

By Senator Rader

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1 A bill to be entitled
2 An act relating to primary elections; amending s.
3 100.061, F.S.; requiring that a universal primary
4 election open to all qualified electors, regardless of
5 political party affiliation or lack thereof, be held
6 for purposes of selecting candidates for specified
7 federal, state, local, and district offices;
8 specifying that the candidates receiving the highest
9 and next highest number of votes in the universal
10 primary election advance to the general election;
11 modifying procedures in the event of a tied vote
12 between candidates; amending s. 101.151, F.S.;
13 modifying ballot layout requirements to conform to the
14 addition of the universal primary election; amending
15 ss. 97.021, 99.061, 99.063, 99.0955, 100.051, 100.081,
16 100.111, 100.191, 101.021, 101.2512, 101.252,
17 101.5606, 101.6952, 102.131, 102.151, 102.168,
18 102.1685, 102.171, 104.071, 104.31, 105.071, 106.011,
19 106.021, 106.03, 106.12, 106.143, 106.15, 106.18,
20 112.313, and 112.3145, F.S.; conforming provisions and
21 terminology to changes made by the act; providing an
22 effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Section 100.061, Florida Statutes, is amended to
27 read:

28 100.061 Universal primary election.—In each year in which a
29 general election is held, a universal primary election to select

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30 ~~for nomination of~~ candidates for Governor and Lieutenant
31 Governor, any Cabinet office, the Legislature, United States
32 Representative, United States Senator, the office of state
33 attorney or public defender, or any county, municipal, or
34 district office ~~of political parties~~ shall be held on the
35 Tuesday 11 weeks before ~~prior to~~ the general election. All
36 candidates for those particular offices, regardless of the
37 candidate's party affiliation or lack of party affiliation, must
38 appear on a single ballot, and the two candidates receiving the
39 highest and next highest number of votes for that office shall,
40 regardless of their party affiliation, advance to the general
41 election ~~The candidate receiving the highest number of votes~~
42 ~~cast in each contest in the primary election shall be declared~~
43 ~~nominated~~ for such office. All qualified electors, regardless of
44 their party affiliation or lack of party affiliation, may vote
45 in the primary election for those offices. Regardless of whether
46 a candidate for an office specified in this section receives a
47 majority of the votes cast for such office in the primary
48 election, the names of the two candidates receiving the highest
49 number of votes for such office must be placed on the general
50 election ballot. If two or more candidates receive an equal and
51 highest number of votes for the same office, the name of each
52 candidate receiving an equal and highest number of votes must be
53 placed on the general election ballot. In any contest in which
54 there is a tie for second place, the candidates tying for second
55 ~~such candidates~~ shall draw lots to determine which candidate
56 advances to the general election ~~is nominated.~~

57 Section 2. Paragraphs (b) and (c) of subsection (2),
58 subsection (3), and paragraph (a) of subsection (4) of section

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59 101.151, Florida Statutes, are amended to read:

60 101.151 Specifications for ballots.—

61 (2)

62 (b) In a primary ~~general~~ election, in addition to the names
63 printed on the ballot, a blank space must ~~shall~~ be provided
64 under each office for which a write-in candidate has qualified.
65 With respect to write-in candidates, if two or more candidates
66 are seeking election to one office, only one blank space must
67 ~~shall~~ be provided.

68 (c) When more than one candidate files ~~is nominated~~ for
69 office, the candidates for such office shall qualify and run in
70 a group or district, and the group or district number must ~~shall~~
71 be printed beneath the name of the office. The two candidates
72 who received the highest number of votes ~~Each nominee of a~~
73 ~~political party chosen in the~~ a primary election must ~~shall~~
74 appear on the general election ballot in the same numbered group
75 or district as on the primary election ballot.

76 (3) (a) For candidates for an office that is subject to a
77 universal primary election under s. 100.061, the names of the
78 two candidates who received the highest number of votes in the
79 primary election must be arranged alphabetically as to surnames
80 on the general election ballot, together with an appropriate
81 abbreviation of the party name if the candidate is seeking
82 office with a political party affiliation.

83 (b) For any other office not otherwise subject to paragraph
84 (a):

85 1. The names of the candidates of the party that received
86 the highest number of votes for Governor in the last election in
87 which a Governor was elected must ~~shall~~ be placed first for each

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88 office on the general election ballot, together with an
89 appropriate abbreviation of the party name; the names of the
90 candidates of the party that received the second highest vote
91 for Governor must ~~shall~~ be placed second for each office,
92 together with an appropriate abbreviation of the party name.

93 2. ~~(b)~~ Minor political party candidates shall have their
94 names appear on the general election ballot following the names
95 of recognized political parties, in the same order as they were
96 qualified, followed by the names of candidates with no party
97 affiliation, in the order as they were qualified.

98 (4) (a) The names of candidates for each office must ~~shall~~
99 be arranged alphabetically as to surnames on a primary election
100 ballot, together with an appropriate abbreviation of the party
101 name if the candidate is seeking office with a political party
102 affiliation.

103 Section 3. Subsections (6), (30), (35), and (36) of section
104 97.021, Florida Statutes, are amended to read:

105 97.021 Definitions.—For the purposes of this code, except
106 where the context clearly indicates otherwise, the term:

107 (6) "Candidate" means any person to whom any one or more of
108 the following applies:

109 (a) Any person who seeks to qualify for ~~nomination or~~
110 election by means of the petitioning process.

111 (b) Any person who seeks to qualify for election as a
112 write-in candidate.

113 (c) Any person who receives contributions or makes
114 expenditures, or gives his or her consent for any other person
115 to receive contributions or make expenditures, with a view to
116 bringing about his or her nomination or election to, or

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117 retention in, public office.

118 (d) Any person who appoints a treasurer and designates a
119 primary depository.

120 (e) Any person who files qualification papers and
121 subscribes to a candidate's oath as required by law.

122

123 However, this definition does not include any candidate for a
124 political party executive committee.

125 (30) "Primary election" or "universal primary election"
126 means an election held preceding the general election for the
127 purpose of determining the candidates ~~nominating a party nominee~~
128 to be voted on ~~for~~ in the general election to fill a national,
129 state, county, or district office.

130 (35) "Special election" is a special election called for
131 the purpose of voting on a candidate ~~party nominee~~ to fill a
132 vacancy in the national, state, county, or district office.

133 (36) "Special primary election" is a special ~~nomination~~
134 election designated by the Governor, called for the purpose of
135 determining the candidates ~~nominating a party nominee~~ to be
136 voted on in a general or special election.

