deputy Treasurer** 10. Name of Treasurer or Deputy Treasurer 12. Telephone FL 32708 Ionrott Campaigno gmail Secondary Depository 18. I have designated the following bank as my Primary Depository 20. Address 110 FL-434 23. State UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE. 25. Date 26. Signature of Candidate Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block) Jestine Fann Offi (Please Print or Type Name) , do hereby accept the appointment designated above as: Campaign Treasurer Deputy Treasurer.

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

REVENUEL OF STATE

2020 JUN -4 PM 4:57

TARIA LUCTI L'ENDA

1, Jestine Iannotti,

candidate for the office of State Senate district 9;

have been provided access to read and understand the requirements of Chapter 106, Florida Statutes.

Signature of Candidate

19- 4-2020

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



RON DESANTIS

LAUREL M. LEE Governor Secretary of State

June 5, 2020

Jestine lannotti 625 David Street Winter Springs, Florida 32708

Dear Ms. Iannotti:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Senator, which was placed on file in our office on June 4, 2020. Your name has been placed on the 2020 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **June 19, 2020**. The report will cover the period of June 1-12, 2020 (2020 P1). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and your user identification number. Enclosed are your confidential, filing credentials.

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

Identification Number: 76542

Timely Filing

All reports filed 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 of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Jestine Iannotti June 5, 2020 Page Two

Any candidate 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% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late 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 candidate and campaign treasurer, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

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 https://dos.myflorida.com/elections. 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: Chapters 104 and 106, Florida Statutes, Candidate and Campaign Treasurer Handbook, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

+ Red Willis

Sincerely,

Kristi Reid Willis, Chief Bureau of Election Records

KRW/mo

Enclosures

Candidate & Campaign Treasurer 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. 04/3/2018)

An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure must file a single report of all contributions and expenditures on the 4th day immediately preceding the primary election. (See Chapter 18, Reporting for Individuals Seeking a Publicly Elected Position on a Party Executive Committee.)

Unless the electronic filing requirements of Section <u>106.0705</u>, 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 <u>Electronic Filing System (EFS)</u> are due no later than midnight, Eastern Time, of the due date.

(Sections 106.07, 106.0705 and 106.141, F.S.; Chapter 19, Electronic Filing of Campaign Reports)

Penalty for Late Filing

Any candidate 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 immediately preceding the primary and general election, 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.

For a candidate's termination report, the fine shall be \$50 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. All fines must be paid from the candidate's **personal funds** – not campaign funds.

(Section <u>106.07(2)</u> and (8), F.S.)

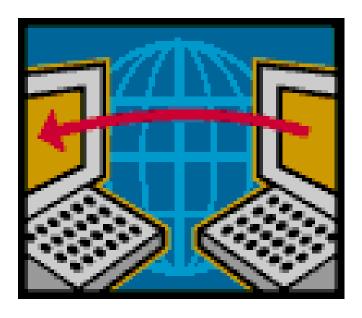
Notice of No Activity

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived. However, the candidate must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date. (A notice of no activity filed with the Division must be filed electronically using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section <u>106.07</u>, F.S.)

Department of State Division of Elections

Candidate 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

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

DS-DE 110A (eff. 01/11)

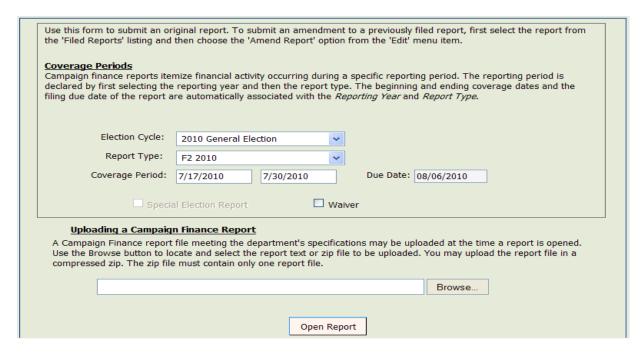
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Create a New Report by Data Entry

From the Welcome Screen, click and then Open New Report





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

Click arrow next to **Report Type** and select the report type that corresponds to the appropriate cover period and due date.

