

1                                   A bill to be entitled  
 2           An act relating to candidate filing fees; amending s.  
 3           99.061, F.S.; authorizing a candidate to pay the  
 4           filing fee by a specified debit card; revising the  
 5           timeframe in which a candidate shall pay the filing  
 6           fee if the candidate's check is returned by the bank;  
 7           authorizing certain candidates to challenge whether  
 8           another candidate has complied with specified  
 9           requirements; providing requirements for such  
 10          challenge; amending s. 106.11, F.S.; requiring certain  
 11          signatures only if there is a place for such  
 12          signatures on the receipt of payment by a debit card;  
 13          providing an effective date.

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

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 17           **Section 1. Subsection (7) of section 99.061, Florida**  
 18           **Statutes, is amended to read:**

19           99.061 Method of qualifying for nomination or election to  
 20           federal, state, county, or district office.—

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

- 24           1. The filing fee payable to the person or entity as  
 25           prescribed by the filing officer in an amount not less than the

26 fee required by s. 99.092, by a properly executed check drawn  
27 upon the candidate's campaign account or by a debit card linked  
28 to the candidate's campaign account as provided in s. 106.11(2)  
29 ~~payable to the person or entity as prescribed by the filing~~  
30 ~~officer in an amount not less than the fee required by s.~~  
31 ~~99.092,~~ unless the candidate obtained the required number of  
32 signatures on petitions pursuant to s. 99.095. The filing fee  
33 for a special district candidate is not required to be drawn  
34 upon the candidate's campaign account. If a candidate's check is  
35 returned by the bank for any reason, the filing officer shall  
36 immediately notify the candidate and the candidate shall, the  
37 end of qualifying notwithstanding, have 48 hours from the time  
38 such notification is received, excluding Saturdays, Sundays, and  
39 legal holidays, have until the end of qualifying to pay the fee  
40 with a cashier's check purchased from funds of the campaign  
41 account. Failure to pay the fee as provided in this subparagraph  
42 shall disqualify the candidate.

43 2. The candidate's oath required by s. 99.021, which must  
44 contain the name of the candidate as it is to appear on the  
45 ballot; the office sought, including the district or group  
46 number if applicable; and the signature of the candidate, which  
47 must be verified under oath or affirmation pursuant to s.  
48 92.525(1) (a).

49 3. If the office sought is partisan, the written statement  
50 of political party affiliation required by s. 99.021(1) (b); or

51 | if the candidate is running without party affiliation for a  
52 | partisan office, the written statement required by s.  
53 | 99.021(1)(c).

54 |         4. The completed form for the appointment of campaign  
55 | treasurer and designation of campaign depository, as required by  
56 | s. 106.021.

57 |         5. The full and public disclosure or statement of  
58 | financial interests required by subsection (5). A public officer  
59 | who has filed the full and public disclosure or statement of  
60 | financial interests with the Commission on Ethics before  
61 | qualifying for office may file a copy of that disclosure or a  
62 | verification or receipt of electronic filing as provided in  
63 | subsection (5) at the time of qualifying.

64 |         (b) If the filing officer receives qualifying papers  
65 | during the qualifying period prescribed in this section which do  
66 | not include all items as required by paragraph (a) prior to the  
67 | last day of qualifying, the filing officer shall make a  
68 | reasonable effort to notify the candidate of the missing or  
69 | incomplete items and shall inform the candidate that all  
70 | required items must be received by the close of qualifying. A  
71 | candidate's name as it is to appear on the ballot may not be  
72 | changed after the end of qualifying.

73 |         (c) The filing officer performs a ministerial function in  
74 | reviewing qualifying papers. In determining whether a candidate  
75 | is qualified, the filing officer shall review the qualifying

76 papers to determine whether all items required by paragraph (a)  
77 have been properly filed and whether each item is complete on  
78 its face, including whether items that must be verified have  
79 been properly verified pursuant to s. 92.525(1)(a). The filing  
80 officer may not determine whether the contents of the qualifying  
81 papers are accurate.

82 (d) Whether a candidate has complied with this subsection  
83 may be challenged in the circuit court by any other candidate  
84 for such office or nomination.

85 1. A complaint providing the grounds of the challenge  
86 shall be filed with the clerk of the circuit court within 10  
87 days after midnight of the end of the qualifying period.

88 2. The filing officer and any supervisor of elections  
89 responsible for conducting the election are indispensable party  
90 defendants.

91 3. A copy of the complaint shall be served upon the  
92 defendant and any other person named therein in the same manner  
93 as in other civil cases under the laws of this state. Within 10  
94 days after the complaint has been served, a defendant must file  
95 an answer admitting or denying the allegations on which the  
96 plaintiff relies or stating that the defendant has no knowledge  
97 or information concerning the allegations, which shall be deemed  
98 a denial of the allegations, and must state any other defenses,  
99 in law or fact, on which the defendant relies.

100 4. A candidate presenting such a challenge to a circuit

101 judge is entitled to an immediate hearing. However, the court in  
102 its discretion may limit the time for taking testimony, with a  
103 view therein to the circumstances of the matter and to the  
104 proximity of the succeeding election.

105 5. If an order of a court which has become final  
106 determines that a person did not comply with this subsection,  
107 the person may not be qualified as a candidate for election and  
108 his or her name may not appear on the ballot.

109 **Section 2. Paragraph (a) of subsection (2) of section**  
110 **106.11, Florida Statutes, is amended to read:**

111 106.11 Expenses of and expenditures by candidates and  
112 political committees.—Each candidate and each political  
113 committee which designates a primary campaign depository  
114 pursuant to s. 106.021(1) shall make expenditures from funds on  
115 deposit in such primary campaign depository only in the  
116 following manner, with the exception of expenditures made from  
117 petty cash funds provided by s. 106.12:

118 (2) (a) For purposes of this section, debit cards are  
119 considered bank checks, if:

120 1. Debit cards are obtained from the same bank that has  
121 been designated as the candidate's or political committee's  
122 primary campaign depository.

123 2. Debit cards are issued in the name of the treasurer,  
124 deputy treasurer, or authorized user and contain the name of the  
125 campaign account of the candidate or political committee.

- 126           3. No more than three debit cards are requested and  
 127 issued.
- 128           4. The person using the debit card does not receive cash  
 129 as part of, or independent of, any transaction for goods or  
 130 services.
- 131           5. All receipts for debit card transactions contain:
- 132           a. The last four digits of the debit card number.
- 133           b. The exact amount of the expenditure.
- 134           c. The name of the payee.
- 135           d. The signature of the campaign treasurer, deputy  
 136 treasurer, or authorized user if the receipt has a place for the  
 137 signature of the campaign treasurer, deputy treasurer, or  
 138 authorized user.
- 139           e. The exact purpose for which the expenditure is  
 140 authorized.
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- 142 Any information required by this subparagraph but not included  
 143 on the debit card transaction receipt may be handwritten on, or  
 144 attached to, the receipt by the authorized user before  
 145 submission to the treasurer.
- 146           **Section 3.** This act shall take effect July 1, 2025.