

**RESOLUTION NO. 2009- 156**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, IMPLEMENTING THE PROVISIONS OF SECTION 106.07(2)(a)2., FLORIDA STATUTES, PERTAINING TO ELECTRONIC FILING REQUIREMENTS FOR THE CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES, POLITICAL COMMITTEES AND COUNTY EXECUTIVE COMMITTEES OF A POLITICAL PARTY; PROVIDING DEFINITIONS; REQUIRING ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES, POLITICAL COMMITTEES AND COUNTY EXECUTIVE COMMITTEES OF A POLITICAL PARTY; PROVIDING FOR THE ESTABLISHMENT OF AN ELECTRONIC FILING SYSTEM AND PRESCRIBING THE MINIMUM REQUIREMENTS THEREOF; REQUIRING A WRITTEN ACKNOWLEDGEMENT REGARDING CERTAIN MATTERS PERTAINING TO THE ELECTRONIC FILING SYSTEM; PROVIDING FOR THE ESTABLISHMENT OF AN ALTERNATIVE PROCEDURE FOR FILING OF CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES, POLITICAL COMMITTEES AND COUNTY EXECUTIVE COMMITTEES OF A POLITICAL PARTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, candidates for statewide office are required under Chapter 106, Florida Statutes, to file certain campaign finance reports specified therein electronically; and,

**WHEREAS**, in accordance with the provisions of Section 106.07(2)(a)2., Florida Statutes, a board of county commissioners is authorized to require the same electronic filing requirements as provided for in Chapter 106, Florida Statutes, of candidates for elective office within the county; and,

**WHEREAS**, Section 106.07(3), Florida Statutes, requires the campaign finance reports specified in Chapter 106, Florida Statutes, of political committees that have registered with a county's supervisor of elections to be subject to the same filing conditions as established for the campaign finance reports of candidates for elective office within such county; and,

**WHEREAS**, in accordance with the provisions of Section 106.07(2)(a)2., Florida Statutes, a board of county commissioners is authorized to require the same electronic filing requirements as provided in Chapter 106, Florida Statutes, of its own officers, including county executive committees of a political party.

**WHEREAS**, by the adoption of this resolution, the Board of County Commissioners of Nassau County, Florida, intends to require the campaign finance reports of certain candidates for

elective office within the County, of political committees registered within the County, and of county executive committees to be filed with the County's Supervisor of Elections electronically in accordance with the provisions of Sections 106.07(2)(a)2., 106.07(3) and 106.29, Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Nassau County, Florida, as follows:

Section 1. Definitions. For purposes of this resolution, the following terms and phrases shall have the meanings herein ascribed:

- (a) Board shall mean the County's Board of County Commissioners.
- (b) Campaign finance report shall mean any campaign finance report of a candidate, of a political committee or of a county executive committee required under Chapter 106, Florida Statutes, to be filed with the Supervisor.
- (c) Candidate shall mean a candidate for elective office within the County who is required by law to qualify before the Supervisor.
- (d) County shall mean Nassau County, Florida.
- (e) County executive committee shall mean the county executive committee of a political party, as provided for in Chapters 103 and 106, Florida Statutes, registered with the County Supervisor.
- (f) Division shall mean the Florida Division of Elections.
- (g) Electronic filing system shall mean the Internet-based system for filing campaign finance reports established by the Supervisor under section 3 hereof.
- (h) Political committee shall mean a political committee that has registered with the Supervisor in accordance with Section 106.03, Florida Statutes.
- (i) Supervisor shall mean the County's Supervisor of Elections.
- (j) Treasurer shall mean a candidate's treasurer, a political committee's campaign treasurer or a county executive committee's treasurer duly designated as such under Chapter 106, Florida Statutes.

Section 2. Electronic filing required. Pursuant to Sections 106.07(2)(a)2., 106.07(3) and 106.29, Florida Statutes, the Board hereby establishes the requirement that each campaign finance report of a candidate, of a political committee and of a county executive committee must be filed with the Supervisor by means of the Supervisor's electronic filing system.

