

By the Committees on Judiciary; and Ethics and Elections; and
Senator Latvala

590-03169-14

2014602c2

1 A bill to be entitled
2 An act relating to the residency of candidates and
3 public officers; creating ss. 99.0125 and 111.015,
4 F.S.; requiring a candidate or public officer required
5 to reside in a specific geographic area to have only
6 one domicile at a time; providing factors that may be
7 considered when determining residency; providing
8 exceptions for active duty military members; providing
9 for applicability; providing an effective date.

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

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13 Section 1. Section 99.0125, Florida Statutes, is created to
14 read:

15 99.0125 Residency; candidates.—

16 (1) The address at which a candidate maintains his or her
17 domicile must be used to satisfy any candidate residency
18 requirement. A candidate may have only one domicile at a time.
19 The building claimed as a domicile must be zoned for residential
20 use and must comply with all requirements necessary to obtain a
21 certificate of occupancy or certificate of completion pursuant
22 to applicable building codes.

23 (2) Factors that may be considered in determining whether a
24 candidate meets a residency requirement include, but are not
25 limited to:

26 (a) A formal declaration of domicile in the public records
27 of the county.

28 (b) A statement, whether oral or written, indicating the
29 intention to establish a place as his or her domicile.

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30 (c) Whether he or she transferred the title to his or her
31 previous residence.

32 (d) The address at which he or she claims a homestead
33 exemption.

34 (e) An address at which he or she has purchased, rented, or
35 leased property.

36 (f) The address where he or she plans to build a new home.

37 (g) The amount of time that he or she spends at property he
38 or she owns, leases, or rents.

39 (h) Proof of payment for, and usage activity of, utilities
40 at property owned by the candidate.

41 (i) The address at which he or she receives mail and
42 correspondence.

43 (j) The address provided to register his or her dependent
44 children for school.

45 (k) The address of his or her spouse or immediate family
46 members.

47 (l) The physical address of his or her employment.

48 (m) Previous permanent residency in a state other than
49 Florida or in another country, and the date his or her residency
50 was terminated.

51 (n) The address on his or her voter information card or
52 other official correspondence from the supervisor of elections
53 providing proof of voter registration.

54 (o) The address on his or her valid Florida driver license
55 issued under s. 322.18, valid Florida identification card issued
56 under s. 322.051, or any other license required by law.

57 (p) The address on the title to, or a certificate of
58 registration of, his or her motor vehicle.

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59 (q) The address listed on filed federal income tax returns.

60 (r) The location where his or her bank statements and
61 checking accounts are registered.

62 (s) A request made to a federal, state, or local government
63 agency to update or change his or her address.

64 (t) Whether he or she has relinquished a license or permit
65 held in another jurisdiction.

66 (3) An active duty military member may not be deemed to
67 have acquired a domicile in this state solely by reason of being
68 stationed on duty in this state; nor shall an active duty
69 military member be deemed to have abandoned domicile in this
70 state solely because he or she is stationed in another
71 municipality, state, or country. However, this subsection does
72 not prohibit an active duty military member from establishing a
73 new domicile where he or she is stationed.

74 Section 2. Section 111.015, Florida Statutes, is created to
75 read:

76 111.015 Residency; public officers.—

77 (1) The address at which a public officer maintains his or
78 her domicile must be used to satisfy any residency requirement.
79 A public officer may have only one domicile at a time. The
80 building claimed as a domicile must be zoned for residential use
81 and must comply with all requirements necessary to obtain a
82 certificate of occupancy or certificate of completion pursuant
83 to applicable building codes.

84 (2) Factors that may be considered in determining whether a
85 public officer meets a residency requirement include, but are
86 not limited to:

87 (a) A formal declaration of domicile in the public records

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88 of the county.

89 (b) A statement, whether oral or written, indicating the
90 intention to establish a place as his or her domicile.

91 (c) Whether he or she transferred the title to his or her
92 previous residence.

93 (d) The address at which he or she claims a homestead
94 exemption.

95 (e) An address at which he or she has purchased, rented, or
96 leased property.

97 (f) The address where he or she plans to build a new home.

98 (g) The amount of time that he or she spends at property he
99 or she owns, leases, or rents.

100 (h) Proof of payment for, and usage activity of, utilities
101 at property owned by the public officer.

102 (i) The address at which he or she receives mail and
103 correspondence.

104 (j) The address provided to register his or her dependent
105 children for school.

106 (k) The address of his or her spouse or immediate family
107 members.

108 (l) The physical address of his or her employment.

109 (m) Previous permanent residency in a state other than
110 Florida or in another country, and the date his or her residency
111 was terminated.

112 (n) The address on his or her voter information card or
113 other official correspondence from the supervisor of elections
114 providing proof of voter registration.

115 (o) The address on his or her valid Florida driver license
116 issued under s. 322.18, valid Florida identification card issued

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117 under s. 322.051, or any other license required by law.

118 (p) The address on the title to, or a certificate of
119 registration of, his or her motor vehicle.

120 (q) The address listed on filed federal income tax returns.

121 (r) The location where his or her bank statements and
122 checking accounts are registered.

123 (s) A request made to a federal, state, or local government
124 agency to update or change his or her address.

125 (t) Whether he or she has relinquished a license or permit
126 held in another jurisdiction.

127 (3) An active duty military member may not be deemed to
128 have acquired a domicile in this state solely by reason of being
129 stationed on duty in this state; nor shall an active duty
130 military member be deemed to have abandoned domicile in this
131 state solely because he or she is stationed in another
132 municipality, state, or country. However, this subsection does
133 not prohibit an active duty military member from establishing a
134 new domicile where he or she is stationed.

135 Section 3. In accordance with s. 2, Art. III of the State
136 Constitution, this act does not apply to members of the
137 Legislature.

138 Section 4. This act shall take effect January 1, 2015.