

Senate Bill No. 754

An act relating to elections; amending s. 99.095, F.S.; modifying the requirements for the alternative method of qualifying; amending s. 99.0955, F.S.; modifying the requirements for a candidate with no party affiliation to obtain ballot position; amending s. 99.096, F.S.; modifying the requirements for a minor party candidate to obtain ballot position; amending s. 99.09651, F.S.; modifying the petition requirements in a year of apportionment; amending s. 103.021, F.S.; modifying the requirements for certain minor parties to have the names of their candidates for President and Vice President printed on the ballot; amending s. 99.097, F.S.; allowing minor party candidates to have petitions verified at no charge; amending s. 105.035, F.S.; modifying the requirements for the alternative method of qualifying for judicial candidates; amending ss. 99.021, 99.061, 99.092, 99.0965, 100.111, 100.141, 101.151, 101.191, 101.251, 101.5606, 106.143, F.S., to conform; providing an effective date.

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

Section 1. Subsections (3) and (4) of section 99.095, Florida Statutes, are amended to read:

99.095 Alternative method of qualifying.—

(3) When a candidate has filed the oath prescribed in subsection (1), the candidate may begin to seek signatures on petitions supporting his or her candidacy. Only signatures of electors who are registered in the political party by which the candidate seeks to be nominated and who are registered to vote in the county, district, or other geographical entity represented by the office sought shall be counted toward obtaining the minimum numbers of signatures prescribed in this subsection. A candidate for an office elected on a statewide basis shall obtain the signatures of a number of qualified electors equal to at least 13 percent of the total number of registered electors of Florida who are registered in the party by which the candidate seeks nomination, as shown by the compilation by the Department of State for the last preceding general election. A candidate for any federal, state, county, or district office to be elected on less than a statewide basis shall obtain the signatures of a number of qualified electors of the district, county, or other geographical entity equal to at least 13 percent of the total number of registered voters of the party by which the candidate seeks nomination that are registered within the district, county, or other geographical entity represented by the office sought, as shown by the compilation by the Department of State for the last preceding general election. A separate petition shall be circulated for each candidate availing himself or herself of the provisions of this section. However, candidates for the offices of Governor and Lieutenant Governor forming joint candidacies shall use the same nominating petition for both candidates.

(4)(a) Each candidate for nomination to federal, state, or multicounty district office shall submit his or her petition ~~file a separate petition for each~~

~~county from which signatures are sought. Each petition shall be submitted, prior to noon of the 21st day preceding the first day of the qualifying period for the office sought, to the supervisor of elections of the county for which the such petition is circulated. Each supervisor of elections to whom a petition is submitted shall check the signatures on the petition to verify their status as electors of the political party by which the candidate seeks nomination and of that county, district, or other geographical entity unit represented by the office being sought by the candidate. Prior to the first date for qualifying, the supervisor shall certify the number shown as registered electors of such county, district, or other geographical entity unit and of the appropriate political party and submit such certification to the Department of State. The Department of State shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate. If the required number of signatures has been obtained, the candidate shall, during the time prescribed for qualifying for office, submit a copy of the such notice to, and file his or her qualifying papers and oath prescribed by s. 99.021 with, the Department of State. Upon receipt of the copy of the such notice and the qualifying papers, the department shall certify the name of the candidate to the appropriate supervisor or supervisors of elections as having qualified for the office sought.~~

(b) Each candidate for nomination to a county office, or district office not covered by paragraph (a), shall submit his or her petition, prior to noon of the 21st day preceding the first day of the qualifying period for the office sought, to the supervisor of elections of the county for which the petition was circulated. The supervisor shall check the signatures on the petition to verify their status as electors ~~of the political party for which the candidate seeks nomination~~ and of the county, district, or other geographical entity represented by the office being sought. Prior to the first date for qualifying, the supervisor shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate. If the required number of signatures has been obtained, the candidate shall, during the time prescribed for qualifying for office, submit a copy of the notice and file his or her qualifying papers and oath prescribed by s. 99.021 with the supervisor of elections. Upon receipt of the copy of the such notice and the qualifying papers by the supervisor of elections, ~~the such candidate is shall~~ be entitled to have his or her name printed on the ballot.

