

1 A bill to be entitled
2 An act relating to elections; amending s.
3 230.10, F.S.; providing for the election of
4 school board members in a nonpartisan election;
5 amending s. 105.031, F.S.; providing
6 requirements for qualifying for nonpartisan
7 office; requiring a statement of judicial
8 candidates relating to the Code of Judicial
9 Conduct; amending s. 105.035, F.S.; providing
10 an alternative method of qualifying for
11 nonpartisan school board candidates;
12 eliminating the requirement for an undue burden
13 oath; amending s. 105.041, F.S.; revising
14 ballot requirements for nonpartisan candidates;
15 amending s. 105.051, F.S., relating to
16 determination of election to nonpartisan
17 office; amending s. 105.061, F.S.; specifying
18 the electors who are eligible to vote for
19 nonpartisan school board candidates; amending
20 s. 105.071, F.S., relating to limitations on
21 political activity by candidates for judicial
22 office; revising penalties; amending s. 105.08,
23 F.S.; providing for reporting of contributions
24 and expenditures for nonpartisan school board
25 candidates; amending ss. 99.061, 101.141,
26 101.151, 101.251, 230.061, and 230.105, F.S.,
27 to conform; repealing s. 230.08, F.S., relating
28 to nomination of candidates for the office of
29 school board member; amending s. 228.053, F.S.;
30 correcting a cross-reference; providing an
31 effective date.

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

2

3 Section 1. Section 230.10, Florida Statutes, is
4 amended to read:

5 230.10 Election of board by districtwide
6 vote.--Notwithstanding any provision of local law or any
7 county charter,the election of members of the school board
8 shall be by vote of the qualified electors of the entire
9 district in a nonpartisan election as provided in chapter 105.
10 Each candidate for school board member shall, at the time she
11 or he qualifies, be a resident of the school board member
12 residence area from which the candidate seeks election. Each
13 candidate who qualifies to have her or his name placed on the
14 ballot ~~of the general election~~ shall be listed according to
15 the school board member residence area in which she or he
16 resides. Each qualified elector of the district shall be
17 entitled to vote for one candidate from each school board
18 member residence area. The candidate from each school board
19 member residence area who receives the highest number of votes
20 in the general election shall be elected to the school board.

21 Section 2. Section 105.031, Florida Statutes, is
22 amended to read:

23 105.031 Qualification; filing fee; candidate's oath;
24 items required to be filed.--

25 (1) TIME OF QUALIFYING.--Except for candidates for
26 judicial office, nonpartisan candidates for multicounty office
27 shall qualify with the Division of Elections of the Department
28 of State and nonpartisan candidates for countywide or less
29 than countywide office shall qualify with the supervisor of
30 elections.Candidates for judicial office other than the
31 office of county court judge shall qualify with the Division

1 of Elections of the Department of State, and candidates for
2 the office of county court judge shall qualify with the
3 supervisor of elections of the county.7 Candidates shall
4 qualify no earlier than noon of the 50th day, and no later
5 than noon of the 46th day, before the first primary election.
6 Filing shall be on forms provided for that purpose by the
7 Division of Elections and furnished by the appropriate
8 qualifying officer. Any person seeking to qualify ~~as a~~
9 ~~candidate for circuit judge or county court judge~~ by the
10 alternative method, as set forth in s. 105.035, if the person
11 has submitted the necessary petitions by the required deadline
12 and is notified after the fifth day prior to the last day for
13 qualifying that the required number of signatures has been
14 obtained, shall be entitled to subscribe to the candidate's
15 oath and file the qualifying papers at any time within 5 days
16 from the date he or she is notified that the necessary number
17 of signatures has been obtained. Any person other than a
18 write-in candidate who qualifies within the time prescribed in
19 this subsection shall be entitled to have his or her name
20 printed on the ballot.

21 (2) FILING IN GROUPS OR DISTRICTS.--Candidates shall
22 qualify in groups or districts where multiple ~~judicial~~ offices
23 are to be filled.

