

By the Committees on Transportation and Economic Development
Appropriations; Ethics and Elections; and Senators Constantine
and Ring

606-2667-07

1 A bill to be entitled
2 An act relating to elections; amending s.
3 97.021, F.S.; redefining the term "third-party
4 registration organization"; amending s.
5 97.0575, F.S.; revising fines applicable to
6 violations of requirements relating to
7 third-party voter registrations; amending s.
8 103.121, F.S.; revising the dates relating to
9 the presidential preference primary; amending
10 s. 101.75, F.S.; authorizing municipalities to
11 move their election date by ordinance to
12 coincide with the presidential preference
13 primary; amending s. 101.151, F.S.; authorizing
14 the use of ballot-on-demand technology to
15 produce certain marksense ballots; creating s.
16 101.56075, F.S.; requiring all voting to be by
17 marksense ballot; providing an exemption for
18 voters with disabilities; requiring voter
19 interface devices for individuals with
20 disabilities by a specified date; amending s.
21 101.5612, F.S.; requiring the use of certain
22 marksense ballots for pre-election testing;
23 amending s. 101.591, F.S.; requiring
24 post-election, random audits of voting systems;
25 providing general audit procedures; mandating
26 that audit results be reported to the
27 Department of State; prescribing requirements
28 for audit reports; granting rulemaking
29 authority to the department to adopt detailed,
30 uniform audit procedures and a standard audit
31 reporting form; providing procedures for the

1 purchase of new voting systems and ballot
2 equipment and the disposition of existing
3 touchscreen voting systems for certain
4 counties; authorizing the Department of State
5 to purchase optical scan voting equipment and
6 ballot-on-demand equipment for certain
7 counties; appropriating funds for such purpose;
8 amending s. 97.041, F.S.; authorizing qualified
9 persons to preregister to vote on or after
10 receipt of a valid driver's license; amending
11 s. 97.053, F.S.; requiring an applicant for
12 voter registration to be notified when the
13 application cannot be verified; providing for
14 registration upon presentation of evidence of a
15 driver's license number, identification card
16 number, or the last four digits of the
17 applicant's social security number; changing
18 the time within which a person casting a
19 provisional ballot may present evidence of
20 eligibility to vote; changing the time for
21 voter registrations to be entered into the
22 statewide voter registration system; amending
23 s. 99.021, F.S.; prescribing form of oath for
24 candidates for federal office; amending s.
25 99.061, F.S.; prescribing times for qualifying
26 for nomination or election; prescribing
27 specific procedures for qualifying for special
28 district office; providing that the filing fee
29 of a candidate for a special district election
30 need not be drawn on a campaign account;
31 amending s. 99.095, F.S.; prescribing the

1 number of signatures required for a candidate
2 for special district office to qualify by
3 petition; prescribing the time for
4 certification to the Division of Elections of
5 certain candidates qualifying by petition;
6 amending s. 99.096, F.S.; changing manner of
7 candidate selection by minor political parties;
8 repealing s. 99.0965, F.S., relating to the
9 selection of minor party candidates; amending
10 s. 100.041, F.S.; prescribing the time when a
11 county commissioner is deemed elected; amending
12 s. 100.051, F.S.; revising requirements
13 relating to candidates' whose names must be
14 printed on general election ballots; amending
15 s. 100.061, F.S.; changing the date of the
16 primary election; amending s. 100.111, F.S.;
17 revising provisions relating to choosing
18 political party nominees for a special
19 election; amending s. 100.191, F.S.; revising
20 the time for canvassing special election
21 returns; amending s. 100.371, F.S.; requiring
22 initiative petition forms to be signed by the
23 constitutionally required distribution of
24 electors; amending timeframes for verifying
25 petition signatures; prescribing information
26 that must be on a petition initiative form, and
27 conditions with which the elector signing it
28 must comply, before the form may be verified;
29 providing procedures for revocation of a
30 signature on a petition form; amending s.
31 101.043, F.S.; revising forms of identification

1 | accepted at the polls; amending s. 101.048,
2 | F.S.; changing the time within which a person
3 | casting a provisional ballot may present
4 | evidence of eligibility to vote; amending s.
5 | 101.573, F.S.; changing the time for filing
6 | precinct-level election results; requiring such
7 | results to be filed with respect to special
8 | elections; prescribing requirements for such
9 | data; amending s. 101.6103, F.S.; changing the
10 | time to begin canvassing mail ballots; amending
11 | s. 101.62, F.S.; revising the period of
12 | effectiveness of a request for an absentee
13 | ballot; revising the time for sending an
14 | absentee ballot to an overseas elector;
15 | revising time period for providing absentee
16 | ballots; amending s. 101.68, F.S.; changing the
17 | time to begin canvassing absentee ballots;
18 | amending s. 102.112, F.S.; changing the
19 | deadline for submitting county returns to the
20 | Department of State; amending s. 102.141, F.S.;
21 | requiring submission of preliminary returns in
22 | certain format by election night to the
23 | Department of State; changing the time to
24 | submit unofficial returns; amending s. 102.166,
25 | F.S.; conforming a cross-reference; amending s.
26 | 103.081, F.S.; allowing political parties to
27 | file with the Department of State names of
28 | groups associated with a party; prescribing
29 | conditions on the use of those filed names;
30 | amending s. 103.091, F.S.; revising the number
31 | of and the qualifications for state

1 committeemen and committeewomen; changing the
2 times for qualifying for election to a
3 political party executive committee; amending
4 s. 103.141, F.S.; providing that officers and
5 members of a county executive committee may be
6 removed from office pursuant to s. 103.161;
7 repealing s. 103.151, F.S., relating to the
8 removal of a state executive committee member
9 for violation of the member's oath of office;
10 creating s. 103.161, F.S.; providing for the
11 removal or suspension of officers and members
12 of a state or county executive committee for
13 violation of the officer's or member's oath of
14 office; prescribing procedures for such removal
15 and restrictions after removal; amending s.
16 105.031, F.S.; changing the times for
17 qualifying for school board candidates;
18 amending s. 106.021, F.S.; revising
19 qualifications for a campaign treasurer and
20 deputy treasurer for a candidate or political
21 committee; amending s. 106.04, F.S.;
22 authorizing certain entities to collect and
23 forward membership dues to committees of
24 continuous existence; amending s. 106.055,
25 F.S.; prescribing valuation method for travel
26 on a private aircraft; amending s. 106.08,
27 F.S.; prescribing procedures for receiving and
28 transferring contributions made to political
29 committees and committees of continuous
30 existence; amending s. 106.09, F.S.; revising
31 prohibition on making or accepting a cash

1 contribution; amending s. 106.143, F.S.;

2 providing disclosure requirements for political

3 advertisements made pursuant to s.

4 106.021(3)(d), F.S.; amending s. 106.17, F.S.;

5 revising who may authorize or conduct polls or

6 surveys relating to candidates; amending s.

7 106.25, F.S.; revising requirements for

8 complaints filed alleging violations of

9 chapters 106 and 104, F.S.; revising procedures

10 after certain complaints are filed; providing

11 for the withdrawal of certain complaints;

12 providing for the Florida Elections Commission

13 to maintain a searchable database of all final

14 orders and agency actions and providing

15 requirements for such database; amending s.

16 106.35, F.S.; revising the time for the

17 Division of Elections to distribute funds to

18 candidates; amending s. 112.51, F.S.; providing

19 for filling vacancies created when a municipal

20 officer has been removed from office; repealing

21 s. 106.37, F.S., relating to willful violations

22 of campaign finance laws; amending s. 189.405,

23 F.S.; revising qualification procedures for

24 candidates for special district office;

25 amending s. 191.005, F.S.; revising

26 qualification procedures for candidates for

27 independent special fire control district

28 boards of commissioners; amending s. 582.18,

29 F.S.; revising qualification procedures for

30 candidates for soil and water conservation

31 district supervisors; amending s. 876.05, F.S.;

1 exempting candidates for federal office from
2 taking the public employees' oath; providing
3 effective dates.
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Subsection (36) of section 97.021, Florida
8 Statutes, is amended to read:

9 97.021 Definitions.--For the purposes of this code,
10 except where the context clearly indicates otherwise, the
11 term:

12 (36) "Third-party registration organization" means any
13 person, entity, or organization soliciting or collecting voter
14 registration applications. A third-party voter registration
15 organization does not include:

16 ~~(a) A political party;~~

17 (a)(b) A person who seeks only to register to vote or
18 collect voter registration applications from that person's
19 spouse, child, or parent; or

20 (b)(c) A person engaged in registering to vote or
21 collecting voter registration applications as an employee or
22 agent of the division, supervisor of elections, Department of
23 Highway Safety and Motor Vehicles, or a voter registration
24 agency.

25 Section 2. Subsection (3) of section 97.0575, Florida
26 Statutes, is amended to read:

27 97.0575 Third-party voter registrations.--

28 (3) A third-party voter registration organization that
29 collects voter registration applications serves as a fiduciary
30 to the applicant, ensuring that any voter registration
31 application entrusted to the third-party voter registration

1 organization, irrespective of party affiliation, race,
2 ethnicity, or gender shall be promptly delivered to the
3 division or the supervisor of elections. If a voter
4 registration application collected by any third-party voter
5 registration organization is not promptly delivered to the
6 division or supervisor of elections, the ~~individual collecting~~
7 ~~the voter registration application, the registered agent, and~~
8 ~~those individuals responsible for the day to day operation of~~
9 ~~the third-party voter registration organization, including, if~~
10 ~~applicable, the entity's board of directors, president, vice~~
11 ~~president, managing partner, or such other individuals engaged~~
12 ~~in similar duties or functions,~~ shall be ~~personally and~~
13 ~~jointly and severally~~ liable for the following fines:

14 (a) A fine in the amount of ~~\$50~~\$250 for each
15 application received by the division or the supervisor of
16 elections more than 10 days after the applicant delivered the
17 completed voter registration application to the third-party
18 voter registration organization or any person, entity, or
19 agent acting on its behalf. A fine in the amount of \$250 for
20 each application received if the third-party registration
21 organization or person, entity, or agency acting on its behalf
22 acted willfully.

23 (b) A fine in the amount of ~~\$100~~\$500 for each
24 application collected by a third-party voter registration
25 organization or any person, entity, or agent acting on its
26 behalf, prior to book closing for any given election for
27 federal or state office and received by the division or the
28 supervisor of elections after the book closing deadline for
29 such election. A fine in the amount of \$500 for each
30 application received if the third-party registration
31

1 organization or person, entity, or agency acting on its behalf
2 acted willfully.

3 (c) A fine in the amount of ~~\$500~~\$5,000 for each
4 application collected by a third-party voter registration
5 organization or any person, entity, or agent acting on its
6 behalf, which is not submitted to the division or supervisor
7 of elections. A fine in the amount of \$2,500 for each
8 application not submitted if the third-party registration
9 organization or person, entity, or agency acting on its behalf
10 acted willfully.

11
12 The fines provided in this subsection shall be reduced by
13 three-fourths in cases in which the third-party voter
14 registration organization has complied with subsection (1).
15 The secretary shall waive the fines described in this
16 subsection upon a showing that the failure to deliver the
17 voter registration application promptly is based upon force
18 majeure or impossibility of performance.

19 Section 3. Effective July 1, 2007, subsections (1),
20 (2), (3), and (6) of section 103.101, Florida Statutes, are
21 amended to read:

22 103.101 Presidential preference primary.--

23 (1) Each political party other than a minor political
24 party shall, on the ~~last second~~ last Tuesday in ~~January~~ March in
25 each year the number of which is a multiple of 4, elect one
26 person to be the candidate for nomination of such party for
27 President of the United States or select delegates to the
28 national nominating convention, as provided by party rule.

29 (2) There shall be a Presidential Candidate Selection
30 Committee composed of the Secretary of State, who shall be a
31 nonvoting chair; the Speaker of the House of Representatives;

1 | the President of the Senate; the minority leader of each house
2 | of the Legislature; and the chair of each political party
3 | required to have a presidential preference primary under this
4 | section.

5 | (a) By October ~~December~~ 31 of the year preceding the
6 | ~~Florida~~ presidential preference primary, each political party
7 | shall submit to the Secretary of State a list of its
8 | presidential candidates to be placed on the presidential
9 | preference primary ballot or candidates entitled to have
10 | delegates appear on the presidential preference primary
11 | ballot. The Secretary of State shall prepare and publish a
12 | list of the names of the presidential candidates submitted.
13 | The Secretary of State shall submit such list of names of
14 | presidential candidates to the selection committee on the
15 | first Tuesday after the first Monday in November of the
16 | ~~January each year preceding the~~ a presidential preference
17 | primary ~~election is held~~. Each person designated as a
18 | presidential candidate shall have his or her name appear, or
19 | have his or her delegates' names appear, on the presidential
20 | preference primary ballot unless all committee members of the
21 | same political party as the candidate agree to delete such
22 | candidate's name from the ballot. The selection committee
23 | shall meet in Tallahassee on the first Tuesday after the first
24 | Monday in November of the ~~January each year preceding the~~ a
25 | presidential preference primary ~~is held~~. The selection
26 | committee shall publicly announce and submit to the Department
27 | of State no later than 5 p.m. on the following day the names
28 | of presidential candidates who shall have their names appear,
29 | or who are entitled to have their delegates' names appear, on
30 | the presidential preference primary ballot. The Department of
31 | State shall immediately notify each presidential candidate

1 designated by the committee. Such notification shall be in
2 writing, by registered mail, with return receipt requested.