Section 2. Section 99.0955, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 99.0955, F.S., for present text.)

99.0955 Candidates with no party affiliation; name on general election ballot.—

(1) Each person seeking to qualify for election as a candidate with no party affiliation shall file his or her qualification papers and pay the qualifying fee or qualify by the alternative method prescribed in subsection (3) with the officer and during the times and under the circumstances prescribed in

s. 99.061. Upon qualifying, the candidate is entitled to have his or her name placed on the general election ballot.

(2) The qualifying fee for candidates with no party affiliation shall consist of a filing fee and an election assessment. The amount of the filing fee is 3 percent of the annual salary of the office sought. The amount of the election assessment is 1 percent of the annual salary of the office sought. The election assessment shall be deposited into the Elections Commission Trust Fund. Filing fees paid to the Department of State shall be deposited into the General Revenue Fund of the state. Filing fees paid to the supervisor of elections shall be deposited into the general revenue fund of the county.

(3)(a) A candidate with no party affiliation may, in lieu of paying the qualifying fee, qualify for office by the alternative method prescribed in this subsection. A candidate using this petitioning process shall file an oath with the officer before whom the candidate would qualify for the office stating that he or she intends to qualify by this alternative method. If the person is running for an office that requires a group or district designation, the candidate must indicate the designation in his or her oath. The oath shall be filed at any time after the first Tuesday after the first Monday in January of the year in which the election is held, but before the 21st day preceding the first day of the qualifying period for the office sought. The Department of State shall prescribe the form to be used in administering and filing the oath. Signatures may not be obtained by a candidate on any petition until the candidate has filed the oath required in this subsection. Upon receipt of the written oath from a candidate, the qualifying officer shall provide the candidate with petition forms in sufficient numbers to facilitate the gathering of signatures. If the candidate is running for an office that requires a group or district designation, the petition must indicate that designation or the signatures obtained on the petition will not be counted.

(b) A candidate shall obtain the signatures of a number of qualified electors in the geographical entity represented by the office sought equal to 1 percent of the registered electors of the geographical entity represented by the office sought, as shown by the compilation by the Department of State for the preceding general election.

(c) Each petition must be submitted before noon of the 21st day preceding the first day of the qualifying period for the office sought, to the supervisor of elections of the county for which such petition was circulated. Each supervisor to whom a petition is submitted shall check the signatures on the petition to verify their status as electors in the county, district, or other geographical entity represented by the office sought. Before the first day for qualifying, the supervisor shall certify the number shown as registered electors.

(d)1. Certifications for candidates for federal, state, or multicounty district office shall be submitted to the Department of State. The Department of State shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate.

2. For candidates for county or district office not covered by subparagraph 1., the supervisor of elections shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate.

(e) If the required number of signatures has been obtained, the candidate shall, during the time prescribed for qualifying for office, submit a copy of the notice received under paragraph (d) and file his or her qualifying papers and the oath prescribed by s. 99.021 with the qualifying officer.

Section 3. Section 99.096, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 99.096, F.S., for present text.)

99.096 Minor party candidates; names on ballot.—

(1) The executive committee of a minor political party shall, no later than noon of the third day prior to the first day of the qualifying period prescribed for federal candidates and no later than noon of the third day prior to the first day of the qualifying period for state candidates, submit to the Department of State the official list of the respective candidates nominated by that party to be on the ballot in the general election. The Department of State shall notify the appropriate supervisors of elections of the name of each minor party candidate eligible to qualify before such supervisor. The official list of nominated candidates may not be changed by the party after having been filed with the Department of State, except that candidates who have qualified may withdraw from the ballot pursuant to the provisions of this code, and vacancies in nominations may be filled pursuant to s. 100.111.