24 (3) QUALIFYING FEE.--Each candidate qualifying for
25 election to a judicial office or the office of school board
26 member, except write-in judicial candidates, shall, during the
27 time for qualifying, pay to the officer with whom he or she
28 qualifies a qualifying fee, which shall consist of a filing
29 fee and an election assessment, or qualify by the alternative
30 method. The amount of the filing fee is 3 percent of the
31 annual salary of the office sought. The amount of the election

1 assessment is 1 percent of the annual salary of the office
2 sought. The Department of State ~~qualifying officer~~ shall
3 forward all filing fees to the Department of Revenue for
4 deposit in the Elections Commission Trust ~~General Revenue~~
5 Fund. The supervisor of elections shall forward all filing
6 fees to the Elections Commission Trust Fund. The election
7 assessment shall be deposited into the Elections Commission
8 Trust Fund. The annual salary of the office for purposes of
9 computing the qualifying fee shall be computed by multiplying
10 12 times the monthly salary authorized for such office as of
11 July 1 immediately preceding the first day of qualifying.
12 This subsection shall not apply to candidates qualifying for
13 retention to judicial office.

14 (4) CANDIDATE'S OATH.--

15 (a) All candidates for the office of school board
16 member shall subscribe to the oath as prescribed in s. 99.021.

17 (b) All candidates for judicial office shall subscribe
18 to an oath or affirmation in writing to be filed with the
19 appropriate qualifying officer upon qualifying. A printed
20 copy of the oath or affirmation shall be furnished to the
21 candidate by the qualifying officer and shall be in
22 substantially the following form:

23

24 State of Florida

25 County of

26 Before me, an officer authorized to administer oaths,
27 personally appeared ...(please print name as you wish it to
28 appear on the ballot)..., to me well known, who, being sworn,
29 says he or she: is a candidate for the judicial office of
30; that his or her legal residence is County, Florida;
31 that he or she is a qualified elector of the state and of the

1 territorial jurisdiction of the court to which he or she seeks
 2 election; that he or she is qualified under the constitution
 3 and laws of Florida to hold the judicial office to which he or
 4 she desires to be elected or in which he or she desires to be
 5 retained; that he or she has taken the oath required by ss.
 6 876.05-876.10, Florida Statutes; that he or she has qualified
 7 for no other public office in the state, the term of which
 8 office or any part thereof runs concurrent to the office he or
 9 she seeks; and that he or she has resigned from any office
 10 which he or she is required to resign pursuant to s. 99.012,
 11 Florida Statutes.

12 ... (Signature of candidate)...

13 ... (Address)...

14

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

17 ... (Signature and title of officer administering oath)...

18 (5) ITEMS REQUIRED TO BE FILED.--

19 (a) In order for a candidate for judicial office or
 20 the office of school board member to be qualified, the
 21 following items must be received by the filing officer by the
 22 end of the qualifying period:

23 1. Except for candidates for retention to judicial
 24 office ~~For each candidate qualifying for the office of circuit~~
 25 ~~judge or county court judge~~, a properly executed check drawn
 26 upon the candidate's campaign account in an amount not less
 27 than the fee required by subsection (3) or, in lieu thereof,
 28 the copy of the notice of obtaining ballot position pursuant
 29 to s. 105.035. If a candidate's check is returned by the bank
 30 for any reason, the filing officer shall immediately notify
 31 the candidate and the candidate shall, the end of qualifying

1 notwithstanding, have 48 hours from the time such notification
2 is received, excluding Saturdays, Sundays, and legal holidays,
3 to pay the fee with a cashier's check purchased from funds of
4 the campaign account. Failure to pay the fee as provided in
5 this subparagraph shall disqualify the candidate.

6 2. The candidate's oath required by subsection (4),
7 which must contain the name of the candidate as it is to
8 appear on the ballot; the office sought, including the
9 district or group number if applicable; and the signature of
10 the candidate, duly acknowledged.

11 3. The loyalty oath required by s. 876.05, signed by
12 the candidate and duly acknowledged.

