

HB 1189

2008

1 A bill to be entitled

2 An act relating to presidential preference primary
3 elections; amending s. 103.101, F.S.; providing that a
4 voter who has no party affiliation may vote in either the
5 Republican or Democratic primary; requiring that the names
6 of all the candidates in both the Republican and
7 Democratic primaries be placed in a specified position on
8 the ballot used by voters having no party affiliation;
9 providing an exception; providing for the arrangement of
10 the names of candidates on such ballots; authorizing each
11 contest of a contested Republican or Democratic primary to
12 be treated as a universal primary contest pursuant to the
13 State Constitution for purposes of tabulating and
14 reporting results; providing an effective date.

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

17
18 Section 1. Subsection (4) of section 103.101, Florida
19 Statutes, is amended to read:

20 103.101 Presidential preference primary.--

21 (4) (a) The names of candidates for political party
22 nominations for President of the United States shall be printed
23 on official ballots for the presidential preference primary
24 election and shall be marked, counted, canvassed, returned, and
25 proclaimed in the same manner and under the same conditions, so
26 far as they are applicable, as in other state elections, except
27 that a voter who has no party affiliation may vote in either the
28 Republican or Democratic primary. ~~If party rule requires the~~

HB 1189

2008

29 ~~delegates' names to be printed on the official presidential~~
30 ~~preference primary ballot, the name of the presidential~~
31 ~~candidates for that political party may not be printed~~
32 ~~separately, but the ballot may reflect the presidential~~
33 ~~candidate to whom the delegate is pledged. If, however, a~~
34 ~~political party has only one presidential candidate, neither the~~
35 ~~name of the candidate nor the names of the candidate's delegates~~
36 shall not be printed on the ballot.

37 (b) Ballots for voters having no party affiliation shall
38 contain the names of all the candidates in both the Republican
39 and Democratic presidential preference primaries beneath the
40 heading "PRESIDENT (Vote for One)," followed by any other races
41 or issues on the ballot. The names of candidates shall be
42 arranged alphabetically as to surname, together with an
43 appropriate three-letter abbreviation of party name. However, if
44 a political party has only one presidential candidate, the name
45 of that candidate shall not be printed on the ballot. For
46 purposes of tabulating and reporting results of a contested
47 Republican or Democratic presidential preference primary, each
48 race may be treated as a universal primary contest pursuant to
49 s. 5(b), Art. VI of the State Constitution.

50 Section 2. This act shall take effect January 1, 2009.