

By Senator Sebesta

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to Section 5 of Article VI of the State Constitution to prescribe additional circumstances in which electors may vote in a primary election regardless of party affiliation.

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

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

ARTICLE VI

SUFFRAGE AND ELECTIONS

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

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

(b) If all candidates for an office have the same party affiliation and the winner will have either no 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; ADDITIONAL
9 CIRCUMSTANCES.--Proposing an amendment to the State
10 Constitution that will permit all electors regardless of party
11 affiliation to vote in any primary election 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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