

1                                   A bill to be entitled  
 2           An act relating to the presidential preference primary;  
 3           amending s. 103.101, F.S.; revising the dates relating to  
 4           the presidential preference primary; amending s. 101.75,  
 5           F.S.; authorizing municipalities to modify municipal  
 6           election dates by ordinance to coincide with the  
 7           presidential preference primary date; prescribing  
 8           requirements for candidate qualifying, to conform;  
 9           providing for terms of office of municipal officials;  
 10          providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:  
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14           Section 1. Subsections (1), (2), (3), and (6) of section  
 15 103.101, Florida Statutes, are amended to read:

16           103.101 Presidential preference primary.--

17           (1) Each political party other than a minor political  
 18 party shall, on the first ~~second~~ Tuesday in February ~~March~~ in  
 19 each year the number of which is a multiple of 4, or the first  
 20 Tuesday immediately following the New Hampshire presidential  
 21 preference primary, whichever occurs first, so long as that date  
 22 is no earlier than the second Tuesday in January of the year in  
 23 which the presidential preference primary will be held, elect  
 24 one person to be the candidate for nomination of such party for  
 25 President of the United States or select delegates to the  
 26 national nominating convention, as provided by party rule.

27           (2) There shall be a Presidential Candidate Selection  
 28 Committee composed of the Secretary of State, who shall be a

29 nonvoting chair; the Speaker of the House of Representatives;  
30 the President of the Senate; the minority leader of each house  
31 of the Legislature; and the chair of each political party  
32 required to have a presidential preference primary under this  
33 section.

34 (a) By October ~~December~~ 31 of the year preceding the  
35 ~~Florida~~ presidential preference primary, each political party  
36 shall submit to the Secretary of State a list of its  
37 presidential candidates to be placed on the presidential  
38 preference primary ballot or candidates entitled to have  
39 delegates appear on the presidential preference primary ballot.  
40 The Secretary of State shall prepare and publish a list of the  
41 names of the presidential candidates submitted. The Secretary of  
42 State shall submit such list of names of presidential candidates  
43 to the selection committee on the first Tuesday after the first  
44 Monday in November of the ~~January each year~~ preceding the a  
45 presidential preference primary ~~election is held~~. Each person  
46 designated as a presidential candidate shall have his or her  
47 name appear, or have his or her delegates' names appear, on the  
48 presidential preference primary ballot unless all committee  
49 members of the same political party as the candidate agree to  
50 delete such candidate's name from the ballot. The selection  
51 committee shall meet in Tallahassee on the first Tuesday after  
52 the first Monday in November of the ~~January each year~~ preceding  
53 the a presidential preference primary ~~is held~~. The selection  
54 committee shall publicly announce and submit to the Department  
55 of State no later than 5 p.m. on the following day the names of  
56 presidential candidates who shall have their names appear, or

57 | who are entitled to have their delegates' names appear, on the  
58 | presidential preference primary ballot. The Department of State  
59 | shall immediately notify each presidential candidate designated  
60 | by the committee. Such notification shall be in writing, by  
61 | registered mail, with return receipt requested.

62 | (b) Any presidential candidate whose name does not appear  
63 | on the list submitted to the Secretary of State may request that  
64 | the selection committee place his or her name on the ballot.  
65 | Such request shall be made in writing to the Secretary of State  
66 | no later than the second Tuesday after the first Monday in  
67 | November of the year preceding the presidential preference  
68 | primary January.

69 | (c) If a presidential candidate makes a request that the  
70 | selection committee reconsider placing the candidate's name on  
71 | the ballot, the selection committee will reconvene no later than  
72 | the second Thursday after the first Monday in November of the  
73 | year preceding the presidential preference primary January to  
74 | reconsider placing the candidate's name on the ballot. The  
75 | Department of State shall immediately notify such candidate of  
76 | the selection committee's decision.

77 | (3) A candidate's name shall be printed on the  
78 | presidential preference primary ballot unless the candidate  
79 | submits to the Department of State, prior to the second Tuesday  
80 | after the first Monday in November of the year preceding the  
81 | presidential preference primary January, an affidavit stating  
82 | that he or she is not now, and does not presently intend to  
83 | become, a candidate for President at the upcoming nominating  
84 | convention. If a candidate withdraws pursuant to this

85 subsection, the Department of State shall notify the state  
 86 executive committee that the candidate's name will not be placed  
 87 on the ballot. The Department of State shall, no later than the  
 88 third Tuesday after the first Monday in November of the year  
 89 preceding the presidential preference primary January, certify  
 90 to each supervisor of elections the name of each candidate for  
 91 political party nomination to be printed on the ballot.

92 (6) Delegates must qualify no later than the second Friday  
 93 in November of the year preceding the presidential preference  
 94 primary January in the manner provided by party rule.

95 Section 2. Subsection (3) is added to section 101.75,  
 96 Florida Statutes, to read:

97 101.75 Municipal elections; change of dates for cause.--

98 (3) Notwithstanding any provision of local law, for any  
 99 municipality in which an election is scheduled to be held in  
 100 March 2008, the governing body of the municipality,  
 101 notwithstanding any municipal charter provision, may, by  
 102 ordinance, move the date of the general municipal election in  
 103 2008 and in each subsequent year that is a multiple of 4 to the  
 104 date during the respective year concurrent with the presidential  
 105 preference primary. The dates for qualifying for the general  
 106 municipal election moved by the passage of such an ordinance  
 107 shall be specifically provided for in the ordinance and shall  
 108 run for no less than 14 days. The term of office for any  
 109 municipal official elected in an election under this subsection  
 110 shall commence as provided by the relevant municipal charter,  
 111 and the term of office for any elected municipal official whose  
 112 term was due to expire in March 2008 shall expire as provided by

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113 | the relevant municipal charter.

114 | Section 3. This act shall take effect July 1, 2007.