The Cover Period dates will automatically fill in based on the Calendar of Election and Reporting Dates. The end date can be changed for candidate termination reports.

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

****NOTE****

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

Election Cycle:	2010 General		~		
Report Type:	F2 2010	Proceedings of the Control of the Co	×		
Coverage Period:	7/17/2010	7/30/2010		Due Date:	08/06/2010
Elispeci	al Election Repor	t E] Waive	er 🕕	

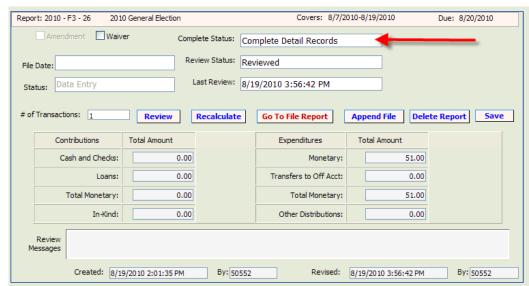
Click Open Report at the bottom of the screen. A **Report Detail** screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Repo	rt: 2010 - G4 - 27 201	0 General Election		Covers: 1	10/16/2010-10/28/2010	Due: 10/29/2010
	Amendment Waiv	er Comp	lete Status: Inc	omplete Detail Reco	rds	
File	Date:	Re	view Status: Not	Reviewed		
Sta	Data Entry	l	ast Review:			
# of	Transactions: 0	Review	Recalculate	Go To File Report	Append File	Delete Report Save
	Contributions	Total Amount		Expenditures	Total Amount	
	Cash and Checks:	0.00		Moneta	ary:	0.00
	Loans:	0.00		Transfers to Off A	cct:	0.00
	Total Monetary:	0.00		Total Moneta	ary:	0.00
	In-Kind:	0.00		Other Distribution	ons:	0.00
M	Review lessages					
	Created: 10/	26/2010 11:41:25 AM	By: 50552	Revise	ed: 10/26/2010 11:41	:25 AM By: 50552

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 38 for instructions on how to submit the report to the system for review.)

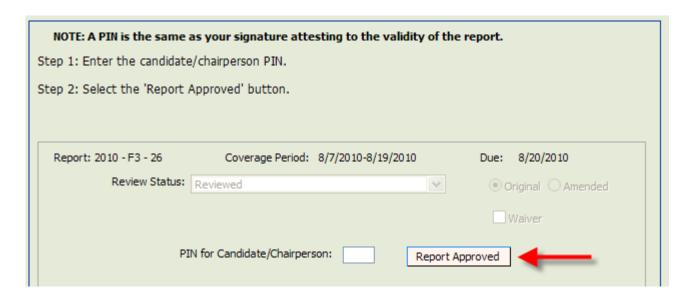
If the status of the report is <u>Complete</u> <u>Detail Records</u>, you are ready to file the report.



Click on Go To File Report

The candidate enters his or her PIN, and then selects

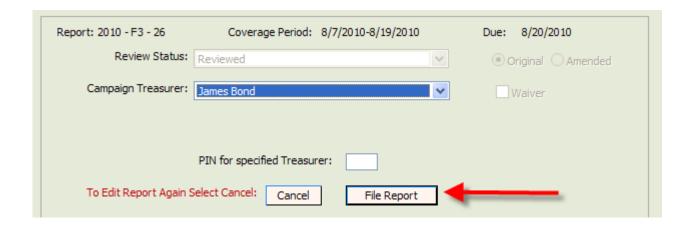
Report Approved



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 or her PIN and then clicks File Report



<u>IMPORTANT NOTE</u>: If changes need to be made <u>after</u> a candidate enters his PIN, the treasurer must <u>undo</u> the candidate's PIN validation before the system will allow changes. See page 48 for instructions.



