

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Bobby Powell, Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello PA
Post Office Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 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
November 9, 2020

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

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

If this is a 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: Bobby Powell Jr

Case No.: FEC 19-526

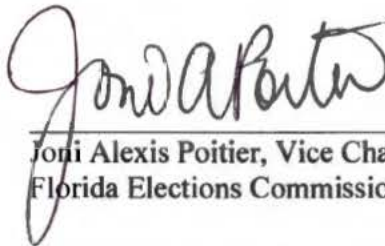
ORDER FINDING APPEAL TIMELY FILED

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 26, 2020, in Tallahassee, Florida.

Respondent requested reconsideration of the determination that his appeal of an automatic fine imposed by the Division of Elections was late-filed with the Commission. Based on Respondent's request for reconsideration, all other documents from the case file, and oral statements made at the hearing, the Commission finds that the appeal was filed within 20 days of Respondent's receipt of the statutory notice from the Division of Elections. Therefore, it is

ORDERED that Respondent's appeal of the automatic fine is **TIMELY FILED**.

DONE AND ORDERED by the Florida Elections Commission on August 26, 2020.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Mark Herron, Esq., Attorney for Respondent
Division of Elections, Filing Officer

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-19-526

NAME: **BOBBY POWELL JR**

DATE APPEAL RECEIVED: 9/24/19

DATE REPORT DUE: 3/11/19 (2019 M2)

DATE OF ELECTRONIC RECEIPT: 3/23/19

NUMBER OF DAYS LATE: 12

AMOUNT OF FINE: \$4,448.65

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$17,794.59

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$0

DATE OF FIRST NOTIFICATION: 3/13/19

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

SUMMARY: Bobby Powell Jr. is a candidate for State Senator, District 30 in the 2022 elections. He appointed himself as his own treasurer. He is being represented by attorney Mark Herron, Esquire.

Mr. Powell is appealing the fine claiming that he did not receive the correspondence from DOE advising him that the 2019 M2 Report had not been filed. According to Mr. Herron, "On February 5, 2019, Powell transferred \$17,794.59 from his 2018 Senate District 39 campaign as funds retained pursuant to Section 106.141(6), Florida Statutes, for use in his 2022 campaign for the same office. A report of this transaction, the 2019 M2 report, was due on March 11, 2019. This was the first report due in connection with Powell's 2022 Senate campaign. The 2019 Regular Session of the Florida Legislature convened on March 5, 2019. On the weekend before the start of session, Powell checked his post office box and it did not have the confirmation letter from the Division with his campaign identification number and candidate/campaign treasurer passwords. Therefore, he could not file the 2019 M2 report at that time. Powell became aware that the 2019 M2 report had not been filed. He then reached out to the Division was informed that he could not be provided the information by telephone and subsequently the Division provided the information to Powell needed to file the 2019 M2 report. The report was filed on March 23, 2019".

- The 2019 M2 Original Report covers the period from 2/5/19-2/28/19; it was due on 3/11/19.
- The 2019 M2 Queued Transaction Report shows that it was created on 3/23/19 at approximately 11:29 p.m. and filed on 3/23/19 at approximately 11:37 pm.
- Bobby Powell Jr. reported receiving one contribution, while making zero expenditures.
- The Division of Elections does not have any notes that pertain to Bobby Powell Jr's 2019 M2 report.

REC'D: FL ELECTIONS COM
24 SEP 19 AM 10:03

BEFORE THE
STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

IN RE: BOBBY POWELL, JR.,
Appeal of Fine for Late-Filed Campaign Treasurer's Report.

Bobby Powell, Jr. ("Powell"), through undersigned counsel, appeals the fine imposed by the Division of Elections, on or about March 27, 2019, in connection with a late filed campaign treasurer's report. With respect to this appeal, the Ms. Leyva requests a hearing before the Florida Elections Commission ("FEC").

In support of this appeal and request for hearing, Mr. Powell states:

Failure to Receive Notice of Right to Appeal

1. On or about February 5, 2019, Powell filed an appointment of campaign treasurer and designation of campaign depository (DS-DE 9) with the Division of Elections naming himself as the campaign treasurer for his 2022 campaign for re-election to the Florida Senate, District 30. The listed mailing address for the campaign was Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 1.)

2. On or about March 13, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a letter to Powell indicating that he had not filed the 2019 M2 campaign treasurer's report that was due on March 11, 2019. This

letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 2.)

3. On or about March 27, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a letter to Powell indicating that the 2019 M2 campaign treasurer's report that was due on March 11, 2019 had been filed on March 23, 2019 and that a late fine of \$4,448.65 had been assessed. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 3.)

4. On or about April 10, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a second letter to Powell indicating that the 2019 M2 campaign treasurer's report that was due on March 11, 2019 had been filed on March 23, 2019 and that a late fine of \$4,448.65 had been assessed. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 4.)

5. On or about April 1, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent an audit letter to Powell indicating that the 2019 M2 campaign treasurer's report was incomplete and indicating that he had seven days to file an amended report to correct the noted errors or provide the missing information. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 5.)

6. On or about April 15, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a second audit letter to Powell indicating that the 2019 M2 campaign treasurer's report was incomplete and indicating that he had seven days to file an amended report to correct the noted errors or provide the missing information. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 6.)

7. On May 13, 2019, the March 13, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that he had not filed the 2019 M2 campaign treasurer's report that was due on March 11, 2019 (Exhibit 2) was returned as being undeliverable. (Exhibit 7.)

8. On May 13, 2019, the March 27, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that a fine of \$4,448.65 had been imposed for a late filed campaign treasurer's report (Exhibit 3) was returned as being undeliverable. (Exhibit 8.)

9. On May 13, 2019, the April 1, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that the 2019 M2 report was incomplete (Exhibit 5) was returned as being undeliverable. (Exhibit 9.)

10. On May 13, 2019, the April 10, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that a fine of \$4,448.65 had been imposed for a late filed campaign treasurer's report (Exhibit 4) was returned as being undeliverable. (Exhibit 10.)

11. On or about May 13, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a final notice to Powell indicating that the 2019 M2 campaign treasurer's report that was due on March 11, 2019 had been filed on March 23, 2019 and that a late fine of \$4,448.65 had been assessed. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402. (Exhibit 11.)

12. On or about June 10, 2019, Kristi Bronson, Chief, Bureau of Elections Records, referred the unpaid assessed fine of \$4,448.65 to the Department of Financial Services for collection. (Exhibit 12.)

13. On June 21, 2019, United Collections Bureau forwarded correspondence to Powell demanding payment of \$5,227.16, reflecting the unpaid assessed fine of \$4,448.65, plus a collection fee of \$778.51. (Exhibit 13.)

14. Powell received notice of these actions on September 5, 2019, when copies of some of above-referenced documents were delivered to him at Post Office Box 782, West Palm Beach, FL 33402.

Appeal of Fine Imposed

15. Section 106.07(8), Florida Statutes, authorizes a candidate to appeal or dispute a fine imposed by the Division of Elections, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. The candidate may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived.

16. On February 5, 2019, Powell transferred \$17,794.59 from his 2018 Senate District 39 campaign as funds retained pursuant to Section 106.141(6), Florida Statutes, for use in his 2022 campaign for the same office. A report of this transaction, the 2019 M2 report, was due on March 11, 2019. This was the first report due in connection with Powell's 2022 Senate campaign.

17. The 2019 Regular Session of the Florida Legislature convened on March 5, 2019. On the weekend before the start of session, Powell checked his post office box and it did not have the confirmation letter from the Division

with his campaign identification number and candidate / campaign treasurer passwords. Therefore, he could not file the 2019 M2 report at that time.

18. Powell became aware that the 2019 M2 report had not been filed. He then reached out to the Division was informed that he could not be provided the information by telephone and subsequently the Division provided the information to Powell needed to file the 2019 M2 report. The report was filed on March 23, 2019.

19. Powell did not receive the correspondence from the Division regarding the automatically assessed fine, his right to appeal, and the requirement to appeal within 20 days because, at some point while in Tallahassee, his rental of Post Office Box 782, West Palm Beach, FL 33402 expired.

20. He subsequently renewed his rental of Post Office Box 782, West Palm Beach, FL 33402, and upon receipt of notice of these actions on September 5, 2019, Powell timely filed this appeal within the statutorily required 20 days period of receiving notice.

Conclusion

Based on the foregoing, Powell respectfully requests that the FEC take up this appeal, grant him hearing a hearing as requested, and waive the

assessed fine, in whole or in part, based on the standards set out in Section 106.07(8)(c), Florida Statutes.

Respectfully submitted this 24th day of September 2019, by:

/s/Mark Herron

Mark Herron

Florida Bar No.: 0199737

MESSER CAPARELLO, P.A.

Post Office Box 15579

Tallahassee, FL 32317

Email: mherron@lawfla.com

Telephone: (850) 222-0720

Facsimile: (850) 224-4359

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of this petition for formal administrative hearing was filed with the Agency Clerk, Florida Elections Commission, Room 224, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050, by hand delivery on this 24th day of September, 2019.

/s/ Mark Herron

HAND DELIVERED

2019 FEB -5 AM 10:12

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.

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)

Robbu Powell Jr.

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

P.O. Box 782 West Palm Beach, FL 33402

4. Telephone

(561) 452-3179

5. E-mail address

Robbypowelljr@hotmail.com

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

State Senate, District 30

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 Democrat Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Bobby Powell Jr.

11. Mailing Address

P.O. Box 782, West Palm Beach, FL 33402

12. Telephone

(561) 452-3179

13. City

West Palm Beach

14. County

Palm Beach

15. State

FL

16. Zip Code

33402

17. E-mail address

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

19. Name of Bank

Wells Fargo

20. Address

303 Panvan Blvd.

21. City

West Palm Beach

22. County

Palm Beach

23. State

FL

24. Zip Code

33401

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

2-4-19

26. Signature of Candidate

[Signature]

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

I, Bobby Powell Jr., do hereby accept the appointment designated above as:

Campaign Treasurer Deputy Treasurer.

