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A bill to be entitled

An act relating to the second primary election; repealing s. 100.091, F.S.; eliminating the second primary election; repealing s. 100.096, F.S., relating to the holding of special elections in conjunction with the second primary election, to conform; amending s. 97.021, F.S., relating to the definition of "primary election," to conform; amending ss. 97.055, 97.071, 97.1031, and 98.081, F.S., relating to restrictions on changing party affiliation between primary elections, to conform; amending ss. 99.061 and 99.095, F.S., relating to qualifying for nomination or election to office, to conform; amending s. 99.063, F.S.; adjusting the date to designate a Lieutenant Governor running mate, to conform; amending ss. 99.103, 100.061, 100.081, 100.111, 100.141, 101.252, 101.62, 102.014, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, 106.08, and 106.29, F.S., F.S.; revising references, to conform to the elimination of the second primary election; providing an effective date.

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

Section 1. Sections 100.091 and 100.096, Florida Statutes, are repealed.

Section 2. Subsection (25) of section 97.021, Florida Statutes, is amended to read:

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

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29 (25) "Primary election" means an election held preceding
 30 the general election for the purpose of nominating a party
 31 nominee to be voted for in the general election to fill a
 32 national, state, county, or district office. ~~The first primary~~
 33 ~~is a nomination or elimination election; the second primary is a~~
 34 ~~nominating election only.~~

35 Section 3. Subsection (1) of section 97.055, Florida
 36 Statutes, is amended to read:

37 97.055 Registration books; when closed for an election.--

38 (1) The registration books must be closed on the 29th day
 39 before each election and must remain closed until after that
 40 election. If an election is called and there are fewer than 29
 41 days before that election, the registration books must be closed
 42 immediately. When the registration books are closed for an
 43 election, voter registration and party changes must be accepted
 44 but only for the purpose of subsequent elections. ~~However, party~~
 45 ~~changes received between the book closing date of the first~~
 46 ~~primary election and the date of the second primary election are~~
 47 ~~not effective until after the second primary election.~~

48 Section 4. Subsection (3) of section 97.071, Florida
 49 Statutes, is amended to read:

50 97.071 Registration identification card.--

51 (3) In the case of a change of name, address, or party
 52 affiliation, the supervisor must issue the voter a new
 53 registration identification card. ~~However, a registration~~
 54 ~~identification card indicating a party affiliation change made~~
 55 ~~between the book closing date for the first primary election and~~
 56 ~~the date of the second primary election may not be issued until~~

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57 ~~after the second primary election.~~

58 Section 5. Subsection (3) of section 97.1031, Florida
59 Statutes, is amended to read:

60 97.1031 Notice of change of residence within the same
61 county, change of name, or change of party.--

62 (3) When an elector seeks to change party affiliation, the
63 elector must provide a signed, written notification of such
64 intent to the supervisor and obtain a registration
65 identification card reflecting the new party affiliation,
66 ~~subject to the issuance restriction in s. 97.071(3).~~

67 Section 6. Section 98.081, Florida Statutes, is amended to
68 read:

69 98.081 Names removed from registration books; restrictions
70 on reregistering; recordkeeping; restoration of erroneously or
71 illegally removed names.--

72 ~~(1) Any person who requested that his or her name be
73 removed from the registration books between the book closing
74 date of the first primary and the date of the second primary may
75 not register in a different political party until after the date
76 of the second primary election.~~

77 (1)~~(2)~~ When the name of any elector is removed from the
78 registration books pursuant to s. 98.065, s. 98.075, or s.
79 98.093, the elector's original registration form shall be filed
80 alphabetically in the office of the supervisor. As alternatives,
81 registrations removed from the registration books may be
82 microfilmed and such microfilms substituted for the original
83 registration forms; or, when voter registration information,
84 including the voter's signature, is maintained digitally or on

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85 | electronic, magnetic, or optic media, such stored information
86 | may be substituted for the original registration form. Such
87 | microfilms or stored information shall be retained in the
88 | custody of the supervisor. In the event the original
89 | registration forms are microfilmed or maintained digitally or on
90 | electronic or other media, such originals may be destroyed in
91 | accordance with the schedule approved by the Bureau of Archives
92 | and Records Management of the Division of Library and
93 | Information Services of the department.

94 | (2)~~(3)~~ When the name of any elector has been erroneously
95 | or illegally removed from the registration books, the name of
96 | the elector shall be restored by the supervisor upon
97 | satisfactory proof, even though the registration period for that
98 | election is closed.

