

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Cord Byrd

Case No.: FEC 16-100

TO: Cord Byrd
Law office of Cord Byrd, PA
1807 Third Street North
Jacksonville, FL 32250

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, **May 18, 2016 at 12:30 pm**, *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**

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
May 3, 2016

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

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

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

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

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

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

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

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-16-100

NAME: **CORD BYRD**

DATE APPEAL RECEIVED: 04/06/16

DATE REPORT DUE: 03/10/16 (2016 M2)

DATE OF ELECTRONIC RECEIPT: 03/18/16

DATE FILING OFFICER RECEIVED REPORT: 03/18/16

NUMBER OF DAYS LATE: 8

AMOUNT OF FINE: \$693.75

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$2,775.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$2,061.75

DATE OF FIRST NOTIFICATION: 03/11/16

SUMMARY: Cord Byrd was a candidate for State Representative, District 11 in the 2016 elections. Mr. Byrd is his own treasurer.

Mr. Cord Byrd, Esq. is representing himself in this matter. He did not provide any basis for the appeal.

- The 2016 M2 Original Report covers the period from 02/01/16-02/29/16; it was due on 03/10/16.
- The 2016 M2 Queued Transaction Report shows that it was created on 03/10/16 and filed on 03/18/16.
- Cord Byrd reported receiving 10 contributions, while making 3 expenditures.
- The Division of Elections has one note entry from 03/18/16 that pertains to Mr. Byrd's 2016 M2 report.

PRIOR CASES: None.

CANDIDATE <input checked="" type="checkbox"/>	STATE <input checked="" type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

RECEIVED

2016 APR 28 / A 9 40

FLORIDA ELECTIONS COMMISSION
TALLAHASSEE, FLORIDA

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

RE: Case No.: FEC 16-100; Respondent Cord Byrd; Campaign Treasurer's Report due 03/10/16 (2016 M2)

Dear Commissioners,

The following recitation of facts, argument and attachments are submitted for your review in my appeal of the fine imposed pursuant to F.S. §106.07. The appeal and this submission are made pursuant to Rule 2B-1.005.

FACTS:

1. I am the Candidate for office and also the campaign Treasurer. I am the only person with the passwords to login to the filing system.
2. For the thirteen months preceding the month in question, all campaign treasurer reports were timely filed.
3. On March 10, 2016, I logged in to the campaign filing system, personally completed the contribution/expenditure report and filed the report.
4. On March 17, 2016, I received a letter from the Division of Elections dated March 11, 2016 alleging that the March report had not been received. (March 11, 2016 letter attached as Exhibit A)
5. Although the letter from the Division is dated March 11, 2016, the postmark on the letter is March 15, 2016 evidencing that the Division did not mail the letter until four days after it was drafted. (Photocopy of the envelope with postmark attached as Exhibit B)
6. On the morning of March 18, 2016 I telephoned the help desk listed in the March 11, 2016 letter to enquire as to the alleged late filing.

7. When I called on March 18th, I spoke to Malcolm.
8. During my conversation with Malcom he confirmed that I logged in to the filing system on March 10, 2016.
9. During my conversation with Malcom he confirmed that the thirteen previous reports had been timely filed.
10. During my conversation with Malcolm I explained that I had experienced some anomalies when I filed on March 10, 2016, including some information being pre-filled.
11. During my conversation with Malcolm he instructed me to login to the system and re-file the report.
12. The report was re-filed while on the phone conversation with Malcolm and he was able to confirm receipt of the re-filed report, filed at 9:14:58 AM. (A Copy of the filed report receipt is attached as Exhibit C)
13. Malcom indicated that he made notes of our entire conversation for the record.

ARGUMENT:

A. A Fine Should Not Be Imposed

As the candidate and treasurer, I am the only person who enters the information and files the treasurer reports. For the thirteen months preceding the 2016-M2-14 report all reports had been timely filed. One of the exceptions listed in Rule 2B-1.0055(e) constituting an unusual circumstance is, "Computer or equipment failure caused by events that could not have been anticipated and that made timely filing of the report impossible."

At the earliest possible time after receiving the notice of fine letter I called the Division and reported that I had logged in to the system and filed my report. I also explained that I experienced some unusual anomalies during the login on March 10, 2016. While Malcom

could not identify any computer problems on the Division's system, he was able to confirm that I had in fact logged in to the system on March 10, 2016. During my phone conversation with Malcolm I also re-filed the report.