13 4. The completed form for the appointment of campaign
14 treasurer and designation of campaign depository, as required
15 by s. 106.021. In addition, each candidate for judicial
16 office, including an incumbent judge, shall file a statement
17 with the qualifying officer, within 10 days after filing the
18 appointment of campaign treasurer and designation of campaign
19 depository, stating that the candidate has read and
20 understands the requirements of the Florida Code of Judicial
21 Conduct. Such statement shall be in substantially the
22 following form:

23
24 Statement of Candidate for Judicial Office
25
26 I, ...(name of candidate)..., a judicial candidate, have
27 received, read, and understand the requirements of the Florida
28 Code of Judicial Conduct.

29 ...(Signature of candidate)...

30 ...(Date)...

31

1 5. The full and public disclosure of financial
2 interests required by s. 8, Art. II of the State Constitution
3 or the statement of financial interests required by s.
4 112.3145, whichever is applicable.

5 (b) If the filing officer receives qualifying papers
6 that do not include all items as required by paragraph (a)
7 prior to the last day of qualifying, the filing officer shall
8 make a reasonable effort to notify the candidate of the
9 missing or incomplete items and shall inform the candidate
10 that all required items must be received by the close of
11 qualifying. A candidate's name as it is to appear on the
12 ballot may not be changed after the end of qualifying.

13 Section 3. Section 105.035, Florida Statutes, is
14 amended to read:

15 105.035 Alternative method of qualifying for certain
16 judicial offices and the office of school board member.--

17 (1) A person seeking to qualify for election to the
18 office of circuit judge or county court judge or the office of
19 school board member ~~who is unable to pay the qualifying fee~~
20 ~~without imposing an undue burden on his or her personal~~
21 ~~resources or on resources otherwise available to him or her~~
22 may qualify for election to such office by means of the
23 petitioning process prescribed in this section. A person
24 qualifying by this alternative method shall not be required to
25 pay the qualifying fee required by this chapter. A person
26 using this petitioning process shall file an oath with the
27 officer before whom the candidate would qualify for the office
28 stating that he or she intends to qualify by this alternative
29 method for the office sought ~~and stating that he or she is~~
30 ~~unable to pay the qualifying fee for the office without~~
31 ~~imposing an undue burden on his or her resources or on~~

1 ~~resources otherwise available to him or her.~~ Such oath shall
2 be filed at any time after the first Tuesday after the first
3 Monday in January of the year in which the election is held,
4 but prior to the 21st day preceding the first day of the
5 qualifying period for the office sought. The form of such oath
6 shall be prescribed by the Division of Elections. No
7 signatures shall be obtained until the person has filed the
8 oath prescribed in this subsection.

9 (2) Upon receipt of a written oath from a candidate,
10 the qualifying officer shall provide the candidate with a
11 petition format ~~forms in sufficient numbers to facilitate the~~
12 ~~gathering of signatures pursuant to this section. No~~
13 ~~signature shall be counted toward the number of signatures~~
14 ~~required unless it is on a petition form prescribed pursuant~~
15 ~~to this subsection. Such forms shall be prescribed by the~~
16 Division of Elections to be used by the candidate to reproduce
17 petitions for circulation. If the candidate is running for an
18 office which will be grouped on the ballot with two or more
19 similar offices to be filled at the same election, the
20 candidate's petition must indicate, prior to the obtaining of
21 registered electors' signatures, for which group or district
22 office the candidate is running.

23 (3) Each ~~A~~ candidate for election to a judicial office
24 or the office of school board member ~~the office of circuit~~
25 ~~judge~~ shall obtain the signature of a number of qualified
26 electors equal to at least 3 percent of the total number of
27 registered electors of the district, circuit, county, or other
28 geographic entity represented by the office sought ~~judicial~~
29 ~~circuit~~ as shown by the compilation by the Department of State
30 for the last preceding general election. ~~A candidate for the~~
31 ~~office of county court judge shall obtain the signatures of a~~

1 ~~number of qualified electors equal to at least 3 percent of~~
2 ~~the total number of registered electors of the county, as~~
3 ~~shown by the compilation by the Department of State for the~~
4 ~~last preceding general election.~~ A separate petition shall be
5 circulated for each candidate availing himself or herself of
6 the provisions of this section.