137 Section 4. Section 99.061, Florida Statutes, is amended to
138 read:

139 99.061 Method of qualifying for ~~nomination or~~ election to
140 federal, state, county, or district office.—

141 (1) The provisions of any special act to the contrary
142 notwithstanding, each person seeking to qualify for ~~nomination~~
143 ~~or~~ election to a federal, state, or multicounty district office,
144 other than election to a judicial office as defined in chapter
145 105 or the office of school board member, shall file his or her

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146 qualification papers with, and pay the qualifying fee, which
147 shall consist of the filing fee and election assessment, and
148 party assessment, if any has been levied, to, the Department of
149 State, or qualify by the petition process pursuant to s. 99.095
150 with the Department of State, at any time after noon of the 1st
151 day for qualifying, which shall be as follows: the 120th day
152 before ~~prior to~~ the primary election, but not later than noon of
153 the 116th day before ~~prior to~~ the date of the primary election,
154 for persons seeking to qualify for ~~nomination or~~ election to
155 federal office or to the office of the state attorney or the
156 public defender; and noon of the 71st day before ~~prior to~~ the
157 primary election, but not later than noon of the 67th day before
158 ~~prior to~~ the date of the primary election, for persons seeking
159 to qualify for ~~nomination or~~ election to a state or multicounty
160 district office, other than the office of the state attorney or
161 the public defender.

162 (2) The provisions of any special act to the contrary
163 notwithstanding, each person seeking to qualify for ~~nomination~~
164 ~~or~~ election to a county office, or district office not covered
165 by subsection (1), shall file his or her qualification papers
166 with, and pay the qualifying fee, which shall consist of the
167 filing fee and election assessment, and party assessment, if any
168 has been levied, to, the supervisor of elections of the county,
169 or shall qualify by the petition process pursuant to s. 99.095
170 with the supervisor of elections, at any time after noon of the
171 1st day for qualifying, which shall be the 71st day before ~~prior~~
172 ~~to~~ the primary election, but not later than noon of the 67th day
173 before ~~prior to~~ the date of the primary election. Within 30 days
174 after the closing of qualifying time, the supervisor of

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175 elections shall remit to the secretary of the state executive
176 committee of the political party to which the candidate belongs
177 the amount of the filing fee, two-thirds of which shall be used
178 to promote the candidacy of candidates for county offices and
179 the candidacy of members of the Legislature.

180 (3) Notwithstanding the provisions of any special act to
181 the contrary, each person seeking to qualify for election to a
182 special district office shall qualify between noon of the 71st
183 day prior to the primary election and noon of the 67th day prior
184 to the date of the primary election. Candidates for single-
185 county special districts shall qualify with the supervisor of
186 elections in the county in which the district is located. If the
187 district is a multicounty district, candidates shall qualify
188 with the Department of State. All special district candidates
189 shall qualify by paying a filing fee of \$25 or qualify by the
190 petition process pursuant to s. 99.095. Notwithstanding s.
191 106.021, a candidate who does not collect contributions and
192 whose only expense is the filing fee or signature verification
193 fee is not required to appoint a campaign treasurer or designate
194 a primary campaign depository.

195 (4) (a) Each person seeking to qualify for election to
196 office as a write-in candidate shall file his or her
197 qualification papers with the respective qualifying officer at
198 any time after noon of the 1st day for qualifying, but not later
199 than noon of the last day of the qualifying period for the
200 office sought.

201 (b) Any person who is seeking election as a write-in
202 candidate is ~~shall~~ not be required to pay a filing fee, election
203 assessment, or party assessment. A write-in candidate is not

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204 entitled to have his or her name printed on any ballot; however,
205 space for the write-in candidate's name to be written in must be
206 provided on the primary ~~general~~ election ballot or the general
207 election ballot if the write-in candidate is seeking an office
208 that is not subject to a universal primary election. A person
209 may not qualify as a write-in candidate if the person has also
210 otherwise qualified for ~~nomination or~~ election to such office.

211 (5) At the time of qualifying for office, each candidate
212 for a constitutional office shall file a full and public
213 disclosure of financial interests pursuant to s. 8, Art. II of
214 the State Constitution, which must be verified under oath or
215 affirmation pursuant to s. 92.525(1)(a), and a candidate for any
216 other office, including local elective office, shall file a
217 statement of financial interests pursuant to s. 112.3145.

218 (6) The Department of State shall certify to the supervisor
219 of elections, within 7 days after the closing date for
220 qualifying, the names of all duly qualified candidates for
221 ~~nomination or~~ election who have qualified with the Department of
222 State.

223 (7) (a) In order for a candidate to be qualified, the
224 following items must be received by the filing officer by the
225 end of the qualifying period:

226 1. A properly executed check drawn upon the candidate's
227 campaign account payable to the person or entity as prescribed
228 by the filing officer in an amount not less than the fee
229 required by s. 99.092, unless the candidate obtained the
230 required number of signatures on petitions pursuant to s.
231 99.095. The filing fee for a special district candidate is not
232 required to be drawn upon the candidate's campaign account. If a

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233 candidate's check is returned by the bank for any reason, the
234 filing officer shall immediately notify the candidate and the
235 candidate shall have until the end of qualifying to pay the fee
236 with a cashier's check purchased from funds of the campaign
237 account. Failure to pay the fee as provided in this subparagraph
238 shall disqualify the candidate.

239 2. The candidate's oath required by s. 99.021, which must
240 contain the name of the candidate as it is to appear on the
241 ballot; the office sought, including the district or group
242 number if applicable; and the signature of the candidate, which
243 must be verified under oath or affirmation pursuant to s.
244 92.525(1) (a).

245 3. If the candidate is running with a political party
246 affiliation ~~office sought is partisan~~, the written statement of
247 political party affiliation required by s. 99.021(1) (b).

248 4. The completed form for the appointment of campaign
249 treasurer and designation of campaign depository, as required by
250 s. 106.021.

251 5. The full and public disclosure or statement of financial
252 interests required by subsection (5). A public officer who has
253 filed the full and public disclosure or statement of financial
254 interests with the Commission on Ethics or the supervisor of
255 elections before ~~prior to~~ qualifying for office may file a copy
256 of that disclosure at the time of qualifying.

257 (b) If the filing officer receives qualifying papers during
258 the qualifying period prescribed in this section which do not
259 include all items as required by paragraph (a) before ~~prior to~~
260 the last day of qualifying, the filing officer shall make a
261 reasonable effort to notify the candidate of the missing or

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262 incomplete items and ~~shall~~ inform the candidate that all
263 required items must be received by the close of qualifying. A
264 candidate's name as it is to appear on the ballot may not be
265 changed after the end of qualifying.

266 (c) The filing officer performs a ministerial function in
267 reviewing qualifying papers. In determining whether a candidate
268 is qualified, the filing officer shall review the qualifying
269 papers to determine whether all items required by paragraph (a)
270 have been properly filed and whether each item is complete on
271 its face, including whether items that must be verified have
272 been properly verified pursuant to s. 92.525(1)(a). The filing
273 officer may not determine whether the contents of the qualifying
274 papers are accurate.

