

LIST OF RESOURCES FOR POTENTIAL CONFLICT OF INTEREST, RESIGN TO RUN LAW AND HATCH ACT

Below are resources available to candidates and potential candidates to determine if a conflict of interest exists. Please read each law in its entirety, as it is possible for a candidate to have a conflict with one law and not necessarily both.

Commission on Ethics:

Opinions are issued by the Commission on Ethics (COE) and are binding on the conduct of the person who is the subject of the opinion and to assist in avoiding a prohibited conflict of interest. The Code of Ethics for Public Officers and Employees, adopted by the Legislature as [Part III of Chapter 112, Florida Statutes](#), contains standards of ethics conduct and disclosures applicable to public officers, employees, candidates, lobbyists, and others in Florida State and local government, with the exception of Judges. (The ethical standards for Judges of Florida's judicial branch are contained in the Code of Judicial Conduct, adopted by the [Florida Supreme Court](#).) Advisory opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation to the:

Florida Commission on Ethics
Executive Director and General Counsel
P O Drawer 15709
Tallahassee, FL 32317-5709
OR
325 John Knox Rd
Building E, Suite 200
Tallahassee, FL 32303
Phone: (850)488-7864
Fax: (850)488-3077
Website address: <http://www.ethics.state.fl.us/>

Division of Elections:

Pursuant to [FS 99.012\(3\) Restrictions on individuals qualifying for public office](#), no officer may qualify as a candidate for another public office, whether state, district, county, or municipal, if the terms or any part thereof run concurrently with each other, without resigning from the office he or she presently holds. If required, *written resignations are due at least 10 days prior to the first day of the qualifying period.*

The Florida Department of State, Division of Elections (DOE) provides advisory opinions, as outlined in [Rule 1S-2.010 Advisory Opinions](#), to Supervisors of Elections, *candidates*, local officers having election related duties, as well as to political parties, political committees, committees of continuous existence and other persons or organizations engaged in political activity relating to any provisions or possible violations of the Florida Election Laws. You may seek an advisory opinion in writing to the:

Florida Department of State
Division of Elections, Director's Office
Room 316, R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250
Phone: (850)245-6200
Fax: (850)245-6217 or (850)245-6218
E-mail: DivElections@dos.state.fl.us

Website address: <http://election.dos.state.fl.us/>

United States Office of Special Counsel:

The U. S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. The Counsel's basic authorities come from three federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, and the Hatch Act. OSC issues advisory opinions to persons seeking advice about political activity under the Hatch Act. You may request such advice by mail, phone, fax, or e-mail to the:

Hatch Act Unit

United States Office of Special Counsel

1730 M Street, N. W., Suite 218

Washington, D.C. 20036-4505

Phone: (800)854-2824 or (202)254-3650

Fax: (202)254-3700

E-mail: hatchact@osc.gov

Website address: http://www.osc.gov/ha_role.htm

Attorneys:

Potential candidates are encouraged to consult with their Employer and/or Attorney of your Employer, the attorney for the agency for the office being sought, and/or your personal attorney.

The resources listed above are for information purposes only and are not inclusive of all agencies. As individual circumstances vary, so may their respective agency providing an advisory opinion. The information is being provided as a tool to help potential candidates. This office does not issue opinions as to the legality of one's need to resign for any of the above laws. It is the candidate's responsibility to seek legal advice.