2-4-19

Date

[Signature]

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was March 11, 2019.

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

[ZIP Code™ by Address \(/zip-code-lookup.htm?byaddress\)](/zip-code-lookup.htm?byaddress)

[ZIP Code™ by City and State \(/zip-code-lookup.htm?bycitystate\)](/zip-code-lookup.htm?bycitystate)

[Cities by ZIP Code™ \(/zip-code-lookup.htm?citybyzipcode\)](/zip-code-lookup.htm?citybyzipcode)

[FAQs](#)

<https://www.usps.com/zip-code-lookup.htm>

Look Up a ZIP Code™ FAQs

Go to

ZIP Code™ by Address

You entered:

POST OFFICE BOX 782
WEST PALM BEACH FL

If more than one address matches the information provided, try narrowing your search by entering a street address and, if applicable, a unit number. **Edit and search again. ([zip-code-lookup.htm?byaddress](/zip-code-lookup.htm?byaddress))**

Feedback

PO BOX 782
WEST PALM BEACH FL **33402-0782**

[Look Up Another ZIP Code™](#)

[Edit and Search Again \(/zip-code-lookup.htm?byaddress\)](/zip-code-lookup.htm?byaddress)



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 27, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

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

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 10, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 1, 2019

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

Re: CAN 74103

Dear Senator Powell:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Contributions

-----Contributor-----				-----Contribution-----							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1	02/04/19	BOBBY POWELL JR. CAMPAIGN FOR SENATE			S	PREVIOUS CAMPAIGN	COF	\$17,794.59			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *Invalid Contributor Type for Carryover Funds (COF) - Must be Other (O)
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Fund Transfers

Other Distributions

3/28/2019

Florida Department of State - Division of Elections
Compliance Report

Page 1

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Overall

Contributions

Contribution

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07		Occupation/Business Not Provided	1	2/4/2019	BOBBY POWELL JR. CAMPAIGN FOR SENATE		COF	\$17,784.69

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Second Notice

April 15, 2019

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

Re: CAN 74103

Dear Senator Powell:

On April 1, 2019, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

4/15/2019

Florida Department of State - Division of Elections

Page 1

Error Report

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Contributions

----- Contributor -----				----- Contribution -----							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1	02/04/19	BOBBY POWELL JR CAMPAIGN FOR SENATE			S	PREVIOUS CAMPAIGN	COF	\$17,794.69			

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *Invalid Contributor Type for Carryover Funds(COF)- Must be Other (O)
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Fund Transfers

Other Distributions

RECEIVED

2019 MAY 13 AM 11:04
DIVISION OF ELECTIONS
TALLAHASSEE, FL

JAX FL DSA 54

ADDRESS SERVICE
REQUESTED

PRESORT
FIRST CLASS

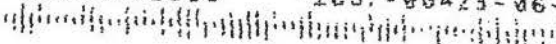


US POSTAGE >>> PITNEY BOWES

ZIP 32301 \$ 000.42^B
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0001403894 MAR 14 2019

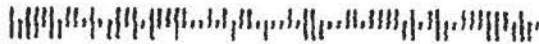
NIXIE 331 DE 1270 0001.06.19

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

EC: 32399611900 *1687-00423-06-18


Bobby Powell Jr
Candidate for State Senator
Post Office Box 782
West Palm Beach, FL 33402

VAC
106 BABBAID: 020529



RECEIVED
2019 MAY 13 AM 11:04
DIVISION OF ELECTIONS
TALLAHASSEE, FL



PRESORT
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES
ZIP 32301 \$ 000.42⁸
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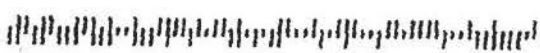
NIXIE 331 DE 1270 0005/06/19

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

BC: 32399651900 *1657-00425-06-18

Bobby Powell Jr
Candidate for State Senator
Post Office Box 782
West Palm Beach, FL 33402

VAC
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FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was March 11, 2019.

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

RECEIVED

2019 MAY 13 AM 10:55

DIVISION OF ELECTIONS
TALLAHASSEE, FL



PRESORT
FIRST CLASS



US POSTAGE PITNEY BOWES

ZIP 32301 \$ 000.42⁸
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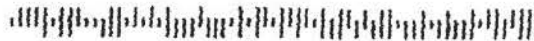
391 05 13 2019

RETURN TO SENDER
UNABLE TO FORWARD

30: 32399651900 *1687-00426-06-18

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

VAC 1
007 3 8298AMS 136402





FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 27, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

RECEIVED

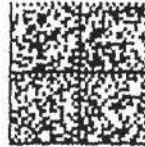
2019 MAY 13 AM 11:04

DIVISION OF ELECTIONS
TALLAHASSEE, FL

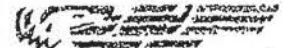


ADDRESS SERVICE
REQUESTED

PRESORT
FIRST CLASS



U.S. POSTAGE PITNEY BOWES



ZIP 32301 \$ 000.42⁸
02 1W
0001403894 APR 11 2019

*Box
close*

NOV 15 2018 11 05 AM

RETURN TO SENDER

UNABLE TO FORWARD

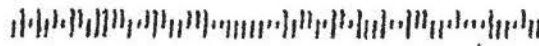
BC: 32399651900 *1687-00429-06-12

Bobby Powell Jr
Candidate for State Senator
Post Office Box 782
West Palm Beach, FL 33402

80

VAC

105 CR88AAB 33402





FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 1, 2019

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

Re: CAN 74103

Dear Senator Powell:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

A handwritten signature in cursive script that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

3/28/2019

Florida Department of State - Division of Elections

Page 1

Error Report

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Contributions

		-----Contributor-----			-----Contribution-----					
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount in Kind	Descrip	Amend
1	02/04/19	BOBBY POWELL JR, CAMPAIGN FOR SENATE			S	PREVIOUS CAMPAIGN	COF	\$17,794.59		

- *The Transaction Date Is Either Before Or After The Report Coverage Period
- *Invalid Contributor Type for Carryover Funds (COF) - Must be Other (O)
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Fund Transfers

Other Distributions

3/28/2019

Florida Department of State - Division of Elections
Compliance Report

Page 1

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Overall

Contributions

-----			Contribution				-----	
<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07		Occupation/Business Not Provided	1	2/4/2019	BOBBY POWELL JR CAMPAIGN FOR SENATE		COF	\$17,794.59

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 10, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

Kristi Reid Wilfis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # 9114 9023 0722 4129 6166 27
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

May 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9114902307224129616627

Remove X

Expected Delivery on

WEDNESDAY

15 MAY 2019 ⓘ **by** **8:00pm** ⓘ

Feedback

✓ Delivered

May 15, 2019 at 6:48 am
Delivered, PO Box
WEST PALM BEACH, FL 33402

Get Updates ▾

- Text & Email Updates** ▾
- Tracking History** ▾
- Product Information** ▾

See Less ^



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

TO: Kedra Lewis, Chief
Bureau of Planning, Budget and Financial Services

FROM: Kristi Reid Willis, Chief *KRW*
Bureau of Election Records

DATE: June 10, 2019

SUBJECT: Referral for Debt Collection

I forward to you for referral to the Department of Financial Services for debt collection the enclosed paperwork reflecting that **Senator Bobby Powell, Jr.**, a candidate for elected office, has not paid a duly imposed fine by the Division of Elections. The Division imposed a fine upon the candidate as mandated by Section 106.07(8), Florida Statutes, for untimely filed campaign finance reports. The Division has been unsuccessful in its repeated attempts to collect this fine.

Bobby Powell, Jr. 74103 2019 M3 \$4,448.65

KRW/dsb

Enclosure

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



UNITED COLLECTION BUREAU, INC.
5620 SOUTHWYCK BLVD
TOLEDO OH 43614-0190

June 21, 2019

1-866-769-4084

BOBBY POWELL JR.
PO BOX 782
WEST PALM BCH FL 33402-0782

The FLORIDA DEPT OF STATE has placed your account with our office for collection. Please pay the total balance or call our office for arrangements.

Client/Agency: FLORIDA DEPT OF STATE
Account Number: 4103
Principal Due: \$4448.65
Collection Fee: \$778.51*
TOTAL BALANCE: \$5227.16

*Collection fee is authorized by Florida Statute Section 17.20(2) Assignment of claims for collection: "The Chief Financial Officer may assign the collection of any claim to a collection agent or agents who are registered and in good standing pursuant to chapter 559, if the Chief Financial Officer determines the assignment to be cost-effective. The Chief Financial Officer may authorize the agent or agents to add a fee to the amount to be collected."

When calling our office at 1-866-769-4084, please refer to reference number 90633178. To ensure proper credit to your account, your payment should be sent to the address in the Remit To section below.

Sincerely,
United Collection Bureau, Inc.

This is an attempt to collect a debt by United Collection Bureau, Inc., a debt collector, and any information obtained will be used for that purpose.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

24CU900062FLDN

CU900062
PO Box 1280
Oaks PA 19456-1280
ADDRESS SERVICE REQUESTED

PLEASE RETURN THIS PORTION WITH PAYMENT. DO NOT ATTACH CHECK TO STUB.

Client/Agency: FLORIDA DEPT OF STATE
Account Number: 4103
Principal Due: \$4448.65
Collection Fee: \$778.51
Account Balance: \$5227.16
United Collection Bureau, Inc. Reference No: 90633178
United Collection Bureau, Inc. Telephone No: 1-866-769-4084

REMIT TO:

June 21, 2019

United Collection Bureau, Inc.
PO BOX 1120
MAUMEE OH 43537

BOBBY POWELL JR.
PO BOX 782
WEST PALM BCH FL 33402-0782

0020 01/12/12 10:53:58 AM

892840223

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

We are required under state law to notify consumers of the following rights. This list does not include all rights consumers have under state and federal law.