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Florida Department of State - Division of Elections

Florida Election System Reports

Ca	andidate/Committee Lookup	Cand	idate N	ame: Jestine	annot	ti			
Name:			Acc	ount: <u>76542</u>					
Election:	<u> </u>		е Туре	e Date Filed	Status	Days Late	Fine Assessed Appe	ealed Amount Fined	Amount Paid
		2/1/2021	TR	12/9/2020					
Acct:	76542	10/30/20	20 G6	12/9/2020	FEC	40	\$0.00	\$0.00	\$0.00
Type:	Candidate	10/23/20	20 G5	12/9/2020	FEC	47	\$0.00	\$0.00	\$0.00
		10/9/202	0 G4	10/15/2020	FEC	6	\$0.00	\$0.00	\$0.00
	Search Reset	9/25/202	0 G3	9/26/2020	FEC	1	\$0.00	\$0.00	\$0.00
		9/11/202	0 G2	9/12/2020	FEC	1	\$0.00	\$0.00	\$0.00
		8/28/202	0 G1	8/25/2020					
		8/14/202	0 P7	8/20/2020	FEC	6	\$0.00	\$0.00	\$0.00
		8/7/2020	P6	8/5/2020					
		7/31/202	0 P5	8/5/2020	FEC	5	\$0.00	\$0.00	\$0.00
		7/24/202	0 P4	8/5/2020	FEC	12	\$0.00	\$0.00	\$0.00
		7/17/202	0 P3	8/5/2020	FEC	19	\$0.00	\$0.00	\$0.00
		7/3/2020	P2	7/3/2020					
		6/19/202	0 P1	6/19/2020					



2020 General Election Jestine lannotti (NPA) State Senator

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. About the Campaign Finance Data Base.

		C	Contributions	;			
	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers
\bigcirc	06/04/2020 - 06/12/2020	700.00	600.00	0.00	1,187.88	0.00	0.00
W	06/13/2020 - 06/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/27/2020 - 07/10/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/11/2020 - 07/17/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/18/2020 - 07/24/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/25/2020 - 07/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2020 - 08/13/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/14/2020 - 08/21/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/22/2020 - 09/04/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/05/2020 - 09/18/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/19/2020 - 10/02/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/03/2020 - 10/16/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/29/2020	0.00	0.00	0.00	0.00	0.00	0.00
\bigcirc	10/03/2020 - 12/09/2020	0.00	0.00	0.00	100.00	0.00	0.00
•	All Dates (Totals)	700.00	600.00	0.00	1,287.88	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Select Sort Order

Select Output Type

Subn			
Subm			
	mit Query Nov	OW	
Query the Camp	paign Financ	ce Data Base	

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]

FLORIDA ELECTIONS COMMISSION PHONE LOG

Case No.: FEC 21-060

Respondent: Jestine Iannotti

Complainant: DOE

1. **Date and time:** March 24, 2022 @ 11:50 am

Name: Respondent **Phone** #: (407) 536-8013

Summary: I attempted telephone contact to complete final interview. I left a message to

return my call. **Entered by:** CKO

2. **Date and time:** April 1, 2022 @ 3:35 pm

Name: Respondent **Phone** #: (407) 536-8013

Summary: I attempted telephone contact to complete final interview. I left a message to

return my call. **Entered by:** CKO

3. **Date and time:**

Name: Phone #: Summary: Entered by:

4. **Date and time:**

Name: Phone #: Summary: Entered by:

5. **Date and time:**

Name: Phone #: Summary: Entered by:

6. **Date and time:**

Name: Phone #: Summary: Entered by:

7. **Date and time:**

Name:

Phone #: Summary: Entered by:

8. **Date and time:**

Name: Phone #: Summary: Entered by:

9. **Date and time:**

Name: Phone #: Summary: Entered by:

RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]

Type and ask your case specific question(s) first, then ask the remaining questions.

- · Why were the 2020 P3, P5, G2, G4, G6, P4, P7, G3, and G5 Reports untimely filed?
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? If so, when did you first obtain it? Have you read it?
- If a section of Chapter 104 is listed in the LS letter, ask: Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?

