

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: SB 620

INTRODUCER: Senator Mayfield

SUBJECT: Candidate Qualifying

DATE: January 26, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<b>Favorable</b>
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<b>Favorable</b>
3.	<u>                    </u>	<u>                    </u>	<u>RC</u>	<u>                    </u>

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**I. Summary:**

SB 620 adds an additional item to the current list of items that a candidate must submit to the relevant filing officer in order to qualify for nomination or election to a federal, state, county, or district office. Specifically, if a candidate is a citizen of another country, in addition to being a citizen of the United States, the candidate must submit a written statement disclosing any other country in which he or she is also a citizen.

Dual citizenship, or dual nationality, means that a person is a citizen or national of both the United States and a foreign country at the same time. In practical terms, this person owes allegiance to both countries and is required to obey the laws of both countries. If the foreign country places a claim on a dual citizen, conflicting obligations may arise. Under current law, no one qualifying for office is required to disclose if he or she has dual citizenship, and therefore, might have conflicting allegiance to another country. The requirement for a person to disclose his or her dual citizenship may make voters aware of a potential conflicting allegiance.

The bill takes effect July 1, 2026.

## II. Present Situation:

Current law prescribes the process by which a person seeking nomination or election to a public office may qualify to do so.<sup>1</sup> Such a person must file his or her qualification papers with, and pay the qualifying fee<sup>2</sup> to, the relevant filing officer.<sup>3</sup> The law also provides a process by which a person can obtain a certain number of signed petitions in lieu of paying the qualifying fee.<sup>4</sup>

In order for a candidate<sup>5</sup> for an office other than a judgeship or a school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:<sup>6</sup>

- A properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.<sup>7</sup>
- The candidate's oath, as required by s. 99.021, F.S.<sup>8</sup>
- If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b), F.S.; or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c), F.S.
- The completed form for the appointment of campaign treasurer and the designation of a campaign depository.

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<sup>1</sup> Sections 99.061 and 105.031, F.S.

<sup>2</sup> The qualifying fee consists of the filing fee and election assessment, and party assessment, if applicable (ss. 99.061(1), 99.092(1), and 105.031(3), F.S.). Write-in candidates are exempt from the filing fee requirement (s. 99.092(1), F.S.).

<sup>3</sup> The filing officer for a federal, state, or multicounty district office, other than a judicial office or school board member, is the Department of State (s. 99.061(1), F.S.). The filing officer for a county office, or for a district office that is not multicounty, is the local supervisor of elections (s. 99.061(2), F.S.). Except for candidates for judicial office, nonpartisan candidates for multicounty office qualify with the Department of State, and nonpartisan candidates for countywide or less than countywide office file with the supervisor of elections. Candidates for county court judge file with the supervisor of elections; all other judicial candidates file with the Department of State. Section 105.031(1), F.S.

<sup>4</sup> Sections 99.095 and 105.035, F.S.

<sup>5</sup> Section 106.011(3), F.S., defines "candidate" to mean a person to whom any of the following applies: 1) a person who seeks to qualify for nomination or election by means of the petitioning process; 2) a person who seeks to qualify for election as a write-in candidate; 3) a person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office; 4) a person who appoints a treasurer and designates a primary depository; or 5) a person who files qualification papers and subscribes to a candidate's oath as required by law. The definition excludes any candidate for a political party executive committee.

<sup>6</sup> The qualifying period for the following offices is between the 120th and 116th days prior to the primary election: federal office, state attorney, public defender, or judicial office. The qualifying period for the following offices is between the 71st and 67th days prior to the primary election: state or multicounty district office, other than state attorney or public defender; county office or single-county district office; or school board. See ss. 99.061 and 105.031, F.S.

<sup>7</sup> The filing fee for a special district candidate is not required to be drawn upon his or her campaign account (s. 99.061(7)(a)1., F.S.).

