A bill to be entitled
An act relating to primary elections; amending s. 100.061, F.S.; requiring that a universal primary election open to all qualified electors, regardless of political party affiliation or lack thereof, be held for purposes of selecting candidates for specified federal, state, local, and district offices; specifying that the candidates receiving the highest and next highest number of votes in the universal primary election advance to the general election; modifying procedures in the event of a tied vote between candidates; amending s. 101.151, F.S.; modifying ballot layout requirements to conform to the addition of the universal primary election; amending ss. 97.021, 99.061, 99.063, 99.0955, 100.051, 100.081, 100.111, 100.191, 101.021, 101.2512, 101.252, 101.5606, 101.6952, 102.131, 102.151, 102.168, 102.1685, 102.171, 104.071, 104.31, 105.071, 106.011, 106.021, 106.03, 106.12, 106.143, 106.15, 106.18, 112.313, and 112.3145, F.S.; conforming provisions and terminology to changes made by the act; providing an effective date.

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

Section 1. Section 100.061, Florida Statutes, is amended to read:

100.061 Universal primary election.—In each year in which a general election is held, a universal primary election to select
for nomination of candidates for Governor and Lieutenant Governor, any Cabinet office, the Legislature, United States Representative, United States Senator, the office of state attorney or public defender, or any county, municipal, or district office of political parties shall be held on the Tuesday 11 weeks before prior to the general election. All candidates for those particular offices, regardless of the candidate’s party affiliation or lack of party affiliation, must appear on a single ballot, and the two candidates receiving the highest and next highest number of votes for that office shall, regardless of their party affiliation, advance to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. All qualified electors, regardless of their party affiliation or lack of party affiliation, may vote in the primary election for those offices. Regardless of whether a candidate for an office specified in this section receives a majority of the votes cast for such office in the primary election, the names of the two candidates receiving the highest number of votes for such office must be placed on the general election ballot. If two or more candidates receive an equal and highest number of votes for the same office, the name of each candidate receiving an equal and highest number of votes must be placed on the general election ballot. In any contest in which there is a tie for second place, the candidates tying for second such candidates shall draw lots to determine which candidate advances to the general election is nominated.

Section 2. Paragraphs (b) and (c) of subsection (2), subsection (3), and paragraph (a) of subsection (4) of section

CODING: Words stricken are deletions; words underlined are additions.
101.151, Florida Statutes, are amended to read:

101.151 Specifications for ballots.—

(2) (b) In a primary general election, in addition to the names printed on the ballot, a blank space must shall be provided under each office for which a write-in candidate has qualified. With respect to write-in candidates, if two or more candidates are seeking election to one office, only one blank space must shall be provided.

(c) When more than one candidate files is nominated for office, the candidates for such office shall qualify and run in a group or district, and the group or district number must shall be printed beneath the name of the office. The two candidates who received the highest number of votes each nominee of a political party chosen in the a primary election must shall appear on the general election ballot in the same numbered group or district as on the primary election ballot.

(3)(a) For candidates for an office that is subject to a universal primary election under s. 100.061, the names of the two candidates who received the highest number of votes in the primary election must be arranged alphabetically as to surnames on the general election ballot, together with an appropriate abbreviation of the party name if the candidate is seeking office with a political party affiliation.

(b) For any other office not otherwise subject to paragraph (a):

1. The names of the candidates of the party that received the highest number of votes for Governor in the last election in which a Governor was elected must shall be placed first for each
office on the general election ballot, together with an appropriate abbreviation of the party name; the names of the candidates of the party that received the second highest vote for Governor must shall be placed second for each office, together with an appropriate abbreviation of the party name.

2. (b) Minor political party candidates shall have their names appear on the general election ballot following the names of recognized political parties, in the same order as they were qualified, followed by the names of candidates with no party affiliation, in the order as they were qualified.

(4)(a) The names of candidates for each office must shall be arranged alphabetically as to surnames on a primary election ballot, together with an appropriate abbreviation of the party name if the candidate is seeking office with a political party affiliation.

Section 3. Subsections (6), (30), (35), and (36) of section 97.021, Florida Statutes, are amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(6) “Candidate” means any person to whom any one or more of the following applies:

(a) Any person who seeks to qualify for nomination or election by means of the petitioning process.

(b) Any person who seeks to qualify for election as a write-in candidate.

(c) Any person who receives contributions or makes expenditures, or gives his or her consent for any other person to receive contributions or make expenditures, with a view to bringing about his or her nomination or election to, or
(d) Any person who appoints a treasurer and designates a primary depository.