7 (4)(a) Each candidate seeking to qualify for election
8 to the office of circuit judge or the office of school board
9 member from a multicounty school district pursuant to this
10 section shall file a separate petition from each county from
11 which signatures are sought. Each petition shall be
12 submitted, prior to noon of the 21st day preceding the first
13 day of the qualifying period for the office sought, to the
14 supervisor of elections of the county for which such petition
15 was circulated. Each supervisor of elections to whom a
16 petition is submitted shall check the signatures on the
17 petition to verify their status as electors of that county and
18 of the geographic area represented by the office sought ~~within~~
19 ~~the judicial circuit.~~ Prior to the first date for qualifying,
20 the supervisor shall certify the number shown as registered
21 electors ~~of that county within the circuit~~ and submit such
22 certification to the Division of Elections. The division
23 shall determine whether the required number of signatures has
24 been obtained for the name of the candidate to be placed on
25 the ballot and shall notify the candidate. If the required
26 number of signatures has been obtained, the candidate shall,
27 during the time prescribed for qualifying for office, submit a
28 copy of such notice and file his or her qualifying papers and
29 oath prescribed in s. 105.031 with the Division of Elections.
30 Upon receipt of the copy of such notice and qualifying papers,
31 the division shall certify the name of the candidate to the

1 appropriate supervisor or supervisors of elections as having
2 qualified for the office sought.

3 (b) Each candidate seeking to qualify for election to
4 the office of county court judge or the office of school board
5 member from a single county school district pursuant to this
6 section shall submit his or her petition, prior to noon of the
7 21st day preceding the first day of the qualifying period for
8 the office sought, to the supervisor of elections of the
9 county for which such petition was circulated. The supervisor
10 shall check the signatures on the petition to verify their
11 status as electors of the county and of the geographic area
12 represented by the office sought. Prior to the first date for
13 qualifying, the supervisor shall determine whether the
14 required number of signatures has been obtained for the name
15 of the candidate to be placed on the ballot and shall notify
16 the candidate. If the required number of signatures has been
17 obtained, the candidate shall, during the time prescribed for
18 qualifying for office, submit a copy of such notice and file
19 his or her qualifying papers and oath prescribed in s. 105.031
20 with the qualifying officer ~~supervisor of elections~~. Upon
21 receipt of the copy of such notice and qualifying papers ~~by~~
22 ~~the supervisor of elections~~, such candidate shall be entitled
23 to have his or her name printed on the ballot.

24 Section 4. Section 105.041, Florida Statutes, is
25 amended to read:

26 105.041 Form of ballot.--

27 (1) BALLOTS.--The names of candidates for judicial
28 office and candidates for the office of school board member
29 which appear on the ballot at the first primary election shall
30 either be grouped together on a separate portion of the ballot
31 or on a separate ballot. The names of candidates for judicial

1 office and candidates for the office of school board member
2 which appear on the ballot at the general election and the
3 names of justices and judges seeking retention to office shall
4 be grouped together on a separate portion of the general
5 election ballot.

6 (2) LISTING OF CANDIDATES.--The order of nonpartisan
7 offices appearing on the ballot shall be determined by the
8 Department of State.The names of ~~all~~ candidates for each
9 nonpartisan ~~the office of circuit judge or the office of~~
10 ~~county court judge~~ shall be listed in alphabetical order.
11 With respect to justices and judges of district courts of
12 appeal, the question "Shall Justice (or Judge) (name of
13 justice or judge) of the (name of the court) be retained in
14 office?" shall appear on the ballot and thereafter the words
15 "Yes" and "No."

16 (3) REFERENCE TO PARTY AFFILIATION PROHIBITED.--No
17 reference to political party affiliation shall appear on any
18 ballot with respect to any nonpartisan ~~judicial~~ office or
19 candidate.

20 (4) WRITE-IN CANDIDATES.--Space shall be made
21 available on the general election ballot for an elector to
22 write in the name of a write-in candidate for judge of a
23 circuit court or county court or member of a school board if a
24 candidate has qualified as a write-in candidate for such
25 office pursuant to s. 105.031. This subsection shall not apply
26 to the offices of justices and judges seeking retention.

27 Section 5. Section 105.051, Florida Statutes, is
28 amended to read:

29 105.051 Determination of election to office.--

30 (1)(a) The name of an unopposed candidate for the
31 office of circuit judge, ~~or~~ county court judge or member of a

1 school board shall not appear on any ballot, and such
2 candidate shall be deemed to have voted for himself or herself
3 at the general election.

