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1 A bill to be entitled

2 An act relating to elections; amending s. 97.021, F.S.;
3 providing a definition of "early voting"; amending s.
4 101.5612, F.S.; providing for testing of the automatic
5 tabulating equipment prior to the commencement of early
6 voting; amending s. 101.5613, F.S.; providing for the
7 examination of the voting device and ballot information
8 during early voting; amending s. 101.64, F.S.; eliminating
9 the witness on absentee ballots; revising the Voter's
10 Certificate; amending ss. 101.6103, 101.65, and 101.68,
11 F.S., to conform; amending s. 101.657, F.S.; revising
12 provisions relating to voting an absentee ballot in person
13 to provide for early voting; requiring the Department of
14 State to establish by rule minimum standards for operation
15 of early voting locations; amending ss. 101.62 and
16 102.141, F.S., to conform; amending s. 102.014, F.S.;
17 requiring the Department of State to establish by rule
18 minimum standards for poll workers; encouraging county
19 governments to reassign county employees as poll workers;
20 requiring the supervisors of elections to work to recruit
21 high school and college students as poll workers;
22 requiring the Department of State to develop a statewide
23 program to recruit poll workers; amending s. 125.01, F.S.;
24 conforming a cross reference; repealing s. 20, ch. 2002-
25 281, Laws of Florida, relating to a future amendment of s.
26 125.01, F.S., to conform; amending ss. 99.061 and 105.031,
27 F.S.; providing for earlier qualifying for nomination or
28 election to public office; amending ss. 99.095, 99.0955,
29 and 99.096, F.S.; providing for earlier filing of the oath
30 to qualify by the alternative method; amending ss. 100.061



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31 and 100.091, F.S.; providing for earlier primary
 32 elections; amending s. 106.07, F.S.; providing for
 33 additional campaign finance reporting periods; providing
 34 an effective date.

35
 36 Be It Enacted by the Legislature of the State of Florida:

37
 38 Section 1. Subsections (8) through (39) of section 97.021,
 39 Florida Statutes, are renumbered as subsections (9) through
 40 (40), respectively, and a new subsection (8) is added to said
 41 section, to read:

42 97.021 Definitions.--For the purposes of this code, except
 43 where the context clearly indicates otherwise, the term:

44 (8) "Early voting" means casting a ballot prior to
 45 election day at a location designated by the supervisor of
 46 elections and depositing the voted ballot in the tabulation
 47 system.

48 Section 2. Subsection (2) of section 101.5612, Florida
 49 Statutes, is amended to read:

50 101.5612 Testing of tabulating equipment.--

51 (2) On any day not more than 10 days prior to the
 52 commencement of early voting as provided in s. 101.657 ~~election~~
 53 ~~day~~, the supervisor of elections shall have the automatic
 54 tabulating equipment publicly tested to ascertain that the
 55 equipment will correctly count the votes cast for all offices
 56 and on all measures. Public notice of the time and place of the
 57 test shall be given at least 48 hours prior thereto by
 58 publication once in one or more newspapers of general
 59 circulation in the county or, if there is no newspaper of
 60 general circulation in the county, by posting such notice in at



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61 least four conspicuous places in the county. The supervisor or
62 the municipal elections official may, at the time of qualifying,
63 give written notice of the time and location of such public
64 preelection test to each candidate qualifying with that office
65 and obtain a signed receipt that such notice has been given. The
66 Department of State shall give written notice to each statewide
67 candidate at the time of qualifying, or immediately at the end
68 of qualifying, that the voting equipment will be tested and
69 advise each such candidate to contact the county supervisor of
70 elections as to the time and location of the public preelection
71 test. The supervisor or the municipal elections official shall,
72 at least 15 days prior to the commencement of early voting as
73 provided in s. 101.657 ~~an election~~, send written notice by
74 certified mail to the county party chair of each political party
75 and to all candidates for other than statewide office whose
76 names appear on the ballot in the county and who did not receive
77 written notification from the supervisor or municipal elections
78 official at the time of qualifying, stating the time and
79 location of the public preelection test of the automatic
80 tabulating equipment. The canvassing board shall convene, and
81 each member of the canvassing board shall certify to the
82 accuracy of the test. For the test, the canvassing board may
83 designate one member to represent it. The test shall be open to
84 representatives of the political parties, the press, and the
85 public. Each political party may designate one person with
86 expertise in the computer field who shall be allowed in the
87 central counting room when all tests are being conducted and
88 when the official votes are being counted. Such designee shall
89 not interfere with the normal operation of the canvassing board.