(2) Each person seeking to qualify for election as a candidate of a minor party shall file his or her qualification papers with, and pay the qualifying fee and, if one has been levied, the party assessment, or qualify by the alternative method prescribed in subsection (3), with the officer and at the times and under the circumstances provided in s. 99.061.

(3)(a) A minor party candidate may, in lieu of paying the qualifying fee and party assessment, qualify for office by the alternative method prescribed in this subsection. A candidate using this petitioning process shall file an oath with the officer before whom the candidate would qualify for the office stating that he or she intends to qualify by this alternative method. If the person is running for an office that requires a group or district designation, the candidate must indicate the designation in his or her oath. The oath must be filed at any time after the first Tuesday after the first Monday in January of the year in which the election is held, but before the 21st day preceding the first day of the qualifying period for the office sought. The Department of State shall prescribe the form to be used in administering and filing the oath. Signatures may not be obtained by a candidate on any petition until the candidate has filed the oath required in this section. Upon receipt of the written oath from a candidate, the qualifying officer shall provide the candidate with petition forms in sufficient numbers to facilitate the gathering of signatures. If the candidate is running for an office that

requires a group or district designation, the petition must indicate that designation or the signatures on such petition will not be counted.

(b) A candidate shall obtain the signatures of a number of qualified electors in the geographical entity represented by the office sought equal to 1 percent of the registered electors in the geographical entity represented by the office sought, as shown by the compilation by the Department of State for the last preceding general election.

(c) Each petition shall be submitted prior to noon of the 21st day preceding the first day of the qualifying period for the office sought to the supervisor of elections of the county for which the petition was circulated. Each supervisor to whom a petition is submitted shall check the signatures on the petition to verify their status as electors in the county, district, or other geographical entity represented by the office sought. Before the first day for qualifying, the supervisor shall certify the number shown as registered electors.

(d)1. Certifications for candidates for federal, state, or multicounty district office shall be submitted to the Department of State. The Department of State shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate.

2. For candidates for county or district office not covered by subparagraph 1., the supervisor of elections shall determine whether the required number of signatures has been obtained for the name of the candidate to be placed on the ballot and shall notify the candidate.

(e) If the required number of signatures has been obtained, the candidate shall, during the prescribed time for qualifying for office, submit a copy of the notice received under paragraph (d) and file his or her qualifying papers and the oath prescribed by s. 99.021 with the qualifying officer.

(4) A minor party candidate whose name has been submitted pursuant to subsection (1) and who has qualified for office is entitled to have his or her name placed on the general election ballot.

Section 4. Subsection (1) of section 99.09651, Florida Statutes, is amended to read:

99.09651 Signature requirements for ballot position in year of apportionment.—

(1) In a year of apportionment, any candidate for representative to Congress, state Senate, or state House of Representatives seeking ballot position by the alternative method prescribed in s. 99.095, s. 99.0955, or s. 99.096 ~~or as an independent candidate or any minor party seeking ballot position~~ shall obtain at least the number of signatures equal to one-third of 1 percent of the ideal population for the district of the office being sought.

Section 5. Subsections (3) and (4) of section 103.021, Florida Statutes, are amended to read:

103.021 Nomination for presidential electors.—Candidates for presidential electors shall be nominated in the following manner:

(3) ~~A minor political party may have the names of its candidates for President and Vice President printed, and independent Candidates for President and Vice President with no party affiliation may have their names printed, on the general election ballots if a petition is signed by 1 percent of the registered electors of this state, as shown by the compilation by the Department of State for the last preceding general election. A separate petition from each county for which signatures are solicited shall be submitted to the supervisor of elections of the respective county no later than July 15 of each presidential election year. The supervisor shall check the names and, on or before the date of the first primary, shall certify the number shown as registered electors of the county. The supervisor shall be paid by the person requesting the certification the cost of checking the petitions as prescribed in s. 99.097. The supervisor shall then forward the certificate to the Department of State which shall determine whether or not the percentage factor required in this section has been met. When the percentage factor required in this section has been met, the Department of State shall order the names of the candidates for whom the petition was circulated to be included on the ballot and shall permit the required number of persons to be certified as electors in the same manner as other party candidates.~~