4 (b) If two or more candidates, neither of whom is a
5 write-in candidate, qualify for such an office, the names of
6 those candidates shall be placed on the ballot at the first
7 primary election. If any candidate for such office receives a
8 majority of the votes cast for such office in the first
9 primary election, the name of the candidate who receives such
10 majority shall not appear on any other ballot unless a
11 write-in candidate has qualified for such office. An
12 unopposed candidate shall be deemed to have voted for himself
13 or herself at the general election. If no candidate for such
14 office receives a majority of the votes cast for such office
15 in the first primary election, the names of the two candidates
16 receiving the highest number of votes for such office shall be
17 placed on the general election ballot. If more than two
18 candidates receive an equal and highest number of votes, the
19 name of each candidate receiving an equal and highest number
20 of votes shall be placed on the general election ballot. In
21 any contest in which there is a tie for second place and the
22 candidate placing first did not receive a majority of the
23 votes cast for such office, the name of the candidate placing
24 first and the name of each candidate tying for second shall be
25 placed on the general election ballot.

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

30 (2) With respect to any justice of the Supreme Court
31 or judge of a district court of appeal who qualifies to run

1 for retention in office, the question prescribed in s.
2 105.041(2) shall be placed on the ballot at the general
3 election. If a majority of the qualified electors voting on
4 such question within the territorial jurisdiction of the court
5 vote for retention, the justice or judge shall be retained for
6 a term of 6 years commencing on the first Tuesday after the
7 first Monday in January following the general election. If
8 less than a majority of the qualified electors voting on such
9 question within the territorial jurisdiction of the court vote
10 for retention, a vacancy shall exist in such office upon the
11 expiration of the term being served by the justice or judge.

12 Section 6. Section 105.061, Florida Statutes, is
13 amended to read:

14 105.061 Electors qualified to vote.--

15 (1) Each qualified elector of the territorial
16 jurisdiction of a court shall be eligible to vote for a
17 candidate for each judicial office of such court or, in the
18 case of a justice of the Supreme Court or a judge of a
19 district court of appeal, for or against retention of such
20 justice or judge.

21 (2) The election of members of a school board shall be
22 by vote of the qualified electors as prescribed in chapter
23 230.

24 Section 7. Section 105.071, Florida Statutes, is
25 amended to read:

26 105.071 Candidates for judicial office; limitations on
27 political activity.--A candidate for judicial office shall
28 not:

29 (1) Participate in any partisan political party
30 activities, except that such candidate may register to vote as
31 a member of any political party and may vote in any party

1 primary for candidates for nomination of the party in which
2 she or he is registered to vote.

3 (2) Campaign as a member of any political party.

4 (3) Publicly represent or advertise herself or himself
5 as a member of any political party.

6 (4) Endorse any candidate.

7 (5) Make political speeches other than in the
8 candidate's own behalf.

9 (6) Make contributions to political party funds.

10 (7) Accept contributions from any political party.

11 (8) Solicit contributions for any political party.

12 (9) Accept or retain a place on any political party
13 committee.

14 (10) Make any contribution to any person, group, or
15 organization for its endorsement to judicial office.

16 (11) Agree to pay all or any part of any advertisement
17 sponsored by any person, group, or organization wherein the
18 candidate may be endorsed for judicial office by any such
19 person, group, or organization.

20

21 A candidate for judicial office or retention therein who
22 violates the provisions of this section is liable for a civil
23 fine of up to \$1,000 to be determined by the Florida Elections
24 Commission guilty of a misdemeanor of the first degree,
25 ~~punishable as provided in s. 775.082 or s. 775.083.~~

26 Section 8. Section 105.08, Florida Statutes, is
27 amended to read:

28 105.08 Campaign contribution and expense; reporting.--

29 (1) A candidate for judicial office or the office of
30 school board member may accept contributions and may incur
31 only such expenses as are authorized by law. Each such

1 candidate shall keep an accurate record of his or her
2 contributions and expenses, and shall file reports pursuant to
3 chapter 106 ~~thereof on the same basis as is required of a~~
4 ~~candidate for a nonjudicial state office.~~