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90 Section 3. Section 101.5613, Florida Statutes, is amended
 91 to read:

92 101.5613 Examination of equipment during voting.--A member
 93 of the election board or, for the purposes of early voting
 94 pursuant to s. 101.657, a representative of the supervisor of
 95 elections shall occasionally examine the face of the voting
 96 device and the ballot information to determine that the device
 97 and the ballot information have not been damaged or tampered
 98 with.

99 Section 4. Subsection (3) of section 101.6103, Florida
 100 Statutes, is amended to read:

101 101.6103 Mail ballot election procedure.--

102 (3) The return mailing envelope shall contain a statement
 103 in substantially the following form:

104
 105 VOTER'S CERTIFICATE

106
 107 I, ... (Print Name) ..., do solemnly swear (or affirm)
 108 that I am a qualified voter in this election and that I have not
 109 and will not vote more than one ballot in this election.

110 I understand that failure to sign this certificate and give
 111 my residence address will invalidate my ballot. I also
 112 understand that my signature will be verified against the
 113 signature on my voter registration record and that if my
 114 signatures do not match, my ballot will not count.

115 ... (Signature) ...

116 ... (Residence Address) ...

117
 118 Section 5. Paragraph (b) of subsection (4) of section
 119 101.62, Florida Statutes, is amended to read:



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120 101.62 Request for absentee ballots.--

121 (4)

122 (b) As soon as the remainder of the absentee ballots are
 123 printed, the supervisor shall provide an absentee ballot to each
 124 elector by whom a request for that ballot has been made by one
 125 of the following means:

126 1. By nonforwardable, return-if-undeliverable mail to the
 127 elector's current mailing address on file with the supervisor,
 128 unless the elector specifies in the request that:

129 a. The elector is absent from the county and does not plan
 130 to return before the day of the election;

131 b. The elector is temporarily unable to occupy the
 132 residence because of hurricane, tornado, flood, fire, or other
 133 emergency or natural disaster; or

134 c. The elector is in a hospital, assisted-living facility,
 135 nursing home, short-term medical or rehabilitation facility, or
 136 correctional facility,

137
 138 in which case the supervisor shall mail the ballot by
 139 nonforwardable, return-if-undeliverable mail to any other
 140 address the elector specifies in the request.

141 2. By forwardable mail to voters who are entitled to vote
 142 by absentee ballot under the Uniformed and Overseas Citizens
 143 Voting Act.

144 3. By personal delivery to the elector, upon presentation
 145 of a Florida driver's license, a Florida identification card
 146 issued under s. 322.051, or another form of picture
 147 identification approved by the Department of State ~~the~~
 148 ~~identification required in s. 101.657.~~



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149 4. By delivery to a designee on election day or up to 4
150 days prior to the day of an election. Any elector may designate
151 in writing a person to pick up the ballot for the elector;
152 however, the person designated may not pick up more than two
153 absentee ballots per election, other than the designee's own
154 ballot, except that additional ballots may be picked up for
155 members of the designee's immediate family. For purposes of this
156 section, "immediate family" means the designee's spouse or the
157 parent, child, grandparent, or sibling of the designee or of the
158 designee's spouse. The designee shall provide to the supervisor
159 the written authorization by the elector and a picture
160 identification of the designee and must complete an affidavit.
161 The designee shall state in the affidavit that the designee is
162 authorized by the elector to pick up that ballot and shall
163 indicate if the elector is a member of the designee's immediate
164 family and, if so, the relationship. The department shall
165 prescribe the form of the affidavit. If the supervisor is
166 satisfied that the designee is authorized to pick up the ballot
167 and that the signature of the elector on the written
168 authorization matches the signature of the elector on file, the
169 supervisor shall give the ballot to that designee for delivery
170 to the elector.

171 Section 6. Section 101.64, Florida Statutes, is amended to
172 read:

173 101.64 Delivery of absentee ballots; envelopes; form.--

174 (1) The supervisor shall enclose with each absentee ballot
175 two envelopes: a secrecy envelope, into which the absent elector
176 shall enclose his or her marked ballot; and a mailing envelope,
177 into which the absent elector shall then place the secrecy
178 envelope, which shall be addressed to the supervisor and also



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179 bear on the back side a certificate in substantially the
 180 following form:

181
 182 Note: Please Read Instructions Carefully Before
 183 Marking Ballot and Completing Voter's Certificate.

184
 185 VOTER'S CERTIFICATE

186 I, _____, do solemnly swear or affirm that I am a qualified
 187 and registered voter of _____ County, Florida, and that I have
 188 not and will not vote more than one ballot in this election. I
 189 understand that if I commit or attempt to commit any fraud in
 190 connection with voting, vote a fraudulent ballot, or vote more
 191 than once in an election, I can be convicted of a felony of the
 192 third degree and fined up to \$5,000 and/or imprisoned for up to
 193 5 years. I ~~also~~ understand that failure to sign this certificate
 194 ~~and have my signature properly witnessed~~ will invalidate my
 195 ballot. I also understand that my signature will be verified
 196 against the signature on my voter registration record and that if
 197 my signatures do not match, my ballot will not count.

