

DE 80-19 - June 23, 1980

**Resign-to-Run Law
Section 99.012, Florida Statutes**

To: Miss Inell Stutzman, 1901 Long Avenue, Port St. Joe, Florida 32456

Prepared by: Division of Elections

This is in response to your request for advisory opinion pursuant to Section 106.23(2), F.S. (1979).

I am of the opinion that you need not resign your employment with the Gulf County Tax Collector in order to run for the office of Tax Collector except if the incumbent were to seek reelection as Tax Collector. However, as a "subordinate personnel" within the meaning of Section 99.012(7), F.S. (1979), you must take a leave of absence without pay from your employment in the Tax Collector's office during the period in which you are seeking election to the office Tax Collector. This leave of absence must begin no later than when you qualify as a candidate for the office of Tax Collector. The qualifying period begins at noon, July 8, and ends at noon, July 22.