99 | Section 7. Subsections (1), (2), and (8) of section
100 | 99.061, Florida Statutes, are amended to read:

101 | 99.061 Method of qualifying for nomination or election to
102 | federal, state, county, or district office.--

103 | (1) The provisions of any special act to the contrary
104 | notwithstanding, each person seeking to qualify for nomination
105 | or election to a federal, state, or multicounty district office,
106 | other than election to a judicial office as defined in chapter
107 | 105 or the office of school board member, shall file his or her
108 | qualification papers with, and pay the qualifying fee, which
109 | shall consist of the filing fee and election assessment, and
110 | party assessment, if any has been levied, to, the Department of
111 | State, or qualify by the alternative method with the Department
112 | of State, at any time after noon of the 1st day for qualifying,

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113 | which shall be as follows: the 120th day prior to the ~~first~~
114 | primary election, but not later than noon of the 116th day prior
115 | to the date of the ~~first~~ primary election, for persons seeking
116 | to qualify for nomination or election to federal office; and
117 | noon of the 50th day prior to the ~~first~~ primary election, but
118 | not later than noon of the 46th day prior to the date of the
119 | ~~first~~ primary election, for persons seeking to qualify for
120 | nomination or election to a state or multicounty district
121 | office.

122 | (2) The provisions of any special act to the contrary
123 | notwithstanding, each person seeking to qualify for nomination
124 | or election to a county office, or district or special district
125 | office not covered by subsection (1), shall file his or her
126 | qualification papers with, and pay the qualifying fee, which
127 | shall consist of the filing fee and election assessment, and
128 | party assessment, if any has been levied, to, the supervisor of
129 | elections of the county, or shall qualify by the alternative
130 | method with the supervisor of elections, at any time after noon
131 | of the 1st day for qualifying, which shall be the 50th day prior
132 | to the ~~first~~ primary election or special district election, but
133 | not later than noon of the 46th day prior to the date of the
134 | ~~first~~ primary election or special district election. However, if
135 | a special district election is held at the same time as the
136 | ~~second primary or~~ general election, qualifying shall be the 50th
137 | day prior to the ~~first~~ primary election, but not later than noon
138 | of the 46th day prior to the date of the ~~first~~ primary election.
139 | Within 30 days after the closing of qualifying time, the
140 | supervisor of elections shall remit to the secretary of the

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141 state executive committee of the political party to which the
 142 candidate belongs the amount of the filing fee, two-thirds of
 143 which shall be used to promote the candidacy of candidates for
 144 county offices and the candidacy of members of the Legislature.

145 (8) Notwithstanding the qualifying period prescribed by
 146 this section, in each year in which the Legislature apportions
 147 the state, the qualifying period for persons seeking to qualify
 148 for nomination or election to federal office shall be between
 149 noon of the 57th day prior to the ~~first~~ primary election, but
 150 not later than noon of the 53rd day prior to the ~~first~~ primary
 151 election.

152 Section 8. Subsections (1), (2), and (4) of section
 153 99.063, Florida Statutes, are amended to read:

154 99.063 Candidates for Governor and Lieutenant Governor.--

155 (1) No later than 5 p.m. of the 9th day following the
 156 ~~second~~ primary election, each candidate for Governor shall
 157 designate a Lieutenant Governor as a running mate. Such
 158 designation must be made in writing to the Department of State.

159 (2) No later than 5 p.m. of the 9th day following the
 160 ~~second~~ primary election, each designated candidate for
 161 Lieutenant Governor shall file with the Department of State:

162 (a) The candidate's oath required by s. 99.021, which must
 163 contain the name of the candidate as it is to appear on the
 164 ballot; the office sought; and the signature of the candidate,
 165 duly acknowledged.

166 (b) The loyalty oath required by s. 876.05, signed by the
 167 candidate and duly acknowledged.

168 (c) If the office sought is partisan, the written

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169 statement of political party affiliation required by s.
 170 99.021(1)(b).

171 (d) The full and public disclosure of financial interests
 172 pursuant to s. 8, Art. II of the State Constitution.

173 (4) In order to have the name of the candidate for
 174 Lieutenant Governor printed on the ~~first or second~~ primary
 175 election ballot, a candidate for Governor participating in the
 176 primary must designate the candidate for Lieutenant Governor,
 177 and the designated candidate must qualify no later than the end
 178 of the qualifying period specified in s. 99.061. If the
 179 candidate for Lieutenant Governor has not been designated and
 180 has not qualified by the end of the qualifying period specified
 181 in s. 99.061, the phrase "Not Yet Designated" must be included
 182 in lieu of the candidate's name on the primary election ballot
 183 ~~ballots and on advance absentee ballots for the general~~
 184 ~~election.~~

