

Bill No. SB 756, 1st Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Saunders moved the following amendment to amendment		
12	(901935):		
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14	Senate Amendment (with title amendment)		
15	On page 11, line 9, through page 13, line 28, delete		
16	those lines		
17			
18	and insert:		
19	Section 5. Section 105.051, Florida Statutes, is		
20	amended to read:		
21	105.051 Determination of election to office.--		
22	(1)(a) The name of an unopposed candidate for the		
23	office of circuit judge, or county court judge <u>or member of a</u>		
24	<u>school board</u> shall not appear on any ballot, and such		
25	candidate shall be deemed to have voted for himself or herself		
26	at the general election.		
27	(b) If two or more candidates, neither of whom is a		
28	write-in candidate, qualify for such an office, the names of		
29	those candidates shall be placed on the ballot at the first		
30	primary election. If any candidate for such office receives a		
31	majority of the votes cast for such office in the first		

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1 primary election, the name of the candidate who receives such
2 majority shall not appear on any other ballot unless a
3 write-in candidate has qualified for such office. An
4 unopposed candidate shall be deemed to have voted for himself
5 or herself at the general election. If no candidate for such
6 office receives a majority of the votes cast for such office
7 in the first primary election, the names of the two candidates
8 receiving the highest number of votes for such office shall be
9 placed on the general election ballot. If more than two
10 candidates receive an equal and highest number of votes, the
11 name of each candidate receiving an equal and highest number
12 of votes shall be placed on the general election ballot. In
13 any contest in which there is a tie for second place and the
14 candidate placing first did not receive a majority of the
15 votes cast for such office, the name of the candidate placing
16 first and the name of each candidate tying for second shall be
17 placed on the general election ballot.

18 (c) The candidate who receives the highest number of
19 votes cast for the office in the general election shall be
20 elected to such office. If the vote at the general election
21 results in a tie, the outcome shall be determined by lot.

22 (2) With respect to any justice of the Supreme Court
23 or judge of a district court of appeal who qualifies to run
24 for retention in office, the question prescribed in s.
25 105.041(2) shall be placed on the ballot at the general
26 election. If a majority of the qualified electors voting on
27 such question within the territorial jurisdiction of the court
28 vote for retention, the justice or judge shall be retained for
29 a term of 6 years commencing on the first Tuesday after the
30 first Monday in January following the general election. If
31 less than a majority of the qualified electors voting on such

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1 question within the territorial jurisdiction of the court vote
2 for retention, a vacancy shall exist in such office upon the
3 expiration of the term being served by the justice or judge.

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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 On page 24, line 30, through page 25, line 2, delete

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10 and insert:

11 determination of election to nonpartisan
12 office; amending s. 105.061, F.S.;

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