275 (8) Notwithstanding the qualifying period prescribed in
276 this section, a qualifying office may accept and hold qualifying
277 papers submitted not earlier than 14 days before ~~prior to~~ the
278 beginning of the qualifying period, to be processed and filed
279 during the qualifying period.

280 (9) Notwithstanding the qualifying period prescribed by
281 this section, in each year in which the Legislature apportions
282 the state, the qualifying period for persons seeking to qualify
283 for ~~nomination or~~ election to federal office shall be between
284 noon of the 71st day before ~~prior to~~ the primary election, but
285 not later than noon of the 67th day before ~~prior to~~ the primary
286 election.

287 (10) The Department of State may prescribe by rule
288 requirements for filing papers to qualify as a candidate under
289 this section.

290 (11) The decision of the filing officer concerning whether

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291 a candidate is qualified is exempt from the provisions of
292 chapter 120.

293 Section 5. Subsections (1) and (2) of section 99.063,
294 Florida Statutes, are amended to read:

295 99.063 Candidates for Governor and Lieutenant Governor.—

296 (1) No later than 5 p.m. of the 9th day following the
297 primary election, each candidate for Governor who has advanced
298 from the primary election shall designate a Lieutenant Governor
299 as a running mate. Such designation must be made in writing to
300 the Department of State.

301 (2) No later than 5 p.m. of the 9th day following the
302 primary election, each designated candidate for Lieutenant
303 Governor shall file with the Department of State:

304 (a) The candidate's oath required by s. 99.021, which must
305 contain the name of the candidate as it is to appear on the
306 ballot; the office sought; and the signature of the candidate,
307 which must be verified under oath or affirmation pursuant to s.
308 92.525(1) (a).

309 (b) If the candidate is running with a political party
310 affiliation ~~office sought is partisan~~, the written statement of
311 political party affiliation required by s. 99.021(1) (b).

312 (c) The full and public disclosure of financial interests
313 pursuant to s. 8, Art. II of the State Constitution. A public
314 officer who has filed the full and public disclosure with the
315 Commission on Ethics before ~~prior to~~ qualifying for office may
316 file a copy of that disclosure at the time of qualifying.

317 Section 6. Section 99.0955, Florida Statutes, is amended to
318 read:

319 99.0955 Candidates with no party affiliation; name on

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320 ~~general election~~ ballot.-

321 (1) Each person seeking to qualify for election as a
322 candidate with no party affiliation shall file his or her
323 qualifying papers and pay the qualifying fee or qualify by the
324 petition process pursuant to s. 99.095 with the officer and
325 during the times and under the circumstances prescribed in s.
326 99.061. Upon qualifying, the candidate is entitled to have his
327 or her name placed on the primary ~~general~~ election ballot, or
328 the general election ballot if the candidate is seeking an
329 office that is not subject to a universal primary election.

330 (2) The qualifying fee for candidates with no party
331 affiliation consists ~~shall consist~~ of a filing fee and an
332 election assessment as prescribed in s. 99.092. Filing fees paid
333 to the Department of State shall be deposited into the General
334 Revenue Fund of the state. Filing fees paid to the supervisor of
335 elections shall be deposited into the general revenue fund of
336 the county.

337 Section 7. Section 100.051, Florida Statutes, is amended to
338 read:

339 100.051 Candidate's name on general election ballot.-The
340 supervisor of elections of each county shall print on ballots to
341 be used in the county at the next general election the names of
342 candidates who advanced from the primary election or have been
343 nominated by a political party and the candidates who have
344 otherwise obtained a position on the general election ballot in
345 compliance with the requirements of this code.

346 Section 8. Section 100.081, Florida Statutes, is amended to
347 read:

348 100.081 ~~Nomination of~~ County commissioners at primary

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349 election.—The primary election must ~~shall~~ provide for the
350 selection nomination of candidates for the office of county
351 commissioner to advance to the general election ~~commissioners~~ by
352 the qualified electors of such county at the time and place set
353 for voting on other county officers.

354 Section 9. Paragraphs (b) and (c) of subsection (1) and
355 subsections (2), (3), and (4) of section 100.111, Florida
356 Statutes, are amended to read:

357 100.111 Filling vacancy.—

358 (1)

359 (b) If such a vacancy occurs before ~~prior to~~ the first day
360 set by law for qualifying for election to office at such general
361 election, any person seeking ~~nomination or~~ election to the
362 unexpired portion of the term must ~~shall~~ qualify within the time
363 prescribed by law for qualifying for other offices to be filled
364 by election at such general election.

365 (c) If such a vacancy occurs before ~~prior to~~ the primary
366 election but on or after the first day set by law for
367 qualifying, the Secretary of State must ~~shall~~ set dates for
368 qualifying for the unexpired portion of the term of such office.
369 Any person seeking ~~nomination or~~ election to the unexpired
370 portion of the term shall qualify within the time set by the
371 Secretary of State. If time does not permit party nominations to
372 be made in conjunction with the primary election, the Governor
373 may call a special primary election to select party nominees for
374 the unexpired portion of such term.

375 (2) Whenever there is a vacancy for which a special
376 election is required pursuant to s. 100.101, the Governor, after
377 consultation with the Secretary of State, shall fix the dates of

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378 a special primary election and a special election. The two
379 candidates who receive the highest number of votes ~~Nominees of~~
380 ~~political parties shall be chosen under the primary laws of this~~
381 ~~state~~ in the special primary election shall advance to become
382 ~~candidates in~~ the special election. Before ~~Prior to~~ setting the
383 special election dates, the Governor shall consider any upcoming
384 elections in the jurisdiction where the special election will be
385 held. The dates fixed by the Governor shall be specific days
386 certain and may ~~shall~~ not be established by the happening of a
387 condition or stated in the alternative. However, if only two
388 candidates, excluding any write-in candidates, qualify for the
389 office for which the special election is required and the
390 special election is not held concurrently with a general
391 election, the special primary election shall be suspended and
392 the date previously fixed by the Governor for the special
393 primary election shall become the special election. The dates
394 fixed shall provide a minimum of 2 weeks between each election.
395 In the event a vacancy occurs in the office of state senator or
396 member of the House of Representatives when the Legislature is
397 in regular legislative session, the minimum times prescribed by
398 this subsection may be waived upon concurrence of the Governor,
399 the Speaker of the House of Representatives, and the President
400 of the Senate. If a vacancy occurs in the office of state
401 senator and no session of the Legislature is scheduled to be
402 held before ~~prior to~~ the next general election, the Governor may
403 fix the dates for the special primary election and for the
404 special election to coincide with the dates of the primary
405 election and general election. If a vacancy in office occurs in
406 any district in the state Senate or House of Representatives or

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407 in any congressional district, and no session of the
408 Legislature, or session of Congress if the vacancy is in a
409 congressional district, is scheduled to be held during the
410 unexpired portion of the term, the Governor is not required to
411 call a special election to fill such vacancy.

