

By Senator Polsky

29-00498-21

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1                   A bill to be entitled  
2       An act relating to candidate qualifying; amending s.  
3       99.021, F.S.; requiring a person seeking to qualify  
4       for office as a candidate with no party affiliation to  
5       subscribe to an oath or affirmation that he or she is  
6       registered without party affiliation and has not been  
7       a registered member of a political party for a  
8       specified timeframe; amending ss. 99.061 and 99.063,  
9       F.S.; conforming provisions to changes made by the  
10      act; providing an effective date.

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

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14       Section 1. Present paragraph (c) of subsection (1) of  
15       section 99.021, Florida Statutes, is redesignated as paragraph  
16       (d), and a new paragraph (c) is added to that subsection, to  
17       read:

18       99.021 Form of candidate oath.—

19       (1)

20       (c) In addition, any person seeking to qualify for office  
21 as a candidate with no party affiliation shall, at the time of  
22 subscribing to the oath or affirmation, state in writing that he  
23 or she is registered without any party affiliation and that he  
24 or she has not been a registered member of any political party  
25 for 365 days before the beginning of qualifying preceding the  
26 general election for which the person seeks to qualify.

27       Section 2. Paragraph (a) of subsection (7) of section  
28       99.061, Florida Statutes, is amended to read:

29       99.061 Method of qualifying for nomination or election to

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30 federal, state, county, or district office.-

31 (7) (a) In order for a candidate to be qualified, the  
32 following items must be received by the filing officer by the  
33 end of the qualifying period:

34 1. A properly executed check drawn upon the candidate's  
35 campaign account payable to the person or entity as prescribed  
36 by the filing officer in an amount not less than the fee  
37 required by s. 99.092, unless the candidate obtained the  
38 required number of signatures on petitions pursuant to s.  
39 99.095. The filing fee for a special district candidate is not  
40 required to be drawn upon the candidate's campaign account. If a  
41 candidate's check is returned by the bank for any reason, the  
42 filing officer shall immediately notify the candidate and the  
43 candidate shall have until the end of qualifying to pay the fee  
44 with a cashier's check purchased from funds of the campaign  
45 account. Failure to pay the fee as provided in this subparagraph  
46 shall disqualify the candidate.

47 2. The candidate's oath required by s. 99.021, which must  
48 contain the name of the candidate as it is to appear on the  
49 ballot; the office sought, including the district or group  
50 number if applicable; and the signature of the candidate, which  
51 must be verified under oath or affirmation pursuant to s.  
52 92.525(1) (a).

53 3. If the office sought is partisan, the written statement  
54 of political party affiliation required by s. 99.021(1) (b); or  
55 if the candidate is running without party affiliation for a  
56 partisan office, the written statement required by s.  
57 99.021(1) (c).

58 4. The completed form for the appointment of campaign

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59 treasurer and designation of campaign depository, as required by  
60 s. 106.021.

61 5. The full and public disclosure or statement of financial  
62 interests required by subsection (5). A public officer who has  
63 filed the full and public disclosure or statement of financial  
64 interests with the Commission on Ethics or the supervisor of  
65 elections prior to qualifying for office may file a copy of that  
66 disclosure at the time of qualifying.

67 Section 3. Paragraph (b) of subsection (2) of section  
68 99.063, Florida Statutes, is amended to read:

69 99.063 Candidates for Governor and Lieutenant Governor.—

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

73 (b) If the office sought is partisan, the written statement  
74 of political party affiliation required by s. 99.021(1)(b); or  
75 if the office sought is without party affiliation, the written  
76 statement required by s. 99.021(1)(c).

77 Section 4. This act shall take effect July 1, 2021.