<sup>8</sup> Each candidate for an elected office in Florida must take and subscribe to in writing an oath or affirmation. Current law specifies oath formats for a candidate for federal office (s. 99.021(1)(a)2., F.S.), a candidate for a non-federal office other than a judicial office (s. 99.021(1)(a)1., F.S.), and a candidate for a state judicial office (s. 105.031(4)(b), F.S.). Generally, the oath or affirmation must, in substance, provide the name of the office for which the candidate is running; affirm that the candidate is a qualified elector of the county or court jurisdiction, as applicable; affirm that the candidate is qualified under the State Constitution and laws of Florida to hold the office for which he or she is running; affirm that the candidate has not qualified for any other public office in the state for which the term runs concurrently and that he or she has resigned from any office from which he or she is required to resign; and affirm that the candidate will support the constitutions of the United States and the State of Florida.

- The candidate's financial disclosure.<sup>9</sup>

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

- Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.
- The candidate's oath, as required by s. 105.031(4), F.S.
- The loyalty oath required by s. 876.05, F.S.<sup>10</sup>
- The completed form for the appointment of campaign treasurer and the designation of a campaign depository.
- For a candidate for judicial office, a signed statement that he or she has read and understands the requirements of the Florida Code of Judicial Conduct.
- The candidate's financial disclosure.<sup>11</sup>

### Dual Citizenship

Dual citizenship, or dual nationality, means that a person is a citizen or "national"<sup>12</sup> of both the United States and a foreign country at the same time. In practical terms, a person owes allegiance to both the United States and a foreign country and is required to obey the laws of both countries. If the foreign country places a claim on a United States dual national, conflicting obligations may arise.<sup>13</sup>

The advantages for someone who has dual citizenship are that he or she might be able to vote in both countries, be authorized to work in both countries, have passports from both countries, and own property in both countries. However, a person with dual citizenship might be expected to provide military service in the second country, pay income taxes in both countries, and be prevented from holding senior positions in the government and military.<sup>14</sup>

### Proposed Federal Legislation

Federal law does not require a member of Congress to disclose whether he or she has dual citizenship or to renounce that additional citizenship. However, a bill that expresses a concern similar to this bill was recently introduced in Congress. The "Disqualifying Dual Loyalty Act of 2025" was introduced October 24, 2025. The bill's intent is to prohibit someone who holds

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<sup>9</sup> Section 99.061(7)(a)5., F.S.

<sup>10</sup> Section 876.05, F.S., requires all persons who are employed by or are on the payroll of the state or any county, city, school board, school system, or institution of higher learning, except candidates for federal office, to swear or affirm that he or she will support the Constitution of the United States and of the State of Florida.

<sup>11</sup> Section 105.031(5)(a), F.S.

<sup>12</sup> According to the U.S. Department of State website, Section 101(a)(22) of the Immigration and Nationality Act (INA) states that "the term 'national of the United States' means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States." U.S. Department of State, Travel.State.Gov, *Dual Nationality*, <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/Relinquishing-US-Nationality/Dual-Nationality.html> (last visited Jan. 22, 2026).

<sup>13</sup> *Id.*

<sup>14</sup> Caryl Espinoza Jaen, Manifest, *How to Get Dual Citizenship in the U.S.* (Jan. 13, 2026), <https://manifestlaw.com/blog/dual-us-citizenship-guide/>.

foreign citizenship from holding office in the U.S. Senate or U.S. House of Representatives. H.R. 5817 states:

No person, without regard to whether that person is a United States national, may be elected to the office of Representative or Senator if that person is a national of any country other than the United States.<sup>15</sup>

It appears that the intent of the legislation is to require candidates to renounce dual citizenship and demonstrate their loyalty to this country. The bill, which does not have a Senate companion, has been referred to the House Committee on House Administration.

### **III. Effect of Proposed Changes:**

SB 620 adds an additional item to the current list of items that a candidate must submit to the relevant filing officer in order to qualify for nomination or election to a federal, state, county, or district office. Specifically, if a candidate is a citizen of another country in addition to being a citizen of the United States, the candidate must submit a written statement disclosing any other country where he or she is a citizen.

The bill, by requiring the disclosure of dual citizenship, will allow voters to know of the possibility that a candidate could be at risk of having a conflict between their allegiance to the United States and allegiance to a foreign country.

The bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

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<sup>15</sup> H.R. 5817 – “Disqualifying Dual Loyalty Act of 2025” Congress.gov, <https://www.congress.gov/bill/119th-congress/house-bill/5817/text>.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends sections 99.061 and 105.031, Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.