

By the Committee on Ethics and Elections; and Senators  
 Saunders, Carlton, Meek, Hargrett, Sebesta, Kirkpatrick and  
 Rossin

313-710-99

1                                   A bill to be entitled  
 2           An act relating to elections; amending s.  
 3           99.095, F.S.; modifying the requirements for  
 4           the alternative method of qualifying; amending  
 5           s. 99.0955, F.S.; modifying the requirements  
 6           for a candidate with no party affiliation to  
 7           obtain ballot position; amending s. 99.096,  
 8           F.S.; modifying the requirements for a minor  
 9           party candidate to obtain ballot position;  
 10          amending s. 99.09651, F.S.; modifying the  
 11          petition requirements in a year of  
 12          apportionment; amending s. 103.021, F.S.;  
 13          modifying the requirements for certain minor  
 14          parties to have the names of their candidates  
 15          for President and Vice President printed on the  
 16          ballot; amending s. 99.097, F.S.; allowing  
 17          minor party candidates to have petitions  
 18          verified at no charge; amending s. 105.035,  
 19          F.S.; modifying the requirements for the  
 20          alternative method of qualifying for judicial  
 21          candidates; amending ss. 99.021, 99.061,  
 22          99.092, 99.0965, 100.111, 100.141, 101.151,  
 23          101.191, 101.251, 101.5606, 106.143, F.S., to  
 24          conform; providing an effective date.

25  
 26 Be It Enacted by the Legislature of the State of Florida:

27  
 28           Section 1. Subsections (3) and (4) of section 99.095,  
 29 Florida Statutes, are amended to read:  
 30           99.095 Alternative method of qualifying.--  
 31

1           (3) When a candidate has filed the oath prescribed in  
2 subsection (1), the candidate may begin to seek signatures on  
3 petitions supporting his or her candidacy. Only signatures of  
4 electors who are registered in the ~~political party by which~~  
5 ~~the candidate seeks to be nominated and who are registered to~~  
6 ~~vote in the~~ county, district, or other geographical entity  
7 represented by the office sought shall be counted toward  
8 obtaining the minimum numbers of signatures prescribed in this  
9 subsection. A candidate for an office elected ~~on a~~ statewide  
10 ~~basis~~ shall obtain the signatures of a number of qualified  
11 electors equal to at least 1 ~~3~~ percent of the total number of  
12 registered electors of Florida ~~who are registered in the party~~  
13 ~~by which the candidate seeks nomination~~, as shown by the  
14 compilation by the Department of State for the last preceding  
15 general election. A candidate for any federal, state, county,  
16 or district office to be elected on less than a statewide  
17 basis shall obtain the signatures of a number of qualified  
18 electors of the district, county, or other geographical entity  
19 equal to at least 1 ~~3~~ percent of the total number of  
20 registered voters of ~~the party by which the candidate seeks~~  
21 ~~nomination that are registered within~~ the district, county, or  
22 other geographical entity represented by the office sought, as  
23 shown by the compilation by the Department of State for the  
24 last preceding general election. A separate petition shall be  
25 circulated for each candidate availing himself or herself of  
26 the provisions of this section. However, candidates for the  
27 offices of Governor and Lieutenant Governor forming joint  
28 candidacies shall use the same nominating petition for both  
29 candidates.

30           (4)(a) Each candidate for nomination to federal,  
31 state, or multicounty district office shall submit his or her

1 ~~petition file a separate petition for each county from which~~  
2 ~~signatures are sought. Each petition shall be submitted,~~  
3 prior to noon of the 21st day preceding the first day of the  
4 qualifying period for the office sought, to the supervisor of  
5 elections of the county for which the ~~such~~ petition is  
6 circulated. Each supervisor of elections to whom a petition is  
7 submitted shall check the signatures on the petition to verify  
8 their status as electors of the ~~political party by which the~~  
9 ~~candidate seeks nomination and of that~~ county, district, or  
10 other geographical entity ~~unit~~ represented by the office being  
11 sought by the candidate. Prior to the first date for  
12 qualifying, the supervisor shall certify the number shown as  
13 registered electors of such county, district, or other  
14 geographical entity ~~unit and of the appropriate political~~  
15 ~~party~~ and submit such certification to the Department of  
16 State. The Department of State shall determine whether the  
17 required number of signatures has been obtained for the name  
18 of the candidate to be placed on the ballot and shall notify  
19 the candidate. If the required number of signatures has been  
20 obtained, the candidate shall, during the time prescribed for  
21 qualifying for office, submit a copy of the ~~such~~ notice to,  
22 and file his or her qualifying papers and oath prescribed by  
23 s. 99.021 with, the Department of State. Upon receipt of the  
24 copy of the ~~such~~ notice and the qualifying papers, the  
25 department shall certify the name of the candidate to the  
26 appropriate supervisor or supervisors of elections as having  
27 qualified for the office sought.