3 (b) Any presidential candidate whose name does not
4 appear on the list submitted to the Secretary of State may
5 request that the selection committee place his or her name on
6 the ballot. Such request shall be made in writing to the
7 Secretary of State no later than the second Tuesday after the
8 first Monday in November of the year preceding the
9 presidential preference primary ~~January~~.

10 (c) If a presidential candidate makes a request that
11 the selection committee reconsider placing the candidate's
12 name on the ballot, the selection committee will reconvene no
13 later than the second Thursday after the first Monday in
14 November of the year preceding the presidential preference
15 primary ~~January~~ to reconsider placing the candidate's name on
16 the ballot. The Department of State shall immediately notify
17 such candidate of the selection committee's decision.

18 (3) A candidate's name shall be printed on the
19 presidential preference primary ballot unless the candidate
20 submits to the Department of State, prior to the second
21 Tuesday after the first Monday in November of the year
22 preceding the presidential preference primary ~~January~~, an
23 affidavit stating that he or she is not now, and does not
24 presently intend to become, a candidate for President at the
25 upcoming nominating convention. If a candidate withdraws
26 pursuant to this subsection, the Department of State shall
27 notify the state executive committee that the candidate's name
28 will not be placed on the ballot. The Department of State
29 shall, no later than the third Tuesday after the first Monday
30 in November of the year preceding the presidential preference
31 primary ~~January~~, certify to each supervisor of elections the

1 name of each candidate for political party nomination to be
2 printed on the ballot.

3 (6) Delegates must qualify no later than the second
4 Friday in November of the year preceding the presidential
5 preference primary ~~January~~ in the manner provided by party
6 rule.

7 Section 4. Effective July 1, 2007, subsection (3) is
8 added to section 101.75, Florida Statutes, to read:

9 101.75 Municipal elections; change of dates for
10 cause.--

11 (3) Notwithstanding any provision of local law, for
12 any municipality whose election is scheduled to be held in
13 March 2008, the governing body of the municipality,
14 notwithstanding any municipal charter provision, may, by
15 ordinance, move the date of the general municipal election in
16 2008 and in each subsequent year that is a multiple of 4 to
17 the date concurrent with the presidential preference primary.
18 The dates for qualifying for the general municipal election
19 moved by the passage of such an ordinance shall be
20 specifically provided for in the ordinance and shall run for
21 no less than 14 days. The term of office for any elected
22 municipal official shall commence as provided by the relevant
23 municipal charter or ordinance, and the term of office for any
24 elected municipal official whose term was due to expire in
25 March 2008 shall expire as provided by the relevant municipal
26 charter or ordinance.

27 Section 5. Effective July 1, 2008, subsection (1) of
28 section 101.151, Florida Statutes, is amended to read:

29 101.151 Specifications for ballots.--

30 (1)(a) Marksense ballots shall be printed on paper of
31 such thickness that the printing cannot be distinguished from

1 the back and shall meet the specifications of the voting
2 system that will be used to tabulate the ballots.

3 (b) Early voting sites may employ a ballot-on-demand
4 production system to print individual marksense ballots,
5 including provisional ballots, for eligible electors pursuant
6 to s. 101.657. Ballot-on-demand technology may be used to
7 produce marksense absentee ballots. Not later than 30 days
8 before an election, the Secretary of State may also authorize
9 in writing the use of ballot-on-demand technology for the
10 production of election-day ballots.

11 Section 6. Effective July 1, 2008, section 101.56075,
12 Florida Statutes, is created to read:

13 101.56075 Voting methods.--

14 (1) Except as provided in subsection (2), all voting
15 shall be by marksense ballot utilizing a marking device for
16 the purpose of designating ballot selections.

17 (2) Persons with disabilities may vote on a voter
18 interface device that meets the voting system accessibility
19 requirements for individuals with disabilities pursuant to
20 section 301 of the federal Help America Vote Act of 2002 and
21 s. 101.56062.

22 (3) By 2012, persons with disabilities shall vote on a
23 voter interface device that meets the voter accessibility
24 requirements for individuals with disabilities under section
25 301 of the federal Help America Vote Act of 2002 and s.
26 101.56062, which are consistent with subsection (1) of this
27 section.

28 Section 7. Effective July 1, 2008, subsection (5) is
29 added to section 101.5612, Florida Statutes, to read:

30 101.5612 Testing of tabulating equipment.--

1 (5) Any tests involving marksense ballots pursuant to
2 this section shall employ pre-printed ballots, if pre-printed
3 ballots will be used in the election, and ballot-on-demand
4 ballots, if ballot-on-demand technology will be used to
5 produce ballots in the election, or both.

6 Section 8. Effective July 1, 2008, section 101.591,
7 Florida Statutes, is amended to read:

8 (Substantial rewording of section. See
9 s. 101.591, F.S., for present text.)

10 101.591 Voting system audit.--

11 (1) Immediately following the certification of each
12 election, the county canvassing board or the local board
13 responsible for certifying the election shall conduct a manual
14 audit of the voting systems used in randomly selected
15 precincts.

16 (2) The audit shall consist of a public manual tally
17 of the votes cast in the "President and Vice President" or
18 "Governor and Lieutenant Governor" race that appears at the
19 top of the ballot or, if neither appears, the first race
20 appearing on the ballot pursuant to s. 101.151(2), or, in the
21 case of a purely municipal election, the first municipal race
22 or issue on that ballot. The tally shall include election-day,
23 absentee, early voting, provisional, and overseas ballots, in
24 at least 1 percent but no more than 2 percent of the precincts
25 chosen at random by the county canvassing board or the local
26 board responsible for certifying the election. If 1 percent of
27 the precincts is less than one entire precinct, the audit
28 shall be conducted using at least one precinct chosen at
29 random by the county canvassing board or the local board
30 responsible for certifying the election. Such precincts shall
31 be selected at a publicly-noticed canvassing board meeting.

1 (3) The canvassing board shall post a notice of the
2 audit, including the date, time, and place, in four
3 conspicuous places in the county and on the home page of the
4 county supervisor of elections web site.

5 (4) The audit must be completed and the results made
6 public no later than 11:59 p.m. on the 7th day following
7 certification of the election by the county canvassing board
8 or the local board responsible for certifying the election.

9 (5) Within 15 days after completion of the audit, the
10 county canvassing board or the board responsible for
11 certifying the election shall provide a report with the
12 results of the audit to the Department of State in a standard
13 format as prescribed by the department. The report shall
14 contain, but is not limited to, the following items:

15 (a) The overall accuracy of audit.

16 (b) A description of any problems or discrepancies
17 encountered.

18 (c) The likely cause of such problems or
19 discrepancies.

20 (d) Recommended corrective action with respect to
21 avoiding or mitigating such circumstances in future elections.

22 Section 9. Effective upon this act becoming a law, the
23 Department of State shall adopt rules to implement the
24 provisions of s. 101.591, Florida Statutes, as amended by
25 section 4 which prescribe detailed audit procedures for each
26 voting system, which shall be uniform to the extent
27 practicable, along with the standard form for audit reports.

28 Section 10. Effective upon this act becoming a law:

29 (1) Notwithstanding ss. 101.292-101.295 and s.
30 101.5604, Florida Statutes, as a condition of the state
31 purchasing optical scan voting equipment and ballot-on-demand

1 equipment to replace touchscreen equipment as provided in
2 section 7, each recipient county hereby authorizes the
3 Secretary of State to act as its agent to negotiate the
4 purchase of new equipment and the sale, exchange, or other
5 disposition of existing touchscreen voting equipment that is
6 not necessary to conduct voting for individuals with
7 disabilities. Further, each such county hereby designates the
8 Secretary of State as the authorized recipient of all proceeds
9 realized from the sale, exchange, or other disposition of the
10 voting equipment up to and including the state's cost to fund
11 the county's new equipment. The secretary shall deposit the
12 proceeds in the Grants and Donations Trust Fund within 60 days
13 after the sale, exchange, or other disposition.

14 (2) A county commission may choose to opt out of this
15 state funding scheme by filing a notice to that effect with
16 the Department of State no later than June 30, 2007. Any
17 county choosing to opt out shall continue to be governed by
18 the provisions of ss. 101.292-101.295 and s. 101.5604, Florida
19 Statutes, with respect to the purchase of new voting systems
20 and equipment.

21 Section 11. Effective July 1, 2007:

22 (1) The Department of State is authorized to purchase:

23 (a) Election-day optical scan voting equipment, for
24 the following counties: Broward, Charlotte, Collier,
25 Hillsborough, Indian River, Lake, Lee, Martin, Miami-Dade,
26 Nassau, Palm Beach, Pasco, Pinellas, Sarasota, and Sumter.

27 (b) Ballot-on-demand equipment for use at early voting
28 sites, including optical scan tabulators, for the following
29 counties: Bay, Brevard, Broward, Charlotte, Clay, Collier,
30 Escambia, Hillsborough, Indian River, Jackson, Lake, Lee,
31 Levy, Marion, Martin, Miami-Dade, Nassau, Okaloosa, Orange,

1 Osceola, Palm Beach, Pasco, Pinellas, Santa Rosa, Sarasota,
2 St. Johns, Sumter, Taylor, and Washington.

3 (2) The sum of \$27,861,850 is appropriated from the
4 Grants and Donations Trust Fund to the Division of Elections
5 within the Department of State for the purpose of implementing
6 this section.

7 Section 12. Paragraph (b) of subsection (1) of section
8 97.041, Florida Statutes, is amended to read:

9 97.041 Qualifications to register or vote.--

10 (1)

11 (b) A person who is otherwise qualified may
12 preregister on or after that person's 17th birthday or receipt
13 of a valid Florida driver's license, whichever occurs earlier,
14 and may vote in any election occurring on or after that
15 person's 18th birthday.

16 Section 13. Subsections (6) and (7) of section 97.053,
17 Florida Statutes, are amended to read:

18 97.053 Acceptance of voter registration
19 applications.--

20 (6) A voter registration application may be accepted
21 as valid only after the department has verified the
22 authenticity or nonexistence of the driver's license number,
23 the Florida identification card number, or the last four
24 digits of the social security number provided by the
25 applicant. If a completed voter registration application has
26 been received by the book-closing deadline but the driver's
27 license number, the Florida identification card number, or the
28 last four digits of the social security number provided by the
29 applicant cannot be verified, the applicant shall be notified
30 that the application is incomplete and that the voter must
31 provide evidence to the supervisor sufficient to verify the

1 authenticity of the number provided on the application. If the
2 voter provides the necessary evidence, the supervisor shall
3 place the voter's name on the registration rolls as an active
4 voter. If the voter has not provided the necessary evidence or
5 the number has not otherwise been verified prior to the
6 applicant presenting himself or herself to vote, the applicant
7 shall be provided a provisional ballot. The provisional ballot
8 shall be counted only if the application is verified by the
9 end of the canvassing period or if the applicant presents
10 evidence to the supervisor of elections sufficient to verify
11 the authenticity of the driver's license number, Florida
12 identification card number, or last four digits of the social
13 security number provided on the application no later than 5
14 p.m. of the second ~~third~~ day following the election.

15 (7) All voter registration applications received by a
16 voter registration official shall be entered into the
17 statewide voter registration system within 13 ~~15~~ days after
18 receipt. Once entered, the application shall be immediately
19 forwarded to the appropriate supervisor of elections.

20 Section 14. Paragraph (a) of subsection (1) of section
21 99.021, Florida Statutes, is amended to read:

22 99.021 Form of candidate oath.--

23 (1)(a)1. Each candidate, whether a party candidate, a
24 candidate with no party affiliation, or a write-in candidate,
25 in order to qualify for nomination or election to any office
26 other than a judicial office as defined in chapter 105 or a
27 federal office, shall take and subscribe to an oath or
28 affirmation in writing. A printed copy of the oath or
29 affirmation shall be furnished to the candidate by the officer
30 before whom such candidate seeks to qualify and shall be
31 substantially in the following form:

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State of Florida
County of....

Before me, an officer authorized to administer oaths, personally appeared ...(please print name as you wish it to appear on the ballot)..., to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is a qualified elector of County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes.

...(Signature of candidate)...
...(Address)...

Sworn to and subscribed before me this day of, ...(year)..., at County, Florida.

...(Signature and title of officer administering oath)...