198
 199 ... (Date) (Voter's Signature) ...

200
 201 ~~Note: Your Signature Must Be Witnessed By One Witness 18 Years~~
 202 ~~of Age or Older as provided in item 8 of the Instruction Sheet.~~

203
 204 ~~I swear or affirm that the voter signed this Voter's Certificate~~
 205 ~~in my presence.~~

206
 207 ~~... (Signature of Witness) ...~~

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209 ~~... (Address) ...~~

210 ~~... (City/State) ...~~

211

212 (2) The certificate shall be arranged on the back of the
 213 mailing envelope so that the line ~~lines~~ for the signature
 214 ~~signatures~~ of the absent elector is ~~and the attesting witness~~
 215 ~~are~~ across the seal of the envelope; however, no statement shall
 216 appear on the envelope which indicates that a signature of the
 217 voter ~~or witness~~ must cross the seal of the envelope. The absent
 218 elector ~~and the attesting witness~~ shall execute the certificate
 219 on the envelope.

220 Section 7. Section 101.65, Florida Statutes, is amended to
 221 read:

222 101.65 Instructions to absent electors.--The supervisor
 223 shall enclose with each absentee ballot separate printed
 224 instructions in substantially the following form:

225

226 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

227 1. VERY IMPORTANT. In order to ensure that your absentee
 228 ballot will be counted, it should be completed and returned as
 229 soon as possible so that it can reach the supervisor of
 230 elections of the county in which your precinct is located no
 231 later than 7 p.m. on the day of the election.

232 2. Mark your ballot in secret as instructed on the ballot.
 233 You must mark your own ballot unless you are unable to do so
 234 because of blindness, disability, or inability to read or write.

235 3. Place your marked ballot in the enclosed secrecy
 236 envelope.

237 4. Insert the secrecy envelope into the enclosed mailing
 238 envelope which is addressed to the supervisor.



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239 5. Seal the mailing envelope and completely fill out the
 240 Voter's Certificate on the back of the mailing envelope.

241 6. VERY IMPORTANT. In order for your absentee ballot to be
 242 counted, you must sign your name on the line above (Voter's
 243 Signature). Your signature on the Voter's Certificate will be
 244 verified against the signature on your voter registration record.
 245 If the signatures do not match, your ballot will not count.

246 7. VERY IMPORTANT. If you are an overseas voter, you must
 247 include the date you signed the Voter's Certificate on the line
 248 above (Date) or your ballot may not be counted.

249 ~~8. VERY IMPORTANT. In order for your absentee ballot to be~~
 250 ~~counted, it must include the signature and address of a witness~~
 251 ~~18 years of age or older affixed to the Voter's Certificate. No~~
 252 ~~candidate may serve as an attesting witness.~~

253 ~~8.9.~~ Mail, deliver, or have delivered the completed
 254 mailing envelope. Be sure there is sufficient postage if mailed.

255 ~~9.10.~~ FELONY NOTICE. It is a felony under Florida law to
 256 accept any gift, payment, or gratuity in exchange for your vote
 257 for a candidate. It is also a felony under Florida law to vote
 258 in an election using a false identity or false address, or under
 259 any other circumstances making your ballot false or fraudulent.

260 Section 8. Section 101.657, Florida Statutes, is amended
 261 to read:

262 101.657 Early voting absentee ballots in person.--

263 ~~(1) Any qualified and registered elector may pick up and~~
 264 ~~vote an absentee ballot in person at the office of, and under~~
 265 ~~the supervision of, the supervisor of elections. Before~~
 266 ~~receiving the ballot, the elector must present a Florida~~
 267 ~~driver's license, a Florida identification card issued under s.~~
 268 ~~322.051, or another form of picture identification approved by~~



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269 ~~the Department of State. If the elector fails to furnish the~~
 270 ~~required identification, or if the supervisor is in doubt as to~~
 271 ~~the identity of the elector, the supervisor must follow the~~
 272 ~~procedure prescribed in s. 101.49.~~

273 ~~(1)(2) As an alternative to the provisions of ss. 101.64~~
 274 ~~and 101.65, The supervisor of elections shall~~ may allow an
 275 elector to vote early ~~cast an absentee ballot~~ in the main or
 276 branch office of the supervisor by depositing the voted ballot
 277 in a voting device used by the supervisor to collect or tabulate
 278 ballots. The results or tabulation may not be made before the
 279 close of the polls on election day.