Section 3. Electronic filing system. The Supervisor is authorized and directed to develop and establish an electronic filing system, inclusive of such uniform procedures and forms as may be necessary and appropriate for the implementation thereof. At a minimum, the electronic filing system must satisfy the following requirements:

- (a) It must be based on access by means of the Internet.
- (b) It must be accessible by anyone with Internet access using standard web-browsing software.
- (c) It must provide for direct entry of campaign finance information as well as upload of such information from campaign finance software certified by the Division.
- (d) It must provide a method that prevents unauthorized access to electronic filing system functions.
- (e) It must provide for the issuance of an electronic receipt to the person submitting a campaign finance report indicating and verifying that the same has been filed.
- (f) It must include a conspicuous statement at or immediately following the log-in page that campaign finance reports must be completed and filed through the electronic filing system not later than midnight of the day required by law therefor, and that late-filed campaign finance reports are subject to the penalties prescribed under Section 106.07(8) or 106.29(3), Florida Statutes.
- (g) It must include a conspicuous statement at the prompt for submitting a campaign finance report that the same is considered to be certified as to correctness within the meaning of Section 106.07(5), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, by the political committee's chair and treasurer, in the case of a political committee, or by the executive committee's chair and treasurer, in the case of a county executive committee, and that such persons are subject to the provisions of Section 106.07(5) or 106.29(2), Florida Statutes.

Section 4. Acknowledgement. The Supervisor must require each person given a secure sign-on to the electronic filing system to sign a written statement on a form prepared by the Supervisor acknowledging the following:

- (a) Campaign finance reports must be completed and filed through the electronic filing system not later than midnight of the day required by law therefor.
- (b) Campaign finance reports not filed by midnight of the required day are deemed late-filed and are subject to the penalties prescribed under Section 106.07(8) or 106.29(3), Florida Statutes.

- (c) Campaign finance reports filed through the electronic filing system are considered to be certified as to correctness within the meaning of Section 106.07(5) or 106.29(2), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, the political committee's chair and treasurer, in the case of a political committee, or the county executive committee's chair and treasurer, in the case of a county executive committee, and such persons are subject to the provisions of Section 106.07(5) or 106.29(2), Florida Statutes.
- (d) The person signing the statement is responsible for protecting the sign-on credentials from disclosure, and for all filings using such credentials, unless the person has notified the Supervisor that such credentials have been compromised.

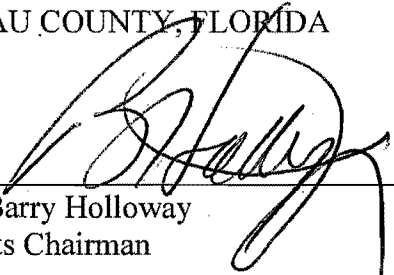
Section 5. Alternative procedure. The Supervisor is authorized and directed to develop and establish an alternate filing procedure for campaign finance reports in the event the electronic filing system is not operable.

Section 6. Effective date. This resolution is deemed effective immediately upon its adoption by the Board.

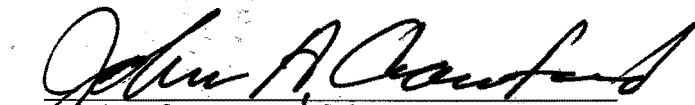
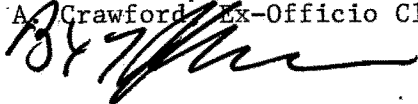
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DULY ADOPTED by the Board of County Commissioners of Nassau County, Florida,  
this 12th day of August, 2009.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

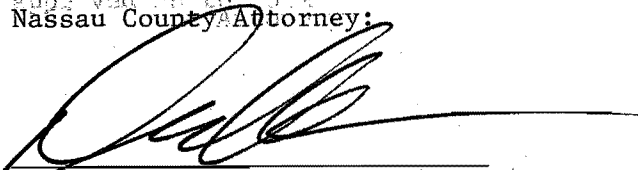
By:   
Barry Holloway  
Its Chairman

ATTEST: *Signature only*

  
John A. Crawford, Ex-Officio Clerk  


*OK*  
8/12/09

Approved as to form by the  
Nassau County Attorney:

  
David A. Hallman