

DE 80-21 - June 24, 1980

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

To: Mr. L.L. Hall, c/o Jerry Blair, State Attorney, P.O. Drawer 1546, Live Oak, Florida 32060

Prepared by: Division of Elections

This is in response to your request for an advisory opinion pursuant to Section 106.23(2), F.S. You ask if you must resign or merely take a leave of absence in order to run for the office of sheriff of Dixie County.

As in Investigator in the State Attorney's office, you are "subordinate personnel" within the meaning of Section 99.012(7), F.S., and 1979 Op. Atty. Gen., Fla. 079-81 (Sept. 11, 1980) and need not resign to run. However, you must take a leave of absence without pay from your employment during the period in which you are seeking election to public office. The leave of absence must be no later than the date you qualify as a candidate for Sheriff. The qualifying period begins at noon, July 8 and ends at noon, July 22, 1980.