FLORIDA ELECTIONS COMMISSION PHONE LOG

Case No.: FEC 21-060

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Name: Phone #: Summary: Entered by:

6. **Date and time:**

Name: Phone #: Summary: Entered by:

7. **Date and time:**

Name:

Phone #: Summary: Entered by:

8. **Date and time:**

Name: Phone #: Summary: Entered by:

9. **Date and time:**

Name: Phone #: Summary: Entered by:

RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]

Type and ask your case specific question(s) first, then ask the remaining questions.

- · Why were the 2020 P3, P5, G2, G4, G6, P4, P7, G3, and G5 Reports untimely filed?
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*? If so, when did you first obtain it? Have you read it?
- If a section of Chapter 104 is listed in the LS letter, ask: Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596 Telephone: (850) 922-4539 · Facsimile: (850) 921-0783 FEC@myfloridalegal.com · www.fec.state.fl.us



March 5, 2021

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2613

RE: Case No.: FEC 21-060; Respondent: Jestine Iannotti

Dear Ms. Iannotti:

On February 1, 2021, the Florida Elections Commission received a complaint alleging you 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 2020 candidate for State Senator, District 9, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because she had not received funds, made contributions, or expended reportable funds during the following reporting periods:

2020 P3

• 2020 P7

• 2020 G4

• 2020 P4

• 2020 G2

• 2020 G5

• 2020 P5

• 2020 G3

• 2020 G6

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 \$450</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.

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. You and the Complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Jestine Iannotti March 5, 2021 Page 2 FEC 21-060

Please contact Eric Lipman by phone at (850) 922-4539, by email at Eric.Lipman@myfloridalegal.com, or at the address listed above, to accept this minor violation consent order.

If you choose not to resolve this case by consent order, an investigation will be conducted, the Commission will hold one or more hearings to determine whether the alleged violation(s) occurred and, if so, the amount of fine to be imposed upon you.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

For additional information, please refer to the "Frequently Asked Questions" section on the Commission's website.

Sincerely

Tim Vaccaro Executive Director

TV/med

DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

Candidate:

Jestine lannotti

Account Number:

76542

Treasurer:

Jestine lannotti

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 filings or failure to notify the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes, for the following reports:

2020 P3	2020 P4
2020 P5	2020 P7
2020 G2	2020 G3
2020 G4	2020 G5
2020 G6	

- Jestine lannotti (76542) was a 2020 candidate for the office of State Senator.
- On June 4, 2020, Ms. Iannotti filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing herself as treasurer.
- The 2020 P3 campaign treasurer's report was due on July 17, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On August 5, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)
- The 2020 P4 campaign treasurer's report was due on July 24, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On August 5, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)

- The 2020 P5 campaign treasurer's report was due on July 31, 2020. Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On August 5, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)
- The 2020 P7 campaign treasurer's report was due on August 14, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On August 20, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)
- The 2020 G2 campaign treasurer's report was due on September 11, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On September 12, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)
- The 2020 G3 campaign treasurer's report was due on September 25, 2020. Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On September 26, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)
- The 2020 G4 campaign treasurer's report was due on October 9, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On October 15, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt and letter.)
- The 2020 G5 campaign treasurer's report was due on October 23, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On December 9, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt.)
- The 2020 G6 campaign treasurer's report was due on October 30, 2020.
 Ms. lannotti failed to notify the Division that no report was being filed on the prescribed reporting date. On December 9, 2020, Ms. lannotti filed a notification of no activity. (See attached file receipt.)