(4)(a) ~~A Any minor political party which has met the petitioning requirements of s. 99.096 and will have the names of a candidate or candidates for any office or offices to be filled by a statewide election printed on the general election ballot, and which minor party that is affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States, may have the names of its candidates for President and Vice President of the United States printed on the general election ballot by filing with the Department of State a certificate naming the candidates for President and Vice President and listing the required number of persons to serve as electors. Notification to the Department of State under this subsection shall be made by September 1 of the year in which the election is held. When the Department of State has been so notified, it shall order the names of the candidates nominated by the minor party for whom the petition was circulated to be included on the ballot and shall permit the required number of persons to be certified as electors in the same manner as other party candidates.~~

(b) A minor party that is not affiliated with a national party holding a national convention to nominate candidates for President and Vice President of the United States may have the names of its candidates for President and Vice President printed on the general election ballot if a petition is signed by 1 percent of the registered electors of this state, as shown by the compilation by the Department of State for the preceding general election. A separate petition from each county for which signatures are solicited shall be submitted to the supervisors of elections of the respective county no later than July 15 of each presidential election year. The supervisor shall check the names and, on or before the date of the first primary, shall certify the number shown as registered electors of the county. The supervisor shall be paid by the person requesting the certification the cost of checking the

petitions as prescribed in s. 99.097. The supervisor shall then forward the certificate to the Department of State, which shall determine whether or not the percentage factor required in this section has been met. When the percentage factor required in this section has been met, the Department of State shall order the names of the candidates for whom the petition was circulated to be included on the ballot and shall permit the required number of persons to be certified as electors in the same manner as other party candidates.

Section 6. Subsection (3) of section 105.035, Florida Statutes, is amended to read:

105.035 Alternative method of qualifying for certain judicial offices.—

(3) A candidate for the office of circuit judge shall obtain the signature of a number of qualified electors equal to at least 1 ~~3~~ percent of the total number of registered electors of the judicial circuit as shown by the compilation by the Department of State for the last preceding general election. A candidate for the office of county court judge shall obtain the signatures of a number of qualified electors equal to at least 1 ~~3~~ percent of the total number of registered electors of the county, as shown by the compilation by the Department of State for the last preceding general election. A separate petition shall be circulated for each candidate availing himself or herself of the provisions of this section.

Section 7. Subsection (4) of section 99.097, Florida Statutes, is amended to read:

99.097 Verification of signatures on petitions.—

(4) The supervisor shall be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate, ~~minor party, or person authorized by such minor party submitting the petition~~ or, in the case of a petition to have an issue placed on the ballot, by the person or organization submitting the petition. However, if a candidate, person, or organization seeking to have an issue placed upon the ballot cannot pay such charges without imposing an undue burden on personal resources or upon the resources otherwise available to such candidate, person, or organization, such candidate, person, or organization shall, upon written certification of such inability given under oath to the supervisor, be entitled to have the signatures verified at no charge. ~~However, an oath in lieu of payment of the charges shall not be allowed to verify the signatures on a petition to obtain ballot position for a minor party.~~ In the event a candidate, person, or organization submitting a petition to have an issue placed upon the ballot is entitled to have the signatures verified at no charge, the supervisor of elections of each county in which the signatures are verified at no charge shall submit the total number of such signatures checked in the county to the Comptroller no later than December 1 of the general election year, and the Comptroller shall cause such supervisor of elections to be reimbursed from the General Revenue Fund in an amount equal to 10 cents for each name checked or the actual cost of checking such signatures, whichever is less. In no event shall such reimbursement of costs be deemed or applied as extra compensation for the supervisor. Petitions

shall be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 8. Paragraph (a) of subsection (1) of section 99.021, Florida Statutes, is amended to read:

99.021 Form of candidate oath.—

(1)(a) Each candidate, whether a party candidate, ~~a an independent candidate~~ with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105, shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida
County of....

