

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Skidmore offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 1550 and 1551, insert:

5 Section 21. Subsections (7) through (12) of section
6 100.361, Florida Statutes, are renumbered as subsections (6)
7 through (11), respectively, and subsection (6) of that section
8 is amended, to read:

9 100.361 Municipal recall.-

10 ~~(6) FILLING OF VACANCIES; SPECIAL ELECTIONS.-~~

11 ~~(a) If an election is held for the recall of members~~
12 ~~elected only at-large, candidates to succeed them for the~~
13 ~~unexpired terms shall be voted upon at the same election and~~

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14 ~~shall be elected in the same manner as provided by the~~
15 ~~appropriate law for the election of candidates at general~~
16 ~~elections. Candidates shall not be elected to succeed any~~
17 ~~particular member. If only one member is removed, the candidate~~
18 ~~receiving the highest number of votes shall be declared elected~~
19 ~~to fill the vacancy. If more than one member is removed,~~
20 ~~candidates equal in number to the number of members removed~~
21 ~~shall be declared elected to fill the vacancies; and, among the~~
22 ~~successful candidates, those receiving the greatest number of~~
23 ~~votes shall be declared elected for the longest terms. Cases of~~
24 ~~ties, and all other matters not herein specially provided for,~~
25 ~~shall be determined by the rules governing elections generally.~~

26 ~~(b) If an election is held for the recall of members~~
27 ~~elected only from districts, candidates to succeed them for the~~
28 ~~unexpired terms shall be voted upon at a special election called~~
29 ~~by the chief judge of the judicial circuit in which the~~
30 ~~districts are located not less than 30 days or more than 60 days~~
31 ~~after the expiration of the recall election. The qualifying~~
32 ~~period, for purposes of this section, shall be established by~~
33 ~~the chief judge of the judicial circuit after consultation with~~
34 ~~the clerk. Any candidate seeking election to fill the unexpired~~
35 ~~term of a recalled district municipal official shall reside in~~
36 ~~the district represented by the recalled official and qualify~~
37 ~~for office in the manner required by law. Each candidate~~
38 ~~receiving the highest number of votes for each office in the~~

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39 ~~special district recall election shall be declared elected to~~
40 ~~fill the unexpired term of the recalled official. Candidates~~
41 ~~seeking election to fill a vacancy created by the removal of a~~
42 ~~municipal official shall be subject to the provisions of chapter~~
43 ~~106.~~

44 ~~(c) When an election is held for the recall of members of~~
45 ~~the governing body composed of both members elected at-large and~~
46 ~~from districts, candidates to succeed them for the unexpired~~
47 ~~terms shall be voted upon at a special election as provided in~~
48 ~~paragraph (b).~~

49 ~~(d) However, in any recall election held pursuant to~~
50 ~~paragraph (b) or paragraph (c), if only one member is voted to~~
51 ~~be removed from office, the vacancy created by the recall shall~~
52 ~~be filled by the governing body according to the provisions of~~
53 ~~the appropriate law for filling vacancies.~~

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

58 Remove line 185 and insert:
59 website, as applicable; amending s. 100.361, F.S.;
60 removing provisions relating to the filling of
61 vacancies after certain elections; amending s.
62 101.001, F.S.;

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