412 (a) The dates for candidates to qualify in such special
413 election or special primary election shall be fixed by the
414 Department of State, and candidates shall qualify not later than
415 noon of the last day so fixed. The dates fixed for qualifying
416 shall allow a minimum of 14 days between the last day of
417 qualifying and the special primary election.

418 (b) The filing of campaign expense statements by candidates
419 in such special elections or special primaries and by committees
420 making contributions or expenditures to influence the results of
421 such special primaries or special elections shall be not later
422 than such dates as shall be fixed by the Department of State,
423 and in fixing such dates the Department of State shall take into
424 consideration and be governed by the practical time limitations.

425 (c) The dates for a candidate to qualify by the petition
426 process pursuant to s. 99.095 in such special primary or special
427 election shall be fixed by the Department of State. In fixing
428 such dates the Department of State shall take into consideration
429 and be governed by the practical time limitations. Any candidate
430 seeking to qualify by the petition process in a special primary
431 election shall obtain 25 percent of the signatures required by
432 s. 99.095.

433 (d) The qualifying fees and party assessments of such
434 candidates as may qualify shall be the same as collected for the
435 same office at the last previous primary for that office. The

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436 party assessment shall be paid to the appropriate executive
437 committee of the political party to which the candidate belongs.

438 (e) Each county canvassing board shall make as speedy a
439 return of the result of such special primary elections and
440 special elections as time will permit, and the Elections
441 Canvassing Commission likewise shall make as speedy a canvass
442 and declaration of the nominees as time will permit.

443 (3) (a) In the event that death, resignation, withdrawal, or
444 removal should cause a party to have a vacancy that in
445 ~~nomination which~~ leaves no candidate for an office from such
446 party if a candidate of such party has advanced from the primary
447 election, the filing officer before whom the candidate qualified
448 must shall notify the chair of the state and county political
449 party executive committee of such party and:

450 1. If the vacancy ~~in nomination~~ is for a candidacy for
451 statewide office, the state party chair must shall, within 5
452 days, call a meeting of his or her executive board to consider
453 designation of a candidate nominee to fill the vacancy.

454 2. If the vacancy ~~in nomination~~ is for a candidacy for the
455 office of United States Representative, state senator, state
456 representative, state attorney, or public defender, the state
457 party chair must shall notify the appropriate county chair or
458 chairs and, within 5 days, the appropriate county chair or
459 chairs must shall call a meeting of the members of the executive
460 committee in the affected county or counties to consider
461 designation of a candidate nominee to fill the vacancy.

462 3. If the vacancy ~~in nomination~~ is for a candidacy for
463 county office, the state party chair must shall notify the
464 appropriate county chair and, within 5 days, the appropriate

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465 county chair must ~~shall~~ call a meeting of his or her executive
466 committee to consider designation of a candidate ~~nominee~~ to fill
467 the vacancy.

468
469 The name of any person so designated shall be submitted to the
470 filing officer before whom the candidate qualified within 7 days
471 after notice to the chair in order that the person designated
472 may have his or her name on the ballot of the ensuing general
473 election. If the name of the new candidate ~~nominee~~ is submitted
474 after the certification of results of the preceding primary
475 election, however, the ballots may ~~shall~~ not be changed and the
476 former party candidate's ~~nominee's~~ name will appear on the
477 ballot. Any ballots cast for the former party candidate ~~nominee~~
478 will be counted for the person designated by the political party
479 to replace the former party candidate ~~nominee~~. If there is no
480 opposition to the party candidate ~~nominee~~, the person designated
481 by the political party to replace the former party candidate
482 ~~nominee~~ will be elected to office at the general election.

483 (b) When, under the circumstances set forth in the
484 preceding paragraph, vacancies in candidacy ~~nomination~~ are
485 required to be filled by committee nominations, such vacancies
486 shall be filled by party rule. In any instance in which a
487 candidate ~~nominee~~ is selected by a committee to fill a vacancy
488 in candidacy ~~nomination~~, such candidate ~~nominee~~ shall pay the
489 same filing fee and take the same oath as the nominee would have
490 taken had he or she regularly qualified for election to such
491 office.

492 (c) Any person who, at the close of qualifying as
493 prescribed in ss. 99.061 and 105.031, was qualified for

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494 ~~nomination~~ or election to or retention in a public office to be
495 filled at the ensuing general election or who attempted to
496 qualify and failed to qualify is prohibited from qualifying as a
497 candidate to fill a vacancy in candidacy ~~nomination~~ for any
498 other office to be filled at that general election, even if such
499 person has withdrawn or been eliminated as a candidate for the
500 original office sought. However, this paragraph does not apply
501 to a candidate for the office of Lieutenant Governor who applies
502 to fill a vacancy in candidacy ~~nomination~~ for the office of
503 Governor on the same ticket or to a person who has withdrawn or
504 been eliminated as a candidate and who is subsequently
505 designated as a candidate for Lieutenant Governor under s.
506 99.063.

507 (4) A vacancy in candidacy ~~nomination~~ is not created if an
508 order of a court that has become final determines that a nominee
509 did not properly qualify or did not meet the necessary
510 qualifications to hold the office for which he or she sought to
511 qualify.

512 Section 10. Section 100.191, Florida Statutes, is amended
513 to read:

514 100.191 General election laws applicable to special
515 elections; returns.—All laws that are applicable to general
516 elections are applicable to special elections or special primary
517 elections to fill a vacancy in office or candidacy ~~nomination~~.
518 The Elections Canvassing Commission shall immediately, upon
519 receipt of returns from the county in which a special election
520 is held, proceed to canvass the returns and determine and
521 declare the result thereof.

522 Section 11. Section 101.021, Florida Statutes, is amended

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523 to read:

524 101.021 Elector to vote the primary ballot of the political
525 party in which he or she is registered; exception.—In a primary
526 election, a qualified elector is entitled to vote only the
527 official primary election ballot of the political party
528 designated in the elector's registration, ~~and no other~~. It is
529 unlawful for any elector to vote in a presidential preference
530 primary or for any candidate running for a political party
531 executive committee nomination from a party other than that in
532 which such elector is registered.

533 Section 12. Subsection (1) of section 101.2512, Florida
534 Statutes, is amended to read:

535 101.2512 Candidates' names on general election ballots.—

536 (1) The supervisor of elections shall print on the general
537 election ballot the names of candidates who received the highest
538 and the next highest number of votes in a universal ~~nominated by~~
539 primary election or special primary election, regardless of the
540 candidates' party affiliation or lack of party affiliation, or
541 the names of candidates selected by the appropriate executive
542 committee of any political party pursuant to the requirements of
543 this code.

