

1 A bill to be entitled
 2 An act relating to municipal elections; amending s.
 3 166.031, F.S.; providing circumstances under which a
 4 candidate without opposition due to a specified vacancy in
 5 candidacy shall be declared elected to office without
 6 having to reopen the qualifying period and hold a
 7 municipal special election; providing an effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Subsection (6) of section 166.031, Florida
 12 Statutes, is amended to read:

13 166.031 Charter amendments.—

14 (6) Each municipality shall, by ordinance or charter
 15 provision, provide procedures for filling a vacancy in office
 16 caused by death, resignation, or removal from office. ~~The~~ Such
 17 ordinance or charter provision shall also provide procedures for
 18 filling a vacancy in candidacy caused by death, withdrawal, or
 19 removal from the ballot of a qualified candidate following the
 20 end of the qualifying period which leaves fewer than two
 21 candidates for an office. Notwithstanding any provisions adopted
 22 pursuant to this subsection, if a vacancy in candidacy is caused
 23 by the withdrawal or removal from the ballot of a qualified
 24 candidate for the second time in the same contest or by the
 25 death of such candidate, thereby leaving fewer than two
 26 candidates for the office, the remaining candidate shall be
 27 declared elected to the office without opposition and without

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28 | the need for reopening the qualifying period and holding a
29 | municipal special election.

30 | Section 2. This act shall take effect July 1, 2010.