(e) Any person who files qualification papers and subscribes to a candidate’s oath as required by law.

However, this definition does not include any candidate for a political party executive committee.

(30) “Primary election” or “universal primary election” means an election held preceding the general election for the purpose of determining the candidates nominating a party nominee to be voted on for in the general election to fill a national, state, county, or district office.

(35) “Special election” is a special election called for the purpose of voting on a candidate party nominee to fill a vacancy in the national, state, county, or district office.

(36) “Special primary election” is a special nomination election designated by the Governor, called for the purpose of determining the candidates nominating a party nominee to be voted on in a general or special election.

Section 4. 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.—

(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 election to a judicial office as defined in chapter 105 or the office of school board member, 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 petition process pursuant to s. 99.095 with the Department of State, at any time after noon of the 1st day for qualifying, which shall be as follows: the 120th day before prior to the primary election, but not later than noon of the 116th day before prior to the date of the primary election, for persons seeking to qualify for nomination or election to federal office or to the office of the state attorney or the public defender; and noon of the 71st day before prior to the primary election, but not later than noon of the 67th day before prior to the date of the primary election, for persons seeking to qualify for nomination or election to a state or multicounty district office, other than the office of the state attorney or the public defender.

(2) The provisions of any special act to the contrary notwithstanding, each person seeking to qualify for nomination or election to a county office, or district office not covered by subsection (1), 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 supervisor of elections of the county, or shall qualify by the petition process pursuant to s. 99.095 with the supervisor of elections, at any time after noon of the 1st day for qualifying, which shall be the 71st day before prior to the primary election, but not later than noon of the 67th day before prior to the date of the primary election. Within 30 days after the closing of qualifying time, the supervisor of
(3) Notwithstanding the provisions of any special act to the contrary, each person seeking to qualify for election to a special district office shall qualify between noon of the 71st day prior to the primary election and noon of the 67th day prior to the date of the primary election. Candidates for single-county special districts shall qualify with the supervisor of elections in the county in which the district is located. If the district is a multicounty district, candidates shall qualify with the Department of State. All special district candidates shall qualify by paying a filing fee of $25 or qualify by the petition process pursuant to s. 99.095. Notwithstanding s. 106.021, a candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository.

(4)(a) Each person seeking to qualify for election to office as a write-in candidate shall file his or her qualification papers with the respective qualifying officer at any time after noon of the 1st day for qualifying, but not later than noon of the last day of the qualifying period for the office sought.

(b) Any person who is seeking election as a write-in candidate shall not be required to pay a filing fee, election assessment, or party assessment. A write-in candidate is not
entitled to have his or her name printed on any ballot; however, space for the write-in candidate’s name to be written in must be provided on the primary general election ballot or the general election ballot if the write-in candidate is seeking an office that is not subject to a universal primary election. A person may not qualify as a write-in candidate if the person has also otherwise qualified for nomination or election to such office.

(5) At the time of qualifying for office, each candidate for a constitutional office shall file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a), and a candidate for any other office, including local elective office, shall file a statement of financial interests pursuant to s. 112.3145.

(6) The Department of State shall certify to the supervisor of elections, within 7 days after the closing date for qualifying, the names of all duly qualified candidates for nomination or election who have qualified with the Department of State.

(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 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 candidate is running with a political party affiliation office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b).

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

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 or the supervisor of elections before qualifying for office may file a copy of that disclosure at the time of qualifying.

(b) If the filing officer receives qualifying papers during the qualifying period prescribed in this section which do not include all items as required by paragraph (a) before the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or...
incomplete items and shall inform the candidate that all
required items must be received by the close of qualifying. A
candidate’s name as it is to appear on the ballot may not be
changed after the end of qualifying.

(c) The filing officer performs a ministerial function in
reviewing qualifying papers. In determining whether a candidate
is qualified, the filing officer shall review the qualifying
papers to determine whether all items required by paragraph (a)
have been properly filed and whether each item is complete on
its face, including whether items that must be verified have
been properly verified pursuant to s. 92.525(1)(a). The filing
officer may not determine whether the contents of the qualifying
papers are accurate.

(8) Notwithstanding the qualifying period prescribed in
this section, a qualifying office may accept and hold qualifying
papers submitted not earlier than 14 days before prior to the
beginning of the qualifying period, to be processed and filed
during the qualifying period.

