

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Scott C. Cox**

**Case No.: FEC 17-165**

**TO:** Scott C. Cox  
4863 Spring Run Avenue  
Orlando, FL 32819

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

**NOTICE OF HEARING (INFORMAL HEARING)**

A hearing will be held in this case before the Florida Elections Commission on, **August 13, 2019 at 8:30 am**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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

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

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

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

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

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

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

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

**See further instructions on the reverse side.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
July 29, 2019

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

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

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

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

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

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

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

FILED

19 MAY 31 AM 10:35

STATE OF FLORIDA  
ELECTIONS COMMISSION

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 17-165**

v.

**Scott C. Cox,  
Respondent.**

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 14, 2019, in Tallahassee, Florida.

On March 27, 2019, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds there is **probable cause** to charge Respondent with the following violations:

**Count 1:**

On or about June 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before June 10, 2015, that Respondent would not be filing a 2015 M5 Report on the prescribed due date.

**Count 2:**

On or about July 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before July 10, 2015, that Respondent would not be filing a 2015 M6 Report on the prescribed due date.

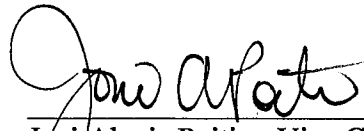
**Count 3:**

On or about August 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 10, 2015, that Respondent would not be filing a 2015 M7 Report on the prescribed due date.

**Count 4:**

On or about November 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before November 10, 2015, that Respondent would not be filing a 2015 M10 Report on the prescribed due date.

**DONE AND ORDERED** by the Florida Elections Commission on May 14, 2019.



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Joni Alexis Poitier, Vice Chair  
Florida Elections Commission

Copies furnished to:  
Eric M. Lipman, General Counsel  
Scott C. Cox, 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 consent order 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 informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

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

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

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

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Scott C. Cox**

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**Case No.: FEC 17-165**

**TO:** Scott C. Cox  
4863 Spring Run Avenue  
Orlando, FL 32819

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

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

A hearing will be held in this case before the Florida Elections Commission on, **May 14, 2019 at 9:30 am**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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**See further instructions on the reverse side.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
April 30, 2019

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THIS FILE CONTAINS INFORMATION  
THAT IS CONFIDENTIAL  
AND EXEMPT FROM DISCLOSURE  
PURSUANT TO  
CHAPTER 119, FLORIDA STATUTES

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Scott C. Cox**

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**Case No.: FEC 17-165**

**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint 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 January 15, 2019, the following facts and law support this staff recommendation.

1. On April 20, 2017, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging that Scott C. Cox (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for State Representative, District 44, in the 2016 election. He withdrew from the race. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form was filed with the Division on May 4, 2015. (ROI Exhibit 1 and Attachment A)<sup>1</sup>

3. By letter dated May 5, 2015, Kristi Reid Bronson, Chief, Bureau of Election Records, sent a letter to Respondent notifying him that his name had been placed on file in the Division's office as a candidate for State Representative. The 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 access to the EFS. (ROI Exhibit 2, page 1)<sup>2</sup>

4. Ms. Bronson’s May 5, 2015 letter also stated that all of the Division’s publications and reporting forms were on the Division’s website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* (“Handbook”), and the *Calendar of Reporting Dates*. (ROI Exhibit 2, page 3)

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<sup>1</sup> The Report of Investigation shall be referred to herein as “ROI.”

<sup>2</sup> Kristi Reid Bronson is now known as Kristi Reid Willis.

5. On August 27, 2018, the Executive Director sent Respondent notification that Commission staff would investigate the following alleged violations:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, for each of the following reporting periods, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the reporting periods:

- 2015 M5
- 2015 M6
- 2015 M7
- 2015 M10

6. Page 47 of the Handbook states:

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 indicate there is no activity by filing a waiver of report. (Waivers filed with the Division of Elections must be filed using the EFS.) (Emphasis in original)

*(Section 106.07, F.S.)*

(Attachment B)

7. Pages 12, 13, 44, and 45 of the *Candidate EFS User's Guide* ("Guide") explain the steps a candidate should take to notify the Division in writing on the prescribed reporting date that no report will be filed for the reporting period using the EFS. Specifically, at the top of page 13, the Guide instructs the user to click the box next to "Waiver" if there is no financial activity to report. (Attachment C)

8. Section 106.07(7), Florida Statutes, provides:

Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter **shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.** (Emphasis added)

9. The table below reflects Respondent's untimely notices of no activity filed with the Division:

| Report   | Report Cover Period | Date Notification Due | Date Notification Filed | No. of Days Late |
|----------|---------------------|-----------------------|-------------------------|------------------|
| 2015 M5  | 05/01/15 – 05/31/15 | 06/10/15              | 07/28/15                | 48               |
| 2015 M6  | 06/01/15 – 06/30/15 | 07/10/15              | 07/28/15                | 18               |
| 2015 M7  | 07/01/15 – 07/31/15 | 08/10/15              | 08/15/15                | 5                |
| 2015 M10 | 10/01/15 – 10/31/15 | 11/10/15              | 12/11/15                | 31               |

(ROI Exhibit 5, ROI ¶7)

10. On October 29, 2018, Respondent called the Commission's office to speak with Investigator Spore. Commission staff transferred the call to Investigator Spore; however, Respondent either hung-up or was disconnected before Investigator Spore could answer the call. Investigator Spore tried to return Respondent's phone call immediately; however, she reached a generic voicemail. Investigator Spore left a message requesting Respondent to call her back, which he failed to do. (Attachment D, Phone Log Entry 1)

11. On November 5, 2018, Investigator Spore attempted to speak with Respondent by telephone a second time. Investigator Spore reached Respondent's voice mail and left a message requesting Respondent to return her call, which he failed to do. (Attachment D, Phone Log Entry 2)

11. "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).

