

By Senator Klein

28-1266-98

1 A bill to be entitled
2 An act relating to elections; amending s.
3 100.061, F.S.; providing an alternative
4 procedure under certain circumstances for
5 nominating and electing a political party's
6 candidate for public office; providing an
7 effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 100.061, Florida Statutes, is
12 amended to read:

13 100.061 First primary election.--

14 (1) Except as provided in subsection (2), in each year
15 in which a general election is held, a first primary election
16 for nomination of candidates of political parties shall be
17 held on the Tuesday 9 weeks prior to the general election.
18 Each candidate receiving a majority of the votes cast in each
19 contest in the first primary election shall be declared
20 nominated for such office. A second primary election shall be
21 held as provided by s. 100.091 in every contest in which a
22 candidate does not receive a majority.

23 (2) In each year in which a general election is held:

24 (a) If the only candidates for an office are
25 candidates of one political party and that political party has
26 only two candidates, the names of the two candidates shall be
27 placed on the general election ballot. The candidate receiving
28 the majority of the votes in the general election is the
29 winner.

30 (b) If the only candidates for an office are
31 candidates of one political party and that political party has

1 three or more candidates, the two candidates receiving the
2 highest number of votes in the first primary shall have their
3 names placed on the general election ballot. The candidate
4 receiving the majority of votes in the general election is the
5 winner.

6 Section 2. This act shall take effect upon becoming a
7 law.

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SENATE SUMMARY

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Provides an alternative, under certain circumstances, for
12 holding a first and second primary for nominating and
electing a political party's candidates to public office.

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