(9) Notwithstanding the qualifying period prescribed by
this section, in each year in which the Legislature apportions
the state, the qualifying period for persons seeking to qualify
for nomination or election to federal office shall be between
noon of the 71st day before prior to the primary election, but
not later than noon of the 67th day before prior to the primary
election.

(10) The Department of State may prescribe by rule
requirements for filing papers to qualify as a candidate under
this section.

(11) The decision of the filing officer concerning whether
a candidate is qualified is exempt from the provisions of chapter 120.

Section 5. Subsections (1) and (2) of section 99.063, Florida Statutes, are amended to read:

99.063 Candidates for Governor and Lieutenant Governor.—

(1) No later than 5 p.m. of the 9th day following the primary election, each candidate for Governor who has advanced from the primary election shall designate a Lieutenant Governor as a running mate. Such designation must be made in writing to the Department of State.

(2) No later than 5 p.m. of the 9th day following the primary election, each designated candidate for Lieutenant Governor shall file with the Department of State:

(a) 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; and the signature of the candidate, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a).

(b) If the candidate is running with a political party affiliation office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b).

(c) The full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution. A public officer who has filed the full and public disclosure with the Commission on Ethics before prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

Section 6. Section 99.0955, Florida Statutes, is amended to read:

99.0955 Candidates with no party affiliation; name on
(1) Each person seeking to qualify for election as a candidate with no party affiliation shall file his or her qualifying papers and pay the qualifying fee or qualify by the petition process pursuant to s. 99.095 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 primary general election ballot, or the general election ballot if the candidate is seeking an office that is not subject to a universal primary election.

(2) The qualifying fee for candidates with no party affiliation consists of a filing fee and an election assessment as prescribed in s. 99.092. 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.

Section 7. Section 100.051, Florida Statutes, is amended to read:

100.051 Candidate’s name on general election ballot.—The supervisor of elections of each county shall print on ballots to be used in the county at the next general election the names of candidates who advanced from the primary election or have been nominated by a political party and the candidates who have otherwise obtained a position on the general election ballot in compliance with the requirements of this code.

Section 8. Section 100.081, Florida Statutes, is amended to read:

100.081 Nomination of County commissioners at primary
The primary election must provide for the selection nomination of candidates for the office of county commissioner to advance to the general election commissioners by the qualified electors of such county at the time and place set for voting on other county officers.

Section 9. Paragraphs (b) and (c) of subsection (1) and subsections (2), (3), and (4) of section 100.111, Florida Statutes, are amended to read:

100.111 Filling vacancy.—

(1) [deleted]

(b) If such a vacancy occurs before the first day set by law for qualifying for election to office at such general election, any person seeking nomination or election to the unexpired portion of the term must qualify within the time prescribed by law for qualifying for other offices to be filled by election at such general election.

(c) If such a vacancy occurs before the primary election but on or after the first day set by law for qualifying, the Secretary of State must set dates for qualifying for the unexpired portion of the term of such office. Any person seeking nomination or election to the unexpired portion of the term shall qualify within the time set by the Secretary of State. If time does not permit party nominations to be made in conjunction with the primary election, the Governor may call a special primary election to select party nominees for the unexpired portion of such term.

(2) Whenever there is a vacancy for which a special election is required pursuant to s. 100.101, the Governor, after consultation with the Secretary of State, shall fix the dates of
a special primary election and a special election. The two candidates who receive the highest number of votes Nominees of political parties shall be chosen under the primary laws of this state in the special primary election shall advance to become candidates in the special election. Before 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 may shall not be established by the happening of a condition or stated in the alternative. However, if only two candidates, excluding any write-in candidates, qualify for the office for which the special election is required and the special election is not held concurrently with a general election, the special primary election shall be suspended and the date previously fixed by the Governor for the special primary election shall become the special election. 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 before prior to the next general election, the Governor may fix the dates for the special primary election and for the special election to coincide with the dates of the primary election 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 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 petition process pursuant to s. 99.095 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. Any candidate seeking to qualify by the petition process in a special primary election shall obtain 25 percent of the signatures required by s. 99.095.

(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 primary elections and special elections 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.

(3)(a) In the event that death, resignation, withdrawal, or removal should cause a party to have a vacancy that in nomination which leaves no candidate for an office from such party if a candidate of such party has advanced from the primary election, the filing officer before whom the candidate qualified must shall notify the chair of the state and county political party executive committee of such party and:

1. If the vacancy in nomination is for a candidacy for statewide office, the state party chair must shall, within 5 days, call a meeting of his or her executive board to consider designation of a candidate nominee to fill the vacancy.