CALIFORNIA: The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov. Nonprofit credit counseling services may be available in the area.

COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE WWW.COAG.GOV/CAR. A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt. Payments can be made in person at:

Colorado Manager, Inc., 80 Garden Center, Building B, Suite 3, Broomfield, Colorado 80020, 303-920-4763.

IDAHO: Toll Free 1-866-209-0622 during normal business hours.

KANSAS: An investigative consumer report, which includes information as to your character, general reputation, personal characteristics and mode of living, may have been requested. You have the right to request additional information, which includes the nature and scope of the investigation.

MAINE: Hours of operation (ET): Monday through Thursday, 8:00 a.m. to 8:00 p.m.; Friday, 8:00 a.m. to 5:00 p.m.

MASSACHUSETTS: **NOTICE OF IMPORTANT RIGHTS** You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten days unless you provide written confirmation of the request postmarked or delivered within seven days of such request. You may terminate this request by writing to the debt collector. Hours of operation (ET): Monday through Thursday, 8:00 a.m. to 8:00 p.m.; Friday, 8:00 a.m. to 5:00 p.m.

MINNESOTA: This collection agency is licensed by the Minnesota Department of Commerce.

NEW YORK CITY: New York City Department of Consumer Affairs License Number 1004887.

NORTH CAROLINA: North Carolina Permit Numbers: 101866, 113029, 3843, 113517 and 4367.

TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance.

WISCONSIN: This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, www.wdfi.org.

If you have a concern about the way we are collecting this debt, please call our toll-free Consumer Service Hotline at 1-866-209-0622, email us at UCBCompliance@ucbinc.com, or mail to United Collection Bureau, Inc, Compliance Department, 5620 Southwyck Blvd, Toledo, OH 43614. Please include your Reference Number on all communication. If you have a hearing or speech impairment, you can dial 711 to be automatically connected to a Telecommunications Relay Services (TRS) operator.



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9023 0722 4129 6166 27**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

May 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9114902307224129616627

Remove X

Expected Delivery on

WEDNESDAY

15 MAY 2019 ⓘ

by **8:00pm** ⓘ

Feedback

 **Delivered**

May 15, 2019 at 6:48 am
Delivered, PO Box
WEST PALM BEACH, FL 33402

Get Updates ▾

- Text & Email Updates** ▾
- Tracking History** ▾
- Product Information** ▾

See Less ^



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 10, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

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Sincerely,

Handwritten signature of Kristi Reid Willis in black ink.

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 27, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

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Sincerely,

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

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

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

(1) Bobby Powell Jr (2) 74103
 Candidate, Committe or Party Name I.D. Number

(3) Post Office Box 782 West Palm Beach FL 33402
 Address (number and street) City State Zip Code

Check box if address has changed since last report

(4) Check appropriate box(es):

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

(5) REPORT IDENTIFIERS

Cover Period: From 02/05/2019 To 02/28/2019 Report Type: M2

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$17,794.59
Loans	\$0.00
<i>Total Monetary</i>	\$17,794.59
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

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

(8) Other Distributions

Certification

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

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

Name of Treasurer Deputy Treasurer

X
Signature

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

Name of Candidate Chairman (PC/PTY Only)

X
Signature

Name: Bobby Powell Jr

Report: 2019 M2

Period: 02/05/2019 to 02/28/2019

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

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	BOBBY POWELL JR. CAMPAIGN FOR SENATE 2715 N. AUSTRALIAN AVENUE, SUITE 104 WEST PALM BEACH, FL 33407	O	PREVIOUS CAMPAIGN	\$17,794.59
02/05/2019		COF		UPD
* 1	BOBBY POWELL JR. CAMPAIGN FOR SENATE	S	PREVIOUS CAMPAIGN	\$17,794.59
02/04/2019		COF		History 06/03/19

Name: Bobby Powell Jr

Report: 2019 M2

Period: 02/05/2019 to 02/28/2019

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

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

Name: Bobby Powell Jr

Report: 2019 M2

Period: 02/05/2019 to 02/28/2019

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

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

Name: Bobby Powell JrReport: 2019 M2Period: 02/05/2019 to 02/28/2019**** Records in Filed Report ****

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

Queued Items for 2019-M2

Account: 74103

STS 030 Bobby Powell Jr

Rpt Seq: 1

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	74103	3/23/2019 11:29:28 PM	3/23/2019 11:29:28 PM
File Pending Report	Processing Complete	74103	3/23/2019 11:37:51 PM	3/23/2019 11:37:51 PM
Review Filed Report	Processing Complete	ealustria	3/28/2019 4:05:48 PM	3/28/2019 4:05:48 PM
Review Filed Report	Processing Complete	ealustria	5/16/2019 9:53:43 AM	5/16/2019 9:53:43 AM
Amend Filed Report	Processing Complete	74103	6/3/2019 7:29:14 AM	6/3/2019 7:29:14 AM
Review Pending Report	Processing Complete	74103	6/3/2019 7:31:09 AM	6/3/2019 7:31:09 AM
Recalc Pending Report Total	Processing Complete	74103	6/3/2019 7:31:16 AM	6/3/2019 7:31:16 AM
File Pending Report	Processing Complete	74103	6/3/2019 7:32:12 AM	6/3/2019 7:32:12 AM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Bobby Powell Jr

Name:

Account: [74103](#)

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
9/10/2020	M8	9/10/2020						
8/10/2020	M7	8/11/2020	SNT	1	\$12.50		\$12.50	\$0.00
7/10/2020	M6	7/10/2020						
6/10/2020	M5	6/10/2020						
5/11/2020	M4	5/12/2020	CLO	1	\$0.00		\$0.00	\$0.00
4/10/2020	M3	4/10/2020						
3/10/2020	M2	3/10/2020						
2/10/2020	M1	2/10/2020						
1/10/2020	M12	1/10/2020						
12/10/2019	M11	12/10/2019						
11/12/2019	M10	11/12/2019						
10/10/2019	M9	10/10/2019						
9/10/2019	M8	9/10/2019						
8/12/2019	M7	8/13/2019	APP	1	\$42.72		\$42.72	\$0.00
7/10/2019	M6	7/10/2019						
6/10/2019	M5	6/10/2019						
5/10/2019	M4	5/10/2019						
4/10/2019	M3	4/10/2019						
3/11/2019	M2	3/23/2019	FEC	12	\$4,448.65		\$4,448.65	\$0.00

HISTORY NOTES
Bobby Powell Jr - 74103

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
65388	6/3/2019 10:06:00 AM		ZJSantos

RE: Returned Mail

I spoke with Sen. Powell's office on 5/14/19 and received a call back on 5/31/19 informing me that the PO Box has been reopened, I informed them that I will forward the returned mail asap.



Campaign Expenditures

2018 General Election
Bobby Powell Jr (DEM)
State Senator

This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.
[About the Campaign Finance Data Base](#)