12. The above facts show Respondent was a candidate for State Representative, District 44, in the 2016 election. He withdrew from the race. Respondent failed to notify the filing officer in writing on the prescribed due date for the 2015 M5, 2015 M6, 2015 M7, and 2015 M10 Reports that he had no reportable financial activity and would not be filing a report for the applicable reporting period.

Based on the foregoing, I recommend that the Commission find probable cause to charge Respondent with the following violations:

**Count 1:**

On or about June 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before June 10, 2015, that Respondent would not be filing a 2015 M5 Report on the prescribed due date.

**Count 2:**

On or about July 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before July 10, 2015, that Respondent would not be filing a 2015 M6 Report on the prescribed due date.


**Count 3:**

On or about August 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before August 10, 2015, that Respondent would not be filing a 2015 M7 Report on the prescribed due date.

**Count 4:**

On or about November 10, 2015, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before November 10, 2015, that Respondent would not be filing a 2015 M10 Report on the prescribed due date.

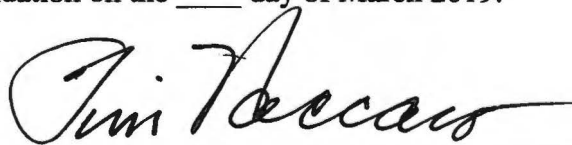
Respectfully submitted on March 27, 2019.



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Eric M. Lipman  
General Counsel

I have reviewed this Staff Recommendation on the 27<sup>th</sup> day of March 2019.



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Tim Vaccaro  
Executive Director





## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

November 10, 2015

Scott C. Cox (64694)  
4863 Spring Run Avenue  
Orlando, Florida 32819

Dear Mr. Cox:

This will acknowledge receipt of the letter informing us of your withdrawal as a 2016 candidate for the office of State Representative. This information was placed on file in our office on November 10, 2015.

Pursuant to Section 106.141, Florida Statutes, all candidates must, within 90 days of withdrawing their candidacy, dispose of all funds on deposit in the campaign account. You are required to file a 90-day termination report no later than **February 8, 2016**. You are not required to close the campaign prior to the due date; however, you must have written checks disposing of all surplus funds by this date.

You may file your report in the Electronic Filing System (EFS) at any time prior to the deadline once you have disposed of all funds. In order to file your termination report prior to the due date, you will need to change the cover period, which has been defaulted to an ending period of February 8, 2016, in the EFS (see attached example).

If you have any questions, please contact this office at (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/mcc

Attachment

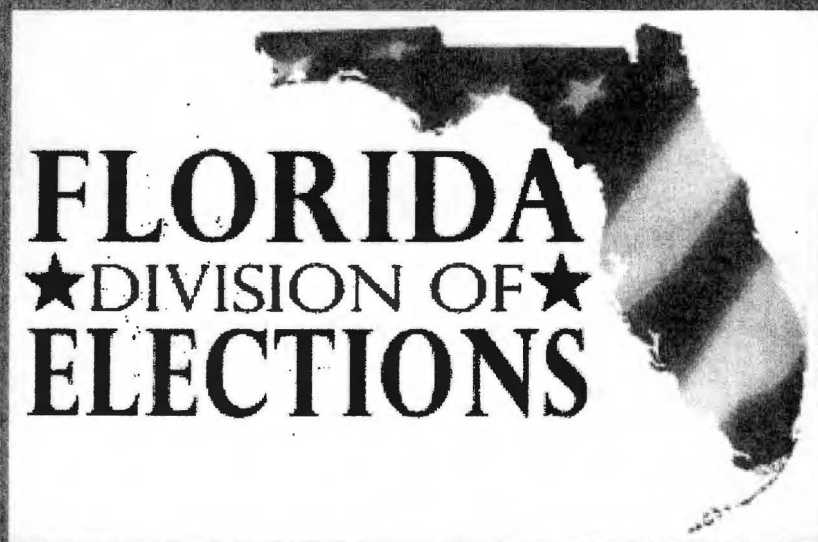
# ATTACHMENT A



Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6240 • 850.245.6260 (Fax) [dos.myflorida.com/elections/](http://dos.myflorida.com/elections/)  
Promoting Florida's History and Culture [VivaFlorida.org](http://VivaFlorida.org)



# Candidate & Campaign Treasurer Handbook



November 2013  
Florida Department of State  
Division of Elections  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, FL 32399-0250  
(850) 245-6240

ATTACHMENT B,  
page 1

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

*(Sections 106.07, 106.0705  
and 106.141, F.S.)*

#### **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 106.07(2) and (8), F.S.)*

#### **Waiver of Report**

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 indicate there is no activity by filing a waiver of report on the prescribed due date. (Waivers filed with the Division must be filed 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 106.07, F.S.)*

#### **Incomplete Reports**

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis: The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