2. Each candidate for federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to office shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the officer

1 before whom such candidate seeks to qualify and shall be
2 substantially in the following form:

3
4 State of Florida

5 County of _____

6 Before me, an officer authorized to administer oaths,
7 personally appeared (please print name as you wish it to
8 appear on the ballot), to me well known, who, being sworn,
9 says that he or she is a candidate for the office of
10 _____ ; that he or she is qualified under the Constitution
11 and laws of the United States to hold the office to which he
12 or she desires to be nominated or elected; that he or she has
13 qualified for no other public office in the state, the term of
14 which office or any part thereof runs concurrent with that of
15 the office he or she seeks; and that he or she has resigned
16 from any office from which he or she is required to resign
17 pursuant to s. 99.012, Florida Statutes.

18 _____ (Signature of candidate)

19 _____ (Address)

20
21 Sworn to and subscribed before me this _____ day of
22 (year), at _____ County, Florida.

23 ...(Signature and title of officer administering oath)...

24 Section 15. Section 99.061, Florida Statutes, is
25 amended to read:

26 99.061 Method of qualifying for nomination or election
27 to federal, state, county, or district office.--

28 (1) The provisions of any special act to the contrary
29 notwithstanding, each person seeking to qualify for nomination
30 or election to a federal, state, or multicounty district
31 office, other than election to a judicial office as defined in

1 chapter 105 or the office of school board member, shall file
2 his or her qualification papers with, and pay the qualifying
3 fee, which shall consist of the filing fee and election
4 assessment, and party assessment, if any has been levied, to,
5 the Department of State, or qualify by the petition process
6 pursuant to s. 99.095 with the Department of State, at any
7 time after noon of the 1st day for qualifying, which shall be
8 as follows: the 120th day prior to the primary election, but
9 not later than noon of the 116th day prior to the date of the
10 primary election, for persons seeking to qualify for
11 nomination or election to federal office or to the office of
12 the state attorney or the public defender; and noon of the
13 71st ~~50th~~ day prior to the primary election, but not later
14 than noon of the 67th ~~46th~~ day prior to the date of the
15 primary election, for persons seeking to qualify for
16 nomination or election to a state or multicounty district
17 office, other than the office of the state attorney or the
18 public defender.

19 (2) The provisions of any special act to the contrary
20 notwithstanding, each person seeking to qualify for nomination
21 or election to a county office, or district ~~or special~~
22 ~~district~~ office not covered by subsection (1), shall file his
23 or her qualification papers with, and pay the qualifying fee,
24 which shall consist of the filing fee and election assessment,
25 and party assessment, if any has been levied, to, the
26 supervisor of elections of the county, or shall qualify by the
27 petition process pursuant to s. 99.095 with the supervisor of
28 elections, at any time after noon of the 1st day for
29 qualifying, which shall be the 71st ~~50th~~ day prior to the
30 primary election ~~or special district election~~, but not later
31 than noon of the 67th ~~46th~~ day prior to the date of the

1 | ~~primary election or special district election. However, if a~~
2 | ~~special district election is held at the same time as the~~
3 | ~~general election, qualifying shall be the 50th day prior to~~
4 | ~~the primary election, but not later than noon of the 46th day~~
5 | ~~prior to the date of the primary election.~~ Within 30 days
6 | after the closing of qualifying time, the supervisor of
7 | elections shall remit to the secretary of the state executive
8 | committee of the political party to which the candidate
9 | belongs the amount of the filing fee, two-thirds of which
10 | shall be used to promote the candidacy of candidates for
11 | county offices and the candidacy of members of the
12 | Legislature.

13 | (3) Notwithstanding the provisions of any special act
14 | to the contrary, each person seeking to qualify for election
15 | to a special district office shall qualify between noon of the
16 | 71st day prior to the primary election and noon of the 67th
17 | day prior to the date of the primary election. Candidates for
18 | single county special districts shall qualify with the
19 | supervisor of elections in the county in which the district is
20 | located. If the district is a multicounty district, candidates
21 | shall qualify with the Department of State. All special
22 | district candidates shall qualify by paying a filing fee of
23 | \$25 or qualify by the petition process pursuant to s. 99.095.
24 | Notwithstanding s. 106.021, a candidate who does not collect
25 | contributions and whose only expense is the filing fee or
26 | signature verification fee is not required to appoint a
27 | campaign treasurer or designate a primary campaign depository.

28 | (4)(3)(a) Each person seeking to qualify for election
29 | to office as a write-in candidate shall file his or her
30 | qualification papers with the respective qualifying officer at
31 | any time after noon of the 1st day for qualifying, but not

1 later than noon of the last day of the qualifying period for
2 the office sought.

3 (b) Any person who is seeking election as a write-in
4 candidate shall not be required to pay a filing fee, election
5 assessment, or party assessment. A write-in candidate is ~~shall~~
6 not ~~be~~ entitled to have his or her name printed on any ballot;
7 however, space for the write-in candidate's name to be written
8 in must ~~shall~~ be provided on the general election ballot. A ~~No~~
9 person may not qualify as a write-in candidate if the person
10 has also otherwise qualified for nomination or election to
11 such office.

12 ~~(5)(4)~~ At the time of qualifying for office, each
13 candidate for a constitutional office shall file a full and
14 public disclosure of financial interests pursuant to s. 8,
15 Art. II of the State Constitution, and a candidate for any
16 other office, including local elective office, shall file a
17 statement of financial interests pursuant to s. 112.3145.

18 ~~(6)(5)~~ The Department of State shall certify to the
19 supervisor of elections, within 7 days after the closing date
20 for qualifying, the names of all duly qualified candidates for
21 nomination or election who have qualified with the Department
22 of State.

23 ~~(6)~~ ~~Notwithstanding the qualifying period prescribed~~
24 ~~in this section, if a candidate has submitted the necessary~~
25 ~~petitions by the required deadline in order to qualify by the~~
26 ~~petition process pursuant to s. 99.095 as a candidate for~~
27 ~~nomination or election and the candidate is notified after the~~
28 ~~5th day prior to the last day for qualifying that the required~~
29 ~~number of signatures has been obtained, the candidate is~~
30 ~~entitled to subscribe to the candidate's oath and file the~~
31 ~~qualifying papers at any time within 5 days from the date the~~

1 ~~candidate is notified that the necessary number of signatures~~
2 ~~has been obtained. Any candidate who qualifies within the time~~
3 ~~prescribed in this subsection is entitled to have his or her~~
4 ~~name printed on the ballot.~~

5 (7)(a) In order for a candidate to be qualified, the
6 following items must be received by the filing officer by the
7 end of the qualifying period:

8 1. A properly executed check drawn upon the
9 candidate's campaign account in an amount not less than the
10 fee required by s. 99.092 or, in lieu thereof, as applicable,
11 the copy of the notice of obtaining ballot position pursuant
12 to s. 99.095. The filing fee for a special district candidate
13 is not required to be drawn upon the candidate's campaign
14 account. If a candidate's check is returned by the bank for
15 any reason, the filing officer shall immediately notify the
16 candidate and the candidate shall, the end of qualifying
17 notwithstanding, have 48 hours from the time such notification
18 is received, excluding Saturdays, Sundays, and legal holidays,
19 to pay the fee with a cashier's check purchased from funds of
20 the campaign account. Failure to pay the fee as provided in
21 this subparagraph shall disqualify the candidate.

22 2. The candidate's oath required by s. 99.021, which
23 must contain the name of the candidate as it is to appear on
24 the ballot; the office sought, including the district or group
25 number if applicable; and the signature of the candidate, duly
26 acknowledged.

27 3. The loyalty oath required by s. 876.05, signed by
28 the candidate and duly acknowledged.

29 4. If the office sought is partisan, the written
30 statement of political party affiliation required by s.
31 99.021(1)(b).

1 5. The completed form for the appointment of campaign
2 treasurer and designation of campaign depository, as required
3 by s. 106.021.

4 6. The full and public disclosure or statement of
5 financial interests required by subsection(5)(4). A public
6 officer who has filed the full and public disclosure or
7 statement of financial interests with the Commission on Ethics
8 or the supervisor of elections prior to qualifying for office
9 may file a copy of that disclosure at the time of qualifying.

10 (b) If the filing officer receives qualifying papers
11 that do not include all items as required by paragraph (a)
12 prior to the last day of qualifying, the filing officer shall
13 make a reasonable effort to notify the candidate of the
14 missing or incomplete items and shall inform the candidate
15 that all required items must be received by the close of
16 qualifying. A candidate's name as it is to appear on the
17 ballot may not be changed after the end of qualifying.

18 (8) Notwithstanding the qualifying period prescribed
19 in this section, a qualifying office may accept and hold
20 qualifying papers submitted not earlier than 14 days prior to
21 the beginning of the qualifying period, to be processed and
22 filed during the qualifying period.

23 (9) Notwithstanding the qualifying period prescribed
24 by this section, in each year in which the Legislature
25 apportions the state, the qualifying period for persons
26 seeking to qualify for nomination or election to federal
27 office shall be between noon of the 71st ~~57th~~ day prior to the
28 primary election, but not later than noon of the 67th ~~53rd~~ day
29 prior to the primary election.
30
31

1 (10) The Department of State may prescribe by rule
2 requirements for filing papers to qualify as a candidate under
3 this section.

4 Section 16. Subsections (2) and (4) of section 99.095,
5 Florida Statutes, are amended to read:

6 99.095 Petition process in lieu of a qualifying fee
7 and party assessment.--

8 (2)(a) Except as provided in paragraph (b), a
9 candidate must ~~shall~~ obtain the number of signatures of voters
10 in the geographical area represented by the office sought
11 equal to at least 1 percent of the total number of registered
12 voters of that geographical area, as shown by the compilation
13 by the department for the immediately last ~~last~~ preceding general
14 election. Signatures may not be obtained until the candidate
15 has filed the appointment of campaign treasurer and
16 designation of campaign depository pursuant to s. 106.021.

17 (b) A candidate for a special district office shall
18 obtain 25 signatures of voters in the geographical area
19 represented by the office sought.

20 (c)(b) The format of the petition shall be prescribed
21 by the division and shall be used by candidates to reproduce
22 petitions for circulation. If the candidate is running for an
23 office that requires a group or district designation, the
24 petition must indicate that designation and, if it does not,
25 the signatures are not valid. A separate petition is required
26 for each candidate.

27 (4)(a) Certifications for candidates for federal,
28 state, ~~or~~ multicounty district, or multicounty special
29 district office shall be submitted to the division no later
30 than the 7th day before the first day of the qualifying period
31 for the office sought. The division shall determine whether

1 the required number of signatures has been obtained and shall
2 notify the candidate.

3 (b) For candidates for county, ~~or~~ district, or special
4 district office not covered by paragraph (a), the supervisor
5 shall determine whether the required number of signatures has
6 been obtained and shall notify the candidate.

7 Section 17. Section 99.096, Florida Statutes, is
8 amended to read:

9 99.096 Minor political party candidates; names on
10 ballot.--

11 ~~(1) No later than noon of the third day prior to the~~
12 ~~first day of the qualifying period prescribed for federal~~
13 ~~candidates, the executive committee of a minor political party~~
14 ~~shall submit to the Department of State a list of federal~~
15 ~~candidates nominated by the party to be on the general~~
16 ~~election ballot. No later than noon of the third day prior to~~
17 ~~the first day of the qualifying period for state candidates,~~
18 ~~the executive committee of a minor political party shall~~
19 ~~submit to the filing officer for each of the candidates the~~
20 ~~official list of the state, multicounty, and county candidates~~
21 ~~nominated by that party to be on the ballot in the general~~
22 ~~election. The official list of nominated candidates may not be~~
23 ~~changed by the party after having been filed with the filing~~
24 ~~officers, except that vacancies in nominations may be filled~~
25 ~~pursuant to s. 100.111.~~

26 (2) Each person seeking to qualify for election as a
27 candidate of a minor political party shall file his or her
28 qualifying papers with, and pay the qualifying fee and, if one
29 has been levied, the party assessment, or qualify by the
30 petition process pursuant to s. 99.095, with the officer and
31

1 at the times and under the circumstances provided in s.
2 99.061.

3 Section 18. Section 99.0965, Florida Statutes, is
4 repealed.

5 Section 19. Paragraph (a) of subsection (2) of section
6 100.041, Florida Statutes, is amended to read:

7 100.041 Officers chosen at general election.--

8 (2)(a) Each county commissioner from an odd-numbered
9 district shall be elected at the general election in each year
10 the number of which is a multiple of 4, for a 4-year term
11 commencing on the second Tuesday following such election, and
12 each county commissioner from an even-numbered district shall
13 be elected at the general election in each even-numbered year
14 the number of which is not a multiple of 4, for a 4-year term
15 commencing on the second Tuesday following such election. A
16 county commissioner is "elected" for purposes of this
17 paragraph on the date that the county canvassing board
18 certifies the results of the election pursuant to s. 102.151.

19 Section 20. Section 100.051, Florida Statutes, is
20 amended to read:

21 100.051 Candidate's name on general election
22 ballot.--The supervisor of elections of each county shall
23 print on ballots to be used in the county at the next general
24 election the names of candidates who have been nominated by a
25 political party, ~~other than a minor political party,~~ and the
26 candidates who have otherwise obtained a position on the
27 general election ballot in compliance with the requirements of
28 this code.