2. If the vacancy in nomination is for a candidacy for the office of United States Representative, state senator, state representative, state attorney, or public defender, the state party chair must shall notify the appropriate county chair or chairs and, within 5 days, the appropriate county chair or chairs must shall call a meeting of the members of the executive committee in the affected county or counties to consider designation of a candidate nominee to fill the vacancy.

3. If the vacancy in nomination is for a candidacy for county office, the state party chair must shall notify the appropriate county chair and, within 5 days, the appropriate
county chair **must shall** call a meeting of his or her executive committee to consider designation of a **candidate nominee** to fill the vacancy.

The name of any person so designated shall be submitted to the filing officer before whom the candidate qualified within 7 days after notice to the chair in order that the person designated may have his or her name on the ballot of the ensuing general election. If the name of the new **candidate nominee** is submitted after the certification of results of the preceding primary election, however, the ballots **may shall** not be changed and the former party **candidate’s nominee’s** name will appear on the ballot. Any ballots cast for the former party **candidate nominee** will be counted for the person designated by the political party to replace the former party **candidate nominee**. If there is no opposition to the party **candidate nominee**, the person designated by the political party to replace the former party **candidate nominee** will be elected to office at the general election.

(b) When, under the circumstances set forth in the preceding paragraph, vacancies in **candidacy nomination** are required to be filled by committee nominations, such vacancies shall be filled by party rule. In any instance in which a **candidate nominee** is selected by a committee to fill a vacancy in **candidacy nomination**, such **candidate nominee** shall pay the same filing fee and take the same oath as the nominee would have taken had he or she regularly qualified for election to such office.

(c) Any person who, at the close of qualifying as prescribed in ss. 99.061 and 105.031, was qualified for
nomination or election to or retention in a public office to be filled at the ensuing general election or who attempted to qualify and failed to qualify is prohibited from qualifying as a candidate to fill a vacancy in candidacy nomination for any other office to be filled at that general election, even if such person has withdrawn or been eliminated as a candidate for the original office sought. However, this paragraph does not apply to a candidate for the office of Lieutenant Governor who applies to fill a vacancy in candidacy nomination for the office of Governor on the same ticket or to a person who has withdrawn or been eliminated as a candidate and who is subsequently designated as a candidate for Lieutenant Governor under s. 99.063.

(4) A vacancy in candidacy nomination is not created if an order of a court that has become final determines that a nominee did not properly qualify or did not meet the necessary qualifications to hold the office for which he or she sought to qualify.

Section 10. Section 100.191, Florida Statutes, is amended to read:

100.191 General election laws applicable to special elections; returns.—All laws that are applicable to general elections are applicable to special elections or special primary elections to fill a vacancy in office or candidacy nomination. The Elections Canvassing Commission shall immediately, upon receipt of returns from the county in which a special election is held, proceed to canvass the returns and determine and declare the result thereof.

Section 11. Section 101.021, Florida Statutes, is amended
to read:

101.021 Elector to vote the primary ballot of the political party in which he or she is registered; exception.—In a primary election, a qualified elector is entitled to vote only the official primary election ballot of the political party designated in the elector’s registration, and no other. It is unlawful for any elector to vote in a presidential preference primary or for any candidate running for a political party executive committee nomination from a party other than that in which such elector is registered.

Section 12. Subsection (1) of section 101.2512, Florida Statutes, is amended to read:

101.2512 Candidates’ names on general election ballots.—

(1) The supervisor of elections shall print on the general election ballot the names of candidates who received the highest and the next highest number of votes in a universal nominated by primary election or special primary election, regardless of the candidates’ party affiliation or lack of party affiliation, or the names of candidates selected by the appropriate executive committee of any political party pursuant to the requirements of this code.

Section 13. Section 101.252, Florida Statutes, is amended to read:

101.252 Candidates entitled to have names printed on certain ballots; exception.—

(1) Any candidate for nomination who has qualified as prescribed by law is entitled to have his or her name printed on the official primary election ballot. However, when there is only one candidate qualified for
an office, the name of the candidate may **shall** not be printed on the primary or general election ballots, and such candidate **is shall** be declared elected to nominated for the office.

(2) Any candidate for party executive committee member who has qualified as prescribed by law is entitled to have his or her name printed on the primary election ballot. However, when there is only one candidate of any political party qualified for such an office, the name of the candidate **may shall** not be printed on the primary election ballot, and such candidate **is shall** be declared elected to the state or county executive committee.