Before me, an officer authorized to administer oaths, personally appeared ...(please print name as you wish it to appear on the ballot)..., to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is a qualified elector of County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes.

...(Signature of candidate)...

...(Address)...

Sworn to and subscribed before me this day of, 19...., at County, Florida.

...(Signature and title of officer administering oath)...

Section 9. Subsections (1) and (6) of section 99.061, Florida Statutes, are amended to read:

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

(1) The provisions of any special act to the contrary notwithstanding, each person seeking to qualify for nomination or election to a federal, state, or multicounty district office, other than a judicial office as defined in chapter 105, shall file his or her qualification papers with, and pay the qualifying fee, which shall consist of the filing fee and election assessment, and party assessment, if any has been levied, to, the Department of State, or qualify by the alternative method with the Department of State, at any time after noon of the 1st day for qualifying, which shall be as follows: the 120th day prior to the first primary, but not later than noon of the 116th day prior to the date of the first primary, for persons seeking to qualify for nomination

or election to federal office; and noon of the 50th day prior to the first primary, but not later than noon of the 46th day prior to the date of the first primary, for persons seeking to qualify for nomination or election to a state or multicounty district office. ~~However, the qualifying fee, if any, paid by an independent candidate or a minor party candidate shall be refunded to such candidate by the qualifying officer within 10 days from the date that the determination is made that such candidate or minor party failed to obtain the required number of signatures.~~

(6) Notwithstanding the qualifying period prescribed in this section, if a candidate has submitted the necessary petitions by the required deadline in order to qualify by the alternative method as a candidate for nomination or election and the such candidate is notified after the 5th day prior to the last day for qualifying that the required number of signatures has been obtained, the such candidate ~~is~~ shall be entitled to subscribe to the candidate's oath and file the qualifying papers at any time within 5 days from the date the such candidate is notified that the necessary number of signatures has been obtained. Any candidate who qualifies within the time prescribed in this subsection ~~is~~ shall be entitled to have his or her name printed on the ballot.

Section 10. Subsection (1) of section 99.092, Florida Statutes, is amended to read:

99.092 Qualifying fee of candidate; notification of Department of State.—

(1) Each person seeking to qualify for nomination or election to any office, except a person seeking to qualify by the alternative method pursuant to s. 99.095, s. 99.0955, or s. 99.096 and except a person seeking to qualify as a write-in candidate, shall pay a qualifying fee, which shall consist of a filing fee and election assessment, to the officer with whom the person qualifies, and any party assessment levied, and shall attach the original or signed duplicate of the receipt for his or her party assessment or pay the same, in accordance with the provisions of s. 103.121, at the time of filing his or her other qualifying papers. The amount of the filing fee is 3 percent of the annual salary of the office. The amount of the election assessment is 1 percent of the annual salary of the office sought. The election assessment shall be deposited into the Elections Commission Trust Fund. The amount of the party assessment is 2 percent of the annual salary. The annual salary of the office for purposes of computing the filing fee, election assessment, and party assessment shall be computed by multiplying 12 times the monthly salary, excluding any special qualification pay, authorized for such office as of July 1 immediately preceding the first day of qualifying. No qualifying fee shall be returned to the candidate unless the candidate withdraws his or her candidacy before the last date to qualify. If a candidate dies prior to an election and has not withdrawn his or her candidacy before the last date to qualify, the candidate's qualifying fee shall be returned to his or her designated beneficiary, and, if the filing fee or any portion thereof has been transferred to the political party of the candidate, the Secretary of State shall direct the party to return that portion to the designated beneficiary of the candidate.