29 Section 21. Section 100.061, Florida Statutes, is
30 amended to read:

31

1 100.061 Primary election.--In each year in which a
2 general election is held, a primary election for nomination of
3 candidates of political parties shall be held on the Tuesday
4 10 ~~9~~ weeks prior to the general election. The candidate
5 receiving the highest number of votes cast in each contest in
6 the primary election shall be declared nominated for such
7 office. If two or more candidates receive an equal and highest
8 number of votes for the same office, such candidates shall
9 draw lots to determine which candidate is nominated.

10 Section 22. Subsection (3) of section 100.111, Florida
11 Statutes, is amended to read:

12 100.111 Filling vacancy.--

13 (3) Whenever there is a vacancy for which a special
14 election is required pursuant to s. 100.101, the Governor,
15 after consultation with the Secretary of State, shall fix the
16 dates of a special primary election and a special election.
17 Nominees of political parties ~~other than minor political~~
18 ~~parties~~ shall be chosen under the primary laws of this state
19 in the special primary election to become candidates in the
20 special election. Prior to setting the special election dates,
21 the Governor shall consider any upcoming elections in the
22 jurisdiction where the special election will be held. The
23 dates fixed by the Governor shall be specific days certain and
24 shall not be established by the happening of a condition or
25 stated in the alternative. The dates fixed shall provide a
26 minimum of 2 weeks between each election. In the event a
27 vacancy occurs in the office of state senator or member of the
28 House of Representatives when the Legislature is in regular
29 legislative session, the minimum times prescribed by this
30 subsection may be waived upon concurrence of the Governor, the
31 Speaker of the House of Representatives, and the President of

1 | the Senate. If a vacancy occurs in the office of state senator
2 | and no session of the Legislature is scheduled to be held
3 | prior to the next general election, the Governor may fix the
4 | dates for the special primary election and for the special
5 | election to coincide with the dates of the primary election
6 | and general election. If a vacancy in office occurs in any
7 | district in the state Senate or House of Representatives or in
8 | any congressional district, and no session of the Legislature,
9 | or session of Congress if the vacancy is in a congressional
10 | district, is scheduled to be held during the unexpired portion
11 | of the term, the Governor is not required to call a special
12 | election to fill such vacancy.

13 | (a) The dates for candidates to qualify in such
14 | special election or special primary election shall be fixed by
15 | the Department of State, and candidates shall qualify not
16 | later than noon of the last day so fixed. The dates fixed for
17 | qualifying shall allow a minimum of 14 days between the last
18 | day of qualifying and the special primary election.

19 | (b) The filing of campaign expense statements by
20 | candidates in such special elections or special primaries and
21 | by committees making contributions or expenditures to
22 | influence the results of such special primaries or special
23 | elections shall be not later than such dates as shall be fixed
24 | by the Department of State, and in fixing such dates the
25 | Department of State shall take into consideration and be
26 | governed by the practical time limitations.

27 | (c) The dates for a candidate to qualify by the
28 | petition process pursuant to s. 99.095 in such special primary
29 | or special election shall be fixed by the Department of State.
30 | In fixing such dates the Department of State shall take into
31 | consideration and be governed by the practical time

1 | limitations. Any candidate seeking to qualify by the petition
2 | process in a special primary election shall obtain 25 percent
3 | of the signatures required by s. 99.095.

4 | (d) The qualifying fees and party assessments of such
5 | candidates as may qualify shall be the same as collected for
6 | the same office at the last previous primary for that office.
7 | The party assessment shall be paid to the appropriate
8 | executive committee of the political party to which the
9 | candidate belongs.

10 | (e) Each county canvassing board shall make as speedy
11 | a return of the result of such special primary elections and
12 | special elections as time will permit, and the Elections
13 | Canvassing Commission likewise shall make as speedy a canvass
14 | and declaration of the nominees as time will permit.

15 | Section 23. Section 100.191, Florida Statutes, is
16 | amended to read:

17 | 100.191 General election laws applicable to special
18 | elections; returns.--All laws that are applicable to general
19 | elections are applicable to special elections or special
20 | primary elections to fill a vacancy in office or nomination,
21 | ~~except that the canvass of returns by the county canvassing~~
22 | ~~board of each county in which a special election is held shall~~
23 | ~~be made on the day following the election, and the certificate~~
24 | ~~of the result of the canvass shall be immediately forwarded to~~
25 | ~~the Department of State.~~ The Elections Canvassing Commission
26 | shall immediately, upon receipt of returns from the county in
27 | which a special election is held, proceed to canvass the
28 | returns and determine and declare the result thereof.

29 | Section 24. Effective August 1, 2007, subsections (1)
30 | and (3) of section 100.371, Florida Statutes, are amended,
31 | present subsection (6) of that section is renumbered as

1 subsection (7) and amended, and a new subsection (6) is added
2 to that section, to read:

3 100.371 Initiatives; procedure for placement on
4 ballot.--

5 (1) Constitutional amendments proposed by initiative
6 shall be placed on the ballot for the general election,
7 provided the initiative petition has been filed with the
8 Secretary of State no later than February 1 of the year the
9 general election is held. A petition shall be deemed to be
10 filed with the Secretary of State upon the date the secretary
11 determines that valid and verified ~~the~~ petition forms have ~~has~~
12 been signed by the constitutionally required number and
13 distribution of electors under this code, subject to the right
14 of revocation established in this section.

15 (3) Each signature shall be dated when made and shall
16 be valid for a period of 4 years following such date, provided
17 all other requirements of law are met. The sponsor shall
18 submit signed and dated forms to the appropriate supervisor of
19 elections for verification as to the number of registered
20 electors whose valid signatures appear thereon. The supervisor
21 shall promptly verify the signatures within 30 days of receipt
22 of the petition forms and ~~upon~~ payment of the fee required by
23 s. 99.097. The supervisor shall promptly record ~~each valid~~
24 ~~signature~~ in the statewide voter registration system, in the
25 manner prescribed by the Secretary of State, the date each
26 form is received by the supervisor and the date the signature
27 on the form is verified as valid. The supervisor may verify
28 that the signature on a form is valid only if:

29 (a) The form contains the original signature of the
30 purported elector.

31

1 (b) The purported elector has accurately recorded on
2 the form the date on which he or she signed the form.

3 (c) The date the elector signed the form, as recorded
4 by the elector, is no more than 30 days before the date the
5 form is received by the supervisor of elections.

6 (d) The form accurately sets forth the purported
7 elector's name, street address, county, and voter registration
8 number or date of birth.

9 (e) The purported elector is, at the time he or she
10 signs the form, a duly qualified and registered elector
11 authorized to vote in the county in which his or her signature
12 is submitted.

13
14 The supervisor shall retain the signature forms for at least 1
15 year following the election in which the issue appeared on the
16 ballot or until the Division of Elections notifies the
17 supervisors of elections that the committee which circulated
18 the petition is no longer seeking to obtain ballot position.

19 (6)(a) An elector's signature on a petition form may
20 be revoked by submitting to the appropriate supervisor of
21 elections a signed petition-revocation form adopted by rule
22 for this purpose by the division.

23 (b) The petition-revocation form and the manner in
24 which signatures are obtained, submitted, and verified shall
25 be subject to the same relevant requirements and timeframes as
26 the corresponding petition form and processes under this code
27 and shall be approved by the Secretary of State before any
28 signature on a petition-revocation form is obtained.

29 (c) Supervisors of elections shall provide
30 petition-revocation forms to the public at all main and branch
31 offices.

1 (d) The petition-revocation form shall be filed with
2 the supervisor of elections by February 1 preceding the next
3 general election or, if the initiative amendment is not
4 certified for ballot position in that election, by February 1
5 preceding the next successive general election. The supervisor
6 of elections shall promptly verify the signature on the
7 petition-revocation form and process such revocation upon
8 payment, in advance, of a fee of 10 cents or the actual cost
9 of verifying such signature, whichever is less. The supervisor
10 shall promptly record each valid and verified
11 petition-revocation form in the statewide voter registration
12 system in the manner prescribed by the Secretary of State.

13 ~~(7)(6)~~ The Department of State may adopt rules in
14 accordance with s. 120.54 to carry out the provisions of
15 subsections ~~(1)-(6)(1)-(5)~~.

16 Section 25. Subsection (1) of section 101.043, Florida
17 Statutes, is amended to read:

18 101.043 Identification required at polls.--

19 (1) The precinct register, as prescribed in s. 98.461,
20 shall be used at the polls for the purpose of identifying the
21 elector at the polls prior to allowing him or her to vote. The
22 clerk or inspector shall require each elector, upon entering
23 the polling place, to present one of the following current and
24 valid picture identifications:

25 (a) Florida driver's license.

26 (b) Florida identification card issued by the
27 Department of Highway Safety and Motor Vehicles.

28 (c) United States passport.

29 ~~(d) Employee badge or identification.~~

30 ~~(e) Buyer's club identification.~~

31 ~~(f) Debit or credit card.~~

- 1 (d)~~(g)~~ Military identification.
2 ~~(h) Student identification.~~
3 ~~(i) Retirement center identification.~~
4 ~~(j) Neighborhood association identification.~~
5 (e)~~(k)~~ Public assistance identification.
6

7 If the picture identification does not contain the signature
8 of the voter, an additional identification that provides the
9 voter's signature shall be required. The elector shall sign
10 his or her name in the space provided on the precinct register
11 or on an electronic device provided for recording the voter's
12 signature. The clerk or inspector shall compare the signature
13 with that on the identification provided by the elector and
14 enter his or her initials in the space provided on the
15 precinct register or on an electronic device provided for that
16 purpose and allow the elector to vote if the clerk or
17 inspector is satisfied as to the identity of the elector.

18 Section 26. Subsection (1) of section 101.048, Florida
19 Statutes, is amended to read:

20 101.048 Provisional ballots.--

21 (1) At all elections, a voter claiming to be properly
22 registered in the state and eligible to vote at the precinct
23 in the election but whose eligibility cannot be determined, a
24 person whom an election official asserts is not eligible, and
25 other persons specified in the code shall be entitled to vote
26 a provisional ballot. Once voted, the provisional ballot shall
27 be placed in a secrecy envelope and thereafter sealed in a
28 provisional ballot envelope. The provisional ballot shall be
29 deposited in a ballot box. All provisional ballots shall
30 remain sealed in their envelopes for return to the supervisor
31 of elections. The department shall prescribe the form of the

1 provisional ballot envelope. A person casting a provisional
2 ballot shall have the right to present written evidence
3 supporting his or her eligibility to vote to the supervisor of
4 elections by not later than 5 p.m. on the second ~~third~~ day
5 following the election.

6 Section 27. Subsection (1) of section 101.573, Florida
7 Statutes, is amended to read:

8 101.573 Record of votes by precinct.--

9 (1) Within 35 ~~75~~ days after the date of a municipal
10 election or runoff, whichever occurs later, a presidential
11 preference primary, a primary election, a special election, or
12 a general election, the supervisor of elections shall file
13 with the Department of State precinct-level election results,
14 in an electronic format specified by the Department of State,
15 for that election cycle, ~~including any primary elections.~~
16 Precinct-level election results shall separately record for
17 each precinct all demographic data associated with each
18 precinct at book close for each election, individual vote
19 history, the returns of ballots cast at the precinct location,
20 ~~to which have been added~~ the returns of absentee ballots cast
21 by voters registered in the precinct, and the returns of early
22 ballots cast by voters registered in the precinct. The data
23 are required to be cross referenced by political party and
24 other demographic information as defined by the Department of
25 State. The Department of State shall create a uniform system
26 for the collection and reporting of such precinct-level
27 election results and vote history.

28 Section 28. Subsections (6) and (8) of section
29 101.6103, Florida Statutes, are amended to read:

30 101.6103 Mail ballot election procedure.--

31

1 (6) The canvassing board may begin the canvassing of
2 mail ballots at 7 a.m. on the sixth ~~fourth~~ day before the
3 election, including processing the ballots through the
4 tabulating equipment. However, results may not be released
5 until after 7 p.m. on election day. Any canvassing board
6 member or election employee who releases any result before 7
7 p.m. on election day commits a felony of the third degree,
8 punishable as provided in s. 775.082, s. 775.083, or s.
9 775.084.

10 (8) ~~Effective July 1, 2005,~~ A ballot that otherwise
11 satisfies the requirements of subsection (5) shall be counted
12 even if the elector dies after mailing the ballot but before
13 election day, as long as, prior to the death of the voter, the
14 ballot was:

- 15 (a) Postmarked by the United States Postal Service;
16 (b) Date-stamped with a verifiable tracking number by
17 common carrier; or
18 (c) Already in the possession of the supervisor of
19 elections.

20 Section 29. Effective July 1, 2007, subsections (1)
21 and (4) of section 101.62, Florida Statutes, are amended to
22 read:

23 101.62 Request for absentee ballots.--

24 (1)(a) The supervisor may accept a request for an
25 absentee ballot from an elector in person or in writing.
26 Except as provided in s. 101.694, one request shall be deemed
27 sufficient to receive an absentee ballot for all elections
28 through the next two regularly scheduled general elections
29 ~~which are held within a calendar year~~, unless the elector or
30 the elector's designee indicates at the time the request is
31 made the elections for which the elector desires to receive an

1 absentee ballot. Such request may be considered canceled when
2 any first-class mail sent by the supervisor to the elector is
3 returned as undeliverable.

