

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: CS/SB 620

INTRODUCER: Rules Committee and Senator Mayfield

SUBJECT: Candidate Qualifying

DATE: March 3, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<b>Favorable</b>
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<b>Favorable</b>
3.	<u>Biehl</u>	<u>Kruse</u>	<u>RC</u>	<b>Fav/CS</b>

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 620 creates new disclosure requirements for candidates seeking to qualify for nomination or election to office. Specifically, the bill provides:

- If a candidate is a citizen of another country in addition to being a citizen of the United States, the candidate must submit a written statement disclosing any other country in which he or she is also a citizen.
- Each candidate for federal office must state in writing whether he or she intends to trade stocks if elected and, if he or she previously held federal office, whether he or she traded stocks while in such office.

The bill also provides that for the 2026 general election, any candidate for representative to Congress is subject to the qualifying dates and petition qualification requirements that apply in apportionment years. This provision takes effect upon becoming a law.

Except as otherwise provided in the bill, the bill takes effect July 1, 2026.

**II. Present Situation:**

**Qualifying for Office**

Current law prescribes the process by which a person seeking nomination or election to a public office may qualify to do so.<sup>1</sup> Such a person must file his or her qualification papers with, and pay the qualifying fee<sup>2</sup> to, the relevant filing officer.<sup>3</sup> The law also provides a process by which a person can obtain a certain number of signed petitions in lieu of paying the qualifying fee and party assessment.<sup>4</sup>

The qualifying periods for non-apportionment years are as follows.<sup>5</sup>

Between the 120th and 116th days prior to the primary election	Federal office State attorney Public defender Judicial office
Between the 71st and 67th days prior to the primary election	State or multicounty district office (other than state attorney or public defender) County office or single-county district office School board

During an apportionment year,<sup>6</sup> the qualifying period for federal offices is moved to the 71st-67th days prior to the primary election.<sup>7</sup>

During a non-apportionment year, a person seeking to qualify via the petition process for an office other than a special district office must obtain signatures from 1 percent of the total number of registered voters in the geographical area represented by the office sought, as determined from the preceding general election. Petitions must indicate the district, if applicable.<sup>8</sup> In an apportionment year, any candidate for representative to Congress or the state

<sup>1</sup> Sections 99.061 and 105.031, F.S.

<sup>2</sup> The qualifying fee consists of the filing fee and election assessment, and party assessment, if applicable (ss. 99.061(1), 99.092(1), and 105.031(3), F.S.). The amount of the filing fee is 3 percent of the annual salary of the office, the amount of the election assessment is 1 percent of the annual salary of the office, and the party assessment is 2 percent of the annual salary of the office. Write-in candidates are exempt from the filing fee requirement (s. 99.092(1), F.S.).

<sup>3</sup> The filing officer for a federal, state, or multicounty district office, other than a judicial office or school board member, is the Department of State (s. 99.061(1), F.S.). The filing officer for a county office, or for a district office that is not multicounty, is the local supervisor of elections (s. 99.061(2), F.S.). Except for candidates for judicial office, nonpartisan candidates for multicounty office qualify with the Department of State, and nonpartisan candidates for countywide or less than countywide office file with the supervisor of elections. Candidates for county court judge file with the supervisor of elections; all other judicial candidates file with the Department of State. Section 105.031(1), F.S.

<sup>4</sup> Sections 99.095 and 105.035, F.S.

<sup>5</sup> See ss. 99.061 and 105.031, F.S.

<sup>6</sup> Article III, s. 16, FLA. CONST., provides that in the second year following each decennial census, the Legislature shall by joint resolution apportion the state Senate and House districts. Article I, s. 2, U.S. Const., requires the apportionment of the U.S. House of Representatives after each decennial census to distribute each of the House’s 435 seats between the 50 states and to equalize population between districts within each state.

<sup>7</sup> Section 99.061(9), F.S.

<sup>8</sup> Sections 99.095(2) and 105.035, F.S.

