

By Senators Aronberg and Campbell

27-565A-04

1                   Senate Joint Resolution No. \_\_\_\_  
2           A joint resolution proposing an amendment to  
3           Section 5 of Article VI of the State  
4           Constitution to prescribe additional  
5           circumstances in which electors may vote in a  
6           primary election regardless of party  
7           affiliation.

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9   Be It Resolved by the Legislature of the State of Florida:

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11           That the following amendment to Section 5 of Article VI  
12           of the State Constitution is agreed to and shall be submitted  
13           to the electors of this state for approval or rejection at the  
14           next general election or at an earlier special election  
15           specifically authorized by law for that purpose:

ARTICLE VI

SUFFRAGE AND ELECTIONS

SECTION 5. Primary, general, and special elections.--

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18           (a) A general election shall be held in each county on  
19           the first Tuesday after the first Monday in November of each  
20           even-numbered year to choose a successor to each elective  
21           state and county officer whose term will expire before the  
22           next general election and, except as provided herein, to fill  
23           each vacancy in elective office for the unexpired portion of  
24           the term. A general election may be suspended or delayed due  
25           to a state of emergency or impending emergency pursuant to  
26           general law. Special elections and referenda shall be held as  
27           provided by law.

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29           (b) If all candidates for an office have the same  
30           party affiliation and the winner will have either no  
31           opposition in the general election or opposition only from a

1 write-in candidate, then all qualified electors, regardless of  
2 party affiliation, may vote in the primary elections for that  
3 office.

4 BE IT FURTHER RESOLVED that the following statement be  
5 placed on the ballot:

6 CONSTITUTIONAL AMENDMENT

7 ARTICLE VI, SECTION 5

8 OPEN PRIMARY ELECTION; WHEN HELD; ADDITIONAL  
9 CIRCUMSTANCES.--Proposing an amendment to the State  
10 Constitution that will permit all electors regardless of party  
11 affiliation to vote in the primary elections for an office, in  
12 the same manner as currently permitted when the winner of the  
13 primary will be unopposed in the general election, if the  
14 winner of the primary will be opposed in the general election  
15 by a write-in candidate only.

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