185 Section 9. Subsection (1) of section 99.095, Florida
 186 Statutes, is amended to read:

187 99.095 Alternative method of qualifying.--

188 (1) A person seeking to qualify for nomination to any
 189 office may qualify to have his or her name placed on the ballot
 190 for the ~~first~~ primary election by means of the petitioning
 191 process prescribed in this section. A person qualifying by this
 192 alternative method shall not be required to pay the qualifying
 193 fee or party assessment required by this chapter. A person using
 194 this petitioning process shall file an oath with the officer
 195 before whom the candidate would qualify for the office stating
 196 that he or she intends to qualify by this alternative method for

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197 the office sought. If the person is running for an office which
198 will be grouped on the ballot with two or more similar offices
199 to be filled at the same election, the candidate must indicate
200 in his or her oath for which group or district office he or she
201 is running. The oath shall be filed at any time after the first
202 Tuesday after the first Monday in January of the year in which
203 the ~~first~~ primary election is held, but prior to the 21st day
204 preceding the first day of the qualifying period for the office
205 sought. The Department of State shall prescribe the form to be
206 used in administering and filing such oath. No signatures shall
207 be obtained by a candidate on any nominating petition until the
208 candidate has filed the oath required in this section. If the
209 person is running for an office which will be grouped on the
210 ballot with two or more similar offices to be filled at the same
211 election and the petition does not indicate the group or
212 district office for which the person is running, the signatures
213 obtained on such petition will not be counted.

214 Section 10. Section 99.103, Florida Statutes, is amended
215 to read:

216 99.103 Department of State to remit part of filing fees
217 and party assessments of candidates to state executive
218 committee.--

219 (1) If more than three-fourths of the full authorized
220 membership of the state executive committee of any party was
221 elected at the last previous election for such members and if
222 such party is declared by the Department of State to have
223 recorded on the registration books of the counties, as of the
224 first Tuesday after the first Monday in January prior to the

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225 ~~first~~ primary election in general election years, 5 percent of
 226 the total registration of such counties when added together,
 227 such committee shall receive, for the purpose of meeting its
 228 expenses, all filing fees collected by the Department of State
 229 from its candidates less an amount equal to 15 percent of the
 230 filing fees, which amount the Department of State shall deposit
 231 in the General Revenue Fund of the state.

232 (2) Not later than 20 days after the close of qualifying
 233 in even-numbered years, the Department of State shall remit 95
 234 percent of all filing fees, less the amount deposited in general
 235 revenue pursuant to subsection (1), or party assessments that
 236 may have been collected by the department to the respective
 237 state executive committees of the parties complying with
 238 subsection (1). Party assessments collected by the Department of
 239 State shall be remitted to the appropriate state executive
 240 committee, irrespective of other requirements of this section,
 241 provided such committee is duly organized under the provisions
 242 of chapter 103. The remainder of filing fees or party
 243 assessments collected by the Department of State shall be
 244 remitted to the appropriate state executive committees not later
 245 than the date of the ~~first~~ primary election.

246 Section 11. Section 100.061, Florida Statutes, is amended
 247 to read:

248 100.061 ~~First~~ Primary election.--In each year in which a
 249 general election is held, a ~~first~~ primary election for
 250 nomination of candidates of political parties shall be held on
 251 the Tuesday 9 weeks prior to the general election. The ~~Each~~
 252 candidate receiving the highest number ~~a majority of the~~ votes

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253 cast in each contest in the ~~first~~ primary election shall be
 254 declared nominated for such office. If two or more candidates
 255 receive an equal and highest number of votes for the same
 256 office, such candidates shall draw lots to determine which
 257 candidate is nominated. ~~A second primary election shall be held~~
 258 ~~as provided by s. 100.091 in every contest in which a candidate~~
 259 ~~does not receive a majority.~~

260 Section 12. Section 100.081, Florida Statutes, is amended
 261 to read:

262 100.081 ~~Conducting primary elections,~~ Nomination of county
 263 commissioners at primary election.--The primary election
 264 ~~elections~~ shall provide for the nomination of county
 265 commissioners by the qualified electors of such county at the
 266 time and place set for voting on other county officers.

267 Section 13. Paragraph (c) of subsection (1), subsection
 268 (3), and paragraph (a) of subsection (4) of section 100.111,
 269 Florida Statutes, are amended to read:

270 100.111 Filling vacancy.--

271 (1)

272 (c) If such a vacancy occurs prior to the ~~first~~ primary
 273 election but on or after the first day set by law for
 274 qualifying, the Secretary of State shall set dates for
 275 qualifying for the unexpired portion of the term of such office.
 276 Any person seeking nomination or election to the unexpired
 277 portion of the term shall qualify within the time set by the
 278 Secretary of State. If time does not permit party nominations to
 279 be made in conjunction with the ~~first and second~~ primary
 280 election elections, the Governor may call a special primary

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281 ~~election, and, if necessary, a second special primary election,~~
 282 to select party nominees for the unexpired portion of such term.