*(Section 106.07(2), F.S.)*

#### **Reporting Total Sums**

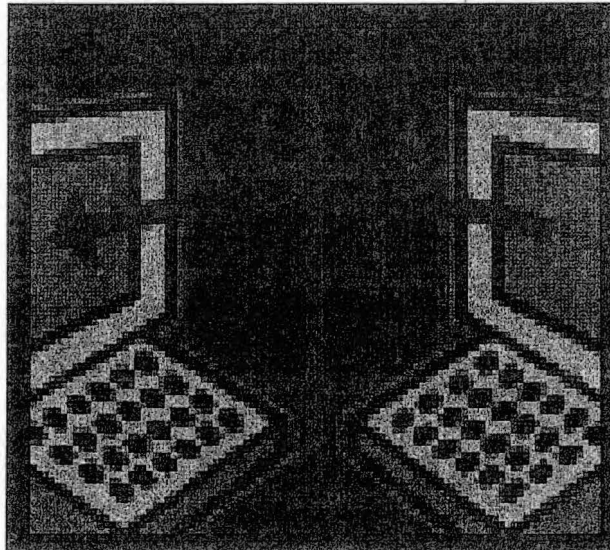
Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The

reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

*(Section 106.07, 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.

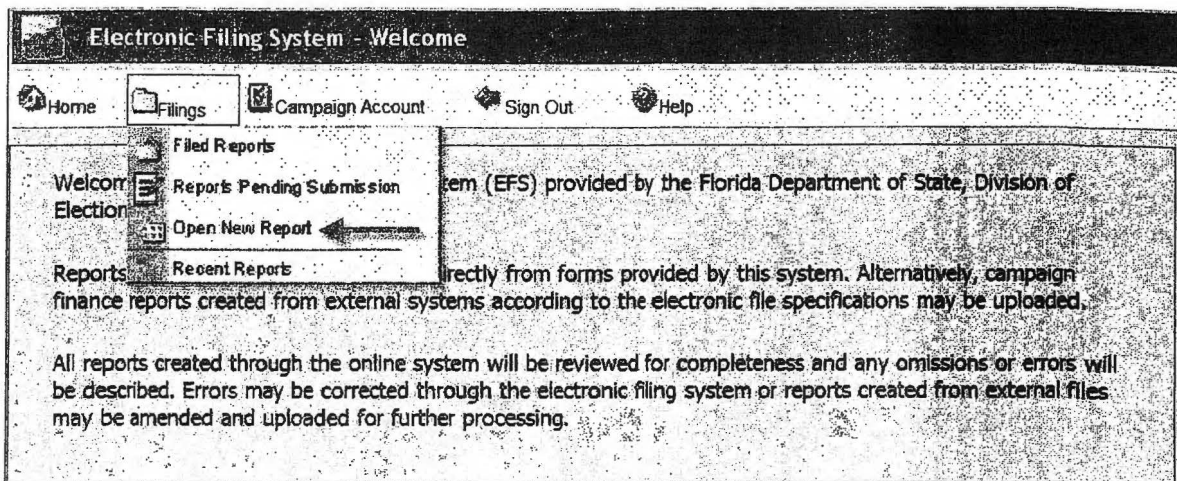
DS-DE 110A (eff. 01/11)

ATTACHMENT C, page 1



# Create a New Report by Data Entry

From the Welcome screen, click  Filings and then  Open New Report.



Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the 'Filed Reports' listing and then choose the 'Amend Report' option from the 'Edit' menu item.

**Coverage Periods**  
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year and then the report type. The beginning and ending coverage dates and the filing due date of the report are automatically associated with the *Reporting Year* and *Report Type*.


Election Cycle:

Report Type:

Coverage Period:   Due Date:

Special Election Report  Waiver

**Uploading a Campaign Finance Report**  
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

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

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

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

ATTACHMENT C, page 2

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

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

\*\*\*\*\*NOTE\*\*\*\*\*

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

Election Cycle: 2010 General Election  
 Report Type: P2 2010  
 Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010  
 Special Election Report  Waiver

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

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010

Append Only  Waiver Complete Status: Incomplete Detail Records  
 File Date: Review Status: Not Reviewed  
 Status: Data Entry Last Review:

# of Transactions: 0


| Contributions    |  | Total Amount | Expenditures           |  | Total Amount |
|------------------|--|--------------|------------------------|--|--------------|
| Cash and Checks: |  | 0.00         | Monetary:              |  | 0.00         |
| Loans:           |  | 0.00         | Transfers to Off Acct: |  | 0.00         |
| Total Monetary:  |  | 0.00         | Total Monetary:        |  | 0.00         |
| In Kind:         |  | 0.00         | Other Distributions:   |  | 0.00         |

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

The errors will be referenced in the **Review Messages** box and will be printed in red.

|  |                              |                  |                        |
|--|------------------------------|------------------|------------------------|
| Report: 2006 - Q4 - ZB   | Covers: 11/3/2006-12/31/2006 | Due: 1/10/2007   | Status: Reviewed       |
| Contribution #:  | <input type="text"/>         | Date: 11/15/2006 | Amendment: Not Amended |
| Last Name, Suffix:   | DOE                          |                  |                        |
| First, Middle Name:  | JOHN                         |                  |                        |
| Address:   | 100 MAIN                     |                  |                        |
| City:  | GAINESVILLE                  | State: Florida   | Zip: 32640-0000        |
| Contributor Type:  | Individual                   |                  |                        |
| Contribution Type:   | Check                        |                  |                        |
| Occupation/Business:   | <input type="text"/>         |                  |                        |
| In-kind Description:   | <input type="text"/>         |                  |                        |
| Amount:  | \$500.00                     |                  |                        |
| Revised:   | 2/14/2007 11:34:50 AM        |                  |                        |
| By:  | 41703-00                     |                  |                        |
| View Source Record:  | 0                            |                  |                        |
| <b>Review Messages:</b>  |                              |                  |                        |
| Occupation/Business Required When Contribution Is Greater Than \$100 |                              |                  |                        |
| New  | Copy                         | Amend            | Delete                 |
| Undo   | Save Changes                 | Go to Record     |                        |