544 Section 13. Section 101.252, Florida Statutes, is amended
545 to read:

546 101.252 Candidates entitled to have names printed on
547 certain ballots; exception.—

548 (1) Any candidate ~~for nomination~~ who has qualified as
549 prescribed by law is entitled to have his or her name printed on
550 the official primary election ballot. However, when there is
551 only one candidate who has ~~of any political party~~ qualified for

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552 an office, the name of the candidate may ~~shall~~ not be printed on
553 the primary or general election ballots ~~ballot~~, and such
554 candidate is ~~shall be~~ declared elected to ~~nominated for~~ the
555 office.

556 (2) Any candidate for party executive committee member who
557 has qualified as prescribed by law is entitled to have his or
558 her name printed on the primary election ballot. However, when
559 there is only one candidate of any political party qualified for
560 such an office, the name of the candidate may ~~shall~~ not be
561 printed on the primary election ballot, and such candidate is
562 ~~shall be~~ declared elected to the state or county executive
563 committee.

564 Section 14. Subsection (6) of section 101.5606, Florida
565 Statutes, is amended to read:

566 101.5606 Requirements for approval of systems.—No
567 electronic or electromechanical voting system shall be approved
568 by the Department of State unless it is so constructed that:

569 (6) It allows ~~permits~~ each voter at a primary election to
570 vote in contests that are subject to a universal primary
571 election, contests that are limited to registrants of ~~only for~~
572 ~~the candidates seeking nomination by~~ the political party in
573 which such voter is registered, for any candidate for
574 nonpartisan office, and for any question upon which the voter is
575 entitled to vote.

576 Section 15. Paragraph (b) of subsection (2) of section
577 101.6952, Florida Statutes, is amended to read:

578 101.6952 Vote-by-mail ballots for absent uniformed services
579 and overseas voters.—

580 (2)

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581 (b)1. In an election for federal office, an elector may
582 designate a candidate by writing the name of a candidate on the
583 ballot. Except for a primary or special primary election, the
584 elector may alternatively designate a candidate by writing the
585 name of a political party on the ballot. A written designation
586 of the political party shall be counted as a vote for the
587 candidate of that party if there is such a party candidate in
588 the race.

589 2. In a state or local election, an elector may vote in the
590 section of the federal write-in absentee ballot designated for
591 nonfederal races by writing on the ballot the title of each
592 office and by writing on the ballot the name of the candidate
593 for whom the elector is voting. Except for a primary, special
594 primary, or nonpartisan election, the elector may alternatively
595 designate a candidate by writing the name of a political party
596 on the ballot. A written designation of the political party
597 shall be counted as a vote for the candidate of that party if
598 there is such a party candidate in the race. If the candidates
599 who advanced to the general or special election have the same
600 party affiliation, the designation may not count for any
601 candidate unless there is a valid, additional designation of the
602 candidate's name. In addition, the elector may vote on any
603 ballot measure presented in such election by identifying the
604 ballot measure on which he or she desires to vote and specifying
605 his or her vote on the measure. For purposes of this section, a
606 vote cast in a judicial merit retention election shall be
607 treated in the same manner as a ballot measure in which the only
608 allowable responses are "Yes" or "No."

609 Section 16. Section 102.131, Florida Statutes, is amended

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610 to read:

611 102.131 Returns before canvassing commission.—If any
612 returns shall appear to be irregular or false so that the
613 Elections Canvassing Commission is unable to determine the true
614 vote for any office, ~~nomination~~, constitutional amendment, or
615 other measure presented to the electors, the commission shall so
616 certify and shall not include the returns in its determination,
617 canvass, and declaration. In determining the true vote, the
618 Elections Canvassing Commission does ~~in determining the true~~
619 ~~vote shall~~ not have authority to look beyond the county returns.
620 The Department of State shall file in its office all the
621 returns, together with other documents and papers received by it
622 or the commission. The commission shall canvass the returns for
623 presidential electors and representatives to Congress separately
624 from their canvass of returns for state officers.

625 Section 17. Section 102.151, Florida Statutes, is amended
626 to read:

627 102.151 County canvassing board to issue certificates;
628 supervisor to give notice to Department of State.—The county
629 canvassing board shall make and sign duplicate certificates
630 containing the total number of votes cast for each person
631 ~~nominated or~~ or who advanced to the general or special
632 election, the names of persons for whom such votes were cast,
633 and the number of votes cast for each candidate ~~or nominee~~. One
634 of such certificates which relates to offices for which the
635 candidates ~~or nominees~~ have been voted for in more than one
636 county shall be immediately transmitted to the Department of
637 State, and the second copy filed in the supervisor's office. The
638 supervisor shall transmit to the Department of State,

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639 immediately after the county canvassing board has canvassed the
640 returns of the election, a list containing the names of all
641 county and district officers ~~nominated or elected~~ or who have
642 advanced to the general or special election, the office for
643 which each was ~~nominated or elected~~ or has advanced, and the
644 mailing address of each.

645 Section 18. Subsections (1), (3), (4), and (5) of section
646 102.168, Florida Statutes, are amended to read:

647 102.168 Contest of election.—

648 (1) Except as provided in s. 102.171, the certification of
649 election ~~or nomination~~ of any person to office or the
650 certification of a candidate to advance to the general or
651 special election, or of the result on any question submitted by
652 referendum, may be contested in the circuit court by any
653 unsuccessful candidate for such office ~~or nomination~~ thereto or
654 by any elector qualified to vote in the election related to such
655 candidacy, or by any taxpayer, respectively.

656 (3) The complaint must ~~shall~~ set forth the grounds on which
657 the contestant intends to establish his or her right to such
658 office or set aside the result of the election on a submitted
659 referendum. The grounds for contesting an election under this
660 section are:

661 (a) Misconduct, fraud, or corruption on the part of any
662 election official or any member of the canvassing board
663 sufficient to change or place in doubt the result of the
664 election.

665 (b) Ineligibility of the successful candidate for the
666 ~~nomination or office~~, or who advances to the general election or
667 special election, in dispute.

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668 (c) Receipt of a number of illegal votes or rejection of a
669 number of legal votes sufficient to change or place in doubt the
670 result of the election.

671 (d) Proof that any elector, election official, or
672 canvassing board member was given or offered a bribe or reward
673 in money, property, or any other thing of value for the purpose
674 of procuring the successful candidate's advancement ~~nomination~~
675 or election or determining the result on any question submitted
676 by referendum.