My conversation with Malcolm was relatively brief, probably lasting less than five minutes. It would have been impossible for me to type in all of the information required for the filing during my phone conversation with him. As soon as he instructed me to re-file I was able to do so which evidences that all of the information was already in the system, which is confirmed by the fact that I logged in on March 10, 2016.

I am not a computer expert nor am I an internet connection expert. I do not know what happened between the login and filing of the report on March 10, 2016 and the receipt of the letter from the Division on March 17, 2016. It is without dispute that thirteen timely reports had previously been filed and that I logged in March 10, 2016.

In light of these undisputed facts, I contend that an unusual computer or equipment failure occurred by events that could not have been anticipated. As such, the imposed fine should be withdrawn.

B. The Fine Should Be Reduced

If the Commission does not believe that a fine should not be imposed due to unusual circumstances, then the fine should be reduced due to the Division of Elections failure to timely notify me of an issue with filing, causing the fine to be substantially higher than it could have been.

The statutory fine for filing up to three days late is \$50.00. If the untimely filing is more than three days late the fine imposed is \$500.00 or 25% of the total receipt or expenditures whichever is greater.

The letter from the Division notifying me that there was a problem with the March report is dated March 11, 2016. The postmark on the envelope containing the March 11, 2016 letter is March 15, 2016. This means that the Division did not notify me timely of any issues with the March report until *after* the three-day period for a \$50.00 fine had already passed making it impossible for me or any candidate to correct any alleged deficiencies and avoid a higher fine.

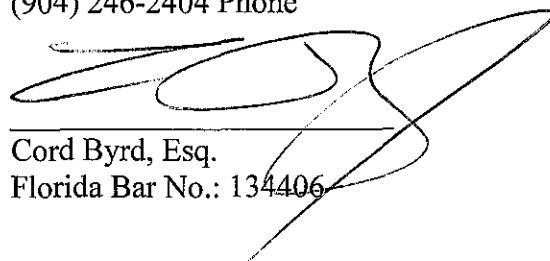
I received the letter postmarked on March 15th, on the afternoon of March 17th which means the letter travelled from Tallahassee to Neptune Beach within two days. Had the Division not delayed in mailing the letter by four days I would have received it within two days affording me the opportunity to correct any issues within the three-day initial fine period. The untimely mailing caused the fine to increase by \$643.75.

Pursuant to Rule 2B-1.0055(g) the lack of timely notice clearly interfered with the timely filing of the report resulting in an unnecessary and unfair increase in the fine imposed.

CONCLUSION:

Based upon the foregoing facts and argument the imposed fine should be waived or in the alternative reduced to \$50.00.

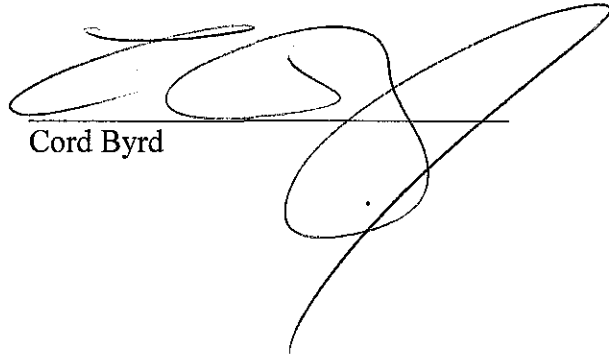
LAW OFFICE OF CORD BYRD, P.A.
1807 Third Street North
Jacksonville Beach, FL 32250
(904) 246-2404 Phone



Cord Byrd, Esq.
Florida Bar No.: 134406

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to Florida Elections Commission, 107 West Gaines Street, Ste. 224, Tallahassee FL 32399-0150, on this 26th day of April, 2016.



Cord Byrd



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

March 11, 2016

Cord Byrd
1807 Third Street North
Jacksonville Beach, FL 32250

CAN 64516

Dear Mr. Byrd:

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 10, 2016.

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 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,

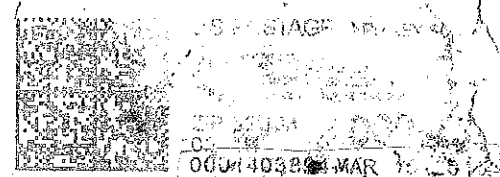
Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE
 DIVISION OF ELECTIONS
 R.A. Gray Building
 500 South Bronough Street, Rm 316
 Tallahassee, Florida 32399

Cord Byrd
 Candidate for State Representative
 724 5th Street
 Neptune Beach, FL 32266

PRESORT
 FIRST CLASS



000140386 MAR 15 1992

94 EXH-1MB 32266

"B"