In order to see all entries, clear the error filter. Click on 

|  |                                 |                 |
|--|---------------------------------|-----------------|
| Report: 2008 - G3 - 18   | Covers: 9/27/2008-10/10/2008    | Due: 10/17/2008 |
| Page Size: 15  | Page 1 Of 1 (Trxs 1 - 10 Of 10) |                 |
| Under Amend column * indicates record has been changed in this amendment |                                 |                 |

**NOTE:** Repeat the filter process for Expenditures, Funds Transfers and Other Distributions, if necessary.

# File the Report

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

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

Report: 2010 - F3 - 26      2010 General Election      Covers: 8/7/2010-8/19/2010      Due: 8/20/2010

File Date:       Review Status: Reviewed

Status: Cash Entry      Last Review: 8/19/2010 3:56:42 PM

# of Transactions:       Review      Recalculate      Go To File Report      Append File      Delete Report      Save

| Contributions   |  | Total Amount | Expenditures          |  | Total Amount |
|-----------------|--|--------------|-----------------------|--|--------------|
| Cash and Checks |  | 0.00         | Monetary              |  | 0.00         |
| Loan            |  | 0.00         | Transfers to Off Acct |  | 0.00         |
| Total Monetary  |  | 0.00         | Total Monetary        |  | 0.00         |
| Debit           |  | 0.00         | Other Distributions   |  | 0.00         |

Created: 8/19/2010 2:01:35 PM      By: 50552      Revised: 8/19/2010 3:56:42 PM      By: 50552

Click on **Go To File Report**.

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

Campaign Treasurer: Julie Myers

The treasurer enters his or her PIN and then clicks **File Report**.

Report: 2010 - F2 - 28      Coverage Period: 7/17/2010-7/30/2010      Due: 8/6/2010

Review Status: Reviewed      Original      Amended

Campaign Treasurer: Julie Myers      Weiver

PIN for specified Treasurer:

File Report



**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 17-165**

**Respondent:** Scott C. Cox

**Complainant:** Division of Elections

1. **Date and time:** 10/29/18- 11:48 AM

**Name:** Respondent

**Phone #:** 407-625-1415

**Summary:** Respondent called and spoke with our administrative assistant. He stated he did not know why our office was still sending him letters in the mail, as he had received the questionnaire-affidavit, and did not know why a referral had been sent to our office regarding late filings of reports in his campaign for State Representative. The administrative assistant asked if he would like to speak with me, and he stated he would. She transferred the call to me at my desk. The call came through, however, it appears Respondent hung up or was disconnected before I could answer. I attempted to return the call, after the administrative assistant told me who had been attempting to get in touch with me. I reached a generic voicemail box when I called, and left a message, asking Respondent to call me back at his earliest convenience.

**Memo to File?** No

**Entered by:** S. Spore

2. **Date and time:** 11/05/18- 3:39 PM

**Name:** Respondent

**Phone #:** 407-625-1415

**Summary:** I called and reached a voicemail box. I left a message, asking Respondent to return my call.

**Memo to File?** No

**Entered by:** S. Spore

3. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

4. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

5. **Date and time:**

**Name:**

ATTACHMENT D

## FLORIDA ELECTIONS COMMISSION

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

**Case Number:** FEC 17-165

**Respondent:** Scott C. Cox

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

**Complainant:** Division of Elections

**Respondent Type:**

Candidate

Political Committee

#### I. Preliminary Information:

1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on May 4, 2015. (Ex. 1)

2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 9 on May 5, 2015 advising 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. (Ex. 2)

3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.

4. The *Candidate and Campaign Treasurer Handbook*, discusses filing a notice-of-no-activity when there is no activity to disclose on page 47. (Ex. 3)

5. Pages 12, 13, 45, and 46 of the *Candidate EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose. (Ex. 4)

6. In a telephone interview on April 2, 2014, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on page 12, the only available option on the report summary screen will be "Go To File Report" as shown on page 13. Choosing "Go To File Report" will take the user directly to the screens where the candidate/treasurer PINS are entered as shown on pages 45 and 46.

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

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

| Report   | Report Cover Period | Date Notification Due | Date Notification Filed | No. of Days Late |
|----------|---------------------|-----------------------|-------------------------|------------------|
| 2015 M5  | 05/01/15 – 05/31/15 | 06/10/15              | 07/28/15                | 48               |
| 2015 M6  | 06/01/15 – 06/30/15 | 07/10/15              | 07/28/15                | 18               |
| 2015 M7  | 07/01/15 – 07/31/15 | 08/10/15              | 08/15/15                | 5                |
| 2015 M10 | 10/01/15 – 10/31/15 | 11/10/15              | 12/11/15                | 31               |

**III. FEC History:**

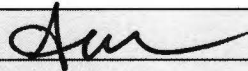
8. Respondent has not had any prior cases before the Commission.