28 (b) Each candidate for nomination to a county office,  
29 or district office not covered by paragraph (a), shall submit  
30 his or her petition, prior to noon of the 21st day preceding  
31 the first day of the qualifying period for the office sought,

1 to the supervisor of elections of the county for which the  
2 petition was circulated. The supervisor shall check the  
3 signatures on the petition to verify their status as electors  
4 ~~of the political party for which the candidate seeks~~  
5 ~~nomination~~ and of the county, district, or other geographical  
6 entity represented by the office being sought. Prior to the  
7 first date for qualifying, the supervisor shall determine  
8 whether the required number of signatures has been obtained  
9 for the name of the candidate to be placed on the ballot and  
10 shall notify the candidate. If the required number of  
11 signatures has been obtained, the candidate shall, during the  
12 time prescribed for qualifying for office, submit a copy of  
13 the notice and file his or her qualifying papers and oath  
14 prescribed by s. 99.021 with the supervisor of elections.  
15 Upon receipt of the copy of the ~~such~~ notice and the qualifying  
16 papers by the supervisor of elections, the ~~such~~ candidate is  
17 ~~shall be~~ entitled to have his or her name printed on the  
18 ballot.

19 Section 2. Section 99.0955, Florida Statutes, is  
20 amended to read:

21 (Substantial rewording of section. See  
22 s. 99.0955, F.S., for present text.)

23 99.0955 Candidates with no party affiliation; name on  
24 general election ballot.--

25 (1) Each person seeking to qualify for election as a  
26 candidate with no party affiliation shall file his or her  
27 qualification papers and pay the qualifying fee or qualify by  
28 the alternative method prescribed in subsection (3) with the  
29 officer and during the times and under the circumstances  
30 prescribed in s. 99.061. Upon qualifying, the candidate is

31

1 entitled to have his or her name placed on the general  
2 election ballot.

3 (2) The qualifying fee for candidates with no party  
4 affiliation shall consist of a filing fee and an election  
5 assessment. The amount of the filing fee is 3 percent of the  
6 annual salary of the office sought. The amount of the  
7 election assessment is 1 percent of the annual salary of the  
8 office sought. The election assessment shall be deposited  
9 into the Elections Commission Trust Fund. Filing fees paid to  
10 the Department of State shall be deposited into the General  
11 Revenue Fund of the state. Filing fees paid to the supervisor  
12 of elections shall be deposited into the general revenue fund  
13 of the county.

14 (3)(a) A candidate with no party affiliation may, in  
15 lieu of paying the qualifying fee, qualify for office by the  
16 alternative method prescribed in this subsection. A candidate  
17 using this petitioning process shall file an oath with the  
18 officer before whom the candidate would qualify for the office  
19 stating that he or she intends to qualify by this alternative  
20 method. If the person is running for an office that requires  
21 a group or district designation, the candidate must indicate  
22 the designation in his or her oath. The oath shall be filed  
23 at any time after the first Tuesday after the first Monday in  
24 January of the year in which the election is held, but before  
25 the 21st day preceding the first day of the qualifying period  
26 for the office sought. The Department of State shall  
27 prescribe the form to be used in administering and filing the  
28 oath. Signatures may not be obtained by a candidate on any  
29 petition until the candidate has filed the oath required in  
30 this subsection. Upon receipt of the written oath from a  
31 candidate, the qualifying officer shall provide the candidate

1 with petition forms in sufficient numbers to facilitate the  
2 gathering of signatures. If the candidate is running for an  
3 office that requires a group or district designation, the  
4 petition must indicate that designation or the signatures  
5 obtained on the petition will not be counted.

6 (b) A candidate shall obtain the signatures of a  
7 number of qualified electors in the geographical entity  
8 represented by the office sought equal to 1 percent of the  
9 registered electors of the geographical entity represented by  
10 the office sought, as shown by the compilation by the  
11 Department of State for the preceding general election.

12 (c) Each petition must be submitted before noon of the  
13 21st day preceding the first day of the qualifying period for  
14 the office sought, to the supervisor of elections of the  
15 county for which such petition was circulated. Each  
16 supervisor to whom a petition is submitted shall check the  
17 signatures on the petition to verify their status as electors  
18 in the county, district, or other geographical entity  
19 represented by the office sought. Before the first day for  
20 qualifying, the supervisor shall certify the number shown as  
21 registered electors.

22 (d)1. Certifications for candidates for federal,  
23 state, or multicounty district office shall be submitted to  
24 the Department of State. The Department of State shall  
25 determine whether the required number of signatures has been  
26 obtained for the name of the candidate to be placed on the  
27 ballot and shall notify the candidate.

28 2. For candidates for county or district office not  
29 covered by subparagraph 1., the supervisor of elections shall  
30 determine whether the required number of signatures has been  
31

1 obtained for the name of the candidate to be placed on the  
2 ballot and shall notify the candidate.