Rpt Yr	Rpt Type	Date	Amount	Expense Paid To	Address	City State Zip
2017	M2	02/21/2017	75.00	ALLEN TEMPLE	832 AVENUE I	RIVIERA BEACH, FL 33404
2017	M2	02/21/2017	9.99	ADOBE PHOTOGRAPHY	345 PARK AVENUE	SAN JOSE, FL 95110
2017	M2	02/24/2017	166.82	GOVERNORS CLUB	202 1/2 S. ADAMS STREET	TALLAHASSEE, FL 32301
2017	M3	03/04/2017	130.00	PALM BEACH COUNTY SICKLE CELL	1600 N. AUSTRALIAN AVENUE	WEST PALM BEACH, FL 33407
2017	M3	03/08/2017	3.00	WELLS FARGO	303 BANYAN BLVD	WEST PALM BEACH, FL 33401
2017	M3	03/09/2017	14.00	WELLS FARGO	303 BANYAN BLVD.	WEST PALM BEACH, FL 33401
2017	M3	03/20/2017	9.99	ADOBE PHOTOGRAPHY	345 PARK AVENUE	SAN JOSE, CA 95110
2017	M4	04/10/2017	3.00	WELLS FARGO	303 BANYAN	WEST PALM BEACH, FL 33401
2017	M4	04/18/2017	9.99	ADOBE PHOTOSHOP	345 PARK AVENUE	SAN JOSE, CA 95110
2017	M5	05/01/2017	20.00	FACEBOOK	1601 WILLOW ROAD	MENLO PARK, CA 94025
2017	M5	05/08/2017	3.00	WELLS FARGO	303 BANYAN BOULEVARD	WEST PALM BEACH, FL 33401
2017	M5	05/18/2017	9.99	ADOBE PHOTOSHOP	345 PARK AVENUE	SAN JOSE, CA 95110
2017	M6	06/08/2017	3.00	WELLS FARGO	301 BANYAN BLVD.	WEST PALM BEACH, FL 33401
2017	M6	06/19/2017	9.99	ADOBE PHOTOGRAPHY	345 PARK AVENUE	SAN JOSE, CA 95110
2017	M6	06/29/2017	166.96	GODADDY.COM	14455 N HAYDEN RD STE 226.	SCOTTSDALE, AZ 85260
2017	M8	08/08/2017	3.00	WELLS FARGO	303 BANYAN BLVD	WEST PALM BEACH, FL 33401
2017	M9	09/11/2017	3.00	WELLS FARGO	303 BANYAN BLVD	WEST PALM BEACH, FL 33401
2017	M11	11/08/2017	3.00	WELLS FARGO	303 BANYAN BLVD.	WEST PALM BEACH, FL 33401
2017	M12	12/11/2017	625.00	TOGETHER WE STAND DEMOCRATIC C	P.O. BOX 8406	WEST PALM BEACH, FL 33402
2017	M12	12/14/2017	24.40	ASCE PALM BEACH BRANCH	P.O. BOX 20456	WEST PALM BEACH, FL 33416
2018	M1	01/09/2018	3.00	WELLS FARGO	303 BANYAN BLVD.	WEST PALM BEACH, FL 33401
2018	M2	02/08/2018	3.00	WELLS FARGO	303 BANYAN BLVD	WEST PALM BEACH, FL 33401
2018	M3	03/08/2018	3.00	WELLS FARGO	303 BANYAN BLVD.	WEST PALM BEACH, FL 33401
2018	M5	05/08/2018	3.00	WELLS FARGO	303 BANYAN BLVD	WEST PALM BEACH, FL 33401
2018	M5	05/14/2018	150.00	INLET GROVE FOUNDATION	600 28TH STREET	RIVIERA BEACH, FL 33404
2018	M5	05/24/2018	75.00	PALM BEACH NORTH CHAMBER OF CO	5520 N. PGA BLVD. SUITE #200	PALM BEACH GARDENS, FL 33477
2018	P1	06/04/2018	200.00	FAMU NATIONAL ALUMNI ASSOCIATI	P.O. BOX 2305	WEST PALM BEACH, FL 33402
2018	P1	06/08/2018	110.00	PALM BEACH NORTH CHAMBER	5520 PGA BLVD., SUITE 200	PALM BEACH GARDENS, FL 33477
2018	P1	06/11/2018	50.00	ST. JOHNS MISSIONARY BAPTIST C	2006 AE ISAACS AVENUE	WEST PALM BEACH, FL 33407
2018	P1	06/18/2018	25.00	SHILOH FAMILY WORSHIP CENTER	2275 PALM BEACH LAKES BLVD.	WEST PALM BEACH, FL 33409
2018	P1	06/18/2018	6.70	UNITED STATES POST OFFICE	640 CLEMATIS STREET	WEST PALM BEACH, FL 33401
2018	P1	06/19/2018	40.31	UPS STORE	340 ROYAL POINCIANNA WAY, STE 317	PALM BEACH, FL 33480
2018	P1	06/19/2018	400.00	PALM BEACH COUNTY DEMOCRATIC P	15127 JOG ROAD, SUITE 101	DELRAY BEACH, FL 33446
2018	P1	06/21/2018	30.00	TA	556 FL ST FL-44	WILDWOOD, FL 34785
2018	P1	06/22/2018	1,781.82	FLORIDA DEPARTMENT OF STATE	500 BRONOUGH STREET	TALLAHASSEE, FL 32399
2018	P1	06/22/2018	41.70	4 RIVERS SMOKEHOUSE	1817 THOMASVILLE ROAD	TALLAHASSEE, FL 32303
2018	P2	06/23/2018	45.66	BUSY BEE	363 E. BASE STREET	MADISON, FL 32304
2018	P2	06/23/2018	-0.40	BUSY BEE	363 E. BASE STREET	MADISON, FL 32304
2018	P2	06/24/2018	25.00	ROANOKE MBC	1320 DOUGLAS AVE	WEST PALM BEACH, FL 33401
2018	P2	06/25/2018	53.82	SHELL OIL	5980 OKEECHOBEE BLVD.	WEST PALM BEACH, FL 33417
2018	P2	06/26/2018	11.00	EXXON MOBIL	1250 PERIMETER ROAD	WEST PALM BEACH, FL 33411
2018	P2	06/26/2018	222.56	NATIONAL CAR RENTAL	2125 BELVEDERE ROAD	WEST PALM BEACH, FL 33406
2018	P2	06/26/2018	100.00	DELATA HERITAGE FOUNDATION	P.O. BOX 2212	WEST PALM BEACH, FL 33402
2018	P2	06/27/2018	350.00	SYNERGY SOLUTIONS GROUP	2745 BROADWAY	RIVIERA BEACH, FL 33407
2018	P2	06/28/2018	20.00	USPS	640 N. CLEMATIS STREET	WEST PALM BEACH, FL 33401
2018	P2	06/28/2018	6.70	USPS	640 N. CLEMATIS STREET	WEST PALM BEACH, FL 33401
2018	P2	06/29/2018	150.00	KIWANIS NORTHSIDE FOUNDATION	P.O. BOX 2554	WEST PALM BEACH, FL 33401
2018	P2	07/03/2018	380.12	HOLLYWOOD DIPLOMAT	3555 S. OCEAN DRIVE	HOLLYWOOD, FL 33019
2018	P2	07/05/2018	182.38	NATIONAL CAR RENTAL	2125 BELVEDERE ROAD	WEST PALM BEACH, FL 33406
2018	P2	07/05/2018	19.20	EXXON MOBIL	1250 PERIMETER ROAD	WEST PALM BEACH, FL 33411
2018	P2	07/06/2018	1,500.00	FLORIDA DEMOCRATIC PARTY	214 S. BRONOUGH STREET	TALLAHASSEE, FL 32304
2018	P3	07/09/2018	278.99	CREATIVE MARKETING PRODUCTS	3460 FAIRLANE FARMS RD SUITE 13	WELLINGTON,, FL 33414
2018	P3	07/11/2018	217.39	OFFICE DEPOT	2627 OKEECHOBEE BLVD, WESTWARD SHOPPING	WEST PALM BEACH, FL 33409
2018	P3	07/11/2018	2,823.79	SKY ADMINISTRATIONS, LLC	P.O. BOX 872	BOYNTON BEACH, FL 33425
2018	P3	07/11/2018	64.09	A TO Z WIRELESS	534 BELVEDERE ROAD	WEST PALM BEACH, FL 33405
2018	P3	07/12/2018	53.88	GODADDY.COM	14455 NORTH HAYDEN ROAD. SUITE 219.	SCOTTSDALE, AZ 85260
2018	P3	07/12/2018	250.00	DEMOCRATIC AFRICAN AMERICAN WO	303 E. WOOLBRIGHT RD. #192	BOYNTON BEACH, FL 33435
2018	P3	07/17/2018	392.29	OFFICE DEPOT	2627 OKEECHOBEE BLVD, WESTWARD SHOPPING	WEST PALM BEACH, FL 33409
2018	P3	07/17/2018	90.00	LOUIS NISBITT-MOORE	4560 GRAND CYPRESS ROAD, APT 53	WEST PALM BEACH, FL 33417
2018	P3	07/17/2018	127.50	COLEMAN JEANNIE	439 11TH STREET	WEST PALM BEACH, FL 33401
2018	P3	07/18/2018	295.06	CREATIVE MARKETING PRODUCTS	3460 FAIRLANE FARMS RD SUITE 13	WELLINGTON,, FL 33414
2018	P3	07/19/2018	275.89	OFFICE DEPOT	2627 OKEECHOBEE BLVD, WESTWARD SHOPPING	WEST PALM BEACH, FL 33409
2018	P3	07/19/2018	194.69	OFFICE DEPOT	2627 OKEECHOBEE BLVD, WESTWARD SHOPPING	WEST PALM BEACH, FL 33409
2018	P3	07/19/2018	6.38	HOME DEPOT	1550 PALM BEACH LAKES BLVD.	WEST PALM BEACH, FL 33401
2018	P3	07/19/2018	53.70	TARGET	1760 PALM BEACH LAKES BLVD.	WEST PALM BEACH, FL 33401
2018	P3	07/19/2018	44.10	TARGET	500 N CONGRESS AVE	LAKE PARK, FL 33403
2018	P3	07/20/2018	128.34	LOWES	4701 OKEECHOBEE BLVD	WEST PALM BEACH, FL 33417
2018	P4	07/21/2018	45.00	SAMS CLUB	4295 45TH STREET	WEST PALM BEACH, FL 33407
2018	P4	07/21/2018	119.85	SAM'S CLUB	4295 45TH STREET	WEST PALM BEACH, FL 33407
2018	P4	07/21/2018	120.91	TEDDY'S WING SHACK	1632 S. MILITARY TRAIL	WEST PALM BEACH, FL 33415
2018	P4	07/21/2018	164.70	AMAZON	P.O. BOX 81226	SEATTLE, WA 98108
2018	P4	07/21/2018	399.50	NISBETT-MOORE LOUIS	4560 GRAND CYPRESS ROAD, APT 53	WEST PALM BEACH, FL 33417
2018	P4	07/21/2018	491.00	WATSON STERLING	1400 VILLAGE BLVD. APT 1001	WEST PALM BEACH, FL 33409
2018	P4	07/21/2018	148.50	WILLIAMS ANTONIO	1104 WEST 27TH STREET	RIVIERA BEACH, FL 33404
2018	P4	07/21/2018	176.25	COLEBROOK BENJAMIN	612 2ND STREET	WEST PALM BEACH, FL 33401
2018	P4	07/21/2018	173.00	COLEMAN JEANNINE	439 11TH STREET	WEST PALM BEACH, FL 33401
2018	P4	07/21/2018	165.00	STEWART GWENDOLYN	1235 7TH STREET	WEST PALM BEACH, FL 33401
2018	P4	07/21/2018	165.00	GOMES ALICE	657 WEST 4TH STREET	RIVIERA BEACH, FL 33404