 **Filed Report Receipt**

**** Report has been Filed ****

ID: **64516** Name: **Cord Byrd**

Report: 2016 - M2 - 14

Print Date: **3/18/2016 9:14:58 AM**

Election: 2016 General Election

Covers: 2/1/2016-2/29/2016

Due: 3/10/2016

Amended

Waiver

Filed: **3/18/2016 9:14:58 AM**

File Status: **Submitted Report for Filing**

Reviewed: **3/10/2016**

Review Status: **Reviewed**

Detail Complete: **Complete Detail Records**

File Method: Web Filed

Entry Method: Web Data Entry

Pending Queued Items: **0**

Number of Detail Records

Contributions: 10

Expenditures: 3

Fund Transfers: 0

Distributions: 0

To Print: Right Click Mouse and Select 'Print'

[Go to Filed Report List](#)

"C"

FLORIDA DEPARTMENT OF STATE
DIVISION OF ELECTIONS

RECEIVED

2016 APR -6 P 2:02

NOTICE OF APPEAL

NOTICE IS GIVEN that CORD BYRD, Appellant, appeals to the FLORIDA ELECTIONS COMMISSION the assessed fine as stated in a notice of imposition of fine dated March 21, 2016 from the Division of Elections. As required by F.A.C. Rule 2B-1.005 this Notice of Appeal further states:

- a) Cord Byrd
724 5th Street, Neptune Beach, Florida 32266
904-571-0144
- b) A copy of the notice of imposition of fine is attached.
- c) Appellant does not request a hearing by personal appearance.

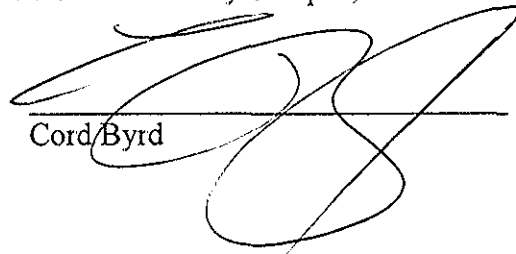
LAW OFFICE OF CORD BYRD, P.A.
1807 Third Street North
Jacksonville Beach, FL 32250
(904) 246-2404 Phone



Cord Byrd, Esq.
Florida Bar No.: 134406

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to Florida Elections Commission, 107 West Gaines Street, Ste. 224, Tallahassee FL 32399-0150, and Kristi Reid Bronson, Division of Elections, R A Gray Bldg., Rm. 316, 500 South Bronough Street, Tallahassee, FL 32399-0250 on this 4th day of April, 2016.


Cord Byrd



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

March 21, 2016

Cord Byrd
Candidate for State Representative, District 11
724 5th Street
Neptune Beach, FL 32266-2266

CAN 64516

Dear Mr. Byrd:

The campaign treasurer's report that was due on March 10, 2016, was filed on March 18, 2016. By law, you are automatically assessed a late fine of \$693.75.

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 Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

March 21, 2016

Cord Byrd
Candidate for State Representative, District 11
724 5th Street
Neptune Beach, FL 32266-2266

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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 Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

March 11, 2016

Cord Byrd
1807 Third Street North
Jacksonville Beach, FL 32250

CAN 64516

Dear Mr. Byrd:

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 - 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.

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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,

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

Kristi Reid Bronson, Chief
Bureau of Election Records

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

(1) Cord Byrd (2) 64516
 Candidate, Committe or Party Name I.D. Number

(3) 724 5th Street Neptune Beach FL 32266
 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 02/01/2016 To 02/29/2016 Report Type: M2

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$2,775.00
Loans	\$0.00
<i>Total Monetary</i>	\$2,775.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$2,061.75
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$2,061.75

(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 Chaiman (PC/PTY Only)