280 (a) The elector must provide picture identification and
 281 must complete an Early Voting ~~In-Office~~ Voter Certificate in
 282 substantially the following form:

283
 284 EARLY VOTING ~~IN-OFFICE~~ VOTER CERTIFICATE

285
 286 I, _____, am a qualified elector in this election and registered
 287 voter of _____ County, Florida. I do solemnly swear or affirm
 288 that I am the person so listed on the voter registration rolls
 289 of _____ County and that I reside at the listed address. I
 290 understand that if I commit or attempt to commit fraud in
 291 connection with voting, vote a fraudulent ballot, or vote more
 292 than once in an election I could be convicted of a felony of the
 293 third degree and both fined up to \$5,000 and imprisoned for up
 294 to 5 years. I understand that my failure to sign this
 295 certificate ~~and have my signature witnessed~~ invalidates my
 296 ballot.



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299 ... (Voter's Signature) ...

300

301 ... (Address) ...

302

303 ... (City/State) ...

304

305 ~~... (Name of Witness) ...~~

306

307 ~~... (Signature of Witness) ...~~

308

309 ... (Type of identification provided) ...

310

311 (b) Any elector may challenge an elector seeking to vote
 312 early ~~cast an absentee ballot~~ under the provisions of s.
 313 101.111. Any challenged voter ballot must vote ~~be placed in a~~
 314 provisional regular absentee ballot envelope. The canvassing
 315 board shall review the ballot and decide the validity of the
 316 ballot by majority vote.

317 (c) The canvass of returns for ballots cast under this
 318 subsection shall be substantially the same as votes cast by
 319 electors in precincts, as provided in s. 101.5614.

320 (2) The Department of State shall adopt a rule establishing
 321 minimum standards for the operation of early voting locations.
 322 The rule shall include, but not be limited to, the following:

323 (a) Days and hours of operation.

324 (b) Security of voted ballots.

325 (c) Transmittal of returns or ballots and election
 326 materials to the canvassing board.

327 Section 9. Paragraph (c) of subsection (2) of section
 328 101.68, Florida Statutes, is amended to read:



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329 101.68 Canvassing of absentee ballot.--

330 (2)

331 (c)1. The canvassing board shall, if the supervisor has
332 not already done so, compare the signature of the elector on the
333 voter's certificate with the signature of the elector in the
334 registration books to see that the elector is duly registered in
335 the county and to determine the legality of that absentee
336 ballot. An absentee ballot shall be considered illegal if it
337 does not include the signature of the elector, as shown by the
338 registration records, ~~and the signature and address of an~~
339 ~~attesting witness~~. However, an absentee ballot shall not be
340 considered illegal if the signature of the elector ~~or attesting~~
341 ~~witness~~ does not cross the seal of the mailing envelope. If the
342 canvassing board determines that any ballot is illegal, a member
343 of the board shall, without opening the envelope, mark across
344 the face of the envelope: "rejected as illegal." The envelope
345 and the ballot contained therein shall be preserved in the
346 manner that official ballots voted are preserved.

347 2. If any elector or candidate present believes that an
348 absentee ballot is illegal due to a defect apparent on the
349 voter's certificate, he or she may, at any time before the
350 ballot is removed from the envelope, file with the canvassing
351 board a protest against the canvass of that ballot, specifying
352 the precinct, the ballot, and the reason he or she believes the
353 ballot to be illegal. A challenge based upon a defect in the
354 voter's certificate may not be accepted after the ballot has
355 been removed from the mailing envelope.

356 Section 10. Section 102.014, Florida Statutes, is amended
357 to read:

358 102.014 Poll worker recruitment and training.--



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359 (1) The supervisor of elections shall conduct training for
360 inspectors, clerks, and deputy sheriffs prior to each primary,
361 general, and special election for the purpose of instructing
362 such persons in their duties and responsibilities as election
363 officials. A certificate may be issued by the supervisor of
364 elections to each person completing such training. No person
365 shall serve as an inspector, clerk, or deputy sheriff for an
366 election unless such person has completed the training as
367 required. ~~A clerk may not work at the polls unless he or she~~
368 ~~demonstrates a working knowledge of the laws and procedures~~
369 ~~relating to voter registration, voting system operation,~~
370 ~~balloting and polling place procedures, and problem-solving and~~
371 ~~conflict-resolution skills.~~

372 (2) The Department of State shall, by rule, establish
373 minimum standards that each potential poll worker must meet prior
374 to being allowed to work at the polls. Such rules shall, at a
375 minimum, require each poll worker to demonstrate that he or she
376 has a working knowledge of the laws and procedures for the
377 position that he or she is to perform at the polls on election
378 day.