283 (3) Whenever there is a vacancy for which a special
 284 election is required pursuant to s. 100.101(1)-(4), the
 285 Governor, after consultation with the Secretary of State, shall
 286 fix the dates ~~date~~ of a special ~~first~~ primary election, ~~a~~
 287 ~~special second primary election,~~ and a special election.

288 Nominees of political parties other than minor political parties
 289 shall be chosen under the primary laws of this state in the
 290 special primary election ~~elections~~ to become candidates in the
 291 special election. Prior to setting the special election dates,
 292 the Governor shall consider any upcoming elections in the
 293 jurisdiction where the special election will be held. The dates
 294 fixed by the Governor shall be specific days certain and shall
 295 not be established by the happening of a condition or stated in
 296 the alternative. The dates fixed shall provide a minimum of 2
 297 weeks between each election. In the event a vacancy occurs in
 298 the office of state senator or member of the House of
 299 Representatives when the Legislature is in regular legislative
 300 session, the minimum times prescribed by this subsection may be
 301 waived upon concurrence of the Governor, the Speaker of the
 302 House of Representatives, and the President of the Senate. If a
 303 vacancy occurs in the office of state senator and no session of
 304 the Legislature is scheduled to be held prior to the next
 305 general election, the Governor may fix the dates for the any
 306 special primary election and for the special election to
 307 coincide with the dates of the ~~first and second~~ primary election
 308 and general election. If a vacancy in office occurs in any

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309 district in the state Senate or House of Representatives or in
310 any congressional district, and no session of the Legislature,
311 or session of Congress if the vacancy is in a congressional
312 district, is scheduled to be held during the unexpired portion
313 of the term, the Governor is not required to call a special
314 election to fill such vacancy.

315 (a) The dates for candidates to qualify in such special
316 election or special primary election shall be fixed by the
317 Department of State, and candidates shall qualify not later than
318 noon of the last day so fixed. The dates fixed for qualifying
319 shall allow a minimum of 14 days between the last day of
320 qualifying and the special ~~first~~ primary election.

321 (b) The filing of campaign expense statements by
322 candidates in such special elections or special primaries and by
323 committees making contributions or expenditures to influence the
324 results of such special primaries or special elections shall be
325 not later than such dates as shall be fixed by the Department of
326 State, and in fixing such dates the Department of State shall
327 take into consideration and be governed by the practical time
328 limitations.

329 (c) The dates for a candidate to qualify by the
330 alternative method in such special primary or special election
331 shall be fixed by the Department of State. In fixing such dates
332 the Department of State shall take into consideration and be
333 governed by the practical time limitations. Any candidate
334 seeking to qualify by the alternative method in a special
335 primary election shall obtain 25 percent of the signatures
336 required by s. 99.095, s. 99.0955, or s. 99.096, as applicable.

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337 (d) The qualifying fees and party assessments of such
338 candidates as may qualify shall be the same as collected for the
339 same office at the last previous primary for that office. The
340 party assessment shall be paid to the appropriate executive
341 committee of the political party to which the candidate belongs.

342 (e) Each county canvassing board shall make as speedy a
343 return of the result of such special primary elections and
344 special elections ~~and primaries~~ as time will permit, and the
345 Elections Canvassing Commission likewise shall make as speedy a
346 canvass and declaration of the nominees as time will permit.

347 (4)(a) In the event that death, resignation, withdrawal,
348 removal, or any other cause or event should cause a party to
349 have a vacancy in nomination which leaves no candidate for an
350 office from such party, the Governor shall, after conferring
351 with the Secretary of State, call a special primary election
352 ~~and, if necessary, a second special primary election~~ to select
353 for such office a nominee of such political party. The dates on
354 which candidates may qualify for such special primary election
355 shall be fixed by the Department of State, and the candidates
356 shall qualify no later than noon of the last day so fixed. The
357 filing of campaign expense statements by candidates in special
358 primary elections ~~primaries~~ shall not be later than such dates
359 as shall be fixed by the Department of State. In fixing such
360 dates, the Department of State shall take into consideration and
361 be governed by the practical time limitations. The qualifying
362 fees and party assessment of such candidates as may qualify
363 shall be the same as collected for the same office at the last
364 previous primary for that office. Each county canvassing board

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365 shall make as speedy a return of the results of such special
 366 primary elections ~~primaries~~ as time will permit, and the
 367 Elections Canvassing Commission shall likewise make as speedy a
 368 canvass and declaration of the nominees as time will permit.

