

Obsolete. Please consult current Florida law.

DE 076-25 - August 31, 1976

CHAPTER 106, FLORIDA STATUTES FINANCIAL REPORTS, SCHEDULE

To: Honorable Susie Delegal, Assistant General Counsel, Broward County Courthouse, Room 248, 201 SE 6th Street, Fort Lauderdale, Florida 33301

Prepared by: Division of Elections

You have requested an opinion of this office concerning the filing dates for reports under Section 106.07, Florida Statutes, and the interpretation heretofore made of that Section by the pamphlet compiled by the Division of Elections, "Dates to Remember, 1976 — Candidates and Committees".

Section 106.07(1)(c), F.S., requires the filing of regular reports on the first and third Mondays following the fortieth day preceding the election and the Monday immediately preceding the election for a candidate who is opposed in seeking nomination or election for other than a statewide office.

The Division pamphlet notes on page one, in this respect, that said reports, beginning on the fortieth day preceding the election are to be filed on the first and third Mondays and on the Monday immediately preceding the election.

You have inquired, essentially, as to the correctness of the instructions given in and by the Division pamphlet suggesting that a proper reading of Section 106.07, F.S., would actually require reports to be filed beginning forty days prior to the First Primary and forty days prior to the Second Primary and forty days prior to the General Election.

Section 106.07, F.S., 1973, was modeled on and its philosophy was abstracted from Section 99.161(8)(b), F.S., 1972, which required filing of reports for other than statewide offices "on the first and third Monday of each month preceding the election."

Accordingly, the interpretation given Section 106.07, F.S., by the Division's pamphlet establishes a regular and uninterrupted rhythm of filing, consistent with the clear legislative intent; whereas the tripartite scheduling formula suggested by our interpretation would be more complex, more burdensome, and inconsistent with the legislative intent.

The correct dates for filing financial reports are then as set out in and by the Division's pamphlet, "Dates to Remember 1976 — Candidates and Committees".