

**DE 83-03 January 14, 1983**

**CAMPAIGN ACCOUNTS, s. 106.141, F.S.;**  
**QUALIFYING BY PETITION, s. 99.095, F.S.**

*To: Honorable Joe Oldmixon, Supervisor of Elections, Escambia County Courthouse,  
Room 400, Pensacola Florida 32501*

Prepared by: Division of Elections

In response to the questions posed in your letter of December 28, 1982, I offer my thoughts.

Under Section 106.141(3), county commission candidates who have campaign accounts which have not been used in a campaign for public office within two years from the date the campaign account was established, shall within 90 days following the second anniversary of the date the campaign account was established, be disposed of pursuant to Section 106.141(6), F.S. (1981). In my opinion the disposal schedule should be followed notwithstanding the fact that a campaign was not conducted; county elections in Escambia County have been stayed by federal court order.

As to qualifying petitions filed by county commission candidates in 1980 to obtain ballot access under Section 99.095, F.S., there has been a substantial change as a result of Judge Arnow's decision requiring single member districts for county elections. Formerly, candidates for County Commission in Escambia County ran at large and if they sought to qualify by alternative method (Section 99.095(4)(b)) they submitted a petition signed by electors in whatever geographical entity represented the office. Now, the single member district plan with boundaries completely different from the old ones has been imposed by the United States District Court, Northern Division. A qualifying petition now must be supported by the signatures of electors in the new district.

Therefore, the old qualifying petitions no longer comply with Florida law, as they no longer serve to represent the desires of electors in the district represented by the office. In order to avoid qualifying fees for the 1983 elections, new qualifying petitions must be submitted in accordance with Section 99.095()(b) and the new district boundaries.