2019	TR	11/08/2018	325.00	NESBITT-MOORE LOUIS	4560 GRAND CYPRESS ROAD, APT 53	WEST PALM BEACH, FL 33417
2019	TR	11/08/2018	335.00	GOMES ALICE	657 W. 4TH STREET	RIVIERA BEACH, FL 33404
2019	TR	11/09/2018	38.50	FEDEX	7840 CENTRAL INDUSTRIAL DRIVE	RIVIERA BEACH, FL 33404
2019	TR	11/09/2018	400.00	SYNERGY SOLUTIONS	2745 BROADWAY	RIVIERA BEACH, FL 33404
2019	TR	11/10/2018	250.00	GRAYS TEMPLE CME	523 18TH STREET	WEST PALM BEACH, FL 33407
2019	TR	11/10/2018	270.00	HENDERSON MALIQUE	4109 HEATH CIRCLE	WEST PALM BEACH, FL 33407
2019	TR	11/13/2018	395.00	COLEMAN JEANNIE	439 11TH STREET	WEST PALM BEACH, FL 33401
2019	TR	11/13/2018	340.00	SOMMONS MALCOLM	111 WEST 34TH STREET	RIVIERA BEACH, FL 33404
2019	TR	11/13/2018	365.00	WATSON ETHEL	3161 F. AVENUE	RIVIERA BEACH, FL 33404
2019	TR	11/14/2018	95.12	FPL	4200 W. FLAGLER STREET	MIAMI, FL 33134
2019	TR	11/15/2018	100.00	UNION BAPTIST CHURCH	3900 BROADWAY	WEST PALM BEACH, FL 33407
2019	TR	11/19/2018	300.00	FAMU	1601 S MARTIN LUTHER KING JR BLVD,	TALLAHASSEE, FL 32307
2019	TR	12/03/2018	75.00	MAILCHIMP	675 PONCE DE LEON AVE NE SUITE 5000.	ATLANTA, GA 30308
2019	TR	12/07/2018	3,887.47	SKY ADMINISTRATIONS	P.O. BOX 872	BOYNTON BEACH, FL 33475
2019	TR	12/17/2018	-161.77	FPL	4200 W. FLAGLER STREET	MIAMI, FL 33134
2019	TR	12/28/2018	1,770.00	PREMIER MARKETING AND CONSULTI	910 KERRY FOREST PARKWAY, D4-140	TALLAHASSEE, FL 32309
2019	TR	01/03/2019	75.00	MAILCHIMP	675 PONCE DE LEON AVE NE SUITE 5000	ATLANTA, GA 30308
2019	TR	01/18/2019	427.98	BEST BUY	1880 PALM BEACH LAKES BLVD.	WEST PALM BEACH, FL 33401
2019	TR	01/20/2019	500.00	EDNA W. RUNNER TUTORIAL CENTER	7187 CHURCH STREET	JUPITER, FL 33458
2019	TR	01/22/2019	2,500.00	MARTIN LUTHER KING JR. COORDIN	P.O. BOX 3721	WEST PALM BEACH, FL 33402
2019	TR	01/26/2019	500.00	PAYNE CHAPEL AME	801 9TH STREET	WEST PALM BEACH, FL 33401
2019	TR	02/01/2019	500.00	AKA ALPHA PEARL FOUNDATION	P.O. BOX 3523	BOYNTON BEACH, FL 33424
2019	TR	02/01/2019	1,000.00	SUITS FOR SENIORS	5762 OKEECHOBEE BLVD.	WEST PALM BEACH, FL 33417
2019	TR	02/04/2019	75.00	MAILCHIMP	675 PONCE DE LEON AVE NE SUITE 5000	ATLANTA, GA 30308
2019	TR	02/04/2019	1,600.00	FLORIDA DEMOCRATIC PARTY	214 S. BROUNOUGH STREET	TALLAHASSEE, FL 32301
2019	TR	02/04/2019	-427.98	BOBBY POWELL INTRADISTRICT ACC	2715 N. AUSTRALIAN AVENUE, SUITE 105	WEST PALM BEACH, FL 33407
2019	TR	02/04/2019	18,151.56	BOBBY POWELL JR. CAMPAIGN FOR	P.O. BOX 782	WEST PALM BEACH, FL 33402
2019	TR	02/04/2019	20,000.00	SENATOR BOBBY POWELL JR. OFFIC	2715 N. AUSTRALIAN AVE., SUITE 105	WEST PALM BEACH, FL 33407
2019	TR	02/04/2019	-213.99	BEST BUY	1880 PALM BEACH LAKES BLVD.	WEST PALM BEACH, FL 33401

197,342.59

407 Expenditure(s) Selected

[Query the Campaign Finance Data Base](#)

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



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 6, 2019

The Honorable Bobby Powell, Jr.
Post Office Box 782
West Palm Beach, Florida 33402

Dear Senator Powell:

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 February 5, 2019. Your name has been placed on the 2022 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **March 11, 2019**. The report will cover the period of February 1-28, 2019 (2019 M2). 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. The enclosed sealed envelope contains your filing credentials.

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

Identification Number: 74103

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

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



Bobby Powell
February 6, 2019
Page Two

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.

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://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.

Sincerely,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/jcs

Enclosures

HAND DELIVERED

RF 15-12

2019 FEB -5 AM 10:12

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.

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)

Bobby Powell Jr.

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

P.O. Box 782
West Palm Beach, FL 33402

4. Telephone

(561) 452-3179

5. E-mail address

Bobbypowelljr@hotmail.com

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

State Senate, District 30

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 Democrat Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Bobby Powell Jr.

11. Mailing Address

P.O. Box 782, West Palm Beach, FL 33402

12. Telephone

(561) 452-3179

13. City

West Palm Beach

14. County

Palm Beach

15. State

FL

16. Zip Code

33402

17. E-mail address

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

19. Name of Bank

Wells Fargo

20. Address

303 Banyan Blvd.

21. City

West Palm Beach

22. County

Palm Beach

23. State

FL

24. Zip Code

33401

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

2-4-19

26. Signature of Candidate

X

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

I, Bobby Powell Jr., do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

2-4-19
Date

X
Signature of Campaign Treasurer or Deputy Treasurer

HAND DELIVERED

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

2019 FEB -5 AM 10:12

I, Sobby Powell Jr.

candidate for the office of State Senate District 30;

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

X



Signature of Candidate

2-4-19

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).

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Bobby Powell Jr

Case No.: FEC 19-526

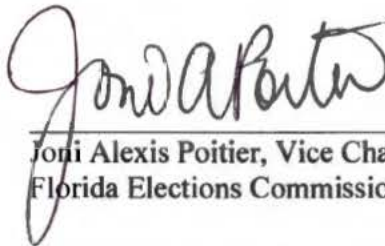
ORDER FINDING APPEAL TIMELY FILED

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 26, 2020, in Tallahassee, Florida.

Respondent requested reconsideration of the determination that his appeal of an automatic fine imposed by the Division of Elections was late-filed with the Commission. Based on Respondent's request for reconsideration, all other documents from the case file, and oral statements made at the hearing, the Commission finds that the appeal was filed within 20 days of Respondent's receipt of the statutory notice from the Division of Elections. Therefore, it is

ORDERED that Respondent's appeal of the automatic fine is **TIMELY FILED**.

DONE AND ORDERED by the Florida Elections Commission on August 26, 2020.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, Assistant General Counsel
Mark Herron, Esq., Attorney for Respondent
Division of Elections, Filing Officer

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Bobby Powell, Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello PA
Post Office Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (AUTOMATIC FINE: OTHER MOTIONS)

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

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

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
August 13, 2020

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

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

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

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

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



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



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

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

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

- B. OpenVoice - Teleconference
 1. Call 1-866-901-6455
 2. Enter Audio Access Code 515-462-864
 3. You will automatically join the meeting as an attendee. Attendees are muted.

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

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

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Bobby Powell, Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello PA
Post Office Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (AUTOMATIC FINE: OTHER MOTIONS)

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

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

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
July 28, 2020

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Bobby Powell, Jr.

Case No.: FEC 19-526

TO: Mark Herron
Messer Caparello PA
Post Office Box 15579
Tallahassee, FL 32317

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL32399

NOTICE OF CANCELLATION OF HEARING
(AUTOMATIC FINE: OTHER MOTIONS)

You are hereby notified that the previously scheduled hearing for March 24, 2020 is cancelled.

It is anticipated that your client's case will be heard at the next regularly scheduled meeting which is currently scheduled for May 2020. A Notice of Hearing indicating the exact date and time will be mailed approximately 14 days prior to the hearing date.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 11, 2020

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Bobby Powell, Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello PA
Post Office Box 15579
Tallahassee, FL 32317

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

NOTICE OF CANCELLATION OF HEARING (AUTOMATIC FINE: OTHER MOTIONS)

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

Tim Vaccaro

Executive Director
Florida Elections Commission
March 12, 2020

Donna Malphurs

From: Mark Herron <mherron@lawfla.com>
Sent: Tuesday, March 10, 2020 5:23 PM
To: Donna Malphurs; Timothy Vaccaro
Subject: Bobby Powell Cases

Per our telephone conversation earlier today, Senator Powell respectfully requests that the pending matters be continued to the next meeting of the Florida Elections Commission pursuant to Section 11.111, Florida Statutes.

Mark Herron
Messer Caparello, P.A.
Telephone: (850) 2220720
Direct: (850) 435-5217
Cell: (850) 567-4878
Fax: (850) 558-0659
Email: mherron@lawfla.com



MESSER  CAPARELLO
ATTORNEYS AT LAW
Strategically Positioned in Florida's Capital

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Bobby Powell, Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello PA
Post Office Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (AUTOMATIC FINE: OTHER MOTIONS)

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

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 9, 2019

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

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

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: The Honorable Bobby Powell Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello P.A.
PO Box 15579
Tallahassee, FL 32317

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

**NOTICE OF CANCELLATION OF HEARING (OTHER MOTIONS: REVIEW
TIMLINESS OF APPEAL)**

You are hereby notified that the previously scheduled hearing for November 19, 2019 is cancelled. It is anticipated that your case will be heard at the next regularly scheduled meeting which is currently scheduled for March 24-25, 2020 in Tallahassee. A Notice of Hearing indicating the exact date and time will be mailed to the address on file approximately 14 days prior to the hearing date.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 5, 2019

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: The Honorable Bobby Powell Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello P.A.
PO Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (OTHER MOTIONS: REVIEW TIMLINESS OF APPEAL)

A hearing will be held in this case before the Florida Elections Commission on, **November 19, 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
November 1, 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.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: The Honorable Bobby Powell Jr.