4 (b) The supervisor may accept a written or telephonic
5 request for an absentee ballot from the elector, or, if
6 directly instructed by the elector, a member of the elector's
7 immediate family, or the elector's legal guardian. For
8 purposes of this section, the term "immediate family" has the
9 same meaning as specified in paragraph (4)(b). The person
10 making the request must disclose:

11 1. The name of the elector for whom the ballot is
12 requested;

13 2. The elector's address;

14 3. The elector's date of birth;

15 4. The requester's name;

16 5. The requester's address;

17 6. The requester's driver's license number, if
18 available;

19 7. The requester's relationship to the elector; and

20 8. The requester's signature (written requests only).

21 (4)(a) To each absent qualified elector overseas who
22 has requested an absentee ballot, the supervisor of elections
23 shall mail an absentee ballot not less ~~fewer~~ than 35 days
24 before the primary election and not less than 45 days before
25 the ~~or~~ general election.

26 (b) The supervisor shall provide an absentee ballot to
27 each elector by whom a request for that ballot has been made
28 by one of the following means:

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

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

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

6 c. The elector is in a hospital, assisted-living
7 facility, nursing home, short-term medical or rehabilitation
8 facility, or correctional facility,

9
10 in which case the supervisor shall mail the ballot by
11 nonforwardable, return-if-undeliverable mail to any other
12 address the elector specifies in the request.

13 2. By forwardable mail to voters who are entitled to
14 vote by absentee ballot under the Uniformed and Overseas
15 Citizens Absentee Voting Act.

16 3. By personal delivery before 7 p.m. on election day
17 to the elector, upon presentation of the identification
18 required in s. 101.043 ~~s. 101.657~~.

19 4. By delivery to a designee on election day or up to
20 5 4 days prior to the day of an election. Any elector may
21 designate in writing a person to pick up the ballot for the
22 elector; however, the person designated may not pick up more
23 than two absentee ballots per election, other than the
24 designee's own ballot, except that additional ballots may be
25 picked up for members of the designee's immediate family. For
26 purposes of this section, "immediate family" means the
27 designee's spouse or the parent, child, grandparent, or
28 sibling of the designee or of the designee's spouse. The
29 designee shall provide to the supervisor the written
30 authorization by the elector and a picture identification of
31 the designee and must complete an affidavit. The designee

1 shall state in the affidavit that the designee is authorized
2 by the elector to pick up that ballot and shall indicate if
3 the elector is a member of the designee's immediate family
4 and, if so, the relationship. The department shall prescribe
5 the form of the affidavit. If the supervisor is satisfied that
6 the designee is authorized to pick up the ballot and that the
7 signature of the elector on the written authorization matches
8 the signature of the elector on file, the supervisor shall
9 give the ballot to that designee for delivery to the elector.

10 Section 30. Subsection (2) of section 101.68, Florida
11 Statutes, is amended to read:

12 101.68 Canvassing of absentee ballot.--

13 (2)(a) The county canvassing board may begin the
14 canvassing of absentee ballots at 7 a.m. on the sixth ~~fourth~~
15 day before the election, but not later than noon on the day
16 following the election. In addition, for any county using
17 electronic tabulating equipment, the processing of absentee
18 ballots through such tabulating equipment may begin at 7 a.m.
19 on the sixth ~~fourth~~ day before the election. However,
20 notwithstanding any such authorization to begin canvassing or
21 otherwise processing absentee ballots early, no result shall
22 be released until after the closing of the polls in that
23 county on election day. Any supervisor of elections, deputy
24 supervisor of elections, canvassing board member, election
25 board member, or election employee who releases the results of
26 a canvassing or processing of absentee ballots prior to the
27 closing of the polls in that county on election day commits a
28 felony of the third degree, punishable as provided in s.
29 775.082, s. 775.083, or s. 775.084.

30 (b) To ensure that all absentee ballots to be counted
31 by the canvassing board are accounted for, the canvassing

1 board shall compare the number of ballots in its possession
2 with the number of requests for ballots received to be counted
3 according to the supervisor's file or list.

4 (c)1. The canvassing board shall, if the supervisor
5 has not already done so, compare the signature of the elector
6 on the voter's certificate with the signature of the elector
7 in the registration books to see that the elector is duly
8 registered in the county and to determine the legality of that
9 absentee ballot. ~~Effective July 1, 2005,~~ The ballot of an
10 elector who casts an absentee ballot shall be counted even if
11 the elector dies on or before election day, as long as, prior
12 to the death of the voter, the ballot was postmarked by the
13 United States Postal Service, date-stamped with a verifiable
14 tracking number by common carrier, or already in the
15 possession of the supervisor of elections. An absentee ballot
16 shall be considered illegal if it does not include the
17 signature of the elector, as shown by the registration
18 records. However, an absentee ballot shall not be considered
19 illegal if the signature of the elector does not cross the
20 seal of the mailing envelope. If the canvassing board
21 determines that any ballot is illegal, a member of the board
22 shall, without opening the envelope, mark across the face of
23 the envelope: "rejected as illegal." The envelope and the
24 ballot contained therein shall be preserved in the manner that
25 official ballots voted are preserved.

26 2. If any elector or candidate present believes that
27 an absentee ballot is illegal due to a defect apparent on the
28 voter's certificate, he or she may, at any time before the
29 ballot is removed from the envelope, file with the canvassing
30 board a protest against the canvass of that ballot, specifying
31 the precinct, the ballot, and the reason he or she believes

1 the ballot to be illegal. A challenge based upon a defect in
2 the voter's certificate may not be accepted after the ballot
3 has been removed from the mailing envelope.

4 (d) The canvassing board shall record the ballot upon
5 the proper record, unless the ballot has been previously
6 recorded by the supervisor. The mailing envelopes shall be
7 opened and the secrecy envelopes shall be mixed so as to make
8 it impossible to determine which secrecy envelope came out of
9 which signed mailing envelope; however, in any county in which
10 an electronic or electromechanical voting system is used, the
11 ballots may be sorted by ballot styles and the mailing
12 envelopes may be opened and the secrecy envelopes mixed
13 separately for each ballot style. The votes on absentee
14 ballots shall be included in the total vote of the county.

15 Section 31. Subsection (2) of section 102.112, Florida
16 Statutes, is amended to read:

17 102.112 Deadline for submission of county returns to
18 the Department of State.--

19 (2) Returns must be filed by 5 p.m. on the 7th day
20 following a primary election and by noon ~~5 p.m.~~ on the 12th
21 ~~11th~~ day following the general election. However, the
22 Department of State may correct typographical errors,
23 including the transposition of numbers, in any returns
24 submitted to the Department of State pursuant to s.
25 102.111(1).

26 Section 32. Present subsections (4) through (9) of
27 section 102.141, Florida Statutes, are renumbered as
28 subsections (5) through (10), respectively, present
29 subsections (4) and (6) of that section are amended, and a new
30 subsection (4) is added to that section, to read:

31 102.141 County canvassing board; duties.--

1 (4) The canvassing board shall submit by 11:59 p.m. on
2 election night the preliminary returns it has received to the
3 Department of State in a format provided by the department.

4 ~~(5)(4)~~ The canvassing board shall submit on forms or
5 in formats provided by the division unofficial returns to the
6 Department of State for each federal, statewide, state, or
7 multicounty office or ballot measure no later than noon on the
8 third day after any primary election and no later than noon on
9 the fourth ~~fifth~~ day after any general or other election. Such
10 returns shall include the canvass of all ballots as required
11 by subsection (2), ~~except for provisional ballots, which~~
12 ~~returns shall be reported at the time required for official~~
13 ~~returns pursuant to s. 102.112(2).~~

14 ~~(7)(6)~~ If the unofficial returns reflect that a
15 candidate for any office was defeated or eliminated by
16 one-half of a percent or less of the votes cast for such
17 office, that a candidate for retention to a judicial office
18 was retained or not retained by one-half of a percent or less
19 of the votes cast on the question of retention, or that a
20 measure appearing on the ballot was approved or rejected by
21 one-half of a percent or less of the votes cast on such
22 measure, the board responsible for certifying the results of
23 the vote on such race or measure shall order a recount of the
24 votes cast with respect to such office or measure. The
25 Elections Canvassing Commission is the board responsible for
26 ordering federal, state, and multicounty recounts. A recount
27 need not be ordered with respect to the returns for any
28 office, however, if the candidate or candidates defeated or
29 eliminated from contention for such office by one-half of a
30 percent or less of the votes cast for such office request in
31 writing that a recount not be made.

1 (a) Each canvassing board responsible for conducting a
2 recount shall put each marksense ballot through automatic
3 tabulating equipment and determine whether the returns
4 correctly reflect the votes cast. If any marksense ballot is
5 physically damaged so that it cannot be properly counted by
6 the automatic tabulating equipment during the recount, a true
7 duplicate shall be made of the damaged ballot pursuant to the
8 procedures in s. 101.5614(5). Immediately before the start of
9 the recount, a test of the tabulating equipment shall be
10 conducted as provided in s. 101.5612. If the test indicates no
11 error, the recount tabulation of the ballots cast shall be
12 presumed correct and such votes shall be canvassed
13 accordingly. If an error is detected, the cause therefor shall
14 be ascertained and corrected and the recount repeated, as
15 necessary. The canvassing board shall immediately report the
16 error, along with the cause of the error and the corrective
17 measures being taken, to the Department of State. No later
18 than 11 days after the election, the canvassing board shall
19 file a separate incident report with the Department of State,
20 detailing the resolution of the matter and identifying any
21 measures that will avoid a future recurrence of the error.

22 (b) Each canvassing board responsible for conducting a
23 recount where touchscreen ballots were used shall examine the
24 counters on the precinct tabulators to ensure that the total
25 of the returns on the precinct tabulators equals the overall
26 election return. If there is a discrepancy between the overall
27 election return and the counters of the precinct tabulators,
28 the counters of the precinct tabulators shall be presumed
29 correct and such votes shall be canvassed accordingly.

30 (c) The canvassing board shall submit on forms or in
31 formats provided by the division a second set of unofficial

1 returns to the Department of State for each federal,
2 statewide, state, or multicounty office or ballot measure no
3 later than 3 p.m. on the fifth day after any primary election
4 and no later than 3 p.m. on the ninth ~~eightth~~ day after any
5 general election in which a recount was conducted pursuant to
6 this subsection. If the canvassing board is unable to complete
7 the recount prescribed in this subsection by the deadline, the
8 second set of unofficial returns submitted by the canvassing
9 board shall be identical to the initial unofficial returns and
10 the submission shall also include a detailed explanation of
11 why it was unable to timely complete the recount. However, the
12 canvassing board shall complete the recount prescribed in this
13 subsection, along with any manual recount prescribed in s.
14 102.166, and certify election returns in accordance with the
15 requirements of this chapter.

16 (d) The Department of State shall adopt detailed rules
17 prescribing additional recount procedures for each certified
18 voting system, which shall be uniform to the extent
19 practicable.

20 Section 33. Paragraph (b) of subsection (5) of section
21 102.166, Florida Statutes, is amended to read:

22 102.166 Manual recounts.--

23 (5) Procedures for a manual recount are as follows:

24 (b) Each duplicate ballot prepared pursuant to s.
25 101.5614(5) or s. 102.141(7) ~~s. 102.141(6)~~ shall be compared
26 with the original ballot to ensure the correctness of the
27 duplicate.

28 Section 34. Subsection (3) is added to section
29 103.081, Florida Statutes, to read:

30 103.081 Use of party name; political advertising.--

31

1 (3) A political party may file with the Department of
2 State names of groups or committees associated with the
3 political party. Such filed names may not be used without
4 first obtaining the written permission of the chair of the
5 state executive committee of the party.

6 Section 35. Subsections (1) and (4) and paragraph (b)
7 of subsection (6) of section 103.091, Florida Statutes, are
8 amended to read:

9 103.091 Political parties.--

10 (1) Each political party of the state shall be
11 represented by a state executive committee. County executive
12 committees and other committees may be established in
13 accordance with the rules of the state executive committee. A
14 political party may provide for the selection of its national
15 committee and its state and county executive committees in
16 such manner as it deems proper. Unless otherwise provided by
17 party rule, the county executive committee of each political
18 party shall consist of at least two members, a man and a
19 woman, from each precinct, who shall be called the precinct
20 committeeman and committeewoman. For counties divided into 40
21 or more precincts, the state executive committee may adopt a
22 district unit of representation for such county executive
23 committees. Upon adoption of a district unit of
24 representation, the state executive committee shall request
25 the supervisor of elections of that county, with approval of
26 the board of county commissioners, to provide for election
27 districts as nearly equal in number of registered voters as
28 possible. Each county committeeman or committeewoman shall be
29 a resident of the precinct from which he or she is elected.
30 Each state committeeman or committeewoman must be a member in
31 good standing of the county executive committee for the county

1 in which the state committeeman or committeewoman is a
2 registered voter.

