

By Senator Dockery

15-02951B-08

20082776\_\_

## Senate Joint Resolution

A joint resolution proposing an amendment to Section 5 of Article VI of the State Constitution to allow all qualified electors to vote in the primary election under certain circumstances, regardless of an elector's party affiliation.

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

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

## ARTICLE VI

## SUFFRAGE AND ELECTIONS

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

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

(b) If all major party candidates for an office have the same party affiliation and there are no minor party candidates in the race ~~the winner will have no opposition in the general~~

15-02951B-08

20082776\_\_

30 ~~election~~, all qualified electors, regardless of an elector's  
31 party affiliation, may vote in the primary election ~~elections~~ for  
32 that office.

33 (c) As used in this section, the term:

34 (1) "Major party" means any group that is registered as a  
35 political party as provided by law and that on January 1  
36 immediately preceding a primary election has as registered  
37 members at least 5 percent of the total registered electors of  
38 the state.

39 (2) "Minor party" means any group that is registered as a  
40 political party as provided by law and that on January 1  
41 immediately preceding a primary election does not have as  
42 registered members at least 5 percent of the total registered  
43 electors of the state.

44 BE IT FURTHER RESOLVED that the following statement be  
45 placed on the ballot:

46 CONSTITUTIONAL AMENDMENT

47 ARTICLE VI, SECTION 5

48 OPEN PRIMARY ELECTIONS WHEN NO MINOR PARTIES APPEAR ON THE  
49 BALLOT.--Proposing an amendment to the State Constitution  
50 allowing all qualified electors, regardless of an elector's party  
51 affiliation, to vote in the primary election when all of the  
52 major party candidates for an office have the same political  
53 party affiliation and there are no minor party candidates in the  
54 race, regardless of the presence of a write-in candidate or  
55 candidate with no party affiliation; defining the terms "major  
56 party" and "minor party" for purposes of the amendment.