3 (e) If the required number of signatures has been  
4 obtained, the candidate shall, during the time prescribed for  
5 qualifying for office, submit a copy of the notice received  
6 under paragraph (d) and file his or her qualifying papers and  
7 the oath prescribed by s. 99.021 with the qualifying officer.

8 Section 3. Section 99.096, Florida Statutes, is  
9 amended to read:

10 (Substantial rewording of section. See  
11 s. 99.096, F.S., for present text.)

12 99.096 Minor party candidates; names on ballot.--

13 (1) The executive committee of a minor political party  
14 shall, no later than noon of the third day prior to the first  
15 day of the qualifying period prescribed for federal candidates  
16 and no later than noon of the third day prior to the first day  
17 of the qualifying period for state candidates, submit to the  
18 Department of State the official list of the respective  
19 candidates nominated by that party to be on the ballot in the  
20 general election. The Department of State shall notify the  
21 appropriate supervisors of elections of the name of each minor  
22 party candidate eligible to qualify before such supervisor.  
23 The official list of nominated candidates may not be changed  
24 by the party after having been filed with the Department of  
25 State, except that candidates who have qualified may withdraw  
26 from the ballot pursuant to the provisions of this code, and  
27 vacancies in nominations may be filled pursuant to s. 100.111.

28 (2) Each person seeking to qualify for election as a  
29 candidate of a minor party shall file his or her qualification  
30 papers with, and pay the qualifying fee and, if one has been  
31 levied, the party assessment, or qualify by the alternative

1 method prescribed in subsection (3), with the officer and at  
2 the times and under the circumstances provided in s. 99.061.

3 (3)(a) A minor party candidate may, in lieu of paying  
4 the qualifying fee and party assessment, qualify for office by  
5 the alternative method prescribed in this subsection. A  
6 candidate using this petitioning process shall file an oath  
7 with the officer before whom the candidate would qualify for  
8 the office stating that he or she intends to qualify by this  
9 alternative method. If the person is running for an office  
10 that requires a group or district designation, the candidate  
11 must indicate the designation in his or her oath. The oath  
12 must be filed at any time after the first Tuesday after the  
13 first Monday in January of the year in which the election is  
14 held, but before the 21st day preceding the first day of the  
15 qualifying period for the office sought. The Department of  
16 State shall prescribe the form to be used in administering and  
17 filing the oath. Signatures may not be obtained by a  
18 candidate on any petition until the candidate has filed the  
19 oath required in this section. Upon receipt of the written  
20 oath from a candidate, the qualifying officer shall provide  
21 the candidate with petition forms in sufficient numbers to  
22 facilitate the gathering of signatures. If the candidate is  
23 running for an office that requires a group or district  
24 designation, the petition must indicate that designation or  
25 the signatures on such petition will not be counted.

26 (b) A candidate shall obtain the signatures of a  
27 number of qualified electors in the geographical entity  
28 represented by the office sought equal to 1 percent of the  
29 registered electors in the geographical entity represented by  
30 the office sought, as shown by the compilation by the  
31 Department of State for the last preceding general election.



1       (c) Each petition shall be submitted prior to noon of  
2 the 21st day preceding the first day of the qualifying period  
3 for the office sought to the supervisor of elections of the  
4 county for which the petition was circulated. Each supervisor  
5 to whom a petition is submitted shall check the signatures on  
6 the petition to verify their status as electors in the county,  
7 district, or other geographical entity represented by the  
8 office sought. Before the first day for qualifying, the  
9 supervisor shall certify the number shown as registered  
10 electors.

11       (d)1. Certifications for candidates for federal,  
12 state, or multicounty district office shall be submitted to  
13 the Department of State. The Department of State shall  
14 determine whether the required number of signatures has been  
15 obtained for the name of the candidate to be placed on the  
16 ballot and shall notify the candidate.

17       2. For candidates for county or district office not  
18 covered by subparagraph 1., the supervisor of elections shall  
19 determine whether the required number of signatures has been  
20 obtained for the name of the candidate to be placed on the  
21 ballot and shall notify the candidate.

22       (e) If the required number of signatures has been  
23 obtained, the candidate shall, during the prescribed time for  
24 qualifying for office, submit a copy of the notice received  
25 under paragraph (d) and file his or her qualifying papers and  
26 the oath prescribed by s. 99.021 with the qualifying officer.

27       (4) A minor party candidate whose name has been  
28 submitted pursuant to subsection (1) and who has qualified for  
29 office is entitled to have his or her name placed on the  
30 general election ballot.