**Conclusion:**

9. I attempted to contact Respondent on two occasions to give him an opportunity to discuss the allegations in the referral. Additionally, a questionnaire-affidavit was mailed to Respondent on September 28, 2018. As of the date of this report, Respondent has not returned my calls, nor has he returned an affidavit.

10. Because Respondent has not contacted the Commission or returned an affidavit, I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes and/or the *Candidate and Campaign Treasurer Handbook*. Respondent signed his Statement of Candidate form on April 13, 2015. (Ex. 6)

SIGNATURE OF INVESTIGATOR:



Date:

01/15/2019

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Scott C. Cox -- FEC 17-165**

| <b>LIST OF EXHIBITS</b> |  |
|-------------------------|--|
| <b>Exhibits #s</b>      | <b>Description of Exhibits</b>                             |
| Exhibit 1               | DS-DE 9 Form   |
| Exhibit 2               | Acknowledgment Letter                                      |
| Exhibit 3               | <i>Candidate and Campaign Treasurer Handbook</i> page 47   |
| Exhibit 4               | <i>Candidate EFS User's Guide</i> pages 12, 13, 44, and 45 |
| Exhibit 5               | Respondent's Filing History                                |
| Exhibit 6               | Statement of Candidate Form                                |

**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES**  
(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

RECEIVED  
DEPARTMENT OF STATE

2015 MAY -4 PM 2:34

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form      Re-filing to Change:  Treasurer/Deputy     Depository     Office     Party

2. Name of Candidate (in this order: First, Middle, Last)

Scott C. Cox

3. Address (include post office box or street, city, state, zip code)

4863 Spring Run Ave 32819  
Gaines, Florida

4. Telephone

(407) 625-1445

5. E-mail address

scottc1311@gmail.com

6. Office sought (include district, circuit, group number)

State Representative District 47

7. If a candidate for a nonpartisan office, check if applicable:

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     Democratic Party candidate.

9. I have appointed the following person to act as my  Campaign Treasurer     Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Lois A. Cox

11. Mailing Address

4863 Spring Run Ave ~~Tallahassee, FL~~

12. Telephone

(407) 661-8452

13. City

Gaines

14. County

Gaines

15. State

FL

16. Zip Code

32819

17. E-mail address

LoisA@wattsonmattycorp.com

18. I have designated the following bank as my  Primary Depository     Secondary Depository

19. Name of Bank

Regions Bank

20. Address

5084 Dr Phillips Blvd

21. City

Gaines

22. County

Gaines

23. State

FL

24. Zip Code

32819

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

April 22, 2015 CE

26. Signature of Candidate

X Scott Cox

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Lois A. Cox, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:  Campaign Treasurer     Deputy Treasurer.

4-22-15

Date

X

*Lois A. Cox*

Signature of Campaign Treasurer or Deputy Treasurer



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 5, 2015

Scott C. Cox  
4863 Spring Run Avenue  
Orlando, Florida 32819

Dear Mr. Cox:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on May 4, 2015. Your name has been placed on the 2016 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **June 10, 2015**. The report will cover the period of May 1-31, 2015 (M5). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

### Credentials and Sign-ons

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

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

**Identification Number:** 64694



Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6240 • 850.245.6260 (Fax) [election.dos.state.fl.us](http://election.dos.state.fl.us)  
*Promoting Florida's History and Culture* [VivaFlorida.org](http://VivaFlorida.org)



EXHIBIT 2 page 1 of 3



Scott Cox  
May 5, 2015  
Page Two

**Pin Numbers**

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

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

**Timely Filing**

All reports filed must be completed and filed through the EFS not later than midnight 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.

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 3 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.

Scott Cox  
May 5, 2015  
Page Three

**Instructions and Assistance**

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

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. 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.

Sincerely,



Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/zjs

Enclosures

pc: Lois A. Cox, Treasurer

EXHIBIT 2 page 3 of 3



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

(Sections 106.07, 106.0705  
and 106.141, F.S.)

### 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 106.07(2) 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.

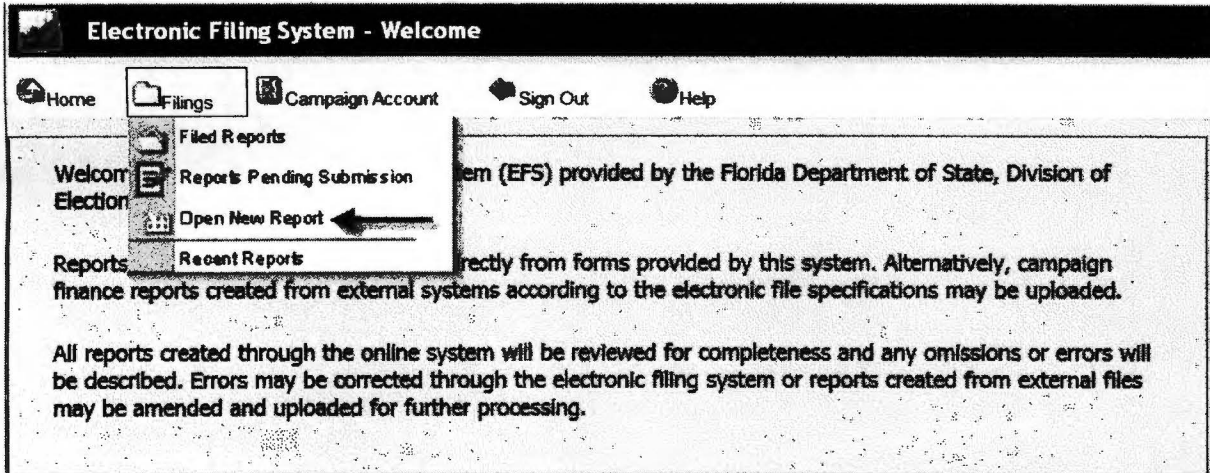
(Section 106.07, F.S.)