Section 14. 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) It **allows permits** each voter at a primary election to vote in contests that are subject to a universal primary election, contests that are limited to registrants **of only for** the candidates seeking nomination by the political party in which such voter is registered, for any candidate for nonpartisan office, and for any question upon which the voter is entitled to vote.

Section 15. Paragraph (b) of subsection (2) of section 101.6952, Florida Statutes, is amended to read:

101.6952 Vote-by-mail ballots for absent uniformed services and overseas voters.—

(2)
(b)1. In an election for federal office, an elector may designate a candidate by writing the name of a candidate on the ballot. Except for a primary or special primary election, the elector may alternatively designate a candidate by writing the name of a political party on the ballot. A written designation of the political party shall be counted as a vote for the candidate of that party if there is such a party candidate in the race.

2. In a state or local election, an elector may vote in the section of the federal write-in absentee ballot designated for nonfederal races by writing on the ballot the title of each office and by writing on the ballot the name of the candidate for whom the elector is voting. Except for a primary, special primary, or nonpartisan election, the elector may alternatively designate a candidate by writing the name of a political party on the ballot. A written designation of the political party shall be counted as a vote for the candidate of that party if there is such a party candidate in the race. If the candidates who advanced to the general or special election have the same party affiliation, the designation may not count for any candidate unless there is a valid, additional designation of the candidate’s name. In addition, the elector may vote on any ballot measure presented in such election by identifying the ballot measure on which he or she desires to vote and specifying his or her vote on the measure. For purposes of this section, a vote cast in a judicial merit retention election shall be treated in the same manner as a ballot measure in which the only allowable responses are “Yes” or “No.”

Section 16. Section 102.131, Florida Statutes, is amended...
102.131 Returns before canvassing commission.—If any returns shall appear to be irregular or false so that the Elections Canvassing Commission is unable to determine the true vote for any office, nomination, constitutional amendment, or other measure presented to the electors, the commission shall so certify and shall not include the returns in its determination, canvass, and declaration. In determining the true vote, the Elections Canvassing Commission does not have authority to look beyond the county returns. The Department of State shall file in its office all the returns, together with other documents and papers received by it or the commission. The commission shall canvass the returns for presidential electors and representatives to Congress separately from their canvass of returns for state officers.

Section 17. Section 102.151, Florida Statutes, is amended to read:

102.151 County canvassing board to issue certificates; supervisor to give notice to Department of State.—The county canvassing board shall make and sign duplicate certificates containing the total number of votes cast for each person nominated or elected or who advanced to the general or special election, the names of persons for whom such votes were cast, and the number of votes cast for each candidate or nominee. One of such certificates which relates to offices for which the candidates or nominees have been voted for in more than one county shall be immediately transmitted to the Department of State, and the second copy filed in the supervisor’s office. The supervisor shall transmit to the Department of State,
immediately after the county canvassing board has canvassed the returns of the election, a list containing the names of all county and district officers nominated or elected or who have advanced to the general or special election, the office for which each was nominated or elected or has advanced, and the mailing address of each.

Section 18. Subsections (1), (3), (4), and (5) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—
(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office or the certification of a candidate to advance to the general or special election, or of the result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any elector qualified to vote in the election related to such candidacy, or by any taxpayer, respectively.

(3) The complaint must shall set forth the grounds on which the contestant intends to establish his or her right to such office or set aside the result of the election on a submitted referendum. The grounds for contesting an election under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office, or who advances to the general election or special election, in dispute.
(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any elector, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate’s advancement nomination or election or determining the result on any question submitted by referendum.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate.

(5) A statement of the grounds of contest may not be rejected, nor the proceedings dismissed, by the court for any want of form if the grounds of contest provided in the statement are sufficient to clearly inform the defendant of the particular proceeding or cause for which the nomination or election is contested.

Section 19. Section 102.1685, Florida Statutes, is amended to read:

102.1685 Venue.—The venue for contesting the nomination or election of a candidate to office, the advancement of a candidate for office to the general election or a special
election, or the results of a referendum shall be in the county in which the contestant qualified or in the county in which the question was submitted for referendum or, if the election or referendum covered more than one county, then in Leon County.

