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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 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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