### Incomplete Reports

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign

# Create a New Report by Data Entry

From the Welcome screen, click  Filings and then  Open New Report.



Use this form to submit an original report. To submit an amendment to a previously filed report, first select the report from the 'Filed Reports' listing and then choose the 'Amend Report' option from the 'Edit' menu item.

**Coverage Periods**  
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year and then the report type. The beginning and ending coverage dates and the filing due date of the report are automatically associated with the *Reporting Year and Report Type*.

Election Cycle: 2010 General Election  
Report Type: F2 2010  
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010

Special Election Report  Waiver

**Uploading a Campaign Finance Report**  
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

Browse...  
Open Report

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

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

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

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

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

\*\*\*\*\*NOTE\*\*\*\*\*

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

Election Cycle: 2010 General Election  
Report Type: F2 2010  
Coverage Period: 7/17/2010 7/30/2010 Due Date: 08/06/2010  
 Special Election Report  Waiver

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

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/28/2010 Due: 10/29/2010

Amendment:  Waiver Complete Status: Incomplete Detail Records  
File Date: Review Status: Not Reviewed  
Status: Data Entry Last Review:

# of Transactions: 0

| Contributions    |  | Total Amount | Expenditures           |  | Total Amount |
|------------------|--|--------------|------------------------|--|--------------|
| Cash and Checks: |  | 0.00         | Monetary:              |  | 0.00         |
| Loans:           |  | 0.00         | Transfers to Off Acct: |  | 0.00         |
| Total Monetary:  |  | 0.00         | Total Monetary:        |  | 0.00         |
| In-Kind:         |  | 0.00         | Other Distributions:   |  | 0.00         |

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

# File the Report

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

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

Report: 2010 - F3 - 26    2010 General Election    Covers: 8/7/2010-8/19/2010    Due: 8/20/2010

Amend Report     Waiver    Complete Status: **Complete Detail Records** ←  
 File Date:     Review Status: Reviewed  
 Status: Date Entry    Last Review: 8/19/2010 3:56:42 PM

# of Transactions:     Review    Recalculate    Go To File Report    Append File    Delete Report    Save

| Contributors     |                      | Total Amount | Expenditures            |                      | Total Amount |
|------------------|----------------------|--------------|-------------------------|----------------------|--------------|
| Cash and Checks: | <input type="text"/> | 0.00         | Monetary:               | <input type="text"/> | 51.00        |
| Loans:           | <input type="text"/> | 0.00         | Transfers to Off Accts: | <input type="text"/> | 0.00         |
| Total Monetary:  | <input type="text"/> | 0.00         | Total Monetary:         | <input type="text"/> | 51.00        |
| In-Kind:         | <input type="text"/> | 0.00         | Other Distributions:    | <input type="text"/> | 0.00         |

Review Messages:

Created: 8/19/2010 2:01:35 PM    By: 50552    Revised: 8/19/2010 3:56:42 PM    By: 50552

Click on **Go To File Report**.

The chairperson enters his or her PIN, and then selects **Report Approved**.

**NOTE: A PIN is the same as your signature attesting to the validity of the report.**

Step 1: Enter the candidate/chairperson PIN.

Step 2: Select the 'Report Approved' button.

---

Report: 2010 - F3 - 26    Coverage Period: 8/7/2010-8/19/2010    Due: 8/20/2010

Review Status: Reviewed     Original     Amended

Waiver

PIN for Candidate/Chairperson:     **Report Approved** ←





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

Campaign Treasurer: James Bond 

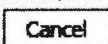
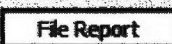

The treasurer enters his PIN and then clicks 

Report: 2010 - F3 - 26      Coverage Period: 8/7/2010-8/19/2010      Due: 8/20/2010

Review Status: Reviewed        Original       Amended

Campaign Treasurer: James Bond        Waiver

PIN for specified Treasurer:

To Edit Report Again Select Cancel:   

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



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

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Scott C. Cox

Name: Cox

Account: 64694

Election:

Acct: 64694

Type: Candidate

Search Reset

| Date Due   | Type | Date Filed | Status | Days Late | Fine Assessed | Appealed | Amount Fined | Amount Paid |
|------------|------|------------|--------|-----------|---------------|----------|--------------|-------------|
| 2/8/2016   | TR   | 11/10/2015 |        |           |               |          |              |             |
| 11/10/2015 | M10  | 12/11/2015 | FEC    | 31        | \$0.00        |          | \$0.00       | \$0.00      |
| 10/13/2015 | M9   | 10/12/2015 |        |           |               |          |              |             |
| 9/10/2015  | M8   | 9/9/2015   |        |           |               |          |              |             |
| 8/10/2015  | M7   | 8/15/2015  | FEC    | 5         | \$0.00        |          | \$0.00       | \$0.00      |
| 7/10/2015  | M6   | 7/28/2015  | FEC    | 18        | \$0.00        |          | \$0.00       | \$0.00      |
| 6/10/2015  | M5   | 7/28/2015  | FEC    | 48        | \$0.00        |          | \$0.00       | \$0.00      |