677 (4) The canvassing board responsible for canvassing the
678 election is an indispensable party defendant in county and local
679 elections. The Elections Canvassing Commission is an
680 indispensable party defendant in federal, state, and multicounty
681 elections and in elections for justice of the Supreme Court,
682 judge of a district court of appeal, and judge of a circuit
683 court. The successful candidate is an indispensable party to any
684 action brought to contest the election or nomination of a
685 candidate.

686 (5) A statement of the grounds of contest may not be
687 rejected, nor the proceedings dismissed, by the court for any
688 want of form if the grounds of contest provided in the statement
689 are sufficient to clearly inform the defendant of the particular
690 proceeding or cause for which the nomination or election is
691 contested.

692 Section 19. Section 102.1685, Florida Statutes, is amended
693 to read:

694 102.1685 Venue.—The venue for contesting the a nomination
695 ~~or~~ election of a candidate to office, the advancement of a
696 candidate for office to the general election or a special

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697 election, or the results of a referendum is ~~shall be~~ in the
698 county in which the contestant qualified or in the county in
699 which the question was submitted for referendum or, if the
700 election or referendum covered more than one county, then in
701 Leon County.

702 Section 20. Section 102.171, Florida Statutes, is amended
703 to read:

704 102.171 Contest of election to Legislature.—The
705 jurisdiction to hear any contest of the election of a member to
706 either house of the Legislature is vested in the applicable
707 house, as each house, pursuant to s. 2, Art. III of the State
708 Constitution, is the sole judge of the qualifications,
709 elections, and returns of its members. Therefore, the
710 certification of election of any person to the office of member
711 of either house of the Legislature may only be contested in the
712 applicable house by an unsuccessful candidate for such office,
713 in accordance with the rules of that house. ~~This section does
714 not apply to any contest of the nomination of any person for the
715 office of member of either house of the Legislature at any
716 primary or special primary election in which only those
717 qualified electors who are registered members of the political
718 party holding such primary election may vote, as provided for in
719 s. 5(b), Art. VI of the State Constitution. This section does
720 apply to any contest of a primary or special primary election
721 for the office of member of either house of the Legislature in
722 which all qualified electors may vote, as provided for in s.
723 5(b), Art. VI of the State Constitution, and the recipient of
724 the most votes is deemed to be elected according to applicable
725 law.~~

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726 Section 21. Subsection (1) of section 104.071, Florida
727 Statutes, is amended to read:

728 104.071 Remuneration by candidate for services, support,
729 etc.; penalty.—

730 (1) It is unlawful for any person supporting a candidate,
731 or for any candidate, in order to aid or promote the ~~nomination~~
732 ~~or~~ election of such candidate in any election, directly or
733 indirectly to:

734 (a) Promise to appoint another person, promise to secure or
735 aid in securing appointment, ~~nomination~~ or election of another
736 person to any public or private position, or to any position of
737 honor, trust, or emolument, except one who has publicly
738 announced or defined what his or her choice or purpose in
739 relation to any election in which he or she may be called to
740 take part, if elected.

741 (b) Give, or promise to give, pay, or loan, any money or
742 other thing of value to the owner, editor, publisher, or agent,
743 of any communication media, as well as newspapers, to advocate
744 or oppose, through such media, ~~any candidate for nomination in~~
745 ~~any election or~~ any candidate for election, and no such owner,
746 editor, or agent shall give, solicit, or accept such payment or
747 reward. It shall likewise be unlawful for any owner, editor,
748 publisher, or agent of any poll-taking or poll-publishing
749 concern to advocate or oppose through such poll ~~any candidate~~
750 ~~for nomination in any election or~~ any candidate for election in
751 return for the giving or promising to give, pay, or loan any
752 money or other thing of value to said owner, editor, publisher,
753 or agent of any poll-taking or poll-publishing concern.

754 (c) Give, pay, expend, or contribute any money or thing of

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755 value for the furtherance of the candidacy of any other
756 candidate.

757 (d) Furnish, give, or deliver to another person any money
758 or other thing of value for any purpose prohibited by the
759 election laws.

760

761 This subsection does ~~shall~~ not prohibit a candidate from
762 furnishing complimentary tickets to the candidate's campaign
763 fund raiser to other candidates.

764 Section 22. Paragraph (a) of subsection (1) of section
765 104.31, Florida Statutes, is amended to read:

766 104.31 Political activities of state, county, and municipal
767 officers and employees.—

768 (1) No officer or employee of the state, or of any county
769 or municipality thereof, except as hereinafter exempted from
770 provisions hereof, shall:

771 (a) Use his or her official authority or influence for the
772 purpose of interfering with an election ~~or a nomination of~~
773 ~~office~~ or coercing or influencing another person's vote or
774 affecting the result thereof.

775

776 The provisions of this section shall not be construed so as to
777 prevent any person from becoming a candidate for and actively
778 campaigning for any elective office in this state. All such
779 persons shall retain the right to vote as they may choose and to
780 express their opinions on all political subjects and candidates.

781 The provisions of paragraph (a) shall not be construed so as to
782 limit the political activity in a general, special, primary,
783 bond, referendum, or other election of any kind or nature, of

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784 elected officials or candidates for public office in the state
785 or of any county or municipality thereof; and the provisions of
786 paragraph (a) shall not be construed so as to limit the
787 political activity in general or special elections of the
788 officials appointed as the heads or directors of state
789 administrative agencies, boards, commissions, or committees or
790 of the members of state boards, commissions, or committees,
791 whether they be salaried, nonsalaried, or reimbursed for
792 expense. In the event of a dual capacity of any member of a
793 state board, commission, or committee, any restrictive
794 provisions applicable to either capacity shall apply. The
795 provisions of paragraph (a) shall not be construed so as to
796 limit the political activity in a general, special, primary,
797 bond, referendum, or other election of any kind or nature of the
798 Governor, the elected members of the Governor's Cabinet, or the
799 members of the Legislature. The provisions of paragraphs (b) and
800 (c) shall apply to all officers and employees of the state or of
801 any county or municipality thereof, whether elected, appointed,
802 or otherwise employed, or whether the activity shall be in
803 connection with a primary, general, special, bond, referendum,
804 or other election of any kind or nature.

805 Section 23. Subsection (1) of section 105.071, Florida
806 Statutes, is amended to read:

807 105.071 Candidates for judicial office; limitations on
808 political activity.—A candidate for judicial office shall not:

809 (1) Participate in any partisan political party activities,
810 except that such candidate may register to vote as a member of
811 any political party and may vote in any party primary limited to
812 members ~~for candidates for nomination~~ of the party in which she

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813 or he is registered to vote.

814

815 A candidate for judicial office or retention therein who
816 violates the provisions of this section is liable for a civil
817 fine of up to \$1,000 to be determined by the Florida Elections
818 Commission.