Section 11. Section 99.0965, Florida Statutes, is amended to read:

99.0965 Minor parties; selection of candidates.—A minor political party ~~with a position on the general election ballot~~ may provide for the designation of its official list of nominated candidates in any manner that it deems proper. The state executive committee of the party shall by resolution adopt a procedure for the selection of candidates, a copy of which shall be submitted to the Department of State.

Section 12. Subsections (3) and (6) of section 100.111, Florida Statutes, are amended to read:

100.111 Filling vacancy.—

(3) Whenever there is a vacancy for which a special election is required pursuant to s. 100.101(1)-(4), the Governor, after consultation with the Secretary of State, shall fix the date of a special first primary election, a special second primary election, and a special election. Nominees of political parties other than minor political parties shall be chosen under the primary laws of this state in the special primary elections to become candidates in the special election. Prior to setting the special election dates, the Governor shall consider any upcoming elections in the jurisdiction where the special election will be held. The dates fixed by the Governor shall be specific days certain and shall not be established by the happening of a condition or stated in the alternative. The dates fixed shall provide a minimum of 2 weeks between each election. In the event a vacancy occurs in the office of state senator or member of the House of Representatives when the Legislature is in regular legislative session, the minimum times prescribed by this subsection may be waived upon concurrence of the Governor, the Speaker of the House of Representatives, and the President of the Senate. If a vacancy occurs in the office of state senator and no session of the Legislature is scheduled to be held prior to the next general election, the Governor may fix the dates for any special primary and for the special election to coincide with the dates of the first and second primary and general election. If a vacancy in office occurs in any district in the state Senate or House of Representatives or in any congressional district, and no session of the Legislature, or session of Congress if the vacancy is in a congressional district, is scheduled to be held during the unexpired portion of the term, the Governor is not required to call a special election to fill such vacancy.

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

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

(c) The dates for a candidate to qualify by the alternative method, ~~to qualify as an independent candidate, or to qualify as a minor party candi-~~

date in such special primary or special election shall be fixed by the Department of State. In fixing such dates the Department of State shall take into consideration and be governed by the practical time limitations.

1. Any candidate seeking to qualify by the alternative method ~~for nomination~~ in a special primary election shall obtain 25 percent of the signatures required by s. 99.095, 99.0955, or s. 99.096, as applicable.

~~2. Any candidate seeking to qualify as an independent candidate in a special election shall obtain 25 percent of the signatures required by s. 99.0955.~~

~~3. A minor party may have the names of its candidates for office printed on the ballot in a special election if the minor party obtains 25 percent of the signatures required by s. 99.096.~~

(d) The qualifying fees and party assessments of such candidates as may qualify shall be the same as collected for the same office at the last previous primary for that office. The party assessment shall be paid to the appropriate executive committee of the political party to which the candidate belongs.

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

(6) In the event that a vacancy occurs which leaves less than 4 weeks for ~~a minor party candidate, an independent candidate, or a candidate seeking to qualify by the alternative method to gather signatures for ballot position,~~ the number of signatures required for ballot placement shall be 25 percent of the number of signatures required by s. 99.095, s. 99.0955, or s. 99.096, whichever is applicable.

Section 13. Subsection (2) of section 100.141, Florida Statutes, is amended to read:

100.141 Notice of special election to fill any vacancy in office or nomination.—

(2) The Department of State shall prepare a notice stating what offices and vacancies are to be filled in the special election, the date set for each special primary election and the special election, the dates fixed for qualifying for office, the dates fixed for qualifying by the alternative method, ~~as an independent candidate, or as a minor party candidate,~~ and the dates fixed for filing campaign expense statements.

