

**ADVISORY OPINION 2018-AO-03**

**CAMPAIGN TREASURY  
REQUIREMENTS FOR  
INDEPENDENT CANDIDATES**

*Moorhead, C.J. for the Court*

*Published October 2, 2018*

This Court has jurisdiction to render advisory opinions to the Supervisor of Elections (“SOE”) pursuant to section 703(F), Student Body Statutes (“SBS”).

This Court received the following request for advisory opinion from the SOE:

Many students are confused when regarding independent candidates needing a treasurer or not. This is what I have told them because that section does contradict itself:

We have decided that section 710.3 (A) shall be interpreted as independent candidates NOT needing a designated treasurer. If you do spend money, however, it is imperative that you keep track of any money you spend during this election. Anything you spend regardless of if it is your own money or a contribution must be submitted in your final expense statement and contribution statement.

*See Request for Advisory Opinion, at ¶2. We interpret the request to ask if the information given to independent candidates by the SOE is a correct statement of law.*

Section 710.3(A), SBS, states “All political parties as well as independent candidates shall have a designated campaign treasurer, if money is spend [sic] on their campaign. Candidates running individually, without the aid of a political party are exempt from this rule.

“Where possible, it is the duty of the courts to adopt that construction of a statutory provision which harmonizes and reconciles it with other provisions of the same act.” *Woodgate Development Corp. v. Hamilton Inv. Trust*, 351 So. 2d 14, 16 (Fla. 1977). While the purpose of an advisory opinion is not to adopt any particular statutory construction, but rather advise one, the Court is inclined to advise that the statute be read and interpreted as the SOE has.

At this time, the Court advises that section 710.3(A), SBS, be construed to mean a candidate running as an independent need not designate a third-party as their campaign’s treasurer. A candidate running independently may sign and certify their own financial documents acting as their own treasurer, this includes their final expense statements. *See* §710.2, SBS.