EXHIBIT 5 page 1 of 2



Florida Department of State  
Division of Elections

2016 General Election  
Scott C. Cox (DEM)  
State Representative

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.](#)

|   | Filing Period             | Contributions |       |        | Expend | Other | Transfers |
|---|---------------------------|---------------|-------|--------|--------|-------|-----------|
|   |                           | Monetary      | Loans | InKind |        |       |           |
| W | 05/04/2015 - 05/31/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 06/01/2015 - 06/30/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 07/01/2015 - 07/31/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 08/01/2015 - 08/31/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 09/01/2015 - 09/30/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 10/01/2015 - 10/31/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 10/01/2015 - 11/10/2015   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| ⊙ | <b>All Dates (Totals)</b> | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

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

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

Query the Campaign Finance Data Base

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

EXHIBIT 5 page 2 of 2

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED  
OFFICE USE ONLY  
DEPARTMENT OF STATE

2015 APR 20 AM 10:43

STATE OF FLORIDA  
DIVISION OF ELECTIONS

I, Scott Christopher Cox,

candidate for the office of State House District 64;

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

X SCOTT COX  
Signature of Candidate

April 17, 2015  
Date

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).





**FLORIDA ELECTIONS COMMISSION**

**107 W. Gaines Street,  
Suite 224 Collins Building  
Tallahassee, Florida 32399-1050  
Telephone: (850) 922-4539  
Fax: (850) 921-0783  
[www.fec.state.fl.us](http://www.fec.state.fl.us); [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com)**

August 27, 2018

Scott C. Cox  
4863 Spring Run Avenue  
Orlando, FL 32819

**RE: Case No.: FEC 17-165; Respondent: Scott C. Cox**

Dear Mr. Cox:

On April 20, 2017, the Florida Elections Commission received a complaint alleging that 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 violations:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2015 M5
- 2015 M6
- 2015 M7
- 2015 M10

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission

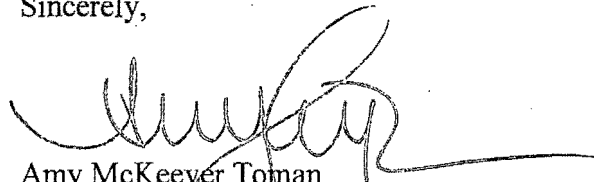
Scott C. Cox  
August 27, 2018  
Page 2  
FEC 17-165

investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website ([www.fec.state.fl.us](http://www.fec.state.fl.us)).

If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case at extension 110.

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/enr

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

RECEIVED

To FEC from Division of Elections

2017 APR 20 1P 3:37

STATE OF FLORIDA

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**Candidate:** Scott C. Cox

**Account Number:** 64694

**Treasurer:** Lois A. Cox

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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 file notifications to the filing officer in writing that no report was being filed on the prescribed reporting date under s. 106.07(7).

2015 M5

2015 M6

2015 M7

2015 M10

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**Sent By:** Kristi Reid Bronson

**Date:** April 19, 2017 *KRB*

mcc

## AFFIDAVIT

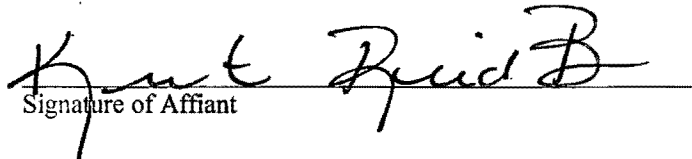
**STATE OF FLORIDA**  
**County of Leon**

**Kristi Reid Bronson, being duly sworn, says:**

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
2. I am of legal age and competent to testify to the matters stated herein.
3. Scott C. Cox (64694) was a 2016 candidate for the office of State Representative. On May 4, 2015, Mr. Cox filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division designating Lois A. Cox as treasurer. (See attached documents and acknowledgment letter).
4. The 2015 M5 campaign treasurer's report was due on June 10, 2015. Ms. Cox failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Cox filed a notification of no activity on July 28, 2015. (See attached file receipt).
5. The 2015 M6 campaign treasurer's report was due on July 10, 2015. Ms. Cox failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Cox filed a notification of no activity on July 28, 2015. (See attached letter and file receipt).
6. The 2015 M7 campaign treasurer's report was due on August 10, 2015. Ms. Cox failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Cox filed a notification of no activity on August 15, 2015. (See attached letter and file receipt).

7. The 2015 M10 campaign treasurer's report was due on November 10, 2015. Ms. Cox failed to notify the Division that no report was being filed on the prescribed reporting date. Ms. Cox filed a notification of no activity on December 11, 2015. (See attached file receipt).

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

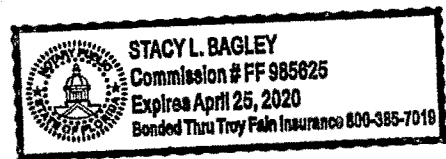
  
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 19th day of April, 2017.

