



617698

LEGISLATIVE ACTION

Senate

.

House

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Floor: WD/2R

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05/05/2017 12:07 PM

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Senator Mayfield moved the following:

Senate Amendment (with title amendment)

Delete lines 290 - 478

and insert:

Section 8. Subsection (3) of section 101.131, Florida Statutes, is amended to read:

101.131 Watchers at polls.—

(3) Any elected official, ~~No candidate,~~ ~~or~~ sheriff, deputy sheriff, police officer, or other law enforcement officer may not be designated as a poll watcher.

Section 9. Subsection (10) is added to section 101.151,



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12 Florida Statutes, to read:

13 101.151 Specifications for ballots.-

14 (10) With respect to any certified voting system that uses
15 a voter interface device to designate the elector's ballot
16 selections on a printed sheet of paper, this section, s.
17 101.161, and ss. 101.2512-101.254 that prescribe the ballot
18 layout apply only to the display of candidates and issues on the
19 voter interface device.

20 Section 10. Subsection (2) of section 101.20, Florida
21 Statutes, is amended to read:

22 101.20 Publication of ballot form; sample ballots.-

23 (2) Upon completion of the list of qualified candidates and
24 before the day of an election, a sample ballot shall be
25 published by the supervisor of elections in a newspaper of
26 general circulation in the county unless the supervisor mails a
27 sample ballot to each registered elector or to each household in
28 which there is a registered elector at least 7 days, before the
29 day of an election. A supervisor may send a sample ballot to
30 each registered elector by e-mail at least 7 days before the day
31 of an election if an e-mail address has been provided and the
32 elector has opted to receive a sample ballot by electronic
33 ~~delivery. If an e-mail address has not been provided, or if the~~
34 ~~elector has not opted for electronic delivery, a sample ballot~~
35 ~~may be mailed to each registered elector or to each household in~~
36 ~~which there is a registered elector at least 7 days before an~~
37 ~~election.~~

38 Section 11. Subsection (5) of section 101.5603, Florida
39 Statutes, is amended to read:

40 101.5603 Definitions relating to Electronic Voting Systems



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41 Act.—As used in this act, the term:

42 (5) "Marking device" means any approved device for marking
43 a ballot with ink or other substance, including through a voter
44 interface device, which will enable the ballot to be tabulated
45 by means of automatic tabulating equipment.

46 Section 12. Subsection (1) of section 101.56075, Florida
47 Statutes, is amended to read:

48 101.56075 Voting methods.—

49 (1) Except as provided in subsection (2), all voting shall
50 be by marksense ballot using ~~utilizing~~ a marking device for the
51 purpose of designating ballot selections.

52 Section 13. Paragraph (a) of subsection (5) of section
53 105.031, Florida Statutes, is amended to read:

54 105.031 Qualification; filing fee; candidate's oath; items
55 required to be filed.—

56 (5) ITEMS REQUIRED TO BE FILED.—

57 (a) In order for a candidate for judicial office or the
58 office of school board member to be qualified, the following
59 items must be received by the filing officer by the end of the
60 qualifying period:

61 1. Except for candidates for retention to judicial office,
62 a properly executed check or certified check drawn upon the
63 candidate's campaign account in an amount not less than the fee
64 required by subsection (3) or, in lieu thereof, the copy of the
65 notice of obtaining ballot position pursuant to s. 105.035. If a
66 candidate's check is returned by the bank for any reason, the
67 filing officer shall immediately notify the candidate and the
68 candidate shall, the end of qualifying notwithstanding, have 48
69 hours from the time such notification is received, excluding



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70 Saturdays, Sundays, and legal holidays, to pay the fee with a
71 cashier's check purchased from funds of the campaign account.
72 Failure to pay the fee as provided in this subparagraph shall
73 disqualify the candidate.

74 2. The candidate's oath required by subsection (4), which
75 must contain the name of the candidate as it is to appear on the
76 ballot; the office sought, including the district or group
77 number if applicable; and the signature of the candidate, duly
78 acknowledged.

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

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

90
91 Statement of Candidate for Judicial Office

92
93 I, ...(name of candidate)..., a judicial candidate, have
94 received, read, and understand the requirements of the Florida
95 Code of Judicial Conduct.

96 ...(Signature of candidate)...

97 ...(Date)...

98



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99 5. The full and public disclosure of financial interests
100 required by s. 8, Art. II of the State Constitution or the
101 statement of financial interests required by s. 112.3145,
102 whichever is applicable. A public officer who has filed the full
103 and public disclosure or statement of financial interests with
104 the Commission on Ethics or the supervisor of elections prior to
105 qualifying for office may file a copy of that disclosure at the
106 time of qualifying.

107 Section 14. Subsection (2) of section 121.121, Florida
108 Statutes, is amended to read:

109 121.121 Authorized leaves of absence.-

110 (2) A member who is required to resign his or her office as
111 a subordinate officer, deputy sheriff, or police officer because
112 he or she is a candidate for a public office which is currently
113 held by his or her superior officer who is also a candidate for
114 reelection to the same office, in accordance with s. 99.012(5)
115 ~~99.012(4)~~, shall, upon return to covered employment, be eligible
116 to purchase retirement credit for the period between his or her
117 date of resignation and the beginning of the term of office for
118 which he or she was a candidate as a leave of absence without
119 pay, as provided in subsection (1).

120 Section 15. This act shall take effect July 1, 2017.

121
122 ===== T I T L E A M E N D M E N T =====

123 And the title is amended as follows:

124 Delete lines 25 - 52

125 and insert:

126 the polls except under certain circumstances; amending
127 s. 101.131, F.S.; prohibiting an elected official from



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128 being designated as a poll watcher; amending s.
129 101.151, F.S.; providing applicability of specified
130 ballot requirements to a voter interface device;
131 amending s. 101.20, F.S.; providing an exception to
132 the requirement that a sample ballot be published by
133 the supervisor of elections in a newspaper of general
134 circulation in the county; amending ss. 101.5603 and
135 101.56075, F.S.; conforming provisions to changes made
136 by the act; amending s. 105.031, F.S.; providing an
137 additional means by which certain nonpartisan
138 candidates may pay their qualification fees; amending
139 s. 121.121, F.S.; revising a cross-reference to
140 conform to changes made by the act; providing an
141 effective date.