

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Thurston offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 2443 and 2444, insert:

5 Section 44. Subsections (4) and (5) of section 105.031,
6 Florida Statutes, are amended to read:

7 105.031 Qualification; filing fee; candidate's oath; items
8 required to be filed.-

9 (4) CANDIDATE'S OATH.-

10 (a) All candidates for the office of school board member
11 shall subscribe to the oath as prescribed in s. 99.021.

12 (b) All candidates for judicial office shall subscribe to
13 an oath or affirmation in writing to be filed with the
14 appropriate qualifying officer upon qualifying. A printed copy
15 of the oath or affirmation shall be furnished to the candidate
16 by the qualifying officer and shall be in substantially the

109975

Approved For Filing: 4/19/2011 12:41:33 PM

Amendment No.
following form:

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

State of Florida
County of

Before me, an officer authorized to administer oaths,
personally appeared ... (please print official bar name of the
candidate as it appears in the records of The Florida Bar ~~name~~
~~as you wish it to appear on the ballot~~)..., to me well known,
who, being sworn, says he or she: is a candidate for the
judicial office of; that his or her legal residence is
County, Florida; that he or she is a qualified elector of the
state and of the territorial jurisdiction of the court to which
he or she seeks election; that he or she is qualified under the
constitution and laws of Florida to hold the judicial office to
which he or she desires to be elected or in which he or she
desires to be retained; that he or she has taken the oath
required by ss. 876.05-876.10, Florida Statutes; that he or she
has qualified for no other public office in the state, the term
of which office or any part thereof runs concurrent to the
office he or she seeks; and that he or she has resigned from any
office which he or she is required to resign pursuant to s.
99.012, Florida Statutes.

...(Signature of candidate)..
...(Address)...

Sworn to and subscribed before me this day of,
109975

Amendment No.

45 ... (year) ..., at County, Florida.

46
47 ... (Signature and title of officer administering oath) ...

48
49 (5) ITEMS REQUIRED TO BE FILED.-

50 (a) In order for a candidate for judicial office or the
51 office of school board member to be qualified, the following
52 items must be received by the filing officer by the end of the
53 qualifying period:

54 1. Except for candidates for retention to judicial office,
55 a properly executed check drawn upon the candidate's campaign
56 account in an amount not less than the fee required by
57 subsection (3) or, in lieu thereof, the copy of the notice of
58 obtaining ballot position pursuant to s. 105.035. If a
59 candidate's check is returned by the bank for any reason, the
60 filing officer shall immediately notify the candidate and the
61 candidate shall, the end of qualifying notwithstanding, have 48
62 hours from the time such notification is received, excluding
63 Saturdays, Sundays, and legal holidays, to pay the fee with a
64 cashier's check purchased from funds of the campaign account.
65 Failure to pay the fee as provided in this subparagraph shall
66 disqualify the candidate.

67 2. The candidate's oath required by subsection (4), which
68 must contain the official bar name of the candidate as it
69 appears in the records of The Florida Bar ~~is to appear on the~~
70 ~~ballot~~; the office sought, including the district or group
71 number if applicable; and the signature of the candidate, duly
72 acknowledged.

109975

Approved For Filing: 4/19/2011 12:41:33 PM

Amendment No.

73 3. The loyalty oath required by s. 876.05, signed by the
74 candidate and duly acknowledged.

75 4. The completed form for the appointment of campaign
76 treasurer and designation of campaign depository, as required by
77 s. 106.021. In addition, each candidate for judicial office,
78 including an incumbent judge, shall file a statement with the
79 qualifying officer, within 10 days after filing the appointment
80 of campaign treasurer and designation of campaign depository,
81 stating that the candidate has read and understands the
82 requirements of the Florida Code of Judicial Conduct. Such
83 statement shall be in substantially the following form:

84
85 Statement of Candidate for Judicial Office

86
87 I, ...(name of candidate)..., a judicial candidate, have
88 received, read, and understand the requirements of the Florida
89 Code of Judicial Conduct.

90 ... (Signature of candidate) ...

91 ... (Date) ...

92 5. The full and public disclosure of financial interests
93 required by s. 8, Art. II of the State Constitution or the
94 statement of financial interests required by s. 112.3145,
95 whichever is applicable. A public officer who has filed the full
96 and public disclosure or statement of financial interests with
97 the Commission on Ethics or the supervisor of elections prior to
98 qualifying for office may file a copy of that disclosure at the
99 time of qualifying.

100 (b) If the filing officer receives qualifying papers that

109975

Amendment No.

101 do not include all items as required by paragraph (a) prior to
102 the last day of qualifying, the filing officer shall make a
103 reasonable effort to notify the candidate of the missing or
104 incomplete items and shall inform the candidate that all
105 required items must be received by the close of qualifying. A
106 candidate's name as it is to appear on the ballot may not be
107 changed after the end of qualifying.

108 Section 45. Subsection (2) of section 105.041, Florida
109 Statutes, is amended to read:

110 105.041 Form of ballot.—

111 (2) LISTING OF CANDIDATES.—

112 (a) The order of nonpartisan offices appearing on the
113 ballot shall be determined by the Department of State. The names
114 of candidates for election to each nonpartisan office shall be
115 determined by lot and listed in such order on the ballot from
116 first to last ~~listed in alphabetical order.~~ When two or more
117 candidates running for the same office have the same or a
118 similar surname, the word "incumbent" shall appear next to the
119 incumbent's name.

120 (b) With respect to retention of justices and judges, the
121 question "Shall Justice (or Judge) (name of justice or judge) of
122 the (name of the court) be retained in office?" shall appear on
123 the ballot in alphabetical order and thereafter the words "Yes"
124 and "No."

125
126
127 -----

128 **T I T L E A M E N D M E N T**

109975

Approved For Filing: 4/19/2011 12:41:33 PM

Amendment No.

129 Between lines 209 and 210, insert:
130 amending s. 105.031, F.S.; requiring judicial candidates to use
131 their official bar name when qualifying for office and for
132 listing on the ballot; amending s. 105.041, F.S.; specifying how
133 the names of judicial candidates shall be listed on the ballot;