379 (3)~~(2)~~ A person who has attended previous training
380 conducted within 2 years before the election may be appointed by
381 the supervisor to fill a vacancy on election day. If no person
382 with prior training is available to fill such vacancy, the
383 supervisor of elections may fill such vacancy in accordance with
384 the provisions of subsection (4) ~~(3)~~ from among persons who have
385 not received the training required by this section.

386 (4)~~(3)~~ In the case of absence or refusal to act on the
387 part of any inspector or clerk at any precinct on the day of an
388 election, the supervisor shall appoint a replacement who meets



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389 the qualifications prescribed in s. 102.012(2). The inspector or
390 clerk so appointed shall be a member of the same political party
391 as the clerk or inspector whom he or she replaces.

392 (5)~~(4)~~ Each supervisor of elections shall be responsible
393 for training inspectors and clerks, subject to the following
394 minimum requirements:

395 (a) No clerk shall be entitled to work at the polls unless
396 he or she has had a minimum of 3 hours of training prior to each
397 election.

398 (b) No inspector shall work at the polls unless he or she
399 has had a minimum of 2 hours of training prior to each election.

400 (c) For the purposes of this subsection, the first and
401 second primary elections shall be considered one election.

402 (6)~~(5)~~ The Department of State shall create a uniform
403 polling place procedures manual and adopt the manual by rule.
404 Each supervisor of elections shall ensure that the manual is
405 available in hard copy or electronic form in every precinct in
406 the supervisor's jurisdiction on election day. The manual shall
407 guide inspectors, clerks, and deputy sheriffs in the proper
408 implementation of election procedures and laws. The manual shall
409 be indexed by subject, and written in plain, clear, unambiguous
410 language. The manual shall provide specific examples of common
411 problems encountered at the polls on election day, and detail
412 specific procedures for resolving those problems. The manual
413 shall include, without limitation:

414 (a) Regulations governing solicitation by individuals and
415 groups at the polling place;

416 (b) Procedures to be followed with respect to voters whose
417 names are not on the precinct register;

418 (c) Proper operation of the voting system;



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- 419 (d) Ballot handling procedures;
- 420 (e) Procedures governing spoiled ballots;
- 421 (f) Procedures to be followed after the polls close;
- 422 (g) Rights of voters at the polls;
- 423 (h) Procedures for handling emergency situations;
- 424 (i) Procedures for dealing with irate voters;
- 425 (j) The handling and processing of provisional ballots;
- 426 and
- 427 (k) Security procedures.

428
 429 The Department of State shall revise the manual as necessary to
 430 address new procedures in law or problems encountered by voters
 431 and poll workers at the precincts.

432 (7)~~(6)~~ Supervisors of elections shall work with the
 433 business and local community to develop public-private programs
 434 to ensure the recruitment of skilled inspectors and clerks.

435 (8)~~(7)~~ The Department of State shall develop a mandatory,
 436 statewide, and uniform program for training poll workers on
 437 issues of etiquette and sensitivity with respect to voters
 438 having a disability. The program must consist of approximately 1
 439 hour of the required number of hours set forth in paragraph
 440 (5)(a) ~~(4)(a)~~. The program must be conducted locally by each
 441 supervisor of elections, who shall periodically certify to the
 442 Department of State whether each poll worker has completed the
 443 program. The supervisor of elections shall contract with a
 444 recognized disability-related organization, such as a center for
 445 independent living, family network on disabilities, deaf service
 446 bureau, or other such organization, to develop and assist with
 447 training the trainers in the disability sensitivity programs.
 448 The program must include actual demonstrations of obstacles



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449 confronted by disabled persons during the voting process,
450 including obtaining access to the polling place, traveling
451 through the polling area, and using the voting system.

452 (9) County governments are encouraged to assist the
453 supervisor of elections by reassigning county employees to serve
454 as poll workers on election day.

455 (10) Supervisors of elections shall work with high schools,
456 community colleges, and universities to recruit high school and
457 college students to serve as poll workers.

458 (11) The Department of State shall develop a statewide
459 program to encourage citizens of the state to serve as poll
460 workers.

