

By Representative Logan

1 A bill to be entitled
2 An act relating to the presidential preference
3 primary; amending s. 103.101, F.S.; changing
4 the date of the presidential preference
5 primary; revising other dates relating to
6 selection and certification of the candidates
7 or delegates whose names are to appear on the
8 ballot and to the qualifying of delegates for
9 such purpose, to conform; providing
10 applicability; providing an effective date.

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

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14 Section 1. Section 103.101, Florida Statutes, is
15 amended to read:

16 103.101 Presidential preference primary.--

17 (1) Each political party other than a minor political
18 party shall, on the fourth ~~second~~ Tuesday in January ~~March~~ in
19 each year the number of which is a multiple of 4, elect one
20 person to be the candidate for nomination of such party for
21 President of the United States or select delegates to the
22 national nominating convention, as provided by party rule.

23 (2) There shall be a Presidential Candidate Selection
24 Committee composed of the Secretary of State, who shall be a
25 nonvoting chair; the Speaker of the House of Representatives;
26 the President of the Senate; the minority leader of each house
27 of the Legislature; and the chair of each political party
28 required to have a presidential preference primary under this
29 section.

30 (a) By November 30 ~~December 31~~ of the year preceding
31 the Florida presidential preference primary, each political

1 party shall submit to the Secretary of State a list of its
2 presidential candidates to be placed on the presidential
3 preference primary ballot or candidates entitled to have
4 delegates appear on the presidential preference primary
5 ballot. The Secretary of State shall prepare and publish a
6 list of the names of the presidential candidates submitted.
7 The Secretary of State shall submit such list of names of
8 presidential candidates to the selection committee on the
9 first Tuesday after the first Monday in December of the year
10 preceding the presidential preference primary ~~January each~~
11 ~~year a presidential preference primary election is held.~~ Each
12 person designated as a presidential candidate shall have his
13 or her name appear, or have his or her delegates' names
14 appear, on the presidential preference primary ballot unless
15 all committee members of the same political party as the
16 candidate agree to delete such candidate's name from the
17 ballot. The selection committee shall meet in Tallahassee on
18 the first Tuesday after the first Monday in December of the
19 year preceding the presidential preference primary ~~January~~
20 ~~each year a presidential preference primary is held.~~ The
21 selection committee shall publicly announce and submit to the
22 Department of State no later than 5 p.m. on the following day
23 the names of presidential candidates who shall have their
24 names appear, or who are entitled to have their delegates'
25 names appear, on the presidential preference primary ballot.
26 The Department of State shall immediately notify each
27 presidential candidate designated by the committee. Such
28 notification shall be in writing, by registered mail, with
29 return receipt requested.
30 (b) Any presidential candidate whose name does not
31 appear on the list submitted to the Secretary of State may

1 request that the selection committee place his or her name on
2 the ballot. Such request shall be made in writing to the
3 Secretary of State no later than the second Tuesday after the
4 first Monday in December of the year preceding the
5 presidential preference primary ~~January~~.

6 (c) If a presidential candidate makes a request that
7 the selection committee reconsider placing the candidate's
8 name on the ballot, the selection committee will reconvene no
9 later than the second Thursday after the first Monday in
10 December of the year preceding the presidential preference
11 primary ~~January~~ to reconsider placing the candidate's name on
12 the ballot. The Department of State shall immediately notify
13 such candidate of the selection committee's decision.

14 (3) A candidate's name shall be printed on the
15 presidential preference primary ballot unless the candidate
16 submits to the Department of State, prior to the second
17 Tuesday after the first Monday in December of the year
18 preceding the presidential preference primary ~~January~~, an
19 affidavit stating that he or she is not now, and does not
20 presently intend to become, a candidate for President at the
21 upcoming nominating convention. If a candidate withdraws
22 pursuant to this subsection, the Department of State shall
23 notify the state executive committee that the candidate's name
24 will not be placed on the ballot. The Department of State
25 shall, no later than the third Tuesday after the first Monday
26 in December of the year preceding the presidential preference
27 primary ~~January~~, certify to each supervisor of elections the
28 name of each candidate for political party nomination to be
29 printed on the ballot.

30 (4) The names of candidates for political party
31 nominations for President of the United States shall be

1 printed on official ballots for the presidential preference
2 primary election and shall be marked, counted, canvassed,
3 returned, and proclaimed in the same manner and under the same
4 conditions, so far as they are applicable, as in other state
5 elections. If party rule requires the delegates' names to be
6 printed on the official presidential preference primary
7 ballot, the name of the presidential candidates for that
8 political party may not be printed separately, but the ballot
9 may reflect the presidential candidate to whom the delegate is
10 pledged. If, however, a political party has only one
11 presidential candidate, neither the name of the candidate nor
12 the names of the candidate's delegates shall be printed on the
13 ballot.

14 (5) The state executive committee of each party, by
15 rule adopted at least 120 days prior to the presidential
16 preference primary election, shall determine the number, and
17 establish procedures to be followed in the selection, of
18 delegates and delegate alternates from among each candidate's
19 supporters. A copy of any rule adopted by the executive
20 committee shall be filed with the Department of State within 7
21 days after its adoption and shall become a public record. The
22 Department of State shall review the procedures and shall
23 notify the state executive committee of each political party
24 of any ballot limitations. The Department of State may
25 promulgate rules for the orderly conduct of the presidential
26 preference primary ballot.

27 (6) Delegates must qualify no later than the second
28 Friday in December of the year preceding the presidential
29 preference primary ~~January~~ in the manner provided by party
30 rule.

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1 (7) All delegates shall be allocated as provided by
2 party rule.

3 (8) All names of candidates or delegates shall be
4 listed as directed by the Department of State. The ballot as
5 prescribed in this section shall be used.

6 (9) The presidential preference primary ballot shall
7 be in substantially the following form:

8

9 OFFICIAL PRESIDENTIAL PREFERENCE
10 PRIMARY BALLOT

11

12 No. Party

13

....COUNTY, FLORIDA

14

15

Precinct No.

16

17

...(Date)...

18

19

...(Signature of Voter)...

...(Initials of Issuing

20

Official)...

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22

Stub No. 1

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OFFICIAL PRESIDENTIAL PREFERENCE

25

PRIMARY BALLOT

26

27

No. Party

28

....COUNTY, FLORIDA

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Precinct No.

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...(Date)...

...(Initials of Issuing Official)...

Stub No. 2

OFFICIAL PRESIDENTIAL PREFERENCE
PRIMARY BALLOT

.... Party

....COUNTY, FLORIDA

Precinct No.

...(Date)...

Place a cross (X) in the blank space to the right of the name
of the presidential candidate for whom you wish to vote,

For President

...(Name of Candidate)...

...(Name of Candidate)...

or place a cross (X) in the blank space to the right of the
name of the delegate(s) for whom you wish to vote.

...(Name of Delegate)... ...(Name of Candidate)...

1 Section 2. This act shall take effect upon becoming a
2 law and shall first apply to the presidential preference
3 primary held in 2004.

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5 HOUSE SUMMARY

6
7 Changes the date of the presidential preference primary
8 to the fourth Tuesday in January of each presidential
9 election year, beginning with the primary held in 2004.
10 Revises other dates relating to selection and
11 certification of the candidates or delegates whose names
12 are to appear on the ballot and to the qualifying of
13 delegates for such purpose, to conform.
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