

HB 759

2009

1 A bill to be entitled
2 An act relating to the presidential preference primary;
3 amending s. 103.101, F.S.; revising the dates relating to
4 the presidential preference primary; providing an
5 effective date.

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

8
9 Section 1. Subsections (1), (2), (3), and (6) of section
10 103.101, Florida Statutes, are amended to read:

11 103.101 Presidential preference primary.--

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

18 (2) (a) There shall be a Presidential Candidate Selection
19 Committee composed of the Secretary of State, who shall be a
20 nonvoting chair; the Speaker of the House of Representatives;
21 the President of the Senate; the minority leader of each house
22 of the Legislature; and the chair of each political party
23 required to have a presidential preference primary under this
24 section.

25 (b) By December ~~October~~ 31 of the year preceding the
26 Florida presidential preference primary, each political party
27 shall submit to the Secretary of State a list of its
28 presidential candidates to be placed on the presidential

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29 preference primary ballot or candidates entitled to have
30 delegates appear on the presidential preference primary ballot.
31 The Secretary of State shall prepare and publish a list of the
32 names of the presidential candidates submitted. The Secretary of
33 State shall submit such list of names of presidential candidates
34 to the selection committee on the first Tuesday after the first
35 Monday in January each ~~November of the year a preceding the~~
36 presidential preference primary election is held. Each person
37 designated as a presidential candidate shall have his or her
38 name appear, or have his or her delegates' names appear, on the
39 presidential preference primary ballot unless all committee
40 members of the same political party as the candidate agree to
41 delete such candidate's name from the ballot.

42 (c) The selection committee shall meet in Tallahassee on
43 the first Tuesday after the first Monday in January each
44 ~~November of the year a preceding the~~ presidential preference
45 primary is held. The selection committee shall publicly announce
46 and submit to the Department of State no later than 5 p.m. on
47 the following day the names of presidential candidates who shall
48 have their names appear, or who are entitled to have their
49 delegates' names appear, on the presidential preference primary
50 ballot. The Department of State shall immediately notify each
51 presidential candidate designated by the committee. Such
52 notification shall be in writing, by registered mail, with
53 return receipt requested.

54 (3) A candidate's name shall be printed on the
55 presidential preference primary ballot unless the candidate
56 submits to the Department of State, prior to the second Tuesday

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57 | after the first Monday in January ~~November of the year preceding~~
58 | ~~the presidential preference primary~~, an affidavit stating that
59 | he or she is not now, and does not presently intend to become, a
60 | candidate for President at the upcoming nominating convention.
61 | If a candidate withdraws pursuant to this subsection, the
62 | Department of State shall notify the state executive committee
63 | that the candidate's name will not be placed on the ballot. The
64 | Department of State shall, no later than the third Tuesday after
65 | the first Monday in January ~~November of the year preceding the~~
66 | ~~presidential preference primary~~, certify to each supervisor of
67 | elections the name of each candidate for political party
68 | nomination to be printed on the ballot.

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

72 | Section 2. This act shall take effect January 1, 2010.