Legislature must obtain signatures from one-third of 1 percent of the ideal population<sup>9</sup> for the district of the office being sought. The signatures may be obtained from any registered voter in Florida. Petitions shall state the name of the office the candidate is seeking, but not a district number.<sup>10</sup>

In order for a candidate<sup>11</sup> for an office other than a judgeship or a school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

- A properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.<sup>12</sup>
- The candidate's oath, as required by s. 99.021, F.S.<sup>13</sup>
- If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b), F.S.; or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c), F.S.
- The completed form for the appointment of campaign treasurer and the designation of a campaign depository.
- The candidate's financial disclosure.<sup>14</sup>

In order for a candidate for judicial office or the office of school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

- Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate's campaign account for the filing fee, unless the candidate qualified by petition.
- The candidate's oath, as required by s. 105.031(4), F.S.
- The loyalty oath required by s. 876.05, F.S.<sup>15</sup>

<sup>9</sup> "Ideal population" means the total population of the state based upon the most recent decennial census divided by the number of districts for representative to Congress, state Senate, or state House of Representatives (s. 99.09651(2), F.S.).

<sup>10</sup> Section 99.09651, F.S.

<sup>11</sup> Section 106.011(3), F.S., defines "candidate" to mean a person to whom any of the following applies: 1) a person who seeks to qualify for nomination or election by means of the petitioning process; 2) a person who seeks to qualify for election as a write-in candidate; 3) 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; 4) a person who appoints a treasurer and designates a primary depository; or 5) a person who files qualification papers and subscribes to a candidate's oath as required by law. The definition excludes any candidate for a political party executive committee.

<sup>12</sup> The filing fee for a special district candidate is not required to be drawn upon his or her campaign account (s. 99.061(7)(a)1., F.S.).

<sup>13</sup> Each candidate for an elected office in Florida must take and subscribe to in writing an oath or affirmation. Current law specifies oath formats for a candidate for federal office (s. 99.021(1)(a)2., F.S.), a candidate for a non-federal office other than a judicial office (s. 99.021(1)(a)1., F.S.), and a candidate for a state judicial office (s. 105.031(4)(b), F.S.). Generally, the oath or affirmation must, in substance, provide the name of the office for which the candidate is running; affirm that the candidate is a qualified elector of the county or court jurisdiction, as applicable; affirm that the candidate is qualified under the State Constitution and laws of Florida to hold the office for which he or she is running; affirm that the candidate has not qualified for any other public office in the state for which the term runs concurrently and that he or she has resigned from any office from which he or she is required to resign; and affirm that the candidate will support the constitutions of the United States and the State of Florida.

<sup>14</sup> Section 99.061(7)(a)5., F.S.

<sup>15</sup> Section 876.05, F.S., requires all persons who are employed by or are on the payroll of the state or any county, city, school board, school system, or institution of higher learning, except candidates for federal office, to swear or affirm that he or she will support the Constitution of the United States and of the State of Florida.

- The completed form for the appointment of campaign treasurer and the designation of a campaign depository.
- For a candidate for judicial office, a signed statement that he or she has read and understands the requirements of the Florida Code of Judicial Conduct.
- The candidate's financial disclosure.<sup>16</sup>

## 2026 Reapportionment Proclamation

In January 2026, Governor Ron DeSantis issued a proclamation convening the Legislature to consider legislation relating to the redrawing of the state's congressional districts. The proclamation calls for the special session to be held from April 20-24, 2026, which is the same week as the first qualifying period, during which congressional candidates qualify during non-apportionment years.<sup>17</sup>

The Secretary of State issued an accompanying directive in which he concluded that the statutes referring to procedures to be following in a "year of apportionment" apply to congressional candidates for the purpose of qualifying in such races in Florida during the regular 2026 election cycle.<sup>18</sup>

## Dual Citizenship

Dual citizenship, or dual nationality, means that a person is a citizen or "national"<sup>19</sup> of both the United States and a foreign country at the same time. In practical terms, a person owes allegiance to both the United States and a foreign country and is required to obey the laws of both countries. If the foreign country places a claim on a United States dual national, conflicting obligations may arise.<sup>20</sup>

The advantages for someone who has dual citizenship are that he or she might be able to vote in both countries, be authorized to work in both countries, have passports from both countries, and own property in both countries. However, a person with dual citizenship might be expected to provide military service in the second country, pay income taxes in both countries, and be prevented from holding senior positions in the government and military.<sup>21</sup>

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<sup>16</sup> Section 105.031(5)(a), F.S.