369 Section 14. Subsection (2) of section 100.141, Florida
 370 Statutes, is amended to read:

371 100.141 Notice of special election to fill any vacancy in
 372 office or nomination.--

373 (2) The Department of State shall prepare a notice stating
 374 what offices and vacancies are to be filled in the special
 375 election, the dates ~~date~~ set for the ~~each~~ special primary
 376 election and the special election, the dates fixed for
 377 qualifying for office, the dates fixed for qualifying by the
 378 alternative method, and the dates fixed for filing campaign
 379 expense statements.

380 Section 15. Subsection (2) of section 101.252, Florida
 381 Statutes, is amended to read:

382 101.252 Candidates entitled to have names printed on
 383 certain ballots; exception.--

384 (2) Any candidate for party executive committee member who
 385 has qualified as prescribed by law is entitled to have his or
 386 her name printed on the ~~first~~ primary election ballot. However,
 387 when there is only one candidate of any political party
 388 qualified for such an office, the name of the candidate shall
 389 not be printed on the ~~first~~ primary election ballot, and such
 390 candidate shall be declared elected to the state or county
 391 executive committee.

392 Section 16. Subsection (4) of section 101.62, Florida

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393 Statutes, is amended to read:

394 101.62 Request for absentee ballots.--

395 (4) (a) To each absent qualified elector overseas who has
396 requested an absentee ballot, the supervisor of elections shall,
397 ~~not fewer than 35 days before the first primary election,~~ mail
398 an absentee ballot not fewer than 35 days before the primary or
399 general election. ~~Not fewer than 45 days before the second~~
400 ~~primary and general election, the supervisor of elections shall~~
401 ~~mail an advance absentee ballot to those persons requesting~~
402 ~~ballots for such elections. The advance absentee ballot for the~~
403 ~~second primary shall be the same as the first primary absentee~~
404 ~~ballot as to the names of candidates, except that for any~~
405 ~~offices where there are only two candidates, those offices and~~
406 ~~all political party executive committee offices shall be~~
407 ~~omitted. Except as provided in ss. 99.063(4) and 100.371(6), the~~
408 ~~advance absentee ballot for the general election shall be as~~
409 ~~specified in s. 101.151, except that in the case of candidates~~
410 ~~of political parties where nominations were not made in the~~
411 ~~first primary, the names of the candidates placing first and~~
412 ~~second in the first primary election shall be printed on the~~
413 ~~advance absentee ballot. The advance absentee ballot or advance~~
414 ~~absentee ballot information booklet shall be of a different~~
415 ~~color for each election and also a different color from the~~
416 ~~absentee ballots for the first primary, second primary, and~~
417 ~~general election. The supervisor shall mail an advance absentee~~
418 ~~ballot for the second primary and general election to each~~
419 ~~qualified absent elector for whom a request is received until~~
420 ~~the absentee ballots are printed. The supervisor shall enclose~~

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421 ~~with the advance second primary absentee ballot and advance~~
 422 ~~general election absentee ballot an explanation stating that the~~
 423 ~~absentee ballot for the election will be mailed as soon as it is~~
 424 ~~printed; and, if both the advance absentee ballot and the~~
 425 ~~absentee ballot for the election are returned in time to be~~
 426 ~~counted, only the absentee ballot will be counted. The~~
 427 ~~Department of State may prescribe by rule the requirements for~~
 428 ~~preparing and mailing absentee ballots to absent qualified~~
 429 ~~electors overseas.~~

430 (b) ~~As soon as the remainder of the absentee ballots are~~
 431 ~~printed,~~ The supervisor shall provide an absentee ballot to each
 432 elector by whom a request for that ballot has been made by one
 433 of the following means:

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

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

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

442 c. The elector is in a hospital, assisted-living facility,
 443 nursing home, short-term medical or rehabilitation facility, or
 444 correctional facility,

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446 in which case the supervisor shall mail the ballot by
 447 nonforwardable, return-if-undeliverable mail to any other
 448 address the elector specifies in the request.

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449 2. By forwardable mail to voters who are entitled to vote
450 by absentee ballot under the Uniformed and Overseas Citizens
451 Voting Act.

452 3. By personal delivery to the elector, upon presentation
453 of the identification required in s. 101.657.

