

DE 87-11 - September 16, 1987

**Removal of Treasurer
Sections 106.021(2) and 106.06(3), F.S.**

To: Ms. Barbara A. Christensen, 1080 Crystal Bowl Circle, Casselberry, Florida 32707

Prepared by: Division of Elections

This letter is in response to your letter requesting an advisory opinion.

You were a candidate for the Seminole County Commission in 1984. You were elected and your term ends in November 1988. You have asked your campaign treasurer to return campaign records to you for safe keeping. The treasurer cites Section 106.06(3), Florida Statutes, as his exclusive right to retain these records. The treasurer has not been cooperative in letting you inspect these records. Specifically, you would like to know:

1. Whether you may remove the treasurer and appoint a successor as provided in Section 106.021, Florida Statutes?
2. To accomplish this, what procedure would you follow?

As to your first question:

Section 106.021(2), Florida Statutes, provides that "A candidate or political committee may remove his or its campaign treasurer or any deputy campaign treasurer." There are no restrictions or time frame as to when the removal of a treasurer must occur. Under Section 106.06(3), Florida Statutes, the campaign treasurer is required to preserve the records of the campaign for a number of years equal to the term of office to which the candidate seeks election. Therefore, the treasurer is subject to removal as long as he continues to serve in that capacity which, in your case, is through November, 1988.

You may, therefore, remove the campaign treasurer and replace him at your discretion.

As to your second question:

In order to remove your campaign treasurer, you must notify him, in writing, that you are removing him and file a copy of this notification with the filing officer before whom you qualified. The removal is effective at the time it is filed with the filing officer. S. 106.021(2), Fla. Stat. To appoint a successor to your treasurer, you must certify the name and address of the successor in the manner provided in the case of an original appointment. S. 106.021(2), Fla. Stat.

SUMMARY

A candidate may remove a campaign treasurer after the election and appoint a successor. To remove a treasurer the candidate must notify the treasurer and the filing officer in writing of removal. A successor is certified in the same manner as the original appointment.