

1
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

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.

31

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. Aseparate 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.

31

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, 99.0955,
11 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
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(Name of Candidate)

For Vice President

NO PARTY AFFILIATION ~~INDEPENDENT~~

(Name of Candidate)

For President

[]

(Name of Candidate)

For Vice President

WRITE-IN

For President

For Vice President

CONGRESSIONAL

UNITED STATES SENATOR

Vote for One

(Name of Candidate) (Party abbreviation) []

(Name of Candidate) (Party abbreviation) []

(And thence other offices under this heading, followed
by the headings and offices as prescribed in s. 101.151.)

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.

24
25
26
27
28
29
30
31