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1           Section 4. Subsection (1) of section 99.09651, Florida  
2 Statutes, is amended to read:

3           99.09651 Signature requirements for ballot position in  
4 year of apportionment.--

5           (1) In a year of apportionment, any candidate for  
6 representative to Congress, state Senate, or state House of  
7 Representatives seeking ballot position by the alternative  
8 method prescribed in s. 99.095, s. 99.0955, or s. 99.096 ~~or as~~  
9 ~~an independent candidate or any minor party seeking ballot~~  
10 ~~position~~ shall obtain at least the number of signatures equal  
11 to one-third of 1 percent of the ideal population for the  
12 district of the office being sought.

13           Section 5. Subsections (3) and (4) of section 103.021,  
14 Florida Statutes, are amended to read:

15           103.021 Nomination for presidential  
16 electors.--Candidates for presidential electors shall be  
17 nominated in the following manner:

18           (3) ~~A minor political party may have the names of its~~  
19 ~~candidates for President and Vice President printed, and~~  
20 ~~independent~~ Candidates for President and Vice President with  
21 no party affiliation may have their names printed, on the  
22 general election ballots if a petition is signed by 1 percent  
23 of the registered electors of this state, as shown by the  
24 compilation by the Department of State for the last preceding  
25 general election. A separate petition from each county for  
26 which signatures are solicited shall be submitted to the  
27 supervisor of elections of the respective county no later than  
28 July 15 of each presidential election year. The supervisor  
29 shall check the names and, on or before the date of the first  
30 primary, shall certify the number shown as registered electors  
31 of the county. The supervisor shall be paid by the person

1 requesting the certification the cost of checking the  
2 petitions as prescribed in s. 99.097. The supervisor shall  
3 then forward the certificate to the Department of State which  
4 shall determine whether or not the percentage factor required  
5 in this section has been met. When the percentage factor  
6 required in this section has been met, the Department of State  
7 shall order the names of the candidates for whom the petition  
8 was circulated to be included on the ballot and shall permit  
9 the required number of persons to be certified as electors in  
10 the same manner as ~~other~~ party candidates.

11           (4)(a) A ~~Any minor political party which has met the~~  
12 ~~petitioning requirements of s. 99.096 and will have the names~~  
13 ~~of a candidate or candidates for any office or offices to be~~  
14 ~~filled by a statewide election printed on the general election~~  
15 ~~ballot, and which~~ minor party that is affiliated with a  
16 national party holding a national convention to nominate  
17 candidates for President and Vice President of the United  
18 States, may have the names of its candidates for President and  
19 Vice President of the United States printed on the general  
20 election ballot by filing with the Department of State a  
21 certificate naming the candidates for President and Vice  
22 President and listing the required number of persons to serve  
23 as electors. Notification to the Department of State under  
24 this subsection shall be made by September 1 of the year in  
25 which the election is held. When the Department of State has  
26 been so notified, it shall order the names of the candidates  
27 nominated by the minor party ~~for whom the petition was~~  
28 ~~circulated~~ to be included on the ballot and shall permit the  
29 required number of persons to be certified as electors in the  
30 same manner as other party candidates.

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1           (b) A minor party that is not affiliated with a  
2 national party holding a national convention to nominate  
3 candidates for President and Vice President of the United  
4 States may have the names of its candidates for President and  
5 Vice President printed on the general election ballot if a  
6 petition is signed by 1 percent of the registered electors of  
7 this state, as shown by the compilation by the Department of  
8 State for the preceding general election. A separate petition  
9 from each county for which signatures are solicited shall be  
10 submitted to the supervisors of elections of the respective  
11 county no later than July 15 of each presidential election  
12 year. The supervisor shall check the names and, on or before  
13 the date of the first primary, shall certify the number shown  
14 as registered electors of the county. The supervisor shall be  
15 paid by the person requesting the certification the cost of  
16 checking the petitions as prescribed in s. 99.097. The  
17 supervisor shall then forward the certificate to the  
18 Department of State, which shall determine whether or not the  
19 percentage factor required in this section has been met. When  
20 the percentage factor required in this section has been met,  
21 the Department of State shall order the names of the  
22 candidates for whom the petition was circulated to be included  
23 on the ballot and shall permit the required number of persons  
24 to be certified as electors in the same manner as other party  
25 candidates.

26           Section 6. Subsection (3) of section 105.035, Florida  
27 Statutes, is amended to read:

28           105.035 Alternative method of qualifying for certain  
29 judicial offices.--

30           (3) A candidate for the office of circuit judge shall  
31 obtain the signature of a number of qualified electors equal

1 to at least 1 ~~3~~ percent of the total number of registered  
2 electors of the judicial circuit as shown by the compilation  
3 by the Department of State for the last preceding general  
4 election. A candidate for the office of county court judge  
5 shall obtain the signatures of a number of qualified electors  
6 equal to at least 1 ~~3~~ percent of the total number of  
7 registered electors of the county, as shown by the compilation  
8 by the Department of State for the last preceding general  
9 election. A separate petition shall be circulated for each  
10 candidate availing himself or herself of the provisions of  
11 this section.