461 Section 11. Subsections (2) and (3) of section 102.141,
462 Florida Statutes, are amended to read:

463 102.141 County canvassing board; duties.--

464 (2) The county canvassing board shall meet in a building
465 accessible to the public in the county where the election
466 occurred at a time and place to be designated by the supervisor
467 of elections to publicly canvass the absentee electors' ballots
468 as provided for in s. 101.68 and provisional ballots as provided
469 by s. 101.048. Public notice of the time and place at which the
470 county canvassing board shall meet to canvass the absentee
471 electors' ballots and provisional ballots shall be given at
472 least 48 hours prior thereto by publication once in one or more
473 newspapers of general circulation in the county or, if there is
474 no newspaper of general circulation in the county, by posting
475 such notice in at least four conspicuous places in the county.
476 As soon as the absentee electors' ballots and the provisional
477 ballots are canvassed, the board shall proceed to publicly
478 canvass the vote given each candidate, nominee, constitutional



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479 amendment, or other measure submitted to the electorate of the
480 county, as shown by the returns then on file in the office of
481 the supervisor of elections and the office of the county court
482 judge from the precincts and from the early voting locations.

483 (3) The canvass, except the canvass of absentee electors'
484 returns and the canvass of provisional ballots, shall be made
485 from the returns and certificates of the inspectors as signed
486 and filed by them with the county court judge and supervisor,
487 respectively, and the county canvassing board shall not change
488 the number of votes cast for a candidate, nominee,
489 constitutional amendment, or other measure submitted to the
490 electorate of the county, respectively, in any polling place, as
491 shown by the returns. All returns shall be made to the board on
492 or before 2 a.m. of the day following any primary, general,
493 special, or other election. If the returns from any precinct or
494 early voting location are missing, if there are any omissions on
495 the returns from any precinct or early voting location, or if
496 there is an obvious error on any such returns, the canvassing
497 board shall order a recount of the returns from such precinct or
498 early voting location. Before canvassing such returns, the
499 canvassing board shall examine the tabulation of the ballots
500 cast in such precinct or early voting location and determine
501 whether the returns correctly reflect the votes cast. If there
502 is a discrepancy between the returns and the tabulation of the
503 ballots cast, the tabulation of the ballots cast shall be
504 presumed correct and such votes shall be canvassed accordingly.

505 Section 12. Paragraph (y) of subsection (1) of section
506 125.01, Florida Statutes, is amended to read:

507 125.01 Powers and duties.--



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508 (1) The legislative and governing body of a county shall
 509 have the power to carry on county government. To the extent not
 510 inconsistent with general or special law, this power includes,
 511 but is not restricted to, the power to:

512 (y) Place questions or propositions on the ballot at any
 513 primary election, general election, or otherwise called special
 514 election, when agreed to by a majority vote of the total
 515 membership of the legislative and governing body, so as to
 516 obtain an expression of elector sentiment with respect to
 517 matters of substantial concern within the county. No special
 518 election may be called for the purpose of conducting a straw
 519 ballot. Any election costs, as defined in s. 97.021~~(9)~~,
 520 associated with any ballot question or election called
 521 specifically at the request of a district or for the creation of
 522 a district shall be paid by the district either in whole or in
 523 part as the case may warrant.

524 Section 13. Section 20 of chapter 2002-281, Laws of
 525 Florida, is repealed.

526 Section 14. Subsections (1) and (2) of section 99.061,
 527 Florida Statutes, are amended to read:

528 99.061 Method of qualifying for nomination or election to
 529 federal, state, county, or district office.--

530 (1) The provisions of any special act to the contrary
 531 notwithstanding, each person seeking to qualify for nomination
 532 or election to a federal, state, or multicounty district office,
 533 other than election to a judicial office as defined in chapter
 534 105 or the office of school board member, shall file his or her
 535 qualification papers with, and pay the qualifying fee, which
 536 shall consist of the filing fee and election assessment, and
 537 party assessment, if any has been levied, to, the Department of



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538 State, or qualify by the alternative method with the Department
 539 of State, at any time after noon of the 1st day for qualifying,
 540 which shall be as follows: the 120th day prior to the first
 541 primary, but not later than noon of the 116th day prior to the
 542 date of the first primary, for persons seeking to qualify for
 543 nomination or election to federal office; and noon of the 64th
 544 ~~50th~~ day prior to the first primary, but not later than noon of
 545 the 60th ~~46th~~ day prior to the date of the first primary, for
 546 persons seeking to qualify for nomination or election to a state
 547 or multicounty district office.

