

1 A bill to be entitled
 2 An act relating to elections; amending s. 99.012, F.S.;
 3 requiring the name of any person who does not comply with
 4 certain candidate qualifying requirements to be removed
 5 from the ballot; amending s. 99.061, F.S.; revising the
 6 deadline by which persons seeking election to certain
 7 offices must qualify; adding a requirement for
 8 qualification as a candidate for office relating to
 9 residency; providing for challenges to qualifications;
 10 amending s. 106.021, F.S.; providing a penalty for
 11 violating a provision relating to campaign contributions
 12 or expenditures through campaign treasurers; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

17 Section 1. Paragraph (a) of subsection (3) and subsection
 18 (6) of section 99.012, Florida Statutes, are amended to read:
 19 99.012 Restrictions on individuals qualifying for public
 20 office.--

21 (3) (a) An ~~No~~ officer may not qualify as a candidate for
 22 another public office, whether state, district, county, or
 23 municipal, if the terms or any part thereof run concurrently
 24 with each other, without resigning from the office he or she
 25 presently holds.

26 (6) The name of any person who does not comply with this
 27 section shall ~~may~~ be removed from every ballot on which it

28 | appears when ordered by a circuit court upon the petition of an
 29 | elector or the Department of State.

30 | Section 2. Subsection (1) of section 99.061, Florida
 31 | Statutes, is amended, present subsection (10) is renumbered as
 32 | subsection (14), and new subsections (10), (11), (12), and (13)
 33 | are added to said section, to read:

34 | 99.061 Method of qualifying for nomination or election to
 35 | federal, state, county, or district office.--

36 | (1) The provisions of any special act to the contrary
 37 | notwithstanding, each person seeking to qualify for nomination
 38 | or election to a federal, state, or multicounty district office,
 39 | other than election to a judicial office as defined in chapter
 40 | 105 or the office of school board member, shall file his or her
 41 | qualification papers with, and pay the qualifying fee, which
 42 | shall consist of the filing fee and election assessment, and
 43 | party assessment, if any has been levied, to, the Department of
 44 | State, or qualify by the petition process pursuant to s. 99.095
 45 | with the Department of State, at any time after noon of the 1st
 46 | day for qualifying, which shall be as follows: the 120th day
 47 | prior to the primary election, but not later than noon of the
 48 | 116th day prior to the date of the primary election, for persons
 49 | seeking to qualify for nomination or election to federal office,
 50 | or to the office of the state attorney or the public defender,
 51 | or, ~~and noon of the 50th day prior to the primary election, but~~
 52 | ~~not later than noon of the 46th day prior to the date of the~~
 53 | ~~primary election, for persons seeking to qualify for nomination~~
 54 | ~~or election~~ to a state or multicounty district office, other
 55 | than the office of the state attorney or the public defender.

56 (10) Each candidate shall, at the time he or she
57 qualifies, be a resident of the area from which the candidate
58 seeks to represent if elected.

59 (11) Any challenge to qualifications shall be filed with
60 the Department of State no later than 10 days after a candidate
61 files qualification papers.

62 (12) The filing of qualification papers shall constitute
63 the appointment of the Department of State as an agent of the
64 candidate for service of process in any action or proceeding
65 against the candidate related to the candidate's qualifications.

66 (13) A court hearing on any challenge to qualifications
67 shall be set within 15 days after service of process on either
68 the candidate or the Department of State is perfected.

69 Section 3. Subsection (3) of section 106.021, Florida
70 Statutes, is amended to read:

71 106.021 Campaign treasurers; deputies; primary and
72 secondary depositories.--

73 (3) No contribution or expenditure, including
74 contributions or expenditures of a candidate or of the
75 candidate's family, shall be directly or indirectly made or
76 received in furtherance of the candidacy of any person for
77 nomination or election to political office in the state or on
78 behalf of any political committee except through the duly
79 appointed campaign treasurer of the candidate or political
80 committee, subject to the following exceptions:

81 (a) Independent expenditures;

82 (b) Reimbursements to a candidate or any other individual
83 for expenses incurred in connection with the campaign or

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84 activities of the political committee by a check drawn upon the
85 campaign account and reported pursuant to s. 106.07(4). After
86 July 1, 2004, the full name and address of each person to whom
87 the candidate or other individual made payment for which
88 reimbursement was made by check drawn upon the campaign account
89 shall be reported pursuant to s. 106.07(4), together with the
90 purpose of such payment;

91 (c) Expenditures made indirectly through a treasurer for
92 goods or services, such as communications media placement or
93 procurement services, campaign signs, insurance, or other
94 expenditures that include multiple integral components as part
95 of the expenditure and reported pursuant to s. 106.07(4)(a)13.;
96 or

97 (d) Expenditures made directly by any political committee
98 or political party regulated by chapter 103 for obtaining time,
99 space, or services in or by any communications medium for the
100 purpose of jointly endorsing three or more candidates, and any
101 such expenditure shall not be considered a contribution or
102 expenditure to or on behalf of any such candidates for the
103 purposes of this chapter.

104
105 Any person or candidate who accepts a contribution or makes an
106 expenditure in violation of this subsection is automatically
107 disqualified from the office sought and commits a misdemeanor of
108 the second degree, punishable as provided in s. 775.082 or s.
109 775.083.

110 Section 4. This act shall take effect July 1, 2007.