Case No.: FEC 19-526

TO: Mark Herron, Esquire
Messer Caparello P.A.
PO Box 15579
Tallahassee, FL 32317

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

NOTICE OF HEARING (OTHER MOTIONS: REVIEW TIMELINESS OF APPEAL)

A hearing will be held in this case before the Florida Elections Commission on, **November 19, 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
November 1, 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.

Donna Malphurs

From: Mark Herron <mherron@lawfla.com>
Sent: Thursday, October 17, 2019 2:23 PM
To: Donna Malphurs
Subject: FEC Case 19-526 Bobby Powell
Attachments: Motion to Reconsider.pdf

Attached is motion to reconsider the determination that Bobby Powell's appeal of the automatic fine was not timely received.

Mark Herron
Messer Caparello
Telephone: (850) 222-0720
Direct: (850) 425-5217
Cell: (850) 567-4878
Email: mherron@lawfla.com

**BEFORE THE
STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**IN RE: BOBBY POWELL, JR.,
FEC Case 19-526
Appeal of Fine for Late-Filed Campaign Treasurer's Report.**

**Motion to Reconsider Determination that Powell's Appeal Notice
Was Not Timely Filed**

Bobby Powell, Jr. ("Powell"), through undersigned counsel, moves that the Florida Elections Commission ("FEC") reconsider its determination that Powell's appeal notice was not timely filed as indicated in the attached letter of October 9, 2019 (Exhibit A).

The FEC's determination is grounded on the assertion that Powell "received a final fine notice with delivery confirmation on or around May 13, 2019."¹ This assertion is undercut by the following:

1. The delivery confirmation" does not show that the letter of May 13, 2019 was received by Powell or that it was delivered to the specific post office box to which the letter of May 13, 2019 was addressed (Post Office Box 782, West Palm Beach, FL 33402).

¹The letter at issue was dated May 13, 2019. The delivery confirmation purports to show delivery on May 15, 2019.

2. As indicated in the appeal, Powell did not receive the correspondence from the Division "on or about May 13, 2019," as asserted, regarding the automatically assessed fine, his right to appeal, and the requirement to appeal within 20 days, because his rental of the post office box expired while he was in Tallahassee performing his duties as a member of the Florida Senate during the 2019 legislative session. The 2019 Regular Session of the Florida Legislature convened on March 5, 2019 and its adjourned *sine die* on May 4, 2019.

3. After learning that his rental of the post office box had expired, Powell renewed his rental of Post Office Box 782, West Palm Beach, FL 33402, and became aware of the automatically assessed fine, his right to appeal, and the requirement to appeal within 20 days, on September 5, 2019, when he picked up his mail. Whereupon, Powell timely filed his appeal on September 24, 2019, within the statutorily required 20 days period of receiving notice of the assessment and his right to appeal the fine.

Wherefore, Powell respectfully requests that the FEC reconsider its determination that Powell's appeal notice was not timely filed as indicated in the attached letter of October 9, 2019 and take up this appeal, grant him a hearing as requested, and waive the assessed fine, in whole or in part, based on the standards set out in Section 106.07(8)(c), Florida Statutes.

Respectfully submitted this 17th day of October 2019, by:

/s/Mark Herron

Mark Herron
Florida Bar No.: 0199737
MESSER CAPARELLO, P.A.
Post Office Box 15579
Tallahassee, FL 32317
Email: mherron@lawfla.com
Telephone: (850) 222-0720
Facsimile: (850) 224-4359

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of this petition for formal administrative hearing was filed with the Agency Clerk, Florida Elections Commission, Room 224, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050, by hand delivery on this 17th day of October, 2019.

/s/ Mark Herron



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



October 9, 2019

Mark Herron, Esquire
Representative for Bobby Powell, Jr.
Post Office Box 15579
Tallahassee, FL 32317

RE: Case No.: FEC 19-526; Campaign Treasurer's Report due 03/11/19

Dear Mr. Herron:

The Florida Elections Commission received your letter appealing the fine assessed against **your client** for failing to timely file a required report. Section 106.07(8)(c), Florida Statutes, provides that the **candidate** may appeal a fine assessed by a filing officer for the late filing of a campaign treasurer's report **within 20 days** of the receipt of the fine notice.

It appears Senator Bobby Powell, Jr. received a final fine notice with delivery confirmation on or around May 13, 2019; the deadline for appealing the fine was June 2, 2019. Unfortunately, your appeal notice was not timely filed, as it was delivered to this office on September 24, 2019. Therefore, we are unable to accept your appeal for this late report. This case is now closed.

Payment for the late report should be made to the filing officer to avoid entry of a default final order. I urge your immediate attention to this matter.

Sincerely,

Donna Ann Malphurs

Agency Clerk

/dam

cc: Division of Elections, Filing Officer w/enclosure



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9023 0722 4129 6166 27**
& CUSTOMER RECEIPT
For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

May 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9114902307224129616627

Remove X

Expected Delivery on

WEDNESDAY

15 MAY 2019 i **by** **8:00pm** i

Feedback

Delivered

May 15, 2019 at 6:48 am
Delivered, PO Box
WEST PALM BEACH, FL 33402

Get Updates ✓

- Text & Email Updates** ∨
- Tracking History** ∨
- Product Information** ∨

See Less ^

Campaign Documents Search

Forms are available in Adobe's Acrobat PDF format for viewing or printing at your site. Accessing documents in PDF format requires use of Adobe's Acrobat Reader, which may be installed free of charge.

Account Num	<input type="text"/>			
Account Name	<input type="text"/>			
Account Type	all	▼		
Form Desc	▼			
Election Id	all	▼		
Office Desc	▼			
Submit	<input type="button" value="Submit"/>	<input type="button" value="Clear"/>		
Name	Type	Received	Description	Select
Powell Jr, Bobby	CAN	09/18/19	Fine Appeal Letter M7 dated 9/7	PDF
Powell Jr, Bobby	CAN	08/26/19	Fine Letter M7	PDF
Powell Jr, Bobby	CAN	08/05/19	Audit Letter M6	PDF
Powell Jr, Bobby	CAN	07/23/19	Audit Letter M6	PDF
Powell Jr, Bobby	CAN	07/12/19	Audit Letter M6	PDF
Powell Jr, Bobby	CAN	06/10/19	Fine Collection Referral Letter M2	PDF
Powell Jr, Bobby	CAN	05/13/19	Fine Letter M2 Certified	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail Vacant 3/27	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail Vacant 4/10	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail Vacant 4/1	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail Vacant 3/13	PDF
Powell Jr, Bobby	CAN	05/09/19	Audit Letter M2	PDF
Powell Jr, Bobby	CAN	04/15/19	Audit Letter M2	PDF
Powell Jr, Bobby	CAN	04/10/19	Fine Letter M2	PDF
Powell Jr, Bobby	CAN	04/01/19	Audit Letter M2	PDF
Powell Jr, Bobby	CAN	03/27/19	Fine Letter M2	PDF
Powell Jr, Bobby	CAN	03/13/19	Fail to File Letter M2	PDF
Powell Jr, Bobby	CAN	02/06/19	Acknowledgment Letter	PDF
Powell Jr, Bobby	CAN	02/05/19	Candidate Appt of Campaign Treasurer	PDF
Powell Jr, Bobby	CAN	02/05/19	Statement of Candidate	PDF

Stephanie Cunningham

From: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>
Sent: Tuesday, October 8, 2019 11:24 AM
To: Stephanie Cunningham
Subject: RE: 74103 Bobby Powell Jr

The delivery confirmation is behind the 6-10-19 fine collection letter. It does not require a signature.

Returned mail is logged.

From: Stephanie Cunningham <Stephanie.Cunningham@myfloridalegal.com>
Sent: Tuesday, October 08, 2019 11:12 AM
To: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>
Cc: Braxeton Wims <braxeton.wims@myfloridalegal.com>
Subject: 74103 Bobby Powell Jr

EMAIL RECEIVED FROM EXTERNAL SOURCE

Kristi:

It looks like the 5/13/19 Fine Letter for the 2019 M2 Report sent by certified mail was delivered. Do you have any records confirming delivery and showing who signed for the letter? Also, am I correct in assuming that if any letter sent after 5/13/19 was returned it would be logged into the campaign doc search the same way the returned mail was on 5/13?

Thank you.

Name	Type	Received	Description	Select
Powell Jr, Bobby	CAN	09/18/19	Fine Appeal Letter	PDF
Powell Jr, Bobby	CAN	08/26/19	Fine Letter	PDF
Powell Jr, Bobby	CAN	08/05/19	Audit Letter	PDF
Powell Jr, Bobby	CAN	07/23/19	Audit Letter	PDF
Powell Jr, Bobby	CAN	07/12/19	Audit Letter	PDF
Powell Jr, Bobby	CAN	06/10/19	Fine Collection Referral Letter	PDF
Powell Jr, Bobby	CAN	05/13/19	Fine Letter	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail	PDF
Powell Jr, Bobby	CAN	05/13/19	Returned Mail	PDF
Powell Jr, Bobby	CAN	05/09/19	Audit Letter	PDF
Powell Jr, Bobby	CAN	04/15/19	Audit Letter	PDF
Powell Jr, Bobby	CAN	04/10/19	Fine Letter	PDF
Powell Jr, Bobby	CAN	04/01/19	Audit Letter	PDF
Powell Jr, Bobby	CAN	03/27/19	Fine Letter	PDF
Powell Jr, Bobby	CAN	03/13/19	Fail to File Letter	PDF
Powell Jr, Bobby	CAN	02/06/19	Acknowledgment Letter	PDF
Powell Jr, Bobby	CAN	02/05/19	Candidate Appt of Campaign Treasurer	PDF
Powell Jr, Bobby	CAN	02/05/19	Statement of Candidate	PDF

Stephanie J. Cunningham
Assistant General Counsel
Florida Elections Commission
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050
stephanie.cunningham@myfloridalegal.com
(850) 922-4539
(850) 921-0783 fax
www.fec.state.fl.us

BEFORE THE
STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

IN RE: BOBBY POWELL, JR.,
Appeal of Fine for Late-Filed Campaign Treasurer's Report.