5 (2) Notwithstanding any other provision of this
6 chapter or chapter 106, a candidate for retention as a justice
7 of the Supreme Court or a judge of a district court of appeal
8 who has not received any contribution or made any expenditure
9 may file a sworn statement at the time of qualifying that he
10 or she does not anticipate receiving contributions or making
11 expenditures in connection with the candidacy for retention to
12 office. Such candidate shall file a final report pursuant to
13 s. 106.141, within 90 days following the general election for
14 which the candidate's name appeared on the ballot for
15 retention. Any such candidate for retention to judicial office
16 who, after filing a statement pursuant to this subsection,
17 receives any contribution or makes any expenditure in
18 connection with the candidacy for retention shall immediately
19 file a statement to that effect with the qualifying officer
20 and shall begin filing reports as an opposed candidate
21 pursuant to s. 106.07.

22 Section 9. Subsection (1) of section 99.061, Florida
23 Statutes, is amended to read:

24 99.061 Method of qualifying for nomination or election
25 to federal, state, county, or district office.--

26 (1) The provisions of any special act to the contrary
27 notwithstanding, each person seeking to qualify for nomination
28 or election to a federal, state, or multicounty district
29 office, other than election to a judicial office as defined in
30 chapter 105 or the office of school board member, shall file
31 his or her qualification papers with, and pay the qualifying

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

19 Section 10. Subsection (4) of section 101.141, Florida
20 Statutes, is amended to read:

21 101.141 Specifications for primary election
22 ballot.--In counties in which voting machines are not used,
23 and in other counties for use as absentee ballots not designed
24 for tabulation by an electronic or electromechanical voting
25 system, the primary election ballot shall conform to the
26 following specifications:

27 (4) The ballot shall have the headings, under which
28 appear the names of the offices and the candidates for the
29 respective offices alphabetically arranged as to surnames, in
30 the following order: the heading "Congressional" and
31 thereunder the offices of United States Senator and

1 Representative in Congress; the heading "State" and thereunder
2 the offices of Governor and Lieutenant Governor, Secretary of
3 State, Attorney General, Comptroller, Treasurer, Commissioner
4 of Education, Commissioner of Agriculture, state attorney, and
5 public defender; the heading "Legislative" and thereunder the
6 offices of state senator and state representative; the heading
7 "County" and thereunder clerk of the circuit court, clerk of
8 the county court (when authorized by law), sheriff, property
9 appraiser, tax collector, district superintendent of schools,
10 and supervisor of elections. Thereafter follows: members of
11 the board of county commissioners, ~~members of the district~~
12 ~~school board~~, and such other county and district offices as
13 are involved in the primary election, in the order fixed by
14 the Department of State, followed, in the years of their
15 election, by "Party offices," and thereunder the offices of
16 state and county party executive committee members.
17 Immediately following the name of each office on the ballot
18 shall be printed, "Vote for One." When more than one
19 candidate is to be nominated for office, the candidates for
20 such office shall qualify and run in a group or district. The
21 group or district number shall be printed beneath the name of
22 the office. The names of candidates in the respective group
23 or district shall be arranged thereunder in alphabetical order
24 as to surnames, and following the group or district number
25 there shall be printed the words, "Vote for One." The name of
26 the office shall be printed over each numbered group or
27 district and each numbered group or district shall be clearly
28 separated from the next numbered group or district, the same
29 as in the case of single offices. When two or more candidates
30 running for the same office have the same or similar surname
31 and one candidate is currently holding that office, the word

1 "Incumbent" shall be printed next to the incumbent's name. If
2 in any primary election all the offices as above set forth are
3 not involved, those offices to be filled shall be arranged on
4 the ballot in the order named.