Sent By: K

Kristi Reid Willis

Date:

January 28, 2021

KRW

mcc

ID: **76542** Name: **Jestine Iannotti**

Report: 2020 - P3 - 3

Print Date: **1/27/2021 1:43:53 PM**Election: 2020 General Election

Covers: 6/27/2020-7/10/2020

Due: 7/17/2020

☐ Amended ☑ Waiver

Filed: 8/5/2020 11:31:44 PM File Status: Filed Report

Reviewed: 8/5/2020 Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed Number of Detail Records

Entry Method: Web Data Entry

Expenditures: 0

Pending Queued Items: **0** Fund Transfers: 0

Distributions: 0



FLORIDA DEPARTMENT OF STATE Laurel M. Lee

Secretary of State

DIVISION OF ELECTIONS

August 11, 2020

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

Dear Ms. lannotti:

The notification that you had no reportable activity for the report deadline of July 17, 2020, was not filed until August 5, 2020. 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.

Sincerely,

Due: 7/24/2020

ID: **76542** Name: **Jestine Iannotti**

Report: 2020 - P4 - 4 Print Date: 1/27/2021 1:45:01 PM

Election: 2020 General Election

Filed: 8/5/2020 11:32:49 PM File Status: Filed Report

Reviewed: **8/5/2020** Review Status: **Reviewed**

Detail Complete: No Detail Records Found

File Method: Web Filed Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0** Fund Transfers: 0

Distributions:



Laurel M. Lee Secretary of State

DIVISION OF ELECTIONS

August 11, 2020

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

Dear Ms. Iannotti:

The notification that you had no reportable activity for the report deadline of July 24, 2020, was not filed until August 5, 2020. 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.

Sincerely,

ID: **76542** Name: **Jestine Iannotti**

Report: 2020 - P5 - 5

Print Date: **1/27/2021 1:45:27 PM**Election: 2020 General Election

Covers: 7/18/2020-7/24/2020

Weis. 7/16/2020 7/24/2020 ☐ Amended ☑ Waiver Due: 7/31/2020

Filed: 8/5/2020 11:33:41 PM File Status: Filed Report

Reviewed: **8/5/2020** Review Status: **Reviewed**

Detail Complete: No Detail Records Found

File Method: Web Filed Number of Detail Records

Entry Method: Web Data Entry Contributions: 0

Expenditures: 0

Fund Transfers: 0

Pending Queued Items: 0

Distributions: 0



Laurel M. Lee Secretary of State

DIVISION OF ELECTIONS

August 11, 2020

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

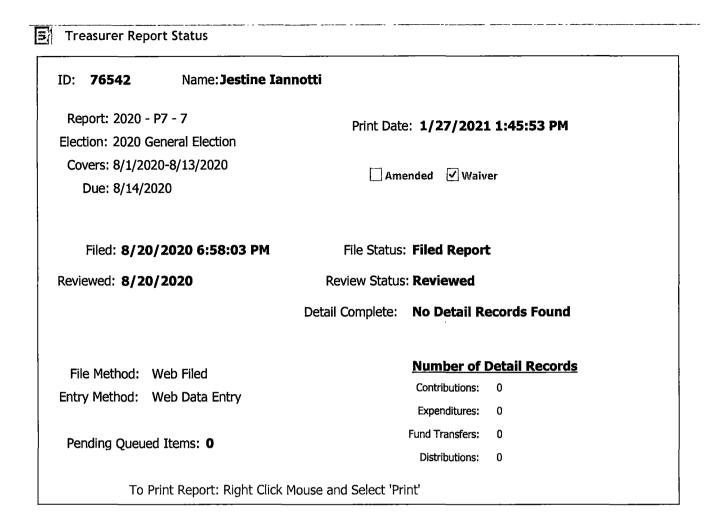
Dear Ms. Iannotti:

The notification that you had no reportable activity for the report deadline of July 31, 2020, was not filed until August 5, 2020. 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.

Sincerely,





FLORIDA DEPARTMENT OF STATE Laurel M. Lee

Secretary of State

DIVISION OF ELECTIONS

August 27, 2020

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

Dear Ms. Iannotti:

The notification that you had no reportable activity for the report deadline of August 14, 2020, was not filed until August 20, 2020. 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.