12 Section 7. Subsection (4) of section 99.097, Florida  
13 Statutes, is amended to read:

14 99.097 Verification of signatures on petitions.--

15 (4) The supervisor shall be paid in advance the sum of  
16 10 cents for each signature checked or the actual cost of  
17 checking such signature, whichever is less, by the candidate,  
18 ~~minor party, or person authorized by such minor party~~  
19 ~~submitting the petition~~ or, in the case of a petition to have  
20 an issue placed on the ballot, by the person or organization  
21 submitting the petition. However, if a candidate, person, or  
22 organization seeking to have an issue placed upon the ballot  
23 cannot pay such charges without imposing an undue burden on  
24 personal resources or upon the resources otherwise available  
25 to such candidate, person, or organization, such candidate,  
26 person, or organization shall, upon written certification of  
27 such inability given under oath to the supervisor, be entitled  
28 to have the signatures verified at no charge. ~~However, an oath~~  
29 ~~in lieu of payment of the charges shall not be allowed to~~  
30 ~~verify the signatures on a petition to obtain ballot position~~  
31 ~~for a minor party.~~ In the event a candidate, person, or

1 organization submitting a petition to have an issue placed  
2 upon the ballot is entitled to have the signatures verified at  
3 no charge, the supervisor of elections of each county in which  
4 the signatures are verified at no charge shall submit the  
5 total number of such signatures checked in the county to the  
6 Comptroller no later than December 1 of the general election  
7 year, and the Comptroller shall cause such supervisor of  
8 elections to be reimbursed from the General Revenue Fund in an  
9 amount equal to 10 cents for each name checked or the actual  
10 cost of checking such signatures, whichever is less. In no  
11 event shall such reimbursement of costs be deemed or applied  
12 as extra compensation for the supervisor. Petitions shall be  
13 retained by the supervisors for a period of 1 year following  
14 the election for which the petitions were circulated.

15 Section 8. Paragraph (a) of subsection (1) of section  
16 99.021, Florida Statutes, is amended to read:

17 99.021 Form of candidate oath.--

18 (1)(a) Each candidate, whether a party candidate, a an  
19 ~~independent~~ candidate with no party affiliation, or a write-in  
20 candidate, in order to qualify for nomination or election to  
21 any office other than a judicial office as defined in chapter  
22 105, shall take and subscribe to an oath or affirmation in  
23 writing. A printed copy of the oath or affirmation shall be  
24 furnished to the candidate by the officer before whom such  
25 candidate seeks to qualify and shall be substantially in the  
26 following form:

27

28 State of Florida

29 County of....

30 Before me, an officer authorized to administer oaths,  
31 personally appeared ...(please print name as you wish it to

1 appear on the ballot)..., to me well known, who, being sworn,  
 2 says that he or she is a candidate for the office of ....;  
 3 that he or she is a qualified elector of .... County, Florida;  
 4 that he or she is qualified under the Constitution and the  
 5 laws of Florida to hold the office to which he or she desires  
 6 to be nominated or elected; that he or she has taken the oath  
 7 required by ss. 876.05-876.10, Florida Statutes; that he or  
 8 she has qualified for no other public office in the state, the  
 9 term of which office or any part thereof runs concurrent with  
 10 that of the office he or she seeks; and that he or she has  
 11 resigned from any office from which he or she is required to  
 12 resign pursuant to s. 99.012, Florida Statutes.

13   ...(Signature of candidate)...  
 14   ...(Address)...  
 15

16 Sworn to and subscribed before me this .... day of .....,  
 17 19...., at .... County, Florida.

18             ...(Signature and title of officer administering oath)...  
 19

20             Section 9. Subsections (1) and (6) of section 99.061,  
 21 Florida Statutes, are amended to read:

22             99.061 Method of qualifying for nomination or election  
 23 to federal, state, county, or district office.--

24             (1) The provisions of any special act to the contrary  
 25 notwithstanding, each person seeking to qualify for nomination  
 26 or election to a federal, state, or multicounty district  
 27 office, other than a judicial office as defined in chapter  
 28 105, shall file his or her qualification papers with, and pay  
 29 the qualifying fee, which shall consist of the filing fee and  
 30 election assessment, and party assessment, if any has been  
 31 levied, to, the Department of State, or qualify by the

1 alternative method with the Department of State, at any time  
2 after noon of the 1st day for qualifying, which shall be as  
3 follows: the 120th day prior to the first primary, but not  
4 later than noon of the 116th day prior to the date of the  
5 first primary, for persons seeking to qualify for nomination  
6 or election to federal office; and noon of the 50th day prior  
7 to the first primary, but not later than noon of the 46th day  
8 prior to the date of the first primary, for persons seeking to  
9 qualify for nomination or election to a state or multicounty  
10 district office. ~~However, the qualifying fee, if any, paid by~~  
11 ~~an independent candidate or a minor party candidate shall be~~  
12 ~~refunded to such candidate by the qualifying officer within 10~~  
13 ~~days from the date that the determination is made that such~~  
14 ~~candidate or minor party failed to obtain the required number~~  
15 ~~of signatures.~~

