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LEGISLATIVE ACTION

Senate

House

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03/11/2026 02:28 PM

Senators Gaetz and Grall moved the following:

Senate Amendment to Amendment (903278) (with title amendment)

Delete lines 562 - 717
and insert:
paragraphs (b), (c), and (d) of subsection (1) of section
99.021, Florida Statutes, are amended, and paragraphs (f) and
(g) are added to that subsection, to read:

99.021 Form of candidate oath.—

(1)

(b) In addition, any person seeking to qualify for



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nomination as a candidate of any political party shall, at the time of subscribing to the oath or affirmation, state in writing:

1. The party of which the person is a member.

2. That the person has been a registered member of the political party for which he or she is seeking nomination as a candidate for at least 365 consecutive days preceding ~~before~~ the beginning of qualifying before ~~preceding~~ the general election for which the person seeks to qualify.

3. That the person has paid the assessment levied against him or her, if any, as a candidate for said office by the executive committee of the party of which he or she is a member.

4. That the person has not legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the beginning of qualifying. This subparagraph does not apply to any change of name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate.

(c) In addition, any person seeking to qualify for office as a candidate with no party affiliation shall, at the time of subscribing to the oath or affirmation, state in writing that he or she is registered without any party affiliation and that he or she has not:

1. Been a registered member of any political party for at least 365 consecutive days preceding ~~before~~ the beginning of qualifying before ~~preceding~~ the general election for which the person seeks to qualify.

2. Legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the



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beginning of qualifying. This subparagraph does not apply to any change of name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate.

(d)1. In addition, each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, shall, at the time of subscribing to the oath or affirmation, state in writing whether he or she owes any outstanding fines, fees, or penalties that cumulatively exceed \$250 for any violations of s. 8, Art. II of the State Constitution; the Code of Ethics for Public Officers and Employees under part III of chapter 112; any local ethics ordinance governing standards of conduct and disclosure requirements; or chapter 106. If the candidate owes any outstanding fines, fees, or penalties exceeding the threshold amount specified in this paragraph, he or she must also specify the amount owed and each entity that levied such fine, fee, or penalty. For purposes of this paragraph, any such fines, fees, or penalties that have been paid in full at the time of subscribing to the oath or affirmation are not deemed to be outstanding.

2. In addition, each candidate seeking federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, shall, at the time of subscribing to the oath or affirmation, state in writing whether he or she intends to trade stocks, if elected, in a manner other than through a trust or similar mechanism which strictly limits his or her ability to influence or exercise control over decisions regarding the management of assets.



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(f) The statements in subparagraphs (b)4. and (c)2. constitute substantive requirements for the person completing the statement, and compliance with those requirements is mandatory. The sole method to enforce compliance with such requirements is contained in this paragraph. Compliance with subparagraphs (b)4. and (c)2. may be challenged by a qualified candidate or a political party with qualified candidates in the same race by filing an action in the circuit court for the county in which the qualifying officer is headquartered. A person may not be qualified as a candidate for nomination or election and his or her name may not appear on the ballot if in an order that has become final, the court determines that the person seeking to qualify has legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the beginning of qualifying, unless such change of name occurred in proceedings for dissolution of marriage or adoption of children or was based on a change of name conducted with a marriage certificate.

(g) The statements in subparagraphs (b)2. and (c)1. constitute substantive requirements for the person completing the statement, and compliance with those requirements is mandatory. The sole method to enforce compliance with such requirements is contained in this paragraph. Compliance with subparagraphs (b)2. and (c)1. may be challenged by a qualified candidate or a political party with qualified candidates in the same race by filing an action in the circuit court for the county in which the qualifying officer is headquartered. A person may not be qualified as a candidate for nomination or election, and his or her name may not appear on the ballot, if,



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in an order that has become final, the court determines that:

1. The person seeking to qualify for nomination as a candidate of any political party has not been a registered member of that party for the 365-day period preceding the beginning of qualifying; or

2. The person seeking to qualify for office as a candidate with no party affiliation has not been registered without party affiliation for, or has been a registered member of any political party during, the 365-day period preceding the beginning of qualifying.

Section 11. Effective upon becoming a law, section 99.0211, Florida Statutes, is created to read:

99.0211 Challenging candidacy.—

(1) A candidate must be able to satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election.

(2) A candidate or a political party with a candidate in the same race, or an affiliated party committee as authorized by s. 103.092, may challenge a candidate's compliance with subsection (1) by filing an action for declaratory and injunctive relief in the circuit court for the county in which the filing officer is headquartered.

(3) A person may not be qualified as a candidate for nomination or election, and his or her name may not appear on the ballot, if, in an order that has become final, the court determines that the candidate will not, at the time of qualification, election, or assumption of office, as applicable, satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election.



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(4) A candidate, a political party, or an affiliated party committee bringing an action for declaratory and injunctive relief under subsection (2) is entitled to an expedited final hearing, and any appeal of a final hearing must receive expedited consideration by the appellate court. Upon a final order of the circuit court which contains the determination under subsection (3), the supervisor of elections in each county affected by such candidacy shall remove the name of the candidate from the ballot or, if the ballots have already been printed, include a notice with each vote-by-mail ballot, and post a notice at each early voting location and polling precinct, stating that a vote for such candidate will not be counted.

Section 12. Effective upon becoming a law, paragraph (a) of subsection (7) of section 99.061, Florida Statutes, is amended to read:

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

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

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



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filing officer shall immediately notify the candidate and the candidate shall have until the end of qualifying to pay the fee with a cashier's check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

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

3. If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b); or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c).

4. If the office sought is federal, the written statement required by s. 99.021(1)(d)2.

5. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021.

~~6.5-~~ The full and public disclosure or statement of financial interests required by subsection (5). A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics before qualifying for office may file a copy of that disclosure or a verification or receipt of electronic filing as provided in subsection (5) at the time of qualifying.

7. An oath or affirmation in writing that states whether



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the candidate is a citizen of another country in addition to
being a citizen of the United States, and, if so, discloses any
other country of which the candidate is also a citizen.

8. For a candidate seeking federal office, whether a party
candidate, a candidate with no party affiliation, or a write-in
candidate, an oath or affirmation in writing which states
whether the candidate previously held a federal office and, if
so, discloses whether the candidate traded stocks while in such
office in a manner other than through a trust or similar
mechanism which strictly limited his or her ability to influence
or exercise control over decisions regarding the management of
assets.

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And the title is amended as follows:

Delete lines 1669 - 1684

and insert:

circumstances; requiring a candidate for federal
office to state in writing whether he or she intends
to trade stocks in a certain manner while serving in
federal office; creating s. 99.0211, F.S.; requiring
that candidates be able to satisfy statutory and
constitutional requirements for office; authorizing
certain candidates, political parties, and affiliated
party committees to challenge compliance with such
requirements in a specified manner; providing that a
person may not qualify as a candidate or appear on the
ballot if the court makes a certain determination;
providing that candidates, political parties, and



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215 affiliated party committees are entitled to expedited
216 proceedings; requiring supervisors of elections to
217 remove the names of certain candidates from the ballot
218 or provide a certain notice to voters; amending s.
219 99.061, F.S.; revising the list of items a candidate
220 must submit to the filing officer to be a qualified
221 candidate to include certain oaths or affirmations;