819 Section 24. Subsections (3) and (18) of section 106.011,
820 Florida Statutes, are amended to read:

821 106.011 Definitions.—As used in this chapter, the following
822 terms have the following meanings unless the context clearly
823 indicates otherwise:

824 (3) "Candidate" means a person to whom any of the following
825 applies:

826 (a) A person who seeks to qualify for ~~nomination or~~
827 election by means of the petitioning process.

828 (b) A person who seeks to qualify for election as a write-
829 in candidate.

830 (c) A person who receives contributions or makes
831 expenditures, or consents for any other person to receive
832 contributions or make expenditures, with a view to bring about
833 his or her ~~nomination or~~ election to, or retention in, public
834 office.

835 (d) A person who appoints a treasurer and designates a
836 primary depository.

837 (e) A person who files qualification papers and subscribes
838 to a candidate's oath as required by law.

839

840 However, this definition does not include any candidate for a
841 political party executive committee. Expenditures related to

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842 potential candidate polls as provided in s. 106.17 are not
843 contributions or expenditures for purposes of this subsection.

844 (18) "Unopposed candidate" means a candidate for ~~nomination~~
845 ~~or~~ election to an office who, after the last day on which a
846 person, including a write-in candidate, may qualify, is without
847 opposition in the election at which the office is to be filled
848 or who is without such opposition after such date as a result of
849 a primary election or of withdrawal by other candidates seeking
850 the same office. A candidate is not an unopposed candidate if
851 there is a vacancy to be filled under s. 100.111(3), if there is
852 a legal proceeding pending regarding the right to a ballot
853 position for the office sought by the candidate, or if the
854 candidate is seeking retention as a justice or judge.

855 Section 25. Paragraph (a) of subsection (1) and subsection
856 (3) of section 106.021, Florida Statutes, are amended to read:

857 106.021 Campaign treasurers; deputies; primary and
858 secondary depositories.—

859 (1) (a) Each candidate for ~~nomination or~~ election to office
860 and each political committee shall appoint a campaign treasurer.
861 Each person who seeks to qualify for ~~nomination or~~ election to,
862 or retention in, office shall appoint a campaign treasurer and
863 designate a primary campaign depository before qualifying for
864 office. Any person who seeks to qualify for election ~~or~~
865 ~~nomination~~ to any office by means of the petitioning process
866 shall appoint a treasurer and designate a primary depository on
867 or before the date he or she obtains the petitions. At the same
868 time a candidate designates a campaign depository and appoints a
869 treasurer, the candidate shall also designate the office for
870 which he or she is a candidate. If the candidate is running for

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871 an office that will be grouped on the ballot with two or more
872 similar offices to be filled at the same election, the candidate
873 must indicate for which group or district office he or she is
874 running. This subsection does not prohibit a candidate, at a
875 later date, from changing the designation of the office for
876 which he or she is a candidate. However, if a candidate changes
877 the designated office for which he or she is a candidate, the
878 candidate must notify all contributors in writing of the intent
879 to seek a different office and offer to return pro rata, upon
880 their request, those contributions given in support of the
881 original office sought. This notification shall be given within
882 15 days after the filing of the change of designation and shall
883 include a standard form developed by the Division of Elections
884 for requesting the return of contributions. The notice
885 requirement does not apply to any change in a numerical
886 designation resulting solely from redistricting. If, within 30
887 days after being notified by the candidate of the intent to seek
888 a different office, the contributor notifies the candidate in
889 writing that the contributor wishes his or her contribution to
890 be returned, the candidate shall return the contribution, on a
891 pro rata basis, calculated as of the date the change of
892 designation is filed. Up to a maximum of the contribution limits
893 specified in s. 106.08, a candidate who runs for an office other
894 than the office originally designated may use any contribution
895 that a donor does not request be returned within the 30-day
896 period for the newly designated office, provided the candidate
897 disposes of any amount exceeding the contribution limit pursuant
898 to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a)1.,
899 2., or 4.; notwithstanding, the full amount of the contribution

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900 for the original office shall count toward the contribution
901 limits specified in s. 106.08 for the newly designated office. A
902 person may not accept any contribution or make any expenditure
903 with a view to bringing about his or her ~~nomination~~, election,
904 or retention in public office, or authorize another to accept
905 such contributions or make such expenditure on the person's
906 behalf, unless such person has appointed a campaign treasurer
907 and designated a primary campaign depository. A candidate for an
908 office voted upon statewide may appoint not more than 15 deputy
909 campaign treasurers, and any other candidate or political
910 committee may appoint not more than 3 deputy campaign
911 treasurers. The names and addresses of the campaign treasurer
912 and deputy campaign treasurers so appointed shall be filed with
913 the officer before whom such candidate is required to qualify or
914 with whom such political committee is required to register
915 pursuant to s. 106.03.

916 (3) No contribution or expenditure, including contributions
917 or expenditures of a candidate or of the candidate's family,
918 shall be directly or indirectly made or received in furtherance
919 of the candidacy of any person for ~~nomination~~ or election to
920 political office in the state or on behalf of any political
921 committee except through the duly appointed campaign treasurer
922 of the candidate or political committee, subject to the
923 following exceptions:

924 (a) Independent expenditures;

925 (b) Reimbursements to a candidate or any other individual
926 for expenses incurred in connection with the campaign or
927 activities of the political committee by a check drawn upon the
928 campaign account and reported pursuant to s. 106.07(4). The full

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929 name of each person to whom the candidate or other individual
 930 made payment for which reimbursement was made by check drawn
 931 upon the campaign account shall be reported pursuant to s.
 932 106.07(4), together with the purpose of such payment;

933 (c) Expenditures made indirectly through a treasurer for
 934 goods or services, such as communications media placement or
 935 procurement services, campaign signs, insurance, or other
 936 expenditures that include multiple integral components as part
 937 of the expenditure and reported pursuant to s. 106.07(4)(a)13.;
 938 or

939 (d) Expenditures made directly by any affiliated party
 940 committee or political party regulated by chapter 103 for
 941 obtaining time, space, or services in or by any communications
 942 medium for the purpose of jointly endorsing three or more
 943 candidates, and any such expenditure may not be considered a
 944 contribution or expenditure to or on behalf of any such
 945 candidates for the purposes of this chapter.