Section 14. Subsection (5) of section 101.151, Florida Statutes, is amended to read:

101.151 Specifications for general election ballot.—In counties in which voting machines are not used, and in other counties for use as absentee ballots not designed for tabulation by an electronic or electromechanical

voting system, the general election ballot shall conform to the following specifications:

(5) Minor political party candidates and ~~independent~~ candidates with no party affiliation shall have their names appear on the general election ballot following the names of recognized political parties, in the same order as they were certified.

Section 15. Subsection (1) of section 101.191, Florida Statutes, is amended to read:

101.191 Form of general election ballot.—

(1) The general election ballot shall be in substantially the following form:

OFFICIAL BALLOT GENERAL ELECTION

No. COUNTY, FLORIDA

Precinct No.
...(Date)...

(Signature of Voter) (Initials of Issuing Official)

Stub No. 1

OFFICIAL BALLOT GENERAL ELECTION

No. COUNTY, FLORIDA

Precinct No.
...(Date)...

(Initials of Issuing Official)

Stub No. 2

OFFICIAL BALLOT GENERAL ELECTION
.... COUNTY, FLORIDA
Precinct No.
...(Date)...

TO VOTE for a candidate whose name is printed on the ballot, mark a cross (X) in the blank space at the RIGHT of the name of the candidate for whom you desire to vote. To vote for a candidate whose name is not printed on the ballot, write the candidate's name in the blank space provided for that purpose.

ELECTORS
For President
and
Vice President

(A vote for the candidates will actually be a vote for their electors)
Vote for group

DEMOCRATIC

(Name of Candidate)
For President



(Name of Candidate)

For Vice President

REPUBLICAN

(Name of Candidate)

For President

(Name of Candidate)

For Vice President

(NAME OF MINOR PARTY)

(Name of Candidate)

For President

(Name of Candidate)

For Vice President

NO PARTY AFFILIATION INDEPENDENT

(Name of Candidate)

For President

(Name of Candidate)

For Vice President

WRITE-IN

For President

For Vice President

CONGRESSIONAL

UNITED STATES SENATOR

Vote for One

(Name of Candidate) (Party abbreviation)

(Name of Candidate) (Party abbreviation)

(And thence other offices under this heading, followed by the headings and offices as prescribed in s. 101.151.)

PROPOSED CONSTITUTIONAL AMENDMENTS OR OTHER PUBLIC MEASURES

To vote on a constitutional amendment or other public measure, mark a cross (X) in the blank space next to either YES or NO.

No.

CONSTITUTIONAL AMENDMENT ARTICLE, SECTION

(Here the wording of the substance of the amendment shall be inserted.)

YES for Approval

NO for Rejection

Section 16. Subsection (2) of section 101.251, Florida Statutes, is amended to read:

101.251 Information which supervisor of elections must print on ballots.—

(2) In addition to the names printed on the ballot as provided in subsection (1), the supervisor of elections of each county shall have printed on the general election ballot to be used in the county the names of the judicial officers, as defined in chapter 105, who are entitled to have their names printed on the ballot, and minor party and ~~independent~~ candidates with no party affiliation who have obtained a position on the general election ballot in compliance with the requirements of this code.

Section 17. Subsection (6) of section 101.5606, Florida Statutes, is amended to read:

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

(6) At presidential elections it permits each elector, by one operation, to vote for all presidential electors of a party or for all presidential electors of independent candidates for President and Vice President with no party affiliation.

Section 18. Subsection (2) of section 106.143, Florida Statutes, is amended to read:

106.143 Political advertisements circulated prior to election; requirements.—

(2) Any political advertisement of a candidate running for partisan office shall express the name of the political party of which the candidate is seeking nomination or is the nominee. If the candidate for partisan office is running as a ~~an independent~~ candidate with no party affiliation, any political advertisement of the candidate must state that the candidate has no party affiliation ~~is an independent candidate~~.

Section 19. This act shall take effect upon becoming a law.

Approved by the Governor June 11, 1999.

Filed in Office Secretary of State June 11, 1999.