3 (4) Any political party other than a minor political
4 party may by rule provide for the membership of its state or
5 county executive committee to be elected for 4-year terms at
6 the primary election in each year a presidential election is
7 held. The terms shall commence on the first day of the month
8 following each presidential general election; but the names of
9 candidates for political party offices shall not be placed on
10 the ballot at any other election. The results of such election
11 shall be determined by a plurality of the votes cast. In such
12 event, electors seeking to qualify for such office shall do so
13 with the Department of State or supervisor of elections not
14 earlier than noon of the 71st ~~57th~~ day, or later than noon of
15 the 67th ~~53rd~~ day, preceding the primary election. The
16 outgoing chair of each county executive committee shall,
17 within 30 days after the committee members take office, hold
18 an organizational meeting of all newly elected members for the
19 purpose of electing officers. The chair of each state
20 executive committee shall, within 60 days after the committee
21 members take office, hold an organizational meeting of all
22 newly elected members for the purpose of electing officers.

23 (6)

24 (b) Each state executive committee shall include, as
25 at-large committeemen and committeewomen, all members of the
26 United States Congress representing the State of Florida who
27 are members of the political party, all statewide elected
28 officials who are members of the party, 10 Florida registered
29 voters who are members of the party as appointed by the
30 Governor if the Governor is a member of the party, and the
31 President of the Senate or the Minority Leader in the Senate,

1 and the Speaker of the House of Representatives or the
2 Minority Leader in the House of Representatives, whichever is
3 a member of the political party, and 20 members of the
4 Legislature who are members of the political party. Ten of
5 the legislators shall be appointed with the concurrence of the
6 state chair of the respective party, as follows: five to be
7 appointed by the President of the Senate; five by the Minority
8 Leader in the Senate; five by the Speaker of the House of
9 Representatives; and five by the Minority Leader in the House.

10 Section 36. Section 103.141, Florida Statutes, is
11 amended to read:

12 103.141 Removal of county executive committee member
13 for violation of oath.--

14 (1) Where the county executive committee by at least a
15 two-thirds majority vote of the members of the committee,
16 attending a meeting held after due notice has been given and
17 at which meeting a quorum is present, determines an incumbent
18 county executive committee member to be guilty of an offense
19 involving a violation of the member's oath of office, said
20 member so violating his or her oath shall be removed from
21 office and the office shall be deemed vacant. Provided,
22 however, if the county committee wrongfully removes a county
23 committee member and the committee member so wrongfully
24 removed files suit in the circuit court alleging his or her
25 removal was wrongful and wins said suit, the committee member
26 shall be restored to office and the county committee shall pay
27 the costs incurred by the wrongfully removed committee member
28 in bringing the suit, including reasonable attorney's fees.

29 (2) Any officer, county committeeman, county
30 committeewoman, precinct committeeman, precinct
31 committeewoman, or member of a county executive committee may

1 ~~be removed from office pursuant to s. 103.161. Either the~~
2 ~~county or state executive committee is empowered to take~~
3 ~~judicial action in chancery against a county committee member~~
4 ~~for alleged violation of the member's oath of office in the~~
5 ~~circuit court of the county in which that committee member is~~
6 ~~an elector; provided, however, that the state committee may~~
7 ~~take such judicial action only when a county committee refuses~~
8 ~~to take such judicial action within 10 days after a charge is~~
9 ~~made. Procedure shall be as in other cases in chancery, and if~~
10 ~~the court shall find as fact that the defendant did violate~~
11 ~~his or her oath of office, it shall enter a decree removing~~
12 ~~the defendant from the county committee. If either such~~
13 ~~executive committee brings suit in the circuit court for the~~
14 ~~removal of a county committee member and loses said suit, such~~
15 ~~committee shall pay the court costs incurred in such suit by~~
16 ~~the committee member, including reasonable attorney's fees.~~

17 Section 37. Section 103.151, Florida Statutes, is
18 repealed.

19 Section 38. Section 103.161, Florida Statutes, is
20 created to read:

21 103.161 Removal or suspension of officers or members
22 of state executive committee or county executive committee.--

23 (1) The chairman of the state executive committee is
24 empowered to remove or suspend from an office within the
25 chairman's political party any officer, state committeeman,
26 state committeewoman, county committeeman, county
27 committeewoman, precinct committeeman, precinct
28 committeewoman, or other member of a state executive
29 committee, county executive committee, political party club,
30 or other organization using the political party name as
31 provided in s. 103.081 for a violation of the oath of office

1 taken by such individual or for engaging in other activities
2 described in this section.

3 (2) Such violation may include engaging in activities
4 that have or could have injured the name or status of the
5 political party or interfered with the activities of the
6 political party. The chairman has sole discretion to determine
7 if a violation occurred.

8 (3) Upon the chairman's determination that a violation
9 of the oath of office occurred or that an individual engaged
10 in other activities described in this section, the chairman
11 may remove or suspend the individual from his or her office.
12 If the chairman removes the individual from office, the office
13 shall be deemed vacant upon the delivery of the chairman's
14 written order of removal to the individual. When a vacancy in
15 office is created, the chairman shall appoint an individual to
16 serve through the end of the term of the office. If the
17 chairman suspends the individual, the chairman shall determine
18 the length of the suspension.

19 (4) An individual removed from office by the chairman
20 shall not be eligible to serve on the state executive
21 committee or any county executive committee of the political
22 party for a period of no less than 4 years from the effective
23 date of the removal.

24 Section 39. Subsection (1) of section 105.031, Florida
25 Statutes, is amended to read:

26 105.031 Qualification; filing fee; candidate's oath;
27 items required to be filed.--

28 (1) TIME OF QUALIFYING.--Except for candidates for
29 judicial office, nonpartisan candidates for multicounty office
30 shall qualify with the Division of Elections of the Department
31 of State and nonpartisan candidates for countywide or less

1 | than countywide office shall qualify with the supervisor of
2 | elections. Candidates for judicial office other than the
3 | office of county court judge shall qualify with the Division
4 | of Elections of the Department of State, and candidates for
5 | the office of county court judge shall qualify with the
6 | supervisor of elections of the county. Candidates for judicial
7 | office shall qualify no earlier than noon of the 120th day,
8 | and no later than noon of the 116th day, before the primary
9 | election. Candidates for the office of school board member
10 | shall qualify no earlier than noon of the 71st ~~50th~~ day, and
11 | no later than noon of the 67th ~~46th~~ day, before the primary
12 | election. Filing shall be on forms provided for that purpose
13 | by the Division of Elections and furnished by the appropriate
14 | qualifying officer. ~~Any person seeking to qualify by the~~
15 | ~~petition process, as set forth in s. 105.035, who has~~
16 | ~~submitted the necessary petitions by the required deadline and~~
17 | ~~is notified after the fifth day prior to the last day for~~
18 | ~~qualifying that the required number of signatures has been~~
19 | ~~obtained, shall be entitled to subscribe to the candidate's~~
20 | ~~oath and file the qualifying papers at any time within 5 days~~
21 | ~~from the date he or she is notified that the necessary number~~
22 | ~~of signatures has been obtained.~~ Any person other than a
23 | write-in candidate who qualifies within the time prescribed in
24 | this subsection shall be entitled to have his or her name
25 | printed on the ballot.

26 | Section 40. Paragraph (c) of subsection (1) of section
27 | 106.021, Florida Statutes, is amended to read:

28 | 106.021 Campaign treasurers; deputies; primary and
29 | secondary depositories.--

30 | (1)

31 |

1 (c) Any campaign treasurer or deputy treasurer
2 appointed pursuant to this section ~~shall be a registered voter~~
3 ~~in this state and~~ shall, before such appointment may become
4 effective, have accepted appointment to such position in
5 writing and filed such acceptance with the officer before whom
6 the candidate is required to qualify or with the officer with
7 whom the political committee is required to file reports. An
8 individual may be appointed and serve as campaign treasurer of
9 a candidate and a political committee or two or more
10 candidates and political committees. A candidate may appoint
11 herself or himself as campaign treasurer.

12 Section 41. Subsection (1) of section 106.04, Florida
13 Statutes, is amended to read:

14 106.04 Committees of continuous existence.--

15 (1) In order to qualify as a committee of continuous
16 existence for the purposes of this chapter, a group,
17 organization, association, or other such entity which is
18 involved in making contributions to candidates, political
19 committees, or political parties, shall meet the following
20 criteria:

21 (a) It shall be organized and operated in accordance
22 with a written charter or set of bylaws which contains
23 procedures for the election of officers and directors and
24 which clearly defines membership in the organization; and

25 (b) At least 25 percent of the income of such
26 organization, excluding interest, must be derived from dues or
27 assessments payable on a regular basis by its membership
28 pursuant to provisions contained in the charter or bylaws.

29 Dues may be collected by a group, organization, association,
30 or other such entity from its members and forwarded to the
31 committee of continuous existence. The committee of continuous

1 existence shall report such dues as if it had received the
2 dues directly from its members, in the manner prescribed in
3 subsection (4).

4 Section 42. Section 106.055, Florida Statutes, is
5 amended to read:

6 106.055 Valuation of in-kind contributions.--Any
7 person who makes an in-kind contribution shall, at the time of
8 making such contribution, place a value on such contribution,
9 which valuation shall be the fair market value of such
10 contribution. Travel conveyed upon private aircraft shall be
11 valued at the actual cost of per person commercial air travel
12 for the same or a substantially similar route.

13 Section 43. Subsection (10) is added to section
14 106.08, Florida Statutes, to read:

15 106.08 Contributions; limitations on.--

16 (10) Contributions to a political committee or
17 committee of continuous existence may be received by an
18 affiliated organization and transferred to the bank account of
19 the political committee or committee of continuous existence
20 via check written from the affiliated organization if such
21 contributions are specifically identified as intended to be
22 contributed to the political committee or committee of
23 continuous existence. All contributions received in this
24 manner shall be reported pursuant to s. 106.07 by the
25 political committee or committee of continuous existence as
26 having been made by the original contributor.

27 Section 44. Section 106.09, Florida Statutes, is
28 amended to read:

29 106.09 Cash contributions and contribution by
30 cashier's checks.--

31

1 (1) A person may not make or accept a cash
2 contribution or contribution by means of a cashier's check in
3 excess of ~~\$50~~\$100.

4 (2)(a) Any person who makes or accepts a contribution
5 in excess of ~~\$50~~\$100 in violation of this section commits a
6 misdemeanor of the first degree, punishable as provided in s.
7 775.082 or s. 775.083.

8 (b) Any person who knowingly and willfully makes or
9 accepts a contribution in excess of \$5,000 in violation of
10 this section commits a felony of the third degree, punishable
11 as provided in s. 775.082, s. 775.083, or s. 775.084.

12 Section 45. Subsection (1) of section 106.143, Florida
13 Statutes, is amended to read:

14 106.143 Political advertisements circulated prior to
15 election; requirements.--

16 (1)(a) Any political advertisement that is paid for by
17 a candidate and that is published, displayed, or circulated
18 prior to, or on the day of, any election must prominently
19 state: "Political advertisement paid for and approved by
20 ...(name of candidate)..., ...(party affiliation)..., for
21 ...(office sought)...."

22 (b) Any other political advertisement published,
23 displayed, or circulated prior to, or on the day of, any
24 election must prominently:

25 1. Be marked "paid political advertisement" or with
26 the abbreviation "pd. pol. adv."

27 2. State the name and address of the persons
28 sponsoring the advertisement.

29 3.a.(I) State whether the advertisement and the cost
30 of production is paid for or provided in kind by or at the
31

1 expense of the entity publishing, displaying, broadcasting, or
2 circulating the political advertisement; or

3 (II) State who provided or paid for the advertisement
4 and cost of production, if different from the source of
5 sponsorship.

6 b. This subparagraph does not apply if the source of
7 the sponsorship is patently clear from the content or format
8 of the political advertisement.

9 (c) Any political advertisement made pursuant to s.
10 106.021(3)(d) must be marked "paid political advertisement" or
11 with the abbreviation "pd. pol. adv." and must prominently
12 state, "Paid for and sponsored by ...(name of person paying
13 for political advertisement). Approved by...(names of persons,
14 party affiliation, and offices sought in the political
15 advertisement)."...

16
17 This subsection does not apply to campaign messages used by a
18 candidate and the candidate's supporters if those messages are
19 designed to be worn by a person.

20 Section 46. Section 106.17, Florida Statutes, is
21 amended to read:

22 106.17 Polls and surveys relating to candidacies.--Any
23 candidate, political committee, committee of continuous
24 existence, electioneering communication organization, or state
25 or county executive committee of a political party may
26 authorize or conduct a political poll, survey, index, or
27 measurement of any kind relating to candidacy for public
28 office so long as the candidate, political committee,
29 committee of continuous existence, electioneering
30 communication organization, or political party maintains
31 complete jurisdiction over the poll in all its aspects.