946 Section 26. Subsection (2) of section 106.03, Florida
 947 Statutes, is amended to read:

948 106.03 Registration of political committees and
 949 electioneering communications organizations.-

950 (2) The statement of organization must ~~shall~~ include all of
 951 the following:

952 (a) The name, mailing address, and street address of the
 953 committee or electioneering communications organization.†

954 (b) The names, street addresses, and relationships of
 955 affiliated or connected organizations, including any affiliated
 956 sponsors.†

957 (c) The area, scope, or jurisdiction of the committee or

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958 electioneering communications organization.†

959 (d) The name, mailing address, street address, and position
960 of the custodian of books and accounts.†

961 (e) The name, mailing address, street address, and position
962 of other principal officers, including the treasurer and deputy
963 treasurer, if any.†

964 (f) The name, address, office sought, and party affiliation
965 of:

966 1. Each candidate whom the committee is supporting; and

967 2. Any other individual, if any, whom the committee is
968 supporting for ~~nomination for election, or election,~~ to any
969 public office ~~whatever.~~†

970 (g) Any issue or issues the committee is supporting or
971 opposing.†

972 (h) If the committee is supporting the entire ticket of any
973 party, a statement to that effect and the name of the party.†

974 (i) A statement of whether the committee is a continuing
975 one.†

976 (j) Plans for the disposition of residual funds which will
977 be made in the event of dissolution.†

978 (k) A listing of all banks, safe-deposit boxes, or other
979 depositories used for committee or electioneering communications
980 organization funds.†

981 (l) A statement of the reports required to be filed by the
982 committee or the electioneering communications organization with
983 federal officials, if any, and the names, addresses, and
984 positions of such officials.†~~and~~

985 (m) A statement of whether the electioneering
986 communications organization was formed as a newly created

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987 organization during the current calendar quarter or was formed
 988 from an organization existing before ~~prior to~~ the current
 989 calendar quarter. For purposes of this subsection, calendar
 990 quarters end the last day of March, June, September, and
 991 December.

992 Section 27. Paragraph (a) of subsection (2) of section
 993 106.12, Florida Statutes, is amended to read:

994 106.12 Petty cash funds allowed.—

995 (2) Following the close of the last day for qualifying and
 996 until the last election in a given election period in which the
 997 political committee participates, the campaign treasurer of each
 998 political committee is authorized to withdraw the following
 999 amount each week from the primary depository campaign account
 1000 for the purpose of providing a petty cash fund for the political
 1001 committee, and, following the close of the last day for
 1002 qualifying and until the election at which such candidate is
 1003 eliminated or elected to office, or the time at which the
 1004 candidate becomes unopposed, the campaign treasurer of each
 1005 candidate is authorized to withdraw the following amount each
 1006 week from the primary depository campaign account for the
 1007 purpose of providing a petty cash fund for the candidate:

1008 (a) For all candidates for ~~nomination or~~ election on a
 1009 statewide basis, \$500 per week.

1010 Section 28. Subsection (3) of section 106.143, Florida
 1011 Statutes, is amended to read:

1012 106.143 Political advertisements circulated prior to
 1013 election; requirements.—

1014 (3) Any political advertisement of a candidate running for
 1015 partisan office who is running with a party affiliation must

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1016 include ~~shall express~~ the name of such ~~the~~ political party ~~of~~
1017 ~~which the candidate is seeking nomination or is the nominee.~~ If
1018 the candidate for partisan office is running as a candidate with
1019 no party affiliation, any political advertisement of the
1020 candidate must state that the candidate has no party
1021 affiliation. A political advertisement of a candidate running
1022 for nonpartisan office may not state the candidate's political
1023 party affiliation. This section does not prohibit a political
1024 advertisement from stating the candidate's partisan-related
1025 experience. A candidate for nonpartisan office is prohibited
1026 from campaigning based on party affiliation.

1027 Section 29. Subsections (2) and (3) of section 106.15,
1028 Florida Statutes, are amended to read:

1029 106.15 Certain acts prohibited.—

1030 (2) No candidate, in the furtherance of his or her
1031 candidacy for ~~nomination or~~ election to public office in any
1032 election, shall use any state-owned aircraft or motor vehicle,
1033 as provided in chapter 287, solely for the purpose of furthering
1034 his or her candidacy. However, in the event a candidate uses any
1035 state-owned aircraft or motor vehicle to conduct official state
1036 business and while on such trip performs any function in the
1037 furtherance of his or her candidacy for ~~nomination or~~ election
1038 to public office in any election, the candidate shall prorate
1039 the expenses incurred and reimburse the appropriate agency for
1040 any trip not exclusively for state business and shall pay either
1041 a prorated share of all fixed and variable expenses related to
1042 the ownership, operation, and use of such aircraft or one-half
1043 of the total fixed and variable expenses related to the
1044 ownership, operation, and use of such aircraft, whichever is

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1045 greater. The reimbursement shall be made from the campaign
1046 account of the candidate.

1047 (3) A candidate may not, in the furtherance of his or her
1048 candidacy for ~~nominat~~ion or election to public office in any
1049 election, use the services of any state, county, municipal, or
1050 district officer or employee during working hours.

1051 Section 30. Subsection (2) of section 106.18, Florida
1052 Statutes, is amended to read:

1053 106.18 When a candidate's name to be omitted from ballot.-

1054 (2) Any candidate whose name is removed from the ballot
1055 pursuant to subsection (1) is disqualified as a candidate for
1056 office. If the disqualification of such candidate results in a
1057 vacancy in candidacy ~~nominat~~ion, such vacancy shall be filled by
1058 a person other than such candidate in the manner provided by
1059 law.

1060 Section 31. Subsection (2) of section 112.313, Florida
1061 Statutes, is amended to read:

1062 112.313 Standards of conduct for public officers, employees
1063 of agencies, and local government attorneys.-

1064 (2) SOLICITATION OR ACCEPTANCE OF GIFTS.-No public officer,
1065 employee of an agency, local government attorney, or candidate
1066 for ~~nominat~~ion or election shall solicit or accept anything of
1067 value to the recipient, including a gift, loan, reward, promise
1068 of future employment, favor, or service, based upon any
1069 understanding that the vote, official action, or judgment of the
1070 public officer, employee, local government attorney, or
1071 candidate would be influenced thereby.

1072 Section 32. Paragraph (a) of subsection (2) of section
1073 112.3145, Florida Statutes, is amended to read:

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1074 112.3145 Disclosure of financial interests and clients
1075 represented before agencies.-

1076 (2) (a) A person seeking ~~nomination or~~ election to a state
1077 or local elective office shall file a statement of financial
1078 interests together with, and at the same time he or she files,
1079 qualifying papers. When a candidate has qualified for office
1080 prior to the deadline to file an annual statement of financial
1081 interests, the statement of financial interests that is filed
1082 with the candidate's qualifying papers shall be deemed to
1083 satisfy the annual disclosure requirement of this section. The
1084 qualifying officer must record that the statement of financial
1085 interests was timely filed. However, if a candidate does not
1086 qualify until after the annual statement of financial interests
1087 has been filed, the candidate may file a copy of his or her
1088 statement with the qualifying officer.

1089 Section 33. This act shall take effect January 1, 2021.