Section 20. Section 102.171, Florida Statutes, is amended to read:

102.171 Contest of election to Legislature.—The jurisdiction to hear any contest of the election of a member to either house of the Legislature is vested in the applicable house, as each house, pursuant to s. 2, Art. III of the State Constitution, is the sole judge of the qualifications, elections, and returns of its members. Therefore, the certification of election of any person to the office of member of either house of the Legislature may only be contested in the applicable house by an unsuccessful candidate for such office, in accordance with the rules of that house. This section does not apply to any contest of the nomination of any person for the office of member of either house of the Legislature at any primary or special primary election in which only those qualified electors who are registered members of the political party holding such primary election may vote, as provided for in s. 5(b), Art. VI of the State Constitution. This section does not apply to any contest of a primary or special primary election for the office of member of either house of the Legislature in which all qualified electors may vote, as provided for in s. 5(b), Art. VI of the State Constitution, and the recipient of the most votes is deemed to be elected according to applicable law.
Section 21. Subsection (1) of section 104.071, Florida Statutes, is amended to read:

104.071 Remuneration by candidate for services, support, etc.; penalty.—

(1) It is unlawful for any person supporting a candidate, or for any candidate, in order to aid or promote the nomination or election of such candidate in any election, directly or indirectly to:

(a) Promise to appoint another person, promise to secure or aid in securing appointment, nomination or election of another person to any public or private position, or to any position of honor, trust, or emolument, except one who has publicly announced or defined what his or her choice or purpose in relation to any election in which he or she may be called to take part, if elected.

(b) Give, or promise to give, pay, or loan, any money or other thing of value to the owner, editor, publisher, or agent, of any communication media, as well as newspapers, to advocate or oppose, through such media, any candidate for nomination in any election or any candidate for election, and no such owner, editor, or agent shall give, solicit, or accept such payment or reward. It shall likewise be unlawful for any owner, editor, publisher, or agent of any poll-taking or poll-publishing concern to advocate or oppose through such poll any candidate for nomination in any election or any candidate for election in return for the giving or promising to give, pay, or loan any money or other thing of value to said owner, editor, publisher, or agent of any poll-taking or poll-publishing concern.

(c) Give, pay, expend, or contribute any money or thing of value
value for the furtherance of the candidacy of any other candidate.

(d) Furnish, give, or deliver to another person any money or other thing of value for any purpose prohibited by the election laws.

This subsection does shall not prohibit a candidate from furnishing complimentary tickets to the candidate’s campaign fund raiser to other candidates.

Section 22. Paragraph (a) of subsection (1) of section 104.31, Florida Statutes, is amended to read:

104.31 Political activities of state, county, and municipal officers and employees.—

(1) No officer or employee of the state, or of any county or municipality thereof, except as hereinafter exempted from provisions hereof, shall:

(a) Use his or her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person’s vote or affecting the result thereof.

The provisions of this section shall not be construed so as to prevent any person from becoming a candidate for and actively campaigning for any elective office in this state. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature, of
elected officials or candidates for public office in the state or of any county or municipality thereof; and the provisions of paragraph (a) shall not be construed so as to limit the political activity in general or special elections of the officials appointed as the heads or directors of state administrative agencies, boards, commissions, or committees or of the members of state boards, commissions, or committees, whether they be salaried, nonsalaried, or reimbursed for expense. In the event of a dual capacity of any member of a state board, commission, or committee, any restrictive provisions applicable to either capacity shall apply. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature of the Governor, the elected members of the Governor’s Cabinet, or the members of the Legislature. The provisions of paragraphs (b) and (c) shall apply to all officers and employees of the state or of any county or municipality thereof, whether elected, appointed, or otherwise employed, or whether the activity shall be in connection with a primary, general, special, bond, referendum, or other election of any kind or nature.

Section 23. Subsection (1) of section 105.071, Florida Statutes, is amended to read:

105.071 Candidates for judicial office; limitations on political activity.—A candidate for judicial office shall not:

(1) Participate in any partisan political party activities, except that such candidate may register to vote as a member of any political party and may vote in any party primary limited to members for candidates for nomination of the party in which she
or he is registered to vote.

A candidate for judicial office or retention therein who violates the provisions of this section is liable for a civil fine of up to $1,000 to be determined by the Florida Elections Commission.

Section 24. Subsections (3) and (18) of section 106.011, Florida Statutes, are amended to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(3) “Candidate” means a person to whom any of the following applies:

(a) A person who seeks to qualify for nomination or election by means of the petitioning process.

(b) A person who seeks to qualify for election as a write-in candidate.

(c) A person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office.

(d) A person who appoints a treasurer and designates a primary depository.

(e) A person who files qualification papers and subscribes to a candidate’s oath as required by law.

However, this definition does not include any candidate for a political party executive committee. Expenditures related to
potential candidate polls as provided in s. 106.17 are not contributions or expenditures for purposes of this subsection.