Bobby Powell, Jr. ("Powell"), through undersigned counsel, appeals the fine imposed by the Division of Elections, on or about March 27, 2019, in connection with a late filed campaign treasurer's report. With respect to this appeal, the Ms. Leyva requests a hearing before the Florida Elections Commission ("FEC").

In support of this appeal and request for hearing, Mr. Powell states:

Failure to Receive Notice of Right to Appeal

1. On or about February 5, 2019, Powell filed an appointment of campaign treasurer and designation of campaign depository (DS-DE 9) with the Division of Elections naming himself as the campaign treasurer for his 2022 campaign for re-election to the Florida Senate, District 30. The listed mailing address for the campaign was Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 1.)

2. On or about March 13, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a letter to Powell indicating that he had not filed the 2019 M2 campaign treasurer's report that was due on March 11, 2019. This

letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 2.)

3. On or about March 27, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a letter to Powell indicating that the 2019 M2 campaign treasurer's report that was due on March 11, 2019 had been filed on March 23, 2019 and that a late fine of \$4,448.65 had been assessed. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 3.)

4. On or about April 10, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a second letter to Powell indicating that the 2019 M2 campaign treasurer's report that was due on March 11, 2019 had been filed on March 23, 2019 and that a late fine of \$4,448.65 had been assessed. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 4.)

5. On or about April 1, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent an audit letter to Powell indicating that the 2019 M2 campaign treasurer's report was incomplete and indicating that he had seven days to file an amended report to correct the noted errors or provide the missing information. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 5.)

6. On or about April 15, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a second audit letter to Powell indicating that the 2019 M2 campaign treasurer's report was incomplete and indicating that he had seven days to file an amended report to correct the noted errors or provide the missing information. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402 (Exhibit 6.)

7. On May 13, 2019, the March 13, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that he had not filed the 2019 M2 campaign treasurer's report that was due on March 11, 2019 (Exhibit 2) was returned as being undeliverable. (Exhibit 7.)

8. On May 13, 2019, the March 27, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that a fine of \$4,448.65 had been imposed for a late filed campaign treasurer's report (Exhibit 3) was returned as being undeliverable. (Exhibit 8.)

9. On May 13, 2019, the April 1, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that the 2019 M2 report was incomplete (Exhibit 5) was returned as being undeliverable. (Exhibit 9.)

10. On May 13, 2019, the April 10, 2019 letter from Kristi Bronson, Chief, Bureau of Elections Records, to Powell indicating that a fine of \$4,448.65 had been imposed for a late filed campaign treasurer's report (Exhibit 4) was returned as being undeliverable. (Exhibit 10.)

11. On or about May 13, 2019, Kristi Bronson, Chief, Bureau of Elections Records, sent a final notice to Powell indicating that the 2019 M2 campaign treasurer's report that was due on March 11, 2019 had been filed on March 23, 2019 and that a late fine of \$4,448.65 had been assessed. This letter was mailed to Powell at the following address: Post Office Box 782, West Palm Beach, FL 33402. (Exhibit 11.)

12. On or about June 10, 2019, Kristi Bronson, Chief, Bureau of Elections Records, referred the unpaid assessed fine of \$4,448.65 to the Department of Financial Services for collection. (Exhibit 12.)

13. On June 21, 2019, United Collections Bureau forwarded correspondence to Powell demanding payment of \$5,227.16, reflecting the unpaid assessed fine of \$4,448.65, plus a collection fee of \$778.51. (Exhibit 13.)

14. Powell received notice of these actions on September 5, 2019, when copies of some of above-referenced documents were delivered to him at Post Office Box 782, West Palm Beach, FL 33402.

Appeal of Fine Imposed

15. Section 106.07(8), Florida Statutes, authorizes a candidate to appeal or dispute a fine imposed by the Division of Elections, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. The candidate may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived.

16. On February 5, 2019, Powell transferred \$17,794.59 from his 2018 Senate District 39 campaign as funds retained pursuant to Section 106.141(6), Florida Statutes, for use in his 2022 campaign for the same office. A report of this transaction, the 2019 M2 report, was due on March 11, 2019. This was the first report due in connection with Powell's 2022 Senate campaign.

17. The 2019 Regular Session of the Florida Legislature convened on March 5, 2019. On the weekend before the start of session, Powell checked his post office box and it did not have the confirmation letter from the Division

with his campaign identification number and candidate / campaign treasurer passwords. Therefore, he could not file the 2019 M2 report at that time.

18. Powell became aware that the 2019 M2 report had not been filed. He then reached out to the Division was informed that he could not be provided the information by telephone and subsequently the Division provided the information to Powell needed to file the 2019 M2 report. The report was filed on March 23, 2019.

19. Powell did not receive the correspondence from the Division regarding the automatically assessed fine, his right to appeal, and the requirement to appeal within 20 days because, at some point while in Tallahassee, his rental of Post Office Box 782, West Palm Beach, FL 33402 expired.

20. He subsequently renewed his rental of Post Office Box 782, West Palm Beach, FL 33402, and upon receipt of notice of these actions on September 5, 2019, Powell timely filed this appeal within the statutorily required 20 days period of receiving notice.

Conclusion

Based on the foregoing, Powell respectfully requests that the FEC take up this appeal, grant him hearing a hearing as requested, and waive the

assessed fine, in whole or in part, based on the standards set out in Section 106.07(8)(c), Florida Statutes.

Respectfully submitted this 24th day of September 2019, by:

/s/Mark Herron

Mark Herron
Florida Bar No.: 0199737
MESSER CAPARELLO, P.A.
Post Office Box 15579
Tallahassee, FL 32317
Email: mherron@lawfla.com
Telephone: (850) 222-0720
Facsimile: (850) 224-4359

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of this petition for formal administrative hearing was filed with the Agency Clerk, Florida Elections Commission, Room 224, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050, by hand delivery on this 24th day of September, 2019.

/s/ Mark Herron

HAND DELIVERED

2019 FEB -5 AM 10:12

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.

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)

Robby Powell Jr.

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

P.O. Box 782 West Palm Beach, FL 33402

4. Telephone

(561) 452-3179

5. E-mail address

robbypowelljr@hotmail.com

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

State Senate, District 30

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 Democrat Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Robby Powell Jr.

11. Mailing Address

P.O. Box 782, West Palm Beach, FL 33402

12. Telephone

(561) 452-3179

13. City

West Palm Beach

14. County

Palm Beach

15. State

FL

16. Zip Code

33402

17. E-mail address

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

19. Name of Bank

Wells Fargo

20. Address

303 Banyan Blvd.

21. City

West Palm Beach

22. County

Palm Beach

23. State

FL

24. Zip Code

33401

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

2-4-19

26. Signature of Candidate

[Signature]

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

I, Robby Powell Jr. do hereby accept the appointment (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

2-4-19 Date

[Signature] Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was March 11, 2019.

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

[ZIP Code™ by Address \(/zip-code-lookup.htm?byaddress\)](#)

[ZIP Code™ by City and State \(/zip-code-lookup.htm?bycitystate\)](#)

[Cities by ZIP Code™ \(/zip-code-lookup.htm?citybyzipcode\)](#)

[FAQs](#)

<https://www.usps.com/zip-code-lookup.htm>

Look Up a ZIP Code™ FAQs

Go to

ZIP Code™ by Address

You entered:

POST OFFICE BOX 782
WEST PALM BEACH FL

If more than one address matches the information provided, try narrowing your search by entering a street address and, if applicable, a unit number. **Edit and search again.** ([zip-code-lookup.htm?byaddress](#))

Feedback

PO BOX 782
WEST PALM BEACH FL 33402-0782

[Look Up Another ZIP Code™](#)

[Edit and Search Again \(/zip-code-lookup.htm?byaddress\)](#)



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 27, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 10, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

Kristi Reid Wilks, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 1, 2019

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

Re: CAN 74103

Dear Senator Powell:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

3/28/2019

Florida Department of State - Division of Elections

Page 1

Error Report

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1)

Covering Period: 2/5/19 - 2/28/19

Account: 74103

Contributions

-----Contributor----- Contribution-----

Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1	02/04/19	BOBBY POWELL JR. CAMPAIGN FOR SENATE			S	PREVIOUS CAMPAIGN	COF	\$17,794.59			

- *The Transaction Date is Either Before Or After The Report Coverage Period
- *Invalid Contributor Type for Carryover Funds (COF) - Must be Other (O)
- *No Address Was Provided
- *No City Was Provided In The Address
- *No State Was Provided In The Address

Expenditures

Fund Transfers

Other Distributions

3/28/2019

Florida Department of State - Division of Elections
Compliance Report

Page 1

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Overall

Contributions

Contribution

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07		Occupation/Business Not Provided	1	2/4/2019	BOBBY POWELL JR. CAMPAIGN FOR SENATE		COF	\$17,784.69

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Second Notice

April 15, 2019

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

Re: CAN 74103

Dear Senator Powell:

