

By Senator Ring

32-00978-10

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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
5 vacancy in candidacy shall be declared elected to
6 office without having to reopen the qualifying period
7 and hold a municipal special election; providing an
8 effective date.

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

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

14 166.031 Charter amendments.—

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

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30 municipal special election.

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