  
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known



**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES**  
(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF STATE  
2015 MAY -4 PM 2:34

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

Initial Filing of Form      Re-filing to Change:  Treasurer/Deputy     Depository     Office     Party

2. Name of Candidate (in this order: First, Middle, Last)      3. Address (include post office box or street, city, state, zip code)

Scott C. Cox

4863 Spring Run Ave 32819  
Gaines, Florida

4. Telephone      5. E-mail address  
(407) 625-1475      scocx1311@ymail.com

6. Office sought (include district, circuit, group number)      7. If a candidate for a nonpartisan office, check if applicable:  
State Representative District 47       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     Democratic Party candidate.

9. I have appointed the following person to act as my     Campaign Treasurer     Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Lois A. Cox

11. Mailing Address      12. Telephone  
4863 Spring Run Ave ~~Tallahassee, FL~~      (407) 666-8452

13. City      14. County      15. State      16. Zip Code      17. E-mail address  
Gaines      Orange      FL      32819      lox@watsontechcorp.com

18. I have designated the following bank as my     Primary Depository     Secondary Depository

19. Name of Bank      20. Address  
Regions Bank      5094 Dr Phillips Blvd

21. City      22. County      23. State      24. Zip Code  
Gaines      Orange      FL      32819

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  
April 22, 2015 CE      X Scott Cox

27. **Treasurer's Acceptance of Appointment** (fill in the blanks and check the appropriate block)  
I, Lois A. Cox, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:     Campaign Treasurer     Deputy Treasurer.

4-22-15  
Date

X

Lois A. Cox  
Signature of Campaign Treasurer or Deputy Treasurer





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 5, 2015

Scott C. Cox  
4863 Spring Run Avenue  
Orlando, Florida 32819

Dear Mr. Cox:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on May 4, 2015. Your name has been placed on the 2016 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **June 10, 2015**. The report will cover the period of May 1-31, 2015 (M5). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

### Credentials and Sign-ons

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

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

**Identification Number:** 64694



Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6240 • 850.245.6260 (Fax) [election.dos.state.fl.us](http://election.dos.state.fl.us)  
*Promoting Florida's History and Culture* [VivaFlorida.org](http://VivaFlorida.org)

FLORIDA  
DIVISION OF  
ELECTION

Scott Cox  
May 5, 2015  
Page Two

### **Pin Numbers**

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

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

### **Timely Filing**

All reports filed must be completed and filed through the EFS not later than midnight 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.

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 3 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.

Scott Cox  
May 5, 2015  
Page Three

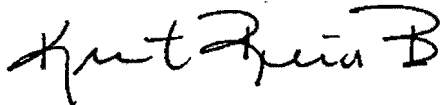
**Instructions and Assistance**

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

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. 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.

Sincerely,



Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/zjs

Enclosures

pc: Lois A. Cox, Treasurer

 Treasurer Report Status

ID: **64694** Name: **Scott C. Cox**

Report: 2015 - M5 - 1

Print Date: **4/18/2017 8:33:51 AM**

Election: 2016 General Election

Covers: 5/4/2015-5/31/2015

Amended  Waiver

Due: 6/10/2015

Filed: **7/28/2015 11:21:31 AM**

File Status: **Filed Report**

Reviewed: **7/28/2015**

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

To Print Report: Right Click Mouse and Select 'Print'



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 3, 2015

Lois A. Cox, Treasurer  
4863 Spring Run Avenue  
Orlando, FL 32819-2819

CAN 64694

Dear Ms. Cox:

The notification that you had no reportable activity for the report deadline of July 10, 2015, was not filed until July 28, 2015. 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 so 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,

Kristi Reid Bronson, Chief  
Bureau of Election Records

cc: Scott C. Cox

Candidate for State Representative, District 44

 **Treasurer Report Status**

**ID: 64694**      **Name: Scott C. Cox**

Report: 2015 - M6 - 2

Print Date: **4/18/2017 8:34:15 AM**

Election: 2016 General Election

Covers: 6/1/2015-6/30/2015

Amended     Waiver

Due: 7/10/2015

Filed: **7/28/2015 11:24:51 AM**

File Status: **Filed Report**

Reviewed: **7/28/2015**

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

To Print Report: Right Click Mouse and Select 'Print'





FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 18, 2015

Lois A. Cox, Treasurer  
4863 Spring Run Avenue  
Orlando, FL 32819-2819

CAN 64694

Dear Ms. Cox:

The notification that you had no reportable activity for the report deadline of August 10, 2015, was not filed until August 15, 2015. 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,

Kristi Reid Bronson, Chief  
Bureau of Election Records

cc: Scott C. Cox  
Candidate for State Representative, District 44

 **Treasurer Report Status**

ID: **64694**      Name: **Scott C. Cox**

Report: 2015 - M7 - 3

Print Date: **4/18/2017 8:34:47 AM**

Election: 2016 General Election

Covers: 7/1/2015-7/31/2015

Amended     Waiver

Due: 8/10/2015

Filed: **8/15/2015 1:57:49 PM**

File Status: **Filed Report**

Reviewed: **8/15/2015**

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

To Print Report: Right Click Mouse and Select 'Print'

 **Treasurer Report Status**

**ID: 64694**      **Name: Scott C. Cox**

Report: 2015 - M10 - 7

Print Date: **4/18/2017 8:35:14 AM**

Election: 2016 General Election

Covers: 10/1/2015-10/31/2015

Amended     Waiver

Due: 11/10/2015

Filed: **12/11/2015 4:35:30 PM**

File Status: **Filed Report**

Reviewed: **12/11/2015**

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

To Print Report: Right Click Mouse and Select 'Print'