(18) “Unopposed candidate” means a candidate for nomination or election to an office who, after the last day on which a person, including a write-in candidate, may qualify, is without opposition in the election at which the office is to be filled or who is without such opposition after such date as a result of a primary election or of withdrawal by other candidates seeking the same office. A candidate is not an unopposed candidate if there is a vacancy to be filled under s. 100.111(3), if there is a legal proceeding pending regarding the right to a ballot position for the office sought by the candidate, or if the candidate is seeking retention as a justice or judge.

Section 25. Paragraph (a) of subsection (1) and subsection (3) of section 106.021, Florida Statutes, are amended to read:

106.021 Campaign treasurers; deputies; primary and secondary depositories.—

(1)(a) Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to, or retention in, office shall appoint a campaign treasurer and designate a primary campaign depository before qualifying for office. Any person who seeks to qualify for election or nomination to any office by means of the petitioning process shall appoint a treasurer and designate a primary depository on or before the date he or she obtains the petitions. At the same time a candidate designates a campaign depository and appoints a treasurer, the candidate shall also designate the office for which he or she is a candidate. If the candidate is running for
an office that will be grouped on the ballot with two or more
similar offices to be filled at the same election, the candidate
must indicate for which group or district office he or she is
running. This subsection does not prohibit a candidate, at a
later date, from changing the designation of the office for
which he or she is a candidate. However, if a candidate changes
the designated office for which he or she is a candidate, the
candidate must notify all contributors in writing of the intent
to seek a different office and offer to return pro rata, upon
their request, those contributions given in support of the
original office sought. This notification shall be given within
15 days after the filing of the change of designation and shall
include a standard form developed by the Division of Elections
for requesting the return of contributions. The notice
requirement does not apply to any change in a numerical
designation resulting solely from redistricting. If, within 30
days after being notified by the candidate of the intent to seek
a different office, the contributor notifies the candidate in
writing that the contributor wishes his or her contribution to
be returned, the candidate shall return the contribution, on a
pro rata basis, calculated as of the date the change of
designation is filed. Up to a maximum of the contribution limits
specified in s. 106.08, a candidate who runs for an office other
than the office originally designated may use any contribution
that a donor does not request be returned within the 30-day
period for the newly designated office, provided the candidate
disposes of any amount exceeding the contribution limit pursuant
to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a)1.,
2., or 4.; notwithstanding, the full amount of the contribution
for the original office shall count toward the contribution limits specified in s. 106.08 for the newly designated office. A person may not accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person’s behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository. A candidate for an office voted upon statewide may appoint not more than 15 deputy campaign treasurers, and any other candidate or political committee may appoint not more than 3 deputy campaign treasurers. The names and addresses of the campaign treasurer and deputy campaign treasurers so appointed shall be filed with the officer before whom such candidate is required to qualify or with whom such political committee is required to register pursuant to s. 106.03.

(3) No contribution or expenditure, including contributions or expenditures of a candidate or of the candidate’s family, shall be directly or indirectly made or received in furtherance of the candidacy of any person for nomination or election to political office in the state or on behalf of any political committee except through the duly appointed campaign treasurer of the candidate or political committee, subject to the following exceptions:

(a) Independent expenditures;

(b) Reimbursements to a candidate or any other individual for expenses incurred in connection with the campaign or activities of the political committee by a check drawn upon the campaign account and reported pursuant to s. 106.07(4). The full
name of each person to whom the candidate or other individual made payment for which reimbursement was made by check drawn upon the campaign account shall be reported pursuant to s. 106.07(4), together with the purpose of such payment;

(c) Expenditures made indirectly through a treasurer for goods or services, such as communications media placement or procurement services, campaign signs, insurance, or other expenditures that include multiple integral components as part of the expenditure and reported pursuant to s. 106.07(4)(a)13.;

(d) Expenditures made directly by any affiliated party committee or political party regulated by chapter 103 for obtaining time, space, or services in or by any communications medium for the purpose of jointly endorsing three or more candidates, and any such expenditure may not be considered a contribution or expenditure to or on behalf of any such candidates for the purposes of this chapter.

Section 26. Subsection (2) of section 106.03, Florida Statutes, is amended to read:

106.03 Registration of political committees and electioneering communications organizations.—

(2) The statement of organization must shall include all of the following:

(a) The name, mailing address, and street address of the committee or electioneering communications organization.

(b) The names, street addresses, and relationships of affiliated or connected organizations, including any affiliated sponsors.