5 Section 11. Paragraph (a) of subsection (3) of section
6 101.151, Florida Statutes, is amended to read:

7 101.151 Specifications for general election
8 ballot.--In counties in which voting machines are not used,
9 and in other counties for use as absentee ballots not designed
10 for tabulation by an electronic or electromechanical voting
11 system, the general election ballot shall conform to the
12 following specifications:

13 (3)(a) Beneath the caption and preceding the names of
14 candidates shall be the following words: "To vote for a
15 candidate whose name is printed on the ballot, place a cross
16 (X) mark in the blank space at the right of the name of the
17 candidate for whom you desire to vote. To vote for a write-in
18 candidate, write the name of the candidate in the blank space
19 provided for that purpose." The ballot shall have headings
20 under which shall appear the names of the offices and names of
21 duly nominated candidates for the respective offices in the
22 following order: the heading "Electors for President and Vice
23 President" and thereunder the names of the candidates for
24 President and Vice President of the United States nominated by
25 the political party which received the highest vote for
26 Governor in the last general election of the Governor in this
27 state, above which shall appear the name of said party. Then
28 shall appear the names of other candidates for President and
29 Vice President of the United States who have been properly
30 nominated. Votes cast for write-in candidates for President
31 and Vice President shall be counted as votes cast for the

1 presidential electors supporting such candidates. Then shall
2 follow the heading "Congressional" and thereunder the offices
3 of United States Senator and Representative in Congress; then
4 the heading "State" and thereunder the offices of Governor and
5 Lieutenant Governor, Secretary of State, Attorney General,
6 Comptroller, Treasurer, Commissioner of Education,
7 Commissioner of Agriculture, state attorney, and public
8 defender, together with the names of the candidates for each
9 office and the title of the office which they seek; then the
10 heading "Legislative" and thereunder the offices of state
11 senator and state representative; then the heading "County"
12 and thereunder clerk of the circuit court, clerk of the county
13 court (when authorized by law), sheriff, property appraiser,
14 tax collector, district superintendent of schools, and
15 supervisor of elections. Thereafter follows: members of the
16 board of county commissioners, ~~members of the district school~~
17 ~~board~~, and such other county offices as are involved in the
18 general election, in the order fixed by the Department of
19 State. When a write-in candidate has qualified for any
20 office, a subheading "Write-in Candidate for ...(name of
21 office)..." shall be provided followed by a blank space in
22 which to write the name of the candidate. With respect to
23 write-in candidates, if two or more candidates are seeking
24 election to one office, only one blank space shall be
25 provided.

26 Section 12. Subsection (2) of section 101.251, Florida
27 Statutes, is amended to read

28 101.251 Information which supervisor of elections must
29 print on ballots.--

30 (2) In addition to the names printed on the ballot as
31 provided in subsection (1), the supervisor of elections of

1 each county shall have printed on the general election ballot
2 to be used in the county the names of the nonpartisan
3 candidates ~~judicial officers, as defined in chapter 105,~~ who
4 are entitled to have their names printed on the ballot, and
5 minor party and independent candidates who have obtained a
6 position on the general election ballot in compliance with the
7 requirements of this code.

8 Section 13. Subsection (1) of section 230.061, Florida
9 Statutes, is amended to read:

10 230.061 School board member residence areas.--

11 (1) For the purpose of ~~nominating and~~ electing school
12 board members, each district shall be divided into at least
13 five district school board member residence areas, which shall
14 be numbered one to five, inclusive, and which shall, as nearly
15 as practicable, be equal in population.

16 (a) For those school districts, which have seven
17 school board members, the district may be divided into five
18 district school board member residence areas, with two school
19 board members elected at large, or the district may be divided
20 into seven district school board member residence areas. In
21 the latter case, the residence areas shall be numbered one to
22 seven inclusive and shall be equal in population as nearly as
23 practicable.

24 (b) For those school districts which have seven school
25 board members, the number of district school board member
26 residence areas shall be determined by resolution passed by a
27 majority vote of the district school board. No district
28 school board shall be required to change the boundaries of the
29 district school board member residence areas in accordance
30 with the provisions of this act prior to July 1, 1981.

31

1 Section 14. Subsection (2) of section 230.105, Florida
2 Statutes, is amended to read:

3 230.105 Alternate procedure for the election of
4 district school board members to provide for single-member
5 representation.--

6 (2) District school board members shall be ~~nominated~~
7 ~~and~~ elected to office in accordance with the provisions of ss.
8 230.061 and 230.10, or as otherwise provided by law, unless a
9 proposition calling for single-member representation within
10 the residence areas of the district is submitted to and
11 approved by a majority of the qualified electors voting on
12 such proposition in the manner provided in subsection (3).