548 (2) The provisions of any special act to the contrary
 549 notwithstanding, each person seeking to qualify for nomination
 550 or election to a county office, or district or special district
 551 office not covered by subsection (1), shall file his or her
 552 qualification papers with, and pay the qualifying fee, which
 553 shall consist of the filing fee and election assessment, and
 554 party assessment, if any has been levied, to, the supervisor of
 555 elections of the county, or shall qualify by the alternative
 556 method with the supervisor of elections, at any time after noon
 557 of the 1st day for qualifying, which shall be the 64th ~~50th~~ day
 558 prior to the first primary or special district election, but not
 559 later than noon of the 60th ~~46th~~ day prior to the date of the
 560 first primary or special district election. However, if a
 561 special district election is held at the same time as the second
 562 primary or general election, qualifying shall be the 50th day
 563 prior to the first primary, but not later than noon of the 46th
 564 day prior to the date of the first primary. Within 30 days after
 565 the closing of qualifying time, the supervisor of elections
 566 shall remit to the secretary of the state executive committee of
 567 the political party to which the candidate belongs the amount of



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568 the filing fee, two-thirds of which shall be used to promote the
 569 candidacy of candidates for county offices and the candidacy of
 570 members of the Legislature.

571 Section 15. Subsection (1) of section 99.095, Florida
 572 Statutes, is amended to read:

573 99.095 Alternative method of qualifying.--

574 (1) A person seeking to qualify for nomination to any
 575 office may qualify to have his or her name placed on the ballot
 576 for the first primary election by means of the petitioning
 577 process prescribed in this section. A person qualifying by this
 578 alternative method shall not be required to pay the qualifying
 579 fee or party assessment required by this chapter. A person using
 580 this petitioning process shall file an oath with the officer
 581 before whom the candidate would qualify for the office stating
 582 that he or she intends to qualify by this alternative method for
 583 the office sought. If the person is running for an office which
 584 will be grouped on the ballot with two or more similar offices
 585 to be filled at the same election, the candidate must indicate
 586 in his or her oath for which group or district office he or she
 587 is running. The oath shall be filed at any time after the first
 588 Tuesday after the first Monday in November ~~January~~ of the year
 589 immediately preceding the year in which the first primary is
 590 held, but prior to the 21st day preceding the first day of the
 591 qualifying period for the office sought. The Department of State
 592 shall prescribe the form to be used in administering and filing
 593 such oath. No signatures shall be obtained by a candidate on any
 594 nominating petition until the candidate has filed the oath
 595 required in this section. If the person is running for an office
 596 which will be grouped on the ballot with two or more similar
 597 offices to be filled at the same election and the petition does



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598 not indicate the group or district office for which the person
599 is running, the signatures obtained on such petition will not be
600 counted.

601 Section 16. Paragraph (a) of subsection (3) of section
602 99.0955, Florida Statutes, is amended to read:

603 99.0955 Candidates with no party affiliation; name on
604 general election ballot.--

605 (3)(a) A candidate with no party affiliation may, in lieu
606 of paying the qualifying fee, qualify for office by the
607 alternative method prescribed in this subsection. A candidate
608 using this petitioning process shall file an oath with the
609 officer before whom the candidate would qualify for the office
610 stating that he or she intends to qualify by this alternative
611 method. If the person is running for an office that requires a
612 group or district designation, the candidate must indicate the
613 designation in his or her oath. The oath shall be filed at any
614 time after the first Tuesday after the first Monday in November
615 ~~January~~ of the year immediately preceding the year in which the
616 election is held, but before the 21st day preceding the first
617 day of the qualifying period for the office sought. The
618 Department of State shall prescribe the form to be used in
619 administering and filing the oath. Signatures may not be
620 obtained by a candidate on any petition until the candidate has
621 filed the oath required in this subsection. Upon receipt of the
622 written oath from a candidate, the qualifying officer shall
623 provide the candidate with petition forms in sufficient numbers
624 to facilitate the gathering of signatures. If the candidate is
625 running for an office that requires a group or district
626 designation, the petition must indicate that designation or the
627 signatures obtained on the petition will not be counted.



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628 Section 17. Paragraph (a) of subsection (3) of section
629 99.096, Florida Statutes, is amended to read:

630 99.096 Minor party candidates; names on ballot.--

631 (3)(a) A minor party candidate may, in lieu of paying the
632 qualifying fee and party assessment, qualify for office by the
633 alternative method prescribed in this subsection. A candidate
634 using this petitioning process shall file an oath with the
635 officer before whom the candidate would qualify for the office
636 stating that he or she intends to qualify by this alternative
637 method. If the person is running for an office that requires a
638 group or district designation, the candidate must indicate the
639 designation in his or her oath. The oath must be filed at any
640 time after the first Tuesday after the first Monday in November
641 ~~January~~ of the year immediately preceding the year in which the
642 election is held, but before the 21st day preceding the first
643 day of the qualifying period for the office sought. The
644 Department of State shall prescribe the form to be used in
645 administering and filing the oath. Signatures may not be
646 obtained by a candidate on any petition until the candidate has
647 filed the oath required in this section. Upon receipt of the
648 written oath from a candidate, the qualifying officer shall
649 provide the candidate with petition forms in sufficient numbers
650 to facilitate the gathering of signatures. If the candidate is
651 running for an office that requires a group or district
652 designation, the petition must indicate that designation or the
653 signatures on such petition will not be counted.