16 (6) Notwithstanding the qualifying period prescribed  
17 in this section, if a candidate has submitted the necessary  
18 petitions by the required deadline in order to qualify by the  
19 alternative method as a candidate for nomination or election  
20 and the ~~such~~ candidate is notified after the 5th day prior to  
21 the last day for qualifying that the required number of  
22 signatures has been obtained, the ~~such~~ candidate is ~~shall be~~  
23 entitled to subscribe to the candidate's oath and file the  
24 qualifying papers at any time within 5 days from the date the  
25 ~~such~~ candidate is notified that the necessary number of  
26 signatures has been obtained. Any candidate who qualifies  
27 within the time prescribed in this subsection is ~~shall be~~  
28 entitled to have his or her name printed on the ballot.

29 Section 10. Subsection (1) of section 99.092, Florida  
30 Statutes, is amended to read:

31



1           99.092 Qualifying fee of candidate; notification of  
2 Department of State.--

3           (1) Each person seeking to qualify for nomination or  
4 election to any office, except a person seeking to qualify by  
5 the alternative method pursuant to s. 99.095, s. 99.0955, or  
6 s. 99.096 and except a person seeking to qualify as a write-in  
7 candidate, shall pay a qualifying fee, which shall consist of  
8 a filing fee and election assessment, to the officer with whom  
9 the person qualifies, and any party assessment levied, and  
10 shall attach the original or signed duplicate of the receipt  
11 for his or her party assessment or pay the same, in accordance  
12 with the provisions of s. 103.121, at the time of filing his  
13 or her other qualifying papers. The amount of the filing fee  
14 is 3 percent of the annual salary of the office. The amount  
15 of the election assessment is 1 percent of the annual salary  
16 of the office sought. The election assessment shall be  
17 deposited into the Elections Commission Trust Fund. The  
18 amount of the party assessment is 2 percent of the annual  
19 salary. The annual salary of the office for purposes of  
20 computing the filing fee, election assessment, and party  
21 assessment shall be computed by multiplying 12 times the  
22 monthly salary, excluding any special qualification pay,  
23 authorized for such office as of July 1 immediately preceding  
24 the first day of qualifying. No qualifying fee shall be  
25 returned to the candidate unless the candidate withdraws his  
26 or her candidacy before the last date to qualify. If a  
27 candidate dies prior to an election and has not withdrawn his  
28 or her candidacy before the last date to qualify, the  
29 candidate's qualifying fee shall be returned to his or her  
30 designated beneficiary, and, if the filing fee or any portion  
31 thereof has been transferred to the political party of the

1 candidate, the Secretary of State shall direct the party to  
2 return that portion to the designated beneficiary of the  
3 candidate.

4 Section 11. Section 99.0965, Florida Statutes, is  
5 amended to read:

6 99.0965 Minor parties; selection of candidates.--A  
7 minor political party ~~with a position on the general election~~  
8 ~~ballot~~ may provide for the designation of its official list of  
9 nominated candidates in any manner that it deems proper. The  
10 state executive committee of the party shall by resolution  
11 adopt a procedure for the selection of candidates, a copy of  
12 which shall be submitted to the Department of State.

13 Section 12. Subsections (3) and (6) of section  
14 100.111, Florida Statutes, are amended to read:

15 100.111 Filling vacancy.--

16 (3) Whenever there is a vacancy for which a special  
17 election is required pursuant to s. 100.101(1)-(4), the  
18 Governor, after consultation with the Secretary of State,  
19 shall fix the date of a special first primary election, a  
20 special second primary election, and a special election.  
21 Nominees of political parties other than minor political  
22 parties shall be chosen under the primary laws of this state  
23 in the special primary elections to become candidates in the  
24 special election. Prior to setting the special election  
25 dates, the Governor shall consider any upcoming elections in  
26 the jurisdiction where the special election will be held. The  
27 dates fixed by the Governor shall be specific days certain and  
28 shall not be established by the happening of a condition or  
29 stated in the alternative. The dates fixed shall provide a  
30 minimum of 2 weeks between each election. In the event a  
31 vacancy occurs in the office of state senator or member of the

1 House of Representatives when the Legislature is in regular  
2 legislative session, the minimum times prescribed by this  
3 subsection may be waived upon concurrence of the Governor, the  
4 Speaker of the House of Representatives, and the President of  
5 the Senate. If a vacancy occurs in the office of state  
6 senator and no session of the Legislature is scheduled to be  
7 held prior to the next general election, the Governor may fix  
8 the dates for any special primary and for the special election  
9 to coincide with the dates of the first and second primary and  
10 general election. If a vacancy in office occurs in any  
11 district in the state Senate or House of Representatives or in  
12 any congressional district, and no session of the Legislature,  
13 or session of Congress if the vacancy is in a congressional  
14 district, is scheduled to be held during the unexpired portion  
15 of the term, the Governor is not required to call a special  
16 election to fill such vacancy.