454 4. By delivery to a designee on election day or up to 4
455 days prior to the day of an election. Any elector may designate
456 in writing a person to pick up the ballot for the elector;
457 however, the person designated may not pick up more than two
458 absentee ballots per election, other than the designee's own
459 ballot, except that additional ballots may be picked up for
460 members of the designee's immediate family. For purposes of this
461 section, "immediate family" means the designee's spouse or the
462 parent, child, grandparent, or sibling of the designee or of the
463 designee's spouse. The designee shall provide to the supervisor
464 the written authorization by the elector and a picture
465 identification of the designee and must complete an affidavit.
466 The designee shall state in the affidavit that the designee is
467 authorized by the elector to pick up that ballot and shall
468 indicate if the elector is a member of the designee's immediate
469 family and, if so, the relationship. The department shall
470 prescribe the form of the affidavit. If the supervisor is
471 satisfied that the designee is authorized to pick up the ballot
472 and that the signature of the elector on the written
473 authorization matches the signature of the elector on file, the
474 supervisor shall give the ballot to that designee for delivery
475 to the elector.

476 Section 17. Paragraph (c) of subsection (4) of section

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477 102.014, Florida Statutes, is amended to read:

478 102.014 Poll worker recruitment and training.--

479 (4) Each supervisor of elections shall be responsible for
 480 training inspectors and clerks, subject to the following minimum
 481 requirements:

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

484 Section 18. Subsection (3) and paragraph (b) of subsection
 485 (4) of section 103.021, Florida Statutes, are amended to read:

486 103.021 Nomination for presidential electors.--Candidates
 487 for presidential electors shall be nominated in the following
 488 manner:

489 (3) Candidates for President and Vice President with no
 490 party affiliation may have their names printed on the general
 491 election ballots if a petition is signed by 1 percent of the
 492 registered electors of this state, as shown by the compilation
 493 by the Department of State for the last preceding general
 494 election. A separate petition from each county for which
 495 signatures are solicited shall be submitted to the supervisor of
 496 elections of the respective county no later than July 15 of each
 497 presidential election year. The supervisor shall check the names
 498 and, on or before the date of the ~~first~~ primary election, shall
 499 certify the number shown as registered electors of the county.
 500 The supervisor shall be paid by the person requesting the
 501 certification the cost of checking the petitions as prescribed
 502 in s. 99.097. The supervisor shall then forward the certificate
 503 to the Department of State which shall determine whether or not
 504 the percentage factor required in this section has been met.

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505 When the percentage factor required in this section has been
506 met, the Department of State shall order the names of the
507 candidates for whom the petition was circulated to be included
508 on the ballot and shall permit the required number of persons to
509 be certified as electors in the same manner as party candidates.

510 (4)

511 (b) A minor party that is not affiliated with a national
512 party holding a national convention to nominate candidates for
513 President and Vice President of the United States may have the
514 names of its candidates for President and Vice President printed
515 on the general election ballot if a petition is signed by 1
516 percent of the registered electors of this state, as shown by
517 the compilation by the Department of State for the preceding
518 general election. A separate petition from each county for which
519 signatures are solicited shall be submitted to the supervisors
520 of elections of the respective county no later than July 15 of
521 each presidential election year. The supervisor shall check the
522 names and, on or before the date of the ~~first~~ primary election,
523 shall certify the number shown as registered electors of the
524 county. The supervisor shall be paid by the person requesting
525 the certification the cost of checking the petitions as
526 prescribed in s. 99.097. The supervisor shall then forward the
527 certificate to the Department of State, which shall determine
528 whether or not the percentage factor required in this section
529 has been met. When the percentage factor required in this
530 section has been met, the Department of State shall order the
531 names of the candidates for whom the petition was circulated to
532 be included on the ballot and shall permit the required number

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533 of persons to be certified as electors in the same manner as
 534 other party candidates.

535 Section 19. Section 103.022, Florida Statutes, is amended
 536 to read:

537 103.022 Write-in candidates for President and Vice
 538 President.--Persons seeking to qualify for election as write-in
 539 candidates for President and Vice President of the United States
 540 may have a blank space provided on the general election ballot
 541 for their names to be written in by filing an oath with the
 542 Department of State at any time after the 57th day, but before
 543 noon of the 49th day, prior to the date of the ~~first~~ primary
 544 election in the year in which a presidential election is held.
 545 The Department of State shall prescribe the form to be used in
 546 administering the oath. The candidates shall file with the
 547 department a certificate naming the required number of persons
 548 to serve as electors. Such write-in candidates shall not be
 549 entitled to have their names on the ballot.

550 Section 20. Subsection (4) of section 103.091, Florida
 551 Statutes, is amended to read:

552 103.091 Political parties.--

553 (4) Any political party other than a minor political party
 554 may by rule provide for the membership of its state or county
 555 executive committee to be elected for 4-year terms at the ~~first~~
 556 primary election in each year a presidential election is held.
 557 The terms shall commence on the first day of the month following
 558 each presidential general election; but the names of candidates
 559 for political party offices shall not be placed on the ballot at
 560 any other election. The results of such election shall be

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561 determined by a plurality of the votes cast. In such event,
562 electors seeking to qualify for such office shall do so with the
563 Department of State or supervisor of elections not earlier than
564 noon of the 57th day, or later than noon of the 53rd day,
565 preceding the ~~first~~ primary election. The outgoing chair of each
566 county executive committee shall, within 30 days after the
567 committee members take office, hold an organizational meeting of
568 all newly elected members for the purpose of electing officers.
569 The chair of each state executive committee shall, within 60
570 days after the committee members take office, hold an
571 organizational meeting of all newly elected members for the
572 purpose of electing officers.