Sincerely,

Treasurer Report Status Name: Jestine Iannotti ID: **76542** Report: 2020 - G2 - 9 Print Date: 1/27/2021 1:46:20 PM Election: 2020 General Election Covers: 8/22/2020-9/4/2020 ☐ Amended ☑ Waiver Due: 9/11/2020 Filed: 9/12/2020 12:37:28 AM File Status: Filed Report Reviewed: 9/12/2020 Review Status: Reviewed Detail Complete: No Detail Records Found **Number of Detail Records** File Method: Web Filed Contributions: Entry Method: Web Data Entry Expenditures: Fund Transfers: 0 Pending Queued Items: 0 Distributions:



Laurel M. Lee Secretary of State

DIVISION OF ELECTIONS

September 15, 2020

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

Dear Ms. Iannotti:

The notification that you had no reportable activity for the report deadline of September 11, 2020, was not filed until September 12, 2020. 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.

Sincerely.

ID: **76542**

Name: Jestine Iannotti

Report: 2020 - G3 - 10

Print Date: 1/27/2021 1:46:40 PM

Election: 2020 General Election

Covers: 9/5/2020-9/18/2020

☐ Amended ☑ Waiver

Due: 9/25/2020

Filed: 9/26/2020 10:32:47 AM

File Status: Filed Report

Reviewed: 9/26/2020

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

Number of Detail Records

Entry Method: Web Data Entry

Contributions: 0
Expenditures: 0

Pending Queued Items: 0

Fund Transfers: 0

Distributions: 0



Laurel M. Lee Secretary of State

DIVISION OF ELECTIONS

September 28, 2020

Jestine lannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

Dear Ms. Iannotti:

The notification that you had no reportable activity for the report deadline of September 25, 2020, was not filed until September 26, 2020. 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.

Sincerely,

ID: **76542** Name: **Jestine Iannotti**

Report: 2020 - G4 - 11 Print Date: 1/27/2021 1:46:58 PM

Election: 2020 General Election

Covers: 9/19/2020-10/2/2020 ☐ Amended ☑ Waiver

Due: 10/9/2020

Filed: 10/15/2020 10:18:08 AM File Status: Filed Report

Reviewed: 9/26/2020 Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed <u>Number of Detail Records</u>

Entry Method: Web Data Entry

Contributions: 0

Expenditures: 0

Pending Queued Items: **0** Fund Transfers: 0

Distributions: (



Laurel M. Lee Secretary of State DIVISION OF ELECTIONS

October 19, 2020

Jestine Iannotti 625 David Street Winter Springs, FL 32708-2708

CAN 76542

Dear Ms. Iannotti:

The notification that you had no reportable activity for the report deadline of October 9, 2020, was not filed until October 15, 2020. 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.

Sincerely,

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Treasurer Report Status

ID: **76542** Name: **Jestine Iannotti**

Report: 2020 - G5 - 13

Election: 2020 General Election

Covers: 10/3/2020-10/16/2020

Due: 10/23/2020

Print Date: 1/27/2021 1:47:20 PM

☐ Amended ✔ Waiver

Filed: **12/9/2020 12:32:56 PM**

File Status: Filed Report

Reviewed: 12/9/2020

Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed

Number of Detail Records

Contributions: 0

Entry Method: Web Data Entry

Expenditures: 0

Pending Queued Items: 0

Fund Transfers: 0

Distributions: 0

ID: **76542** Name: **Jestine Iannotti**

Report: 2020 - G6 - 14

Election: 2020 General Election

Covers: 10/17/2020-10/29/2020

Due: 10/30/2020

Print Date: 1/27/2021 1:48:04 PM

☐ Amended ☑ Waiver

Filed: 12/9/2020 12:33:26 PM File Status: Filed Report

Reviewed: 12/9/2020 Review Status: Reviewed

Detail Complete: No Detail Records Found

File Method: Web Filed Number of Detail Records

Entry Method: Web Data Entry Contributions: 0

Expenditures: 0

Pending Queued Items: **0** Fund Transfers: 0

Distributions: 0