1 Section 47. Section 106.25, Florida Statutes, is
2 amended to read:

3 106.25 Reports of alleged violations to Florida
4 Elections Commission; disposition of findings.--

5 (1) Jurisdiction to investigate and determine
6 violations of this chapter and chapter 104 is vested in the
7 Florida Elections Commission; however, nothing in this section
8 limits the jurisdiction of any other officers or agencies of
9 government empowered by law to investigate, act upon, or
10 dispose of alleged violations of this code.

11 (2) The commission shall investigate all violations of
12 this chapter and chapter 104, but only after having received
13 either a sworn complaint or information reported to it under
14 this subsection by the Division of Elections. Such sworn
15 complaint must be based upon personal information or
16 information other than hearsay. Any person, other than the
17 division, having information of any violation of this chapter
18 or chapter 104 shall file a sworn complaint with the
19 commission. The commission shall investigate only those
20 alleged violations specifically contained within the sworn
21 complaint. If any complainant fails to allege all violations
22 that arise from the facts or allegations alleged in a
23 complaint, the commission shall be barred from investigating a
24 subsequent complaint from such complainant that is based upon
25 such facts or allegations that were raised or could have been
26 raised in the first complaint. If the complaint includes
27 allegations of violations relating to expense items reimbursed
28 by a candidate, committee, or organization to the campaign
29 account before a sworn complaint is filed, the commission
30 shall be barred from investigating such allegations. Such
31 sworn complaint shall state whether a complaint of the same

1 violation has been made to any state attorney. Within 5 days
2 after receipt of a sworn complaint, the commission shall
3 transmit a copy of the complaint to the alleged violator. If
4 the executive director finds that the complaint is legally
5 sufficient, the respondent shall be notified of such finding
6 by letter, which sets forth the statutory provisions alleged
7 to have been violated and the alleged factual basis that
8 supports the finding. All sworn complaints alleging violations
9 of the Florida Election Code over which the commission has
10 jurisdiction shall be filed with the commission within 2 years
11 after the alleged violations. The period of limitations is
12 tolled on the day a sworn complaint is filed with the
13 commission. The complainant may withdraw the sworn complaint
14 at any time prior to a probable cause hearing if good cause is
15 shown. Withdrawal shall be requested in writing, signed by the
16 complainant, and witnessed by a notary public, stating the
17 facts and circumstances constituting good cause. The executive
18 director shall prepare a written recommendation regarding
19 disposition of the request which shall be given to the
20 commission together with the request. "Good cause" shall be
21 determined based upon the legal sufficiency or insufficiency
22 of the complaint to allege a violation and the reasons given
23 by the complainant for wishing to withdraw the complaint. If
24 withdrawal is permitted, the commission must close the
25 investigation and the case. No further action may be taken.
26 The complaint will become a public record at the time of
27 withdrawal.

28 (3) For the purposes of commission jurisdiction, a
29 violation shall mean the willful performance of an act
30 prohibited by this chapter or chapter 104 or the willful
31 failure to perform an act required by this chapter or chapter

1 104. Willfulness is a determination of fact; however, at the
2 request of the respondent, willfulness may be considered and
3 determined in an informal hearing before the commission.

4 (4) The commission shall undertake a preliminary
5 investigation to determine if the facts alleged in a sworn
6 complaint or a matter initiated by the division constitute
7 probable cause to believe that a violation has occurred. ~~The~~
8 ~~respondent, the complainant, and their respective counsel~~
9 ~~shall be permitted to attend the hearing at which the probable~~
10 ~~cause determination is made. Notice of the hearing shall be~~
11 ~~sent to the respondent and the complainant at least 14 days~~
12 ~~prior to the date of the hearing. The respondent and his or~~
13 ~~her counsel shall be permitted to make a brief oral statement~~
14 ~~in the nature of oral argument to the commission before the~~
15 ~~probable cause determination. The commission's determination~~
16 ~~shall be based upon the investigator's report, the complaint,~~
17 ~~and staff recommendations, as well as any written statements~~
18 ~~submitted by the respondent and any oral statements made at~~
19 ~~the hearing. No testimony or other evidence shall be accepted~~
20 ~~at the hearing. Upon completion of the preliminary~~
21 ~~investigation, the commission shall, by written report, find~~
22 ~~probable cause or no probable cause to believe that this~~
23 ~~chapter or chapter 104 has been violated.~~

24 (a) When the investigator's report is completed, the
25 executive director shall notify the respondent that the report
26 is completed and shall send to the respondent a copy of the
27 investigator's report. The investigatory file and main
28 complaint file shall be open for inspection by the respondent
29 and the respondent's counsel at that time, and copies may be
30 obtained at no more than cost.

31

1 (b) The respondent shall be given not less than 14
2 days from the date of mailing of the investigator's report to
3 file with the commission a written response to the
4 investigator's report. This time period may be shortened with
5 the consent of the respondent, or without the consent of the
6 respondent when the passage of time could reasonably be
7 expected to render moot the ultimate disposition of the matter
8 by the commission so long as reasonable notice under the
9 circumstances is given.

10 (c) Counsel for the commission shall review the
11 investigator's report and shall make a written recommendation
12 to the commission for the disposition of the complaint. If the
13 counsel for the commission recommends that the commission find
14 probable cause, the recommendation shall include a statement
15 of what charges shall be at issue. A copy of the
16 recommendation shall be furnished to the respondent. The
17 respondent shall be given not less than 14 days from the date
18 of mailing of the recommendation of counsel for the commission
19 to file with the commission a written response to the
20 recommendation. This time period may be shortened with the
21 consent of the respondent, or without the consent of the
22 respondent when the passage of time could reasonably be
23 expected to render moot the ultimate disposition of the matter
24 by the commission, so long as the recommendation is furnished
25 to the respondent within a reasonable period of time under the
26 circumstances.

27 (d) The respondent and each complainant, their
28 counsel, and the counsel for the commission shall be permitted
29 to attend the hearing at which the probable cause
30 determination is made. Notice of the hearing shall be sent to
31 the respondent, each complainant, and counsel for the

1 commission at least 14 days before the hearing. This time
2 period may be shortened with the consent of the respondent, or
3 without the consent of the respondent when the passage of time
4 could reasonably be expected to render moot the ultimate
5 disposition of the matter by the commission, so long as the
6 notice is furnished within a reasonable period of time under
7 the circumstances.

8 (e) The probable cause determination is the conclusion
9 of the preliminary investigation. The respondent and the
10 counsel for the commission shall be permitted to make brief
11 oral statements in the nature of oral argument to the
12 commission, based on the investigator's report, before the
13 probable cause determination. The commission's determination
14 shall be based upon the investigator's report, the
15 recommendation of counsel for the commission, the complaint,
16 and staff recommendations, as well as any written statements
17 submitted by the respondent and any oral statements made at
18 the hearing. No testimony or other evidence will be accepted
19 at the hearing.

20 (f) At its meeting to determine probable cause, the
21 commission may continue its determination to allow further
22 investigation; may order the issuance of a public report of
23 its investigation if it finds no probable cause to believe
24 that there has been a violation of this chapter or chapter
25 104, concluding the matter before it; may order a final,
26 public hearing of the complaint if it finds probable cause to
27 believe that there has been a violation of this chapter or
28 chapter 104; or may take such other action as it deems
29 necessary to resolve the complaint, consistent with due
30 process of law. In making its determination, the commission
31 may consider:

- 1 1. The sufficiency of the evidence against the
2 respondent, as contained in the investigator's report;
- 3 2. The admissions and other stipulations of the
4 respondent, if any;
- 5 3. The nature and circumstances of the respondent's
6 actions;
- 7 4. The expense of further proceedings; and
- 8 5. Such other factors as it deems material to its
9 decision.

10
11 If the commission finds probable cause, the commission shall
12 determine what charges shall be at issue.

13 ~~(g)(a)~~ If no probable cause is found, the commission
14 shall dismiss the case and the case shall become a matter of
15 public record, except as otherwise provided in this section,
16 together with a written statement of the findings of the
17 preliminary investigation and a summary of the facts which the
18 commission shall send to the complainant and the alleged
19 violator. A finding of no probable cause by the commission is
20 a full adjudication of all such matters. The commission may
21 not charge a respondent in a subsequent complaint alleging
22 violations based upon the same actions, nonactions, or
23 circumstances wherein the commission found no probable cause.

24 ~~(h)(b)~~ If probable cause is found, the commission
25 shall so notify the complainant and the alleged violator in
26 writing. All documents made or received in the disposition of
27 the complaint shall become public records upon a finding by
28 the commission.

29 (i)1. Upon a commission finding of probable cause, the
30 counsel for the commission shall attempt to reach a consent
31 agreement with the respondent.

1 2. A consent agreement is not binding upon either
2 party unless and until it is signed by the respondent and by
3 counsel for the commission upon approval by the commission.

4 3. Nothing herein shall be construed to prevent the
5 commission from entering into a consent agreement with a
6 respondent prior to a commission finding of probable cause if
7 a respondent indicates in writing a desire to enter into
8 negotiations directed towards reaching such a consent
9 agreement. Any consent agreement reached under this
10 subparagraph is subject to the provisions of subparagraph 2.
11 and shall have the same force and effect as a consent
12 agreement reached after the commission finding of probable
13 cause.

14 (j) If a consent agreement is reached between the
15 commission and the respondent, counsel for the commission
16 shall send a copy of the signed agreement to both complainant
17 and respondent.

18
19 In a case where probable cause is found, the commission shall
20 make a preliminary determination to consider the matter or to
21 refer the matter to the state attorney for the judicial
22 circuit in which the alleged violation occurred.

23 Notwithstanding any other provisions of this section, the
24 commission may, at its discretion, dismiss any complaint at
25 any stage of disposition if it determines that the public
26 interest would not be served by proceeding further, in which
27 case the commission shall issue a public report stating with
28 particularity its reasons for the dismissal.

29 ~~(5) Unless~~ ~~When there are disputed issues of material~~
30 ~~fact in a proceeding conducted under ss. 120.569 and 120.57, a~~
31 ~~person alleged by the Elections Commission to have committed a~~

1 violation of this chapter or chapter 104 ~~elects may elect,~~
2 within 30 days after the date of the filing of the
3 commission's allegations, to have a formal or informal hearing
4 conducted before the commission, or elects to resolve the
5 complaint by consent order, such person shall be entitled to a
6 formal administrative hearing conducted by an administrative
7 law judge in the Division of Administrative Hearings. The
8 administrative law judge in such proceedings shall enter a
9 final order subject to appeal as provided in s. 120.68.

10 (6) It is the duty of a state attorney receiving a
11 complaint referred by the commission to investigate the
12 complaint promptly and thoroughly; to undertake such criminal
13 or civil actions as are justified by law; and to report to the
14 commission the results of such investigation, the action
15 taken, and the disposition thereof. The failure or refusal of
16 a state attorney to prosecute or to initiate action upon a
17 complaint or a referral by the commission shall not bar
18 further action by the commission under this chapter.

19 (7) Every sworn complaint filed pursuant to this
20 chapter with the commission, every investigation and
21 investigative report or other paper of the commission with
22 respect to a violation of this chapter or chapter 104, and
23 every proceeding of the commission with respect to a violation
24 of this chapter or chapter 104 is confidential, is exempt from
25 the provisions of ss. 119.07(1) and 286.011, and is exempt
26 from publication in the Florida Administrative Weekly of any
27 notice or agenda with respect to any proceeding relating to
28 such violation, except under the following circumstances:

- 29 (a) As provided in subsection (6);
30 (b) Upon a determination of probable cause or no
31 probable cause by the commission; or

1 (c) For proceedings conducted with respect to appeals
2 of fines levied by filing officers for the late filing of
3 reports required by this chapter.

4
5 However, a complainant is not bound by the confidentiality
6 provisions of this section. In addition, confidentiality may
7 be waived in writing by the person against whom the complaint
8 has been filed or the investigation has been initiated. If a
9 finding of probable cause in a case is entered within 30 days
10 prior to the date of the election with respect to which the
11 alleged violation occurred, such finding and the proceedings
12 and records relating to such case shall not become public
13 until noon of the day following such election. When two or
14 more persons are being investigated by the commission with
15 respect to an alleged violation of this chapter or chapter
16 104, the commission may not publicly enter a finding of
17 probable cause or no probable cause in the case until a
18 finding of probable cause or no probable cause for the entire
19 case has been determined. However, once the confidentiality of
20 any case has been breached, the person or persons under
21 investigation have the right to waive the confidentiality of
22 the case, thereby opening up the proceedings and records to
23 the public. Any person who discloses any information or
24 matter made confidential by the provisions of this subsection
25 commits a misdemeanor of the first degree, punishable as
26 provided in s. 775.082 or s. 775.083.

27 (8) Any person who files a complaint pursuant to this
28 section while knowing that the allegations contained in such
29 complaint are false or without merit commits a misdemeanor of
30 the first degree, punishable as provided in s. 775.082 or s.
31 775.083.

1 (9) The commission shall maintain a database of all
2 final orders and agency actions. Such database shall be
3 available to the public and shall be maintained in such a
4 manner as to be searchable, at a minimum, by issue, statutes,
5 individuals, or entities referenced.