X
Signature

Name: Cord Byrd

Report: 2016 M2

Period: 02/01/2016 to 02/29/2016

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip	Contributor	Occupation	Amount
		Type	In-Kind Description	
1 02/12/2016	ALLEN, GARY 9881 NW 3RD ST. HOLLYWOOD, FL 33024	I CHE	BRIDGE FOREMAN	\$25.00
2 02/09/2016	WILSON, KEVIN 2222 48TH STREET NW WASHINGTON, DC 20007	I CHE	SOFTWARE MANAGER	\$100.00
3 02/26/2016	ASTON, MICHAEL 1523 SUMMER SANDS DRIVE NEPTUNE BEACH, FL 32266	I CHE	RETIRED	\$150.00
4 02/26/2016	SEALANTIC, INC. 4414 SEABREEZE DRIVE JACKSONVILLE, FL 32250	B CHE	RENTAL PROPERTY MANAGEMENT	\$500.00
5 02/26/2016	ASTON, LOU ALLEN 1523 SUMMER SANDS DRIVE NEPTUNE BEACH, FL 32266	I CHE	RETIRED	\$250.00
6 02/26/2016	BOOK, RONALD 491 COCONUT PALM TERRACE PLANTATION, FL 33324	I CHE	GOVERNMENT RELATIONS	\$500.00
7 02/26/2016	RONALD BOOK PA 18851 NE 29TH AVENUE SUITE 1010 AVENTURA, FL 33180	B CHE	GOVERNMENT RELATIONS	\$1,000.00
8 02/26/2016	RANDALL, R. SCOTT PO BOX 970 LECANTO, FL 34460	I CHE	RETIRED	\$200.00
9 02/26/2016	CORDRAY, MARY 1634 3RD AVE. NORTH JACKSONVILLE BEACH, FL 32250	I CHE	RETIRED	\$25.00
10 02/26/2016	CORDRAY, MICHAEL 1634 3RD AVE. NORTH JACKSONVILLE BEACH, FL 32250	I CHE	PROPERTY MANAGMENT	\$25.00

Name: Cord Byrd

Report: 2016 M2

Period: 02/01/2016 to 02/29/2016

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
1 02/17/2016	THE WHITSON GROUP PO BOX 551204 JACKSONVILLE, FL 32255	MON	PRINTED CAMPAIGN MATERIAL	\$561.75
2 02/17/2016	TWG TECHNOLOGIES PO BOX 551204 JACKSONVILLE, FL 32255	MON	CAMPAIGN SOFTWARE	\$500.00
3 02/17/2016	THE WHITSON GROUP PO BOX 551204 JACKSONVILLE, FL 32255	MON	CONSULTING	\$1,000.00

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS

Name: Cord Byrd

Report: 2016 M2

Period: 02/01/2016 to 02/29/2016

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

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

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Name: Cord Byrd

Report: 2016 M2

Period: 02/01/2016 to 02/29/2016

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

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

Queued Items for 2016-M2

Account: **64516**

STR 011 Cord Byrd

Rpt Seq: 14

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	64516	3/10/2016 12:04:45 PM	3/10/2016 12:04:45 PM
Recalc Pending Report Total	Processing Complete	64516	3/10/2016 12:38:32 PM	3/10/2016 12:38:32 PM
Review Pending Report	Processing Complete	64516	3/10/2016 12:39:05 PM	3/10/2016 12:39:05 PM
File Pending Report	Processing Complete	64516	3/18/2016 9:14:58 AM	3/18/2016 9:14:59 AM

HISTORY NOTES

Cord Byrd - 64516

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
46954	3/18/2016 9:17:00 AM		mcchellman
<p>re: FF letter, candidate called 3/18/16 to say that he had timely filed this report on 3/10/16 and that our activity history would reflect that he was in the EFS on that date. He says that when he went into EFS this morning, the report was in pending and not filed. He said that when he went to the screen where you put in the candidate's PIN to approve the report his PIN was already typed in. He hit the approve button and says the next screen to pull up already had his treasurer's PIN typed in. He says he attempted to file the report then but the EFS did not let him until he erased the treasurer's PIN that was already typed in, typed it in a second time, and hit the file button. He said he's timely filed all of his many reports and believes a technical glitch in the system must have occurred. Kristi Bronson went into the system before candidate put in the treasurer's PIN to file the report and did not see anything unusual that would indicate the report was hung up in the system. The candidate filed the report at 9:15 am.</p>			



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 12, 2015

Cord Byrd
724 5th Street
Neptune Beach, Florida 32266

Dear Mr. Byrd:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on January 9, 2015. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **February 10, 2015**. The report will cover the period of January 1-31, 2015 (M1). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

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

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

Identification Number: 64516

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399

850.245.6240 • 850.245.6260 (Fax) election.dos.state.fl.us

Promoting Florida's History and Culture VivaFlorida.org



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Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers.

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

Timely Filing

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

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.

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Instructions and Assistance

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

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

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

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE

2015 JAN -9 AM 9:48

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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)
Cord Byrd

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

724 5th Street, Neptune Beach, FL 32266

4. Telephone

(904) 571-0144

5. E-mail address

cbyrd@byrdlaw24.com

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

State Representative, District 11

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 Republican _____ Party candidate.