On April 1, 2019, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

4/15/2019

Florida Department of State - Division of Elections

Page 1

Error Report

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Contributions

Contributor				Contribution							
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1	02/04/19	BOBBY POWELL JR CAMPAIGN FOR SENATE			S	PREVIOUS CAMPAIGN	COF	\$17,784.59			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
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- *No Address Was Provided
- *No City Was Provided in The Address
- *No State Was Provided in The Address

Expenditures

Fund Transfers

Other Distributions

RECEIVED

2019 MAY 13 AM 11:04
DIVISION OF ELECTIONS
TALLAHASSEE, FL

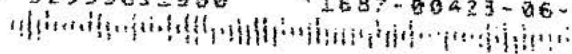
JAX FL DCA 54

ADDRESS SERVICE
REQUESTED

PRESORT
FIRST CLASS

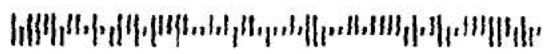


U.S. POSTAGE PITNEY BOWES
ZIP 32301 \$ 000.42⁸
02-1W
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RETURN TO SENDER
VACANT
UNABLE TO FORWARD
EC: 32399611900 *1687-00423-06-18


Bobby Powell Jr
Candidate for State Senator
Post Office Box 782
West Palm Beach, FL 33402

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RECEIVED

2019 MAY 13 AM 11:04

DIVISION OF ELECTIONS
TALLAHASSEE, FL



PRESORT
FIRST CLASS



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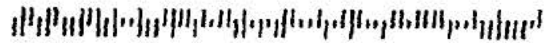
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BC: 32399651900 *1657-00425-06-18

Bobby Powell Jr
Candidate for State Senator
Post Office Box 782
West Palm Beach, FL 33402

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FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was March 11, 2019.

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

RECEIVED

2019 MAY 13 AM 10:55
DIVISION OF ELECTIONS
TALLAHASSEE, FL



PRESORT
FIRST CLASS



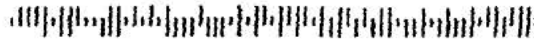
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UNABLE TO FORWARD
BC: 32399631900 *1687-80426-86-18

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

VAC 1
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FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

March 27, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

RECEIVED

2019 MAY 13 AM 11:04

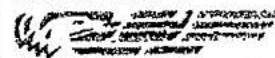
DIVISION OF ELECTIONS
TALLAHASSEE, FL



PRESORT
FIRST CLASS



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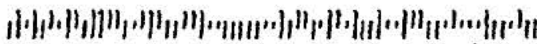
BC: 32399651900 *1687-80429-86-12

Bobby Powell Jr
Candidate for State Senator
Post Office Box 782
West Palm Beach, FL 33402

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FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 1, 2019

Bobby Powell Jr
Post Office Box 782
West Palm Beach, FL 33402

Re: CAN 74103

Dear Senator Powell:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

Attachment

Error Report

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Contributions

		-----Contributor-----			-----Contribution-----						
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1	02/04/19	BOBBY POWELL JR. CAMPAIGN FOR SENATE			S	PREVIOUS CAMPAIGN	COF	\$17,794.69			

- *The Transaction Date Is Either Before Or After The Report Coverage Period
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Expenditures

Fund Transfers

Other Distributions

3/28/2019

Florida Department of State - Division of Elections
Compliance Report

Page 1

Candidate: Bobby Powell Jr

Office: STS

Report: 2019 M2 (1) Covering Period: 2/5/19 - 2/28/19

Account: 74103

Overall

Contributions

Contribution

<u>Statute</u>	<u>FAC</u>	<u>Description</u>	<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
106.07		Occupation/Business Not Provided	1	2/4/2019	BOBBY POWELL JR CAMPAIGN FOR SENATE		COF	\$17,784.59

Expenditures

Fund Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

April 10, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

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

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

Sincerely,

Kristi Reid Wilkins, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # 9114 9023 0722 4129 6166 27
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

May 13, 2019

Bobby Powell Jr
Candidate for State Senator, District 30
Post Office Box 782
West Palm Beach, FL 33402-3402

CAN 74103

Dear Senator Powell:

The campaign treasurer's report that was due on March 11, 2019, was filed on March 23, 2019. By law, you are automatically assessed a late fine of \$4,448.65.

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

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

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

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9114902307224129616627

Remove X

Expected Delivery on

WEDNESDAY

15 MAY 2019 ⓘ **by** **8:00pm** ⓘ

Feedback

✓ Delivered

May 15, 2019 at 6:48 am
Delivered, PO Box
WEST PALM BEACH, FL 33402

Get Updates ▼

- Text & Email Updates** ▼
- Tracking History** ▼
- Product Information** ▼

See Less ^



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

TO: Kedra Lewis, Chief
Bureau of Planning, Budget and Financial Services

FROM: Kristi Reid Willis, Chief *KRW*
Bureau of Election Records

DATE: June 10, 2019

SUBJECT: Referral for Debt Collection

I forward to you for referral to the Department of Financial Services for debt collection the enclosed paperwork reflecting that **Senator Bobby Powell, Jr.**, a candidate for elected office, has not paid a duly imposed fine by the Division of Elections. The Division imposed a fine upon the candidate as mandated by Section 106.07(8), Florida Statutes, for untimely filed campaign finance reports. The Division has been unsuccessful in its repeated attempts to collect this fine.

Bobby Powell, Jr.	74103	2019 M3	\$4,448.65
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KRW/dsb

Enclosure

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



UNITED COLLECTION BUREAU, INC.
5620 SOUTHWYCK BLVD
TOLEDO OH 43614-0190

June 21, 2019

1-866-769-4084

BOBBY POWELL JR.
PO BOX 782
WEST PALM BCH FL 33402-0782

The FLORIDA DEPT OF STATE has placed your account with our office for collection. Please pay the total balance or call our office for arrangements.

Client/Agency: FLORIDA DEPT OF STATE
Account Number: 4103
Principal Due: \$4448.65
Collection Fee: \$778.51*
TOTAL BALANCE: \$5227.16

*Collection fee is authorized by Florida Statute Section 17.20(2) Assignment of claims for collection: "The Chief Financial Officer may assign the collection of any claim to a collection agent or agents who are registered and in good standing pursuant to chapter 559, if the Chief Financial Officer determines the assignation to be cost-effective. The Chief Financial Officer may authorize the agent or agents to add a fee to the amount to be collected."

When calling our office at 1-866-769-4084, please refer to reference number 90633178. To ensure proper credit to your account, your payment should be sent to the address in the Remit To section below.

Sincerely,
United Collection Bureau, Inc.

This is an attempt to collect a debt by United Collection Bureau, Inc., a debt collector, and any information obtained will be used for that purpose.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

24CU900062FLDN

CU900082
PO Box 1280
Oaks PA 19456-1280
ADDRESS SERVICE REQUESTED

PLEASE RETURN THIS PORTION WITH PAYMENT. DO NOT ATTACH CHECK TO STUD.

Client/Agency: FLORIDA DEPT OF STATE
Account Number: 4103
Principal Due: \$4448.65
Collection Fee: \$778.51
Account Balance: \$5227.16
United Collection Bureau, Inc. Reference No: 90633178
United Collection Bureau, Inc. Telephone No: 1-866-769-4084

REMIT TO:

June 21, 2019

United Collection Bureau, Inc.
PO BOX 1120
MAUMEE OH 43537

BOBBY POWELL JR.
PO BOX 782
WEST PALM BCH FL 33402-0782

00010752

892840225

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

We are required under state law to notify consumers of the following rights. This list does not include all rights consumers have under state and federal law.

CALIFORNIA: The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov. Nonprofit credit counseling services may be available in the area.

COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE WWW.COAG.GOV/CAR. A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt. Payments can be made in person at:

Colorado Manager, Inc., 80 Garden Center, Building B, Suite 3, Broomfield, Colorado 80020, 303-920-4763.

IDAHO: Toll Free 1-866-209-0622 during normal business hours.

KANSAS: An investigative consumer report, which includes information as to your character, general reputation, personal characteristics and mode of living, may have been requested. You have the right to request additional information, which includes the nature and scope of the investigation.

MAINE: Hours of operation (ET): Monday through Thursday, 8:00 a.m. to 8:00 p.m.; Friday, 8:00 a.m. to 5:00 p.m.

MASSACHUSETTS: **NOTICE OF IMPORTANT RIGHTS** You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten days unless you provide written confirmation of the request postmarked or delivered within seven days of such request. You may terminate this request by writing to the debt collector. Hours of operation (ET): Monday through Thursday, 8:00 a.m. to 8:00 p.m.; Friday, 8:00 a.m. to 5:00 p.m.

MINNESOTA: This collection agency is licensed by the Minnesota Department of Commerce.

NEW YORK CITY: New York City Department of Consumer Affairs License Number 1004887.

NORTH CAROLINA: North Carolina Permit Numbers: 101866, 113029, 3843, 113517 and 4367.

TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance.


WISCONSIN: This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, www.wdli.org.

If you have a concern about the way we are collecting this debt, please call our toll-free Consumer Service Hotline at 1-866-209-0622, email us at UCBCompliance@ucbinc.com, or mail to United Collection Bureau, Inc, Compliance Department, 5620 Southwyck Blvd, Toledo, OH 43614. Please include your Reference Number on all communication. If you have a hearing or speech impairment, you can dial 711 to be automatically connected to a Telecommunications Relay Services (TRS) operator.

RECEIVED

2019 SEP 24 A 10:03

STATE OF FLORIDA
ELECTIONS COMMISSION


MESSER CAPARELLO
Attorneys At Law
Strategically Positioned in Florida's Capital
P.O. Box 15579
Tallahassee, Florida 32317

TO

Agency Clerk
Florida Elections Commission
Room 224, The Collins Building
107 West Gaines Street
Tallahassee, FL 32399-1050

HAND DELIVER