13 (a) If the school board is composed of five members,
14 such proposition shall provide that the five members shall
15 reside one in each of five residence areas, the areas together
16 covering the entire district and as nearly equal in population
17 as practicable, pursuant to s. 230.061, each of whom shall be
18 ~~nominated and~~ elected only by the qualified electors who
19 reside in the same residence area as the member.

20 (b) If the school board is composed of seven members,
21 at the option of the school board, such proposition shall
22 provide that:

23 1. Five of the seven members shall reside one in each
24 of five residence areas, the areas together covering the
25 entire district and as nearly equal in population as
26 practicable, pursuant to s. 230.061, each of whom shall be
27 ~~nominated and~~ elected only by the qualified electors who
28 reside in the same residence area as the member, and two of
29 the seven members shall be ~~nominated and~~ elected at large; or

30 2. All seven members shall reside one in each of seven
31 residence areas, the areas together covering the entire

1 district and as nearly equal in population as practicable,
 2 pursuant to s. 230.061, each of whom shall be ~~nominated and~~
 3 elected only by the qualified electors who reside in the same
 4 residence area as the member.

5 (c) All members shall be elected for 4-year terms, but
 6 such terms shall be staggered so that, alternately, one more
 7 or one less than half of the members elected from residence
 8 areas and, if applicable, one of the members elected at large
 9 from the entire district are elected every 2 years. Any
 10 member may be elected to an initial term of less than 4 years
 11 if necessary to achieve or maintain such system of staggered
 12 terms.

13 Section 15. Section 230.08, Florida Statutes, is
 14 repealed.

15 Section 16. Paragraph (a) of subsection (12) of
 16 section 228.053, Florida Statutes, is amended to read:

17 228.053 Developmental research schools.--

18 (12) EXCEPTIONS TO LAW.--To encourage innovative
 19 practices and facilitate the mission of the developmental
 20 research schools, in addition to the exceptions to law
 21 specified in s. 229.592(6), the following exceptions shall be
 22 permitted for developmental research schools:

23 (a) The methods and requirements of the following
 24 statutes shall be held in abeyance: ss. 230.01; 230.02;
 25 230.03; 230.04; 230.05; 230.061; ~~230.08~~230.10; 230.105;
 26 230.11; 230.12; 230.15; 230.16; 230.17; 230.173; 230.18;
 27 230.19; 230.201; 230.202; 230.21; 230.22; 230.2215; 230.2318;
 28 230.232; 230.24; 230.241; 230.26; 230.28; 230.30; 230.303;
 29 230.31; 230.32; 230.321; 230.33; 230.35; 230.39; 230.63;
 30 230.64; 230.643; 234.01; 234.021; 234.112; 236.25; 236.261;
 31 236.29; 236.31; 236.32; 236.35; 236.36; 236.37; 236.38;

1 236.39; 236.40; 236.41; 236.42; 236.43; 236.44; 236.45;
2 236.46; 236.47; 236.48; 236.49; 236.50; 236.51; 236.52;
3 236.55; 236.56; 237.051; 237.071; 237.091; 237.201; 237.40;
4 and 316.75. With the exception of subsection (16) of s.
5 230.23, s. 230.23 shall be held in abeyance. Reference to
6 school boards in s. 230.23(16) shall mean the president of the
7 university or the president's designee.

8
9 Notwithstanding the request provisions of s. 229.592(6),
10 developmental research schools shall request all waivers
11 through the Joint Developmental Research School Planning,
12 Articulation, and Evaluation Committee, as established in s.
13 228.054. The committee shall approve or disapprove said
14 requests pursuant to this subsection and s. 229.592(6);
15 however, the Commissioner of Education shall have standing to
16 challenge any decision of the committee should it adversely
17 affect the health, safety, welfare, or civil rights of the
18 students or public interest. The department shall immediately
19 notify the committee and developmental research school of the
20 decision and provide a rationale therefor.

21 Section 17. This act shall take effect January 1,
22 2000.

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