6 Section 48. Subsection (4) of section 106.35, Florida
7 Statutes, is amended to read:

8 106.35 Distribution of funds.--

9 (4) Distribution of funds shall be made beginning on
10 the 32nd day prior to the primary ~~within 7 days after the~~
11 ~~close of qualifying~~ and every 7 days thereafter.

12 Section 49. Section 112.51, Florida Statutes, is
13 amended to read:

14 112.51 Municipal officers; suspension; removal from
15 office.--

16 (1) By executive order stating the grounds for the
17 suspension and filed with the Secretary of State, the Governor
18 may suspend from office any elected or appointed municipal
19 official for malfeasance, misfeasance, neglect of duty,
20 habitual drunkenness, incompetence, or permanent inability to
21 perform official duties.

22 (2) Whenever any elected or appointed municipal
23 official is arrested for a felony or for a misdemeanor related
24 to the duties of office or is indicted or informed against for
25 the commission of a federal felony or misdemeanor or state
26 felony or misdemeanor, the Governor has the power to suspend
27 such municipal official from office.

28 (3) The suspension of such official by the Governor
29 creates a temporary vacancy in such office during the
30 suspension. Any temporary vacancy in office created by
31 suspension of an official under the provisions of this section

1 shall be filled by a temporary appointment to such office for
2 the period of the suspension. Such temporary appointment
3 shall be made in the same manner and by the same authority by
4 which a permanent vacancy in such office is filled as provided
5 by law. If no provision for filling a permanent vacancy in
6 such office is provided by law, the temporary appointment
7 shall be made by the Governor.

8 (4) No municipal official who has been suspended from
9 office under this section may perform any official act, duty,
10 or function during his or her suspension; receive any pay or
11 allowance during his or her suspension; or be entitled to any
12 of the emoluments or privileges of his or her office during
13 suspension.

14 (5) If the municipal official is convicted of any of
15 the charges contained in the indictment or information by
16 reason of which he or she was suspended under the provisions
17 of this section, the Governor shall remove such municipal
18 official from office. If a person was selected to fill the
19 temporary vacancy pursuant to subsection (3), that person
20 shall serve the remaining balance, if any, of the removed
21 official's term of office. Otherwise, any vacancy created by
22 the removal shall be filled as provided by law. For the
23 purposes of this section, any person who pleads guilty or nolo
24 contendere or who is found guilty shall be deemed to have been
25 convicted, notwithstanding a suspension of sentence or a
26 withholding of adjudication.

27 (6) If the municipal official is acquitted or found
28 not guilty or is otherwise cleared of the charges which were
29 the basis of the arrest, indictment, or information by reason
30 of which he or she was suspended under the provisions of this
31 section, then the Governor shall forthwith revoke the

1 suspension and restore such municipal official to office; and
2 the official shall be entitled to and be paid full back pay
3 and such other emoluments or allowances to which he or she
4 would have been entitled for the full period of time of the
5 suspension. If, during the suspension, the term of office of
6 the municipal official expires and a successor is either
7 appointed or elected, such back pay, emoluments, or allowances
8 shall only be paid for the duration of the term of office
9 during which the municipal official was suspended under the
10 provisions of this section, and he or she shall not be
11 reinstated.

12 Section 50. Section 106.37, Florida Statutes, is
13 repealed.

14 Section 51. Subsections (2) and (3) of section
15 189.405, Florida Statutes, are amended to read:

16 189.405 Elections; general requirements and
17 procedures; education programs.--

18 (2)(a) Any independent special district located
19 entirely in a single county may provide for the conduct of
20 district elections by the supervisor of elections for that
21 county. Any independent special district that conducts its
22 elections through the office of the supervisor shall make
23 election procedures consistent with the Florida Election Code.

24 (b) Any independent special district not conducting
25 district elections through the supervisor of elections shall
26 report to the supervisor in a timely manner the purpose, date,
27 authorization, procedures, and results of each election
28 conducted by the district.

29 (c) A candidate for a position on a governing board of
30 a single-county special district that has its elections
31 conducted by the supervisor of elections shall qualify for the

1 office with the county supervisor of elections in whose
2 jurisdiction the district is located. Elections for governing
3 board members elected by registered electors shall be
4 nonpartisan, except when partisan elections are specified by a
5 district's charter. Candidates shall qualify as directed by
6 chapter 99. ~~by paying a filing fee equal to 3 percent of the~~
7 ~~salary or honorarium paid for the office, or a filing fee of~~
8 ~~\$25, whichever is more. Alternatively, candidates may qualify~~
9 ~~by submitting a petition that contains the signatures of at~~
10 ~~least 3 percent of the district's registered electors, or any~~
11 ~~lesser amount of signatures directed by chapter 99, chapter~~
12 ~~582, or other general or special law. No election or party~~
13 ~~assessment shall be levied if the election is nonpartisan. The~~
14 ~~qualifying fee shall be remitted to the general revenue fund~~
15 ~~of the qualifying officer to help defray the cost of the~~
16 ~~election. The petition form shall be submitted and checked in~~
17 ~~the same manner as those for nonpartisan judicial candidates~~
18 ~~pursuant to s. 105.035.~~

19 (3)(a) If a multicounty special district has a
20 popularly elected governing board, elections for the purpose
21 of electing members to such board shall conform to the Florida
22 Election Code, chapters 97-106.

23 (b) With the exception of those districts conducting
24 elections on a one-acre/one-vote basis, qualifying for
25 multicounty special district governing board positions shall
26 be coordinated by the Department of State. Elections for
27 governing board members elected by registered electors shall
28 be nonpartisan, except when partisan elections are specified
29 by a district's charter. Candidates shall qualify as directed
30 by chapter 99. ~~by paying a filing fee equal to 3 percent of~~
31 ~~the salary or honorarium paid for the office, or a filing fee~~

1 ~~of \$25, whichever is more. Alternatively, candidates may~~
2 ~~qualify by submitting a petition that contains the signatures~~
3 ~~of at least 3 percent of the district's registered electors,~~
4 ~~or any lesser amount of signatures directed by chapter 99,~~
5 ~~chapter 582, or other general or special law. No election or~~
6 ~~party assessment shall be levied if the election is~~
7 ~~nonpartisan.~~ The qualifying fee shall be remitted to the
8 Department of State. ~~The petition form shall be submitted and~~
9 ~~checked in the same manner as those for nonpartisan judicial~~
10 ~~candidates pursuant to s. 105.035.~~

11 Section 52. Paragraph (a) of subsection (1) of section
12 191.005, Florida Statutes, is amended to read:

13 191.005 District boards of commissioners; membership,
14 officers, meetings.--

15 (1)(a) With the exception of districts whose governing
16 boards are appointed collectively by the Governor, the county
17 commission, and any cooperating city within the county, the
18 business affairs of each district shall be conducted and
19 administered by a five-member board. All three-member boards
20 existing on the effective date of this act shall be converted
21 to five-member boards, except those permitted to continue as a
22 three-member board by special act adopted in 1997 or
23 thereafter. The board shall be elected in nonpartisan
24 elections by the electors of the district. Except as provided
25 in this act, such elections shall be held at the time and in
26 the manner prescribed by law for holding general elections in
27 accordance with s. 189.405(2)(a) and (3), and each member
28 shall be elected for a term of 4 years and serve until the
29 member's successor assumes office. Candidates for the board of
30 a district shall qualify as directed by chapter 99. ~~with the~~
31 ~~county supervisor of elections in whose jurisdiction the~~

1 ~~district is located. If the district is a multicounty~~
2 ~~district, candidates shall qualify with the Department of~~
3 ~~State. All candidates may qualify by paying a filing fee of~~
4 ~~\$25 or by obtaining the signatures of at least 25 registered~~
5 ~~electors of the district on petition forms provided by the~~
6 ~~supervisor of elections which petitions shall be submitted and~~
7 ~~checked in the same manner as petitions filed by nonpartisan~~
8 ~~judicial candidates pursuant to s. 105.035. Notwithstanding s.~~
9 ~~106.021, a candidate who does not collect contributions and~~
10 ~~whose only expense is the filing fee is not required to~~
11 ~~appoint a campaign treasurer or designate a primary campaign~~
12 ~~depository.~~

13 Section 53. Paragraph (a) of subsection (1) of section
14 582.18, Florida Statutes, is amended to read:

15 582.18 Election of supervisors of each district.--

16 (1) The election of supervisors for each soil and
17 water conservation district shall be held every 2 years. The
18 elections shall be held at the time of the general election
19 provided for by s. 100.041. The office of the supervisor of a
20 soil and water conservation district is a nonpartisan office,
21 and candidates for such office are prohibited from campaigning
22 or qualifying for election based on party affiliation.

23 (a) Each candidate for supervisor for such district
24 shall qualify as directed by chapter 99. ~~be nominated by~~
25 ~~nominating petition subscribed by 25 or more qualified~~
26 ~~electors of such district. Candidates shall obtain signatures~~
27 ~~on petition forms prescribed by the Department of State and~~
28 ~~furnished by the appropriate qualifying officer. In~~
29 ~~multicounty districts, the appropriate qualifying officer is~~
30 ~~the Secretary of State; in single county districts, the~~
31 ~~appropriate qualifying officer is the supervisor of elections.~~

1 ~~Such forms may be obtained at any time after the first Tuesday~~
2 ~~after the first Monday in January preceding the election, but~~
3 ~~prior to the 21st day preceding the first day of the~~
4 ~~qualifying period for state office. Each petition shall be~~
5 ~~submitted, prior to noon of the 21st day preceding the first~~
6 ~~day of the qualifying period for state office, to the~~
7 ~~supervisor of elections of the county for which such petition~~
8 ~~was circulated. The supervisor of elections shall check the~~
9 ~~signatures on the petition to verify their status as electors~~
10 ~~in the district. Prior to the first date for qualifying, the~~
11 ~~supervisor of elections shall determine whether the required~~
12 ~~single county signatures have been obtained; and she or he~~
13 ~~shall so notify the candidate. In the case of a multicounty~~
14 ~~candidate, the supervisor of elections shall check the~~
15 ~~signatures on petitions and shall, prior to the first date for~~
16 ~~qualifying for office, certify to the Department of State the~~
17 ~~number shown as registered electors of the district. The~~
18 ~~Department of State shall determine if the required number of~~
19 ~~signatures has been obtained for multicounty candidates and~~
20 ~~shall so notify the candidate. If the required number of~~
21 ~~signatures has been obtained for the name of the candidate to~~
22 ~~be placed on the ballot, the candidate shall, during the time~~
23 ~~prescribed for qualifying for office in s. 99.061, submit a~~
24 ~~copy of the notice to, and file her or his qualification~~
25 ~~papers with, the qualifying officer and take the oath~~
26 ~~prescribed in s. 99.021.~~

27 Section 54. Subsection (1) of section 876.05, Florida
28 Statutes, is amended to read:

29 876.05 Public employees; oath.--

30 (1) All persons who now or hereafter are employed by
31 or who now or hereafter are on the payroll of the state, or

1 any of its departments and agencies, subdivisions, counties,
2 cities, school boards and districts of the free public school
3 system of the state or counties, or institutions of higher
4 learning, and all candidates for public office, except
5 candidates for federal office, are required to take an oath
6 before any person duly authorized to take acknowledgments of
7 instruments for public record in the state in the following
8 form:

9
10 I,, a citizen of the State of Florida and of the
11 United States of America, and being employed by or an officer
12 of and a recipient of public funds as such employee or
13 officer, do hereby solemnly swear or affirm that I will
14 support the Constitution of the United States and of the State
15 of Florida.

16 Section 55. Except as otherwise expressly provided in
17 this act and except for this section, which shall take effect
18 upon becoming a law, this act shall take effect January 1,
19 2008.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 CS for Senate Bill 960 and Senate Bill 1010
4
5 The Committee Substitute for the Committee Substitute differs
6 from the Committee Substitute in that it: provides that by
7 2012, disabled voters must be provided a means to cast an
8 independent, marksense ballot; provides that an audit must be
9 completed and made public by the 7th day after certification;
10 amends the definition of "third party registration
11 organization" and revises the fine structure for violations
12 regarding voter registration by a third party registration
13 organization; requires supervisors to report specific precinct
14 level data 35 days after a primary, special, general, or
15 municipal election; provides a state executive committee
16 chairman of a political party with discretionary suspension
17 authority for certain individuals who violate the oath of
18 office or engage in other activities that have or could have
19 injured a political party or interfered with its activities;
20 provides that committees of continuous existence who received
21 forwarded dues from groups must report those dues as if they
22 had been received from the committee's members; authorizes
23 contributions to political committees and committees of
24 continuous existence through intermediary organizations if
25 those contributions are identified to be intended for the
26 committee; revises the disclosure requirements for political
27 advertisements made pursuant to s. 106.021(3)(d); provides
28 specific requirements for initiative petition forms; provides
29 that initiative petition forms must be verified within 30 days
30 of receipt by the supervisor; provides a method by which an
31 initiative petition may be revoked.