(c) The area, scope, or jurisdiction of the committee or
(d) The name, mailing address, street address, and position of the custodian of books and accounts.

(e) The name, mailing address, street address, and position of other principal officers, including the treasurer and deputy treasurer, if any.

(f) The name, address, office sought, and party affiliation of:

1. Each candidate whom the committee is supporting; and
2. Any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office.

(g) Any issue or issues the committee is supporting or opposing.

(h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party.

(i) A statement of whether the committee is a continuing one.

(j) Plans for the disposition of residual funds which will be made in the event of dissolution.

(k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds.

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials.

(m) A statement of whether the electioneering communications organization was formed as a newly created
organization during the current calendar quarter or was formed from an organization existing before prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

Section 27. Paragraph (a) of subsection (2) of section 106.12, Florida Statutes, is amended to read:

106.12 Petty cash funds allowed.—

(2) Following the close of the last day for qualifying and until the last election in a given election period in which the political committee participates, the campaign treasurer of each political committee is authorized to withdraw the following amount each week from the primary depository campaign account for the purpose of providing a petty cash fund for the political committee, and, following the close of the last day for qualifying and until the election at which such candidate is eliminated or elected to office, or the time at which the candidate becomes unopposed, the campaign treasurer of each candidate is authorized to withdraw the following amount each week from the primary depository campaign account for the purpose of providing a petty cash fund for the candidate:

(a) For all candidates for nomination or election on a statewide basis, $500 per week.

Section 28. Subsection (3) of section 106.143, Florida Statutes, is amended to read:

106.143 Political advertisements circulated prior to election; requirements.—

(3) Any political advertisement of a candidate running for partisan office who is running with a party affiliation must
include shall express the name of such the political party of which the candidate is seeking nomination or is the nominee. If the candidate for partisan office is running as a candidate with no party affiliation, any political advertisement of the candidate must state that the candidate has no party affiliation. A political advertisement of a candidate running for nonpartisan office may not state the candidate’s political party affiliation. This section does not prohibit a political advertisement from stating the candidate’s partisan-related experience. A candidate for nonpartisan office is prohibited from campaigning based on party affiliation.

Section 29. Subsections (2) and (3) of section 106.15, Florida Statutes, are amended to read:

106.15 Certain acts prohibited.—

(2) No candidate, in the furtherance of his or her candidacy for nomination or election to public office in any election, shall use any state-owned aircraft or motor vehicle, as provided in chapter 287, solely for the purpose of furthering his or her candidacy. However, in the event a candidate uses any state-owned aircraft or motor vehicle to conduct official state business and while on such trip performs any function in the furtherance of his or her candidacy for nomination or election to public office in any election, the candidate shall prorate the expenses incurred and reimburse the appropriate agency for any trip not exclusively for state business and shall pay either a prorated share of all fixed and variable expenses related to the ownership, operation, and use of such aircraft or one-half of the total fixed and variable expenses related to the ownership, operation, and use of such aircraft, whichever is
greater. The reimbursement shall be made from the campaign account of the candidate.

(3) A candidate may not, in the furtherance of his or her candidacy for nomination or election to public office in any election, use the services of any state, county, municipal, or district officer or employee during working hours.

Section 30. Subsection (2) of section 106.18, Florida Statutes, is amended to read:

106.18 When a candidate’s name to be omitted from ballot.—

(2) Any candidate whose name is removed from the ballot pursuant to subsection (1) is disqualified as a candidate for office. If the disqualification of such candidate results in a vacancy in candidacy nomination, such vacancy shall be filled by a person other than such candidate in the manner provided by law.

Section 31. Subsection (2) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(2) SOLICITATION OR ACCEPTANCE OF GIFTS.—No public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

Section 32. Paragraph (a) of subsection (2) of section 112.3145, Florida Statutes, is amended to read:
112.3145 Disclosure of financial interests and clients represented before agencies.—

(2)(a) A person seeking nomination or election to a state or local elective office shall file a statement of financial interests together with, and at the same time he or she files, qualifying papers. When a candidate has qualified for office prior to the deadline to file an annual statement of financial interests, the statement of financial interests that is filed with the candidate’s qualifying papers shall be deemed to satisfy the annual disclosure requirement of this section. The qualifying officer must record that the statement of financial interests was timely filed. However, if a candidate does not qualify until after the annual statement of financial interests has been filed, the candidate may file a copy of his or her statement with the qualifying officer.

Section 33. This act shall take effect January 1, 2021.