17 (a) The dates for candidates to qualify in such  
18 special election or special primary election shall be fixed by  
19 the Department of State, and candidates shall qualify not  
20 later than noon of the last day so fixed. The dates fixed for  
21 qualifying shall allow a minimum of 14 days between the last  
22 day of qualifying and the special first primary election.

23 (b) The filing of campaign expense statements by  
24 candidates in such special elections or special primaries and  
25 by committees making contributions or expenditures to  
26 influence the results of such special primaries or special  
27 elections shall be not later than such dates as shall be fixed  
28 by the Department of State, and in fixing such dates the  
29 Department of State shall take into consideration and be  
30 governed by the practical time limitations.

31

1 (c) The dates for a candidate to qualify by the  
2 alternative method, ~~to qualify as an independent candidate, or~~  
3 ~~to qualify as a minor party candidate~~ in such special primary  
4 or special election shall be fixed by the Department of State.  
5 In fixing such dates the Department of State shall take into  
6 consideration and be governed by the practical time  
7 limitations.

8 ~~1.~~ Any candidate seeking to qualify by the alternative  
9 method ~~for nomination~~ in a special primary election shall  
10 obtain 25 percent of the signatures required by s. 99.095,  
11 99.0955, or s. 99.096, as applicable.

12 ~~2.~~ Any candidate seeking to qualify as an independent  
13 candidate in a special election shall obtain 25 percent of the  
14 signatures required by s. 99.0955.

15 ~~3.~~ A minor party may have the names of its candidates  
16 for office printed on the ballot in a special election if the  
17 minor party obtains 25 percent of the signatures required by  
18 ~~s. 99.096.~~

19 (d) The qualifying fees and party assessments of such  
20 candidates as may qualify shall be the same as collected for  
21 the same office at the last previous primary for that office.  
22 The party assessment shall be paid to the appropriate  
23 executive committee of the political party to which the  
24 candidate belongs.

25 (e) Each county canvassing board shall make as speedy  
26 a return of the result of such special elections and primaries  
27 as time will permit, and the Elections Canvassing Commission  
28 likewise shall make as speedy a canvass and declaration of the  
29 nominees as time will permit.

30 (6) In the event that a vacancy occurs which leaves  
31 less than 4 weeks for a ~~minor party candidate, an independent~~

1 ~~candidate, or a~~ candidate seeking to qualify by the  
2 alternative method to gather signatures for ballot position,  
3 the number of signatures required for ballot placement shall  
4 be 25 percent of the number of signatures required by s.  
5 99.095, s. 99.0955, or s. 99.096, whichever is applicable.

6 Section 13. Subsection (2) of section 100.141, Florida  
7 Statutes, is amended to read:

8 100.141 Notice of special election to fill any vacancy  
9 in office or nomination.--

10 (2) The Department of State shall prepare a notice  
11 stating what offices and vacancies are to be filled in the  
12 special election, the date set for each special primary  
13 election and the special election, the dates fixed for  
14 qualifying for office, the dates fixed for qualifying by the  
15 alternative method, ~~as an independent candidate, or as a minor~~  
16 ~~party candidate,~~and the dates fixed for filing campaign  
17 expense statements.

18 Section 14. Subsection (5) of section 101.151, Florida  
19 Statutes, is amended to read:

20 101.151 Specifications for general election  
21 ballot.--In counties in which voting machines are not used,  
22 and in other counties for use as absentee ballots not designed  
23 for tabulation by an electronic or electromechanical voting  
24 system, the general election ballot shall conform to the  
25 following specifications:

26 (5) Minor political party candidates and ~~independent~~  
27 candidates with no party affiliation shall have their names  
28 appear on the general election ballot following the names of  
29 recognized political parties, in the same order as they were  
30 certified.

31

1 Section 15. Subsection (1) of section 101.191, Florida  
2 Statutes, is amended to read:

3 101.191 Form of general election ballot.--

4 (1) The general election ballot shall be in  
5 substantially the following form:

6  
7 OFFICIAL BALLOT GENERAL ELECTION

8 No. .... COUNTY, FLORIDA

9 Precinct No. ....

10 ...(Date)...

11 (Signature of Voter) (Initials of Issuing Official)

12 Stub No. 1

13  
14 OFFICIAL BALLOT GENERAL ELECTION

15 No. .... COUNTY, FLORIDA

16 Precinct No. ....

17 ...(Date)...

18 (Initials of Issuing Official)

19 Stub No. 2

20  
21 OFFICIAL BALLOT GENERAL ELECTION

22 .... COUNTY, FLORIDA

23 Precinct No. ....

24 ...(Date)...