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

10. Name of Treasurer or Deputy Treasurer

Cord Byrd

11. Mailing Address

1807 Third Street North

12. Telephone

(904) 246-2404

13. City

Jacksonville Beach

14. County

Duval

15. State

FL

16. Zip Code

32250

17. E-mail address

cbyrd@byrdlaw24.com

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

19. Name of Bank

Jacksonville Bank

20. Address

560 Atlantic Blvd.

21. City

Neptune Beach

22. County

Duval

23. State

FL

24. Zip Code

32266

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

1-5-15

26. Signature of Candidate

X 

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

I, Cord Byrd, do hereby accept the appointment

(Please Print or Type Name)


designated above as:

Campaign Treasurer Deputy Treasurer.

1-5-15

Date

X


Signature of Campaign Treasurer or Deputy Treasurer

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

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

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE

2015 JAN -5 AM 10:01

DIVISION OF ELECTIONS
TALLAHASSEE, FL

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Cord Byrd

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

724 5th Street, Neptune Beach, FL 32266

4. Telephone

(904) 571-0144

5. E-mail address

cbyrd@byrdlaw24.com

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

State Representative, District 11

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FL

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25. Date

1-2-15

26. Signature of Candidate

X 

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

I, Cord Byrd, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

1-2-15

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

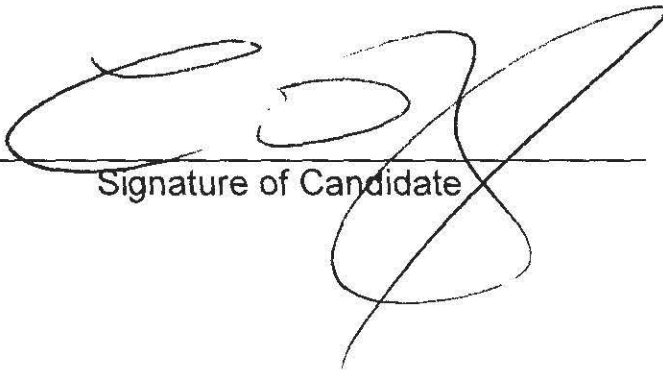
RECEIVED
DEPARTMENT OF STATE
2015 JAN -5 AM 10:01
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I, Cord Byrd

candidate for the office of State Representative

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

X



Signature of Candidate

1-2-15

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).

CANDIDATE OATH -
CANDIDATE WITH PARTY AFFILIATION

Not Valid for Qualifying

RECEIVED
DEPARTMENT OF STATE
2015 JAN -5 AM 10: 01

DIVISION OF ELECTIONS
TALLAHASSEE, FL

OFFICE USE ONLY

OATH OF CANDIDATE (Section 99.021, Florida Statutes)

I, Cord Byrd

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * -- NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the office of State Representative, 11, _____,
(office) (district #) (circuit #)

_____ ; I am a qualified elector of Duval County, Florida; I am qualified
(group or seat #)

under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

Candidate's Florida Voter Registration Number (located on your voter information card): 112619428

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

Cord Bird

STATEMENT OF PARTY (Section 99.021, Florida Statutes)

I am a member of the Republican Party; I have not been a registered member of any other political party for 365 days before the beginning of qualifying preceding the general election for which I seek to qualify; and I have paid the assessment levied against me, if any, as a candidate for said office by the executive committee of the political party, of which I am a member.

X

Signature of Candidate

(904) 246-2404

Telephone Number

cbyrd@byrdlaw24.com

Email Address

724 5th Street

Address

Neptune Beach

City

Florida

State

32266

ZIP Code

STATE OF FLORIDA

COUNTY OF Duval

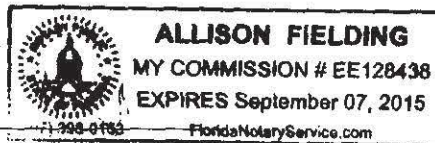
Not Valid for Qualifying

Sworn to (or affirmed) and subscribed before me this 2 day of January, 2015.

Personally Known: or

Produced Identification: _____

Type of Identification Produced: _____



Allison Fielding
Signature of Notary Public
Print, Type, or Stamp Commissioned Name of Notary Public

Florida Elections Commission

Post Investigation Telephone Log

Case Number	FEC 16-100
Respondent	Cord Byrd
Complainant	
Date of Call	04/15/16
Time of Call	Afternoon
Name of Individual Called	Cord Byrd, Esq.
Phone Number	904-246-2404
Summary	Directed Mr. Byrd to sent in written documentation regarding his automatic fine appeal by April 29 th .
Entered by	SC