

**DE 92-17 - August 20, 1992**

**Campaign Accounts for Political Party Executive Committee  
Sections 97.021(6); 106.011(16), F.S.**

*TO: Honorable David C. Leahy, Supervisor of Elections, Dade County, Post Office Box 012241,  
Miami, Florida 33101-2241*

*Prepared by: Division of Elections*

This is in response to your request for an opinion regarding the applicability of Chapter 106, Florida Statutes, to the activities of a candidate for a political party executive committee. You are the Dade County Supervisor of Elections and, pursuant to Section 106.23(2), Florida Statutes, the division is authorized to issue this opinion to you.

You ask:

Whether a candidate for a political party executive committee must open a campaign account and what limits, if any, are there on a candidate campaigning for a political party committee office?

It is the opinion of the Division of Elections that a candidate for a political party executive committee is neither required to open a campaign account nor subject to any campaign limitations mandated by Chapter 106, Florida Statutes.

Section 106.011(16), Florida Statutes, defines a candidate as any person to whom any one or more of the following apply:

- (a) Any person who seeks to qualify for nomination or election by means of the petitioning process.
- (b) Any person who seeks to qualify for election as a write-in candidate.
- (c) Any person who receives contributions or makes expenditures, or gives his consent for any other person to receive contributions or make expenditures, with a view to bring about his nomination or election to, or retention in, public office.
- (d) Any person who appoints a treasurer and designates a primary depository.
- (e) Any person who files qualification papers and subscribes to a candidate's oath as required by law.

However, Section 106.011(16), Florida Statutes, provides the following exception to who is deemed to

be a candidate for purposes of Chapter 106, Florida Statutes:

[T]his definition does not include any candidate for a political party executive committee.

Therefore, a candidate for a political party executive committee does not fall within the class of candidates that is regulated by Chapter 106, Florida Statutes. As a result, a candidate for a political party executive committee is neither required to open a campaign account nor subject to the campaign limitations mandated by Chapter 106, Florida Statutes.

### **SUMMARY**

A candidate for political party executive committee is neither required to open a campaign account nor subject to the campaign limitations mandated by Chapter 106, Florida Statutes.