25 TO VOTE for a candidate whose name is printed on the  
26 ballot, mark a cross (X) in the blank space at the RIGHT of  
27 the name of the candidate for whom you desire to vote. To  
28 vote for a candidate whose name is not printed on the ballot,  
29 write the candidate's name in the blank space provided for  
30 that purpose.

31

1 ELECTORS  
2 For President  
3 and  
4 Vice President  
5 (A vote for the candidates will actually be a vote for their  
6 electors)  
7 Vote for group  
8  
9 DEMOCRATIC  
10  
11 (Name of Candidate)  
12 For President  
13 []  
14  
15 (Name of Candidate)  
16 For Vice President  
17  
18 REPUBLICAN  
19  
20 (Name of Candidate)  
21 For President  
22 []  
23  
24 (Name of Candidate)  
25 For Vice President  
26  
27 (NAME OF MINOR PARTY)  
28  
29 (Name of Candidate)  
30 For President  
31 []

1  
2 (Name of Candidate)  
3 For Vice President  
4  
5 NO PARTY AFFILIATION ~~INDEPENDENT~~  
6  
7 (Name of Candidate)  
8 For President  
9 []  
10  
11 (Name of Candidate)  
12 For Vice President  
13  
14 WRITE-IN  
15  
16 For President  
17  
18 For Vice President  
19  
20 CONGRESSIONAL  
21 UNITED STATES SENATOR  
22 Vote for One  
23  
24 (Name of Candidate) (Party abbreviation) []  
25  
26 (Name of Candidate) (Party abbreviation) []  
27  
28 (And thence other offices under this heading, followed  
29 by the headings and offices as prescribed in s. 101.151.)  
30  
31 PROPOSED CONSTITUTIONAL



1                   AMENDMENTS OR OTHER PUBLIC MEASURES  
2 To vote on a constitutional amendment or other public measure,  
3 mark a cross (X) in the blank space next to either YES or NO.

4  
5                                   No. ....  
6                                   CONSTITUTIONAL  
7                                   AMENDMENT  
8                                   ARTICLE ....., SECTION .....

9  
10 (Here the wording of the substance of the amendment shall be  
11 inserted.)

12  
13 YES for Approval                   [ ]

14  
15 NO for Rejection                   [ ]

16  
17                   Section 16. Subsection (2) of section 101.251, Florida  
18 Statutes, is amended to read:

19                   101.251 Information which supervisor of elections must  
20 print on ballots.--

21                   (2) In addition to the names printed on the ballot as  
22 provided in subsection (1), the supervisor of elections of  
23 each county shall have printed on the general election ballot  
24 to be used in the county the names of the judicial officers,  
25 as defined in chapter 105, who are entitled to have their  
26 names printed on the ballot, and minor party and ~~independent~~  
27 candidates with no party affiliation who have obtained a  
28 position on the general election ballot in compliance with the  
29 requirements of this code.

30                   Section 17. Subsection (6) of section 101.5606,  
31 Florida Statutes, is amended to read:

1           101.5606 Requirements for approval of systems.--No  
2 electronic or electromechanical voting system shall be  
3 approved by the Department of State unless it is so  
4 constructed that:

5           (6) At presidential elections it permits each elector,  
6 by one operation, to vote for all presidential electors of a  
7 party or for all presidential electors of independent  
8 candidates for President and Vice President with no party  
9 affiliation.

10           Section 18. Subsection (2) of section 106.143, Florida  
11 Statutes, is amended to read:

12           106.143 Political advertisements circulated prior to  
13 election; requirements.--

14           (2) Any political advertisement of a candidate running  
15 for partisan office shall express the name of the political  
16 party of which the candidate is seeking nomination or is the  
17 nominee. If the candidate for partisan office is running as a  
18 an independent candidate with no party affiliation, any  
19 political advertisement of the candidate must state that the  
20 candidate has no party affiliation is an independent  
21 candidate.

22           Section 19. This act shall take effect upon becoming a  
23 law.

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SENATE SUMMARY

Modifies the alternative method of qualifying for office by obtaining signatures on petitions to allow candidates to obtain signatures from any registered elector. Reduces the percentage of signatures needed. Substantially modifies the procedures for qualifying by candidates with no party affiliation and for minor party candidates. Provides that in a year of apportionment, any candidate for Congress or the state Legislature by the alternative method must meet prescribed requirements and obtain at least a number of signatures equal to one-third of 1 percent of the ideal population for the district of the office being sought. Modifies the procedures for placing on the ballot the names of presidential and vice presidential candidates with no political party affiliation and candidates of certain specified minor parties. Reduces to 1 percent the number of signatures needed for a candidate for circuit court judge or county court judge to qualify by the alternative method. Allows minor party candidates to have petitions verified at no charge.