654 Section 18. Section 100.061, Florida Statutes, is amended
655 to read:

656 100.061 First primary election.--In each year in which a
657 general election is held, a first primary election for



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658 nomination of candidates of political parties shall be held on
659 the Tuesday 15 ~~9~~ weeks prior to the general election. Each
660 candidate receiving a majority of the votes cast in each contest
661 in the first primary election shall be declared nominated for
662 such office. A second primary election shall be held as provided
663 by s. 100.091 in every contest in which a candidate does not
664 receive a majority.

665 Section 19. Subsection (1) of section 100.091, Florida
666 Statutes, is amended to read:

667 100.091 Second primary election.--

668 (1) In each year in which a general election is held, a
669 second primary election for nomination of candidates of
670 political parties where nominations were not made in the first
671 primary election shall be held on the Tuesday 8 ~~5~~ weeks prior to
672 the general election.

673 Section 20. Subsection (1) of section 105.031, Florida
674 Statutes, is amended to read:

675 105.031 Qualification; filing fee; candidate's oath; items
676 required to be filed.--

677 (1) TIME OF QUALIFYING.--Except for candidates for
678 judicial office, nonpartisan candidates for multicounty office
679 shall qualify with the Division of Elections of the Department
680 of State and nonpartisan candidates for countywide or less than
681 countywide office shall qualify with the supervisor of
682 elections. Candidates for judicial office other than the office
683 of county court judge shall qualify with the Division of
684 Elections of the Department of State, and candidates for the
685 office of county court judge shall qualify with the supervisor
686 of elections of the county. Candidates for judicial office shall
687 qualify no earlier than noon of the 120th day, and no later than



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688 noon of the 116th day, before the first primary election.
689 Candidates for the office of school board member shall qualify
690 no earlier than noon of the 64th ~~50th~~ day, and no later than
691 noon of the 60th ~~46th~~ day, before the first primary election.
692 Filing shall be on forms provided for that purpose by the
693 Division of Elections and furnished by the appropriate
694 qualifying officer. Any person seeking to qualify by the
695 alternative method, as set forth in s. 105.035, if the person
696 has submitted the necessary petitions by the required deadline
697 and is notified after the fifth day prior to the last day for
698 qualifying that the required number of signatures has been
699 obtained, shall be entitled to subscribe to the candidate's oath
700 and file the qualifying papers at any time within 5 days from
701 the date he or she is notified that the necessary number of
702 signatures has been obtained. Any person other than a write-in
703 candidate who qualifies within the time prescribed in this
704 subsection shall be entitled to have his or her name printed on
705 the ballot.

706 Section 21. Paragraphs (a) and (b) of subsection (1) of
707 section 106.07, Florida Statutes, are amended to read:

708 106.07 Reports; certification and filing.--

709 (1) Each campaign treasurer designated by a candidate or
710 political committee pursuant to s. 106.021 shall file regular
711 reports of all contributions received, and all expenditures
712 made, by or on behalf of such candidate or political committee.
713 Reports shall be filed on the 10th day following the end of each
714 calendar quarter from the time the campaign treasurer is
715 appointed, except that, if the 10th day following the end of a
716 calendar quarter occurs on a Saturday, Sunday, or legal holiday,
717 the report shall be filed on the next following day which is not



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718 a Saturday, Sunday, or legal holiday. Quarterly reports shall
719 include all contributions received and expenditures made during
720 the calendar quarter which have not otherwise been reported
721 pursuant to this section.

722 (a) Except as provided in paragraph (b), following the
723 last day of qualifying for office, the reports shall be filed on
724 the 46th, 32nd, 18th, and 4th days immediately preceding the
725 first primary and on the 32nd, 18th, and 4th days immediately
726 preceding the second primary and general election, for a
727 candidate who is opposed in seeking nomination or election to
728 any office, for a political committee, or for a committee of
729 continuous existence.

730 (b) Following the last day of qualifying for office, any
731 statewide candidate who has requested to receive contributions
732 from the Election Campaign Financing Trust Fund or any statewide
733 candidate in a race with a candidate who has requested to
734 receive contributions from the trust fund shall file reports on
735 the 4th, 11th, 18th, 25th, ~~and~~ 32nd, 39th, and 46th days prior
736 to the first primary and general elections, and on the 4th,
737 11th, 18th, ~~and~~ 25th, 32nd, and 39th days prior to the second
738 primary.

739 Section 22. This act shall take effect January 1, 2004.