573 Section 21. Subsection (1) of section 105.031, Florida
574 Statutes, is amended to read:

575 105.031 Qualification; filing fee; candidate's oath; items
576 required to be filed.--

577 (1) TIME OF QUALIFYING.--Except for candidates for
578 judicial office, nonpartisan candidates for multicounty office
579 shall qualify with the Division of Elections of the Department
580 of State and nonpartisan candidates for countywide or less than
581 countywide office shall qualify with the supervisor of
582 elections. Candidates for judicial office other than the office
583 of county court judge shall qualify with the Division of
584 Elections of the Department of State, and candidates for the
585 office of county court judge shall qualify with the supervisor
586 of elections of the county. Candidates for judicial office shall
587 qualify no earlier than noon of the 120th day, and no later than
588 noon of the 116th day, before the ~~first~~ primary election.

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589 Candidates for the office of school board member shall qualify
 590 no earlier than noon of the 50th day, and no later than noon of
 591 the 46th day, before the ~~first~~ primary election. Filing shall be
 592 on forms provided for that purpose by the Division of Elections
 593 and furnished by the appropriate qualifying officer. Any person
 594 seeking to qualify by the alternative method, as set forth in s.
 595 105.035, if the person has submitted the necessary petitions by
 596 the required deadline and is notified after the fifth day prior
 597 to the last day for qualifying that the required number of
 598 signatures has been obtained, shall be entitled to subscribe to
 599 the candidate's oath and file the qualifying papers at any time
 600 within 5 days from the date he or she is notified that the
 601 necessary number of signatures has been obtained. Any person
 602 other than a write-in candidate who qualifies within the time
 603 prescribed in this subsection shall be entitled to have his or
 604 her name printed on the ballot.

605 Section 22. Subsections (1) and (2) of section 105.041,
 606 Florida Statutes, are amended to read:

607 105.041 Form of ballot.--

608 (1) BALLOTS.--The names of candidates for nonpartisan
 609 ~~judicial office and candidates for the office of school board~~
 610 ~~member~~ which appear on the ballot at the ~~first~~ primary election
 611 shall ~~either~~ be grouped together on a separate portion of the
 612 ballot or on a separate ballot. The names of candidates for
 613 election to nonpartisan judicial office and ~~candidates for the~~
 614 ~~office of school board member~~ which appear on the ballot at the
 615 general election and the names of justices and judges seeking
 616 retention to office shall be grouped together on a separate

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617 | portion of the general election ballot.

618 | (2) LISTING OF CANDIDATES.--

619 | (a) Except as provided in paragraph (b), the order of
 620 | nonpartisan offices appearing on the ballot shall be determined
 621 | by the Department of State. The names of candidates for election
 622 | to each nonpartisan office shall be listed in alphabetical
 623 | order. With respect to retention of justices and judges, the
 624 | question "Shall Justice (or Judge) (name of justice or judge) of
 625 | the (name of the court) be retained in office?" shall appear on
 626 | the ballot in alphabetical order and thereafter the words "Yes"
 627 | and "No."

628 | (b)1. The names of candidates for the office of circuit
 629 | judge shall be listed on the ~~first~~ primary election ballot in
 630 | the order determined by lot conducted by the director of the
 631 | Division of Elections of the Department of State after the close
 632 | of the qualifying period.

633 | 2. Candidates who have secured a position on the general
 634 | election ballot, after having survived elimination at the ~~first~~
 635 | primary election, shall have their names listed in the same
 636 | order as on the ~~first~~ primary election ballot, notwithstanding
 637 | the elimination of any intervening names as a result of the
 638 | ~~first~~ primary election.

