

## CHAPTER 2026-25

### Committee Substitute for House Bill No. 91

An act relating to candidate qualification; amending s. 99.021, F.S.; specifying that a person seeking to qualify for office as a candidate must be a registered member of a political party, or registered without any party affiliation, for 365 consecutive days preceding the beginning of qualifying for an election; specifying that such person may not have legally changed his or her name through a specified petition during such 365-day period; providing applicability; providing that compliance with specified requirements is mandatory; providing construction; authorizing qualified candidates or certain political parties to challenge compliance with specified provisions by filing suit in a specified circuit court; prohibiting a person from being qualified as a candidate for nomination or election and appearing on the ballot under specified circumstances; providing an effective date.

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

Section 1. Paragraphs (b) and (c) 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 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 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.

(f) The statements in subparagraph (b)4. and subparagraph (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 subparagraph (b)4. and subparagraph (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 subparagraph (b)2. and subparagraph (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 subparagraph (b)2. and subparagraph (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 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 2. This act shall take effect upon becoming a law.

Approved by the Governor April 1, 2026.

Filed in Office Secretary of State April 1, 2026.