639 | Section 23. Paragraph (b) of subsection (1) of section
 640 | 105.051, Florida Statutes, is amended to read:

641 | 105.051 Determination of election or retention to
 642 | office.--

643 | (1) ELECTION.--In circuits and counties holding elections:

644 | (b) If two or more candidates, neither of whom is a write-

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645 in candidate, qualify for such an office, the names of those
646 candidates shall be placed on the ballot at the ~~first~~ primary
647 election. If any candidate for such office receives a majority
648 of the votes cast for such office in the ~~first~~ primary election,
649 the name of the candidate who receives such majority shall not
650 appear on any other ballot unless a write-in candidate has
651 qualified for such office. An unopposed candidate shall be
652 deemed to have voted for himself or herself at the general
653 election. If no candidate for such office receives a majority of
654 the votes cast for such office in the ~~first~~ primary election,
655 the names of the two candidates receiving the highest number of
656 votes for such office shall be placed on the general election
657 ballot. If more than two candidates receive an equal and highest
658 number of votes, the name of each candidate receiving an equal
659 and highest number of votes shall be placed on the general
660 election ballot. In any contest in which there is a tie for
661 second place and the candidate placing first did not receive a
662 majority of the votes cast for such office, the name of the
663 candidate placing first and the name of each candidate tying for
664 second shall be placed on the general election ballot.

665 Section 24. Paragraphs (a) and (b) of subsection (1) of
666 section 106.07, Florida Statutes, are amended to read:

667 106.07 Reports; certification and filing.--

668 (1) Each campaign treasurer designated by a candidate or
669 political committee pursuant to s. 106.021 shall file regular
670 reports of all contributions received, and all expenditures
671 made, by or on behalf of such candidate or political committee.
672 Reports shall be filed on the 10th day following the end of each

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673 calendar quarter from the time the campaign treasurer is
674 appointed, except that, if the 10th day following the end of a
675 calendar quarter occurs on a Saturday, Sunday, or legal holiday,
676 the report shall be filed on the next following day which is not
677 a Saturday, Sunday, or legal holiday. Quarterly reports shall
678 include all contributions received and expenditures made during
679 the calendar quarter which have not otherwise been reported
680 pursuant to this section.

681 (a) Except as provided in paragraph (b), following the
682 last day of qualifying for office, the reports shall be filed on
683 the 32nd, 18th, and 4th days immediately preceding the ~~first~~
684 primary and on the 46th, 32nd, 18th, and 4th days immediately
685 preceding the ~~second primary and general~~ election, for a
686 candidate who is opposed in seeking nomination or election to
687 any office, for a political committee, or for a committee of
688 continuous existence.

689 (b) Following the last day of qualifying for office, any
690 statewide candidate who has requested to receive contributions
691 from the Election Campaign Financing Trust Fund or any statewide
692 candidate in a race with a candidate who has requested to
693 receive contributions from the trust fund shall file reports on
694 the 4th, 11th, 18th, 25th, and 32nd days prior to the ~~first~~
695 primary election and ~~general elections~~, and on the 4th, 11th,
696 18th, ~~and~~ 25th, 32nd, 39th, 46th, and 53rd days prior to the
697 general election ~~second primary~~.

698 Section 25. Paragraph (c) of subsection (1) of section
699 106.08, Florida Statutes, is amended to read:

700 106.08 Contributions; limitations on.--

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701 (1)
 702 (c) The contribution limits of this subsection apply to
 703 each election. For purposes of this subsection, the ~~first~~
 704 primary election, ~~second primary~~, and general election are
 705 separate elections so long as the candidate is not an unopposed
 706 candidate as defined in s. 106.011(15). However, for the purpose
 707 of contribution limits with respect to candidates for retention
 708 as a justice or judge, there is only one election, which is the
 709 general election. ~~With respect to candidates in a circuit~~
 710 ~~holding an election for circuit judge or in a county holding an~~
 711 ~~election for county court judge, there are only two elections,~~
 712 ~~which are the first primary election and general election.~~

713 Section 26. Subsection (1) of section 106.29, Florida
 714 Statutes, is amended to read:

715 106.29 Reports by political parties; restrictions on
 716 contributions and expenditures; penalties.--

717 (1) The state executive committee and each county
 718 executive committee of each political party regulated by chapter
 719 103 shall file regular reports of all contributions received and
 720 all expenditures made by such committee. Such reports shall
 721 contain the same information as do reports required of
 722 candidates by s. 106.07 and shall be filed on the 10th day
 723 following the end of each calendar quarter, except that, during
 724 the period from the last day for candidate qualifying until the
 725 general election, such reports shall be filed on the Friday
 726 immediately preceding both the ~~first~~ primary election, ~~the~~
 727 ~~second primary election~~, and the general election. Each state
 728 executive committee shall file the original and one copy of its

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729 | reports with the Division of Elections. Each county executive
730 | committee shall file its reports with the supervisor of
731 | elections in the county in which such committee exists. Any
732 | state or county executive committee failing to file a report on
733 | the designated due date shall be subject to a fine as provided
734 | in subsection (3). No separate fine shall be assessed for
735 | failure to file a copy of any report required by this section.
736 | Section 27. This act shall take effect January 1, 2006.