<sup>17</sup> Proclamation to the Honorable Members of the Florida Senate and House of Representatives, January 7, 2026, available at [https://flgov.com/eog/sites/default/files/shared/2026/01/AprilSpecialSessionProclamation\\_Filed\\_1.7.26.pdf](https://flgov.com/eog/sites/default/files/shared/2026/01/AprilSpecialSessionProclamation_Filed_1.7.26.pdf) (last visited March 3, 2026).

<sup>18</sup> Memorandum to Supervisors of Elections, *Directive 2026-01-Congressional Candidate Qualifying; Year of Apportionment*, January 7, 2026, available at <https://files.floridados.gov/media/709911/final-directive-2026-01.pdf> (last visited March 3, 2026).

<sup>19</sup> According to the U.S. Department of State website, Section 101(a)(22) of the Immigration and Nationality Act (INA) states that "the term 'national of the United States' means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States." U.S. Department of State, Travel.State.Gov, *Dual Nationality*, <https://travel.state.gov/content/travel/en/legal/travel-legal-considerations/Relinquishing-US-Nationality/Dual-Nationality.html> (last visited Jan. 22, 2026).

<sup>20</sup> *Id.*

<sup>21</sup> Caryl Espinoza Jaen, Manifest, *How to Get Dual Citizenship in the U.S.* (Jan. 13, 2026), <https://manifestlaw.com/blog/dual-us-citizenship-guide/>.

Current law does not require a member of Congress to disclose whether he or she has dual citizenship or to renounce that additional citizenship. However, a bill that addresses a concern similar to this bill was recently introduced in Congress. H.R. 5817 states:

No person, without regard to whether that person is a United States national, may be elected to the office of Representative or Senator if that person is a national of any country other than the United States.<sup>22</sup>

It appears that the intent of the legislation is to require candidates to renounce dual citizenship and demonstrate their loyalty to this country.

### **Stock Trading by Members of Congress**

There is currently no general prohibition against, or reporting requirement for, stock trading by a member of Congress or by a congressional candidate. However, the Stop Trading on Congressional Knowledge (STOCK) Act of 2012 is designed to prevent insider trading and prohibits federal officials, including members of Congress, the President, and staff, from using non-public information for private profit.<sup>23</sup>

Two bills to further address stock trading by members of Congress have been introduced in Congress. H.R. 1908<sup>24</sup> and H.R. 5106<sup>25</sup> would generally prohibit members of Congress, and their spouses and dependent children, from owning and trading stocks.

### **III. Effect of Proposed Changes:**

CS/SB 620 adds an additional item to the current list of items that a candidate must submit to the relevant filing officer in order to qualify for nomination or election to office. Specifically, if a candidate is a citizen of another country in addition to being a citizen of the United States, the candidate must submit a written statement disclosing any other country where he or she is a citizen.

The bill also requires each candidate for federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, to, at the time of subscribing to the required oath or affirmation, state in writing whether:

- He or she intends to trade stocks if elected; and
- If he or she previously held federal office, whether he or she traded stocks while in such office.

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<sup>22</sup> H.R. 5817 – “Disqualifying Dual Loyalty Act of 2025,” available at <https://www.congress.gov/bill/119th-congress/house-bill/5817/text> (last visited March 3, 2026).

<sup>23</sup> Public Law 112-105.

<sup>24</sup> H.R. 1908 – “End Congressional Stock Trading Act,” available at <https://www.congress.gov/bill/119th-congress/house-bill/1908/text> (last visited March 3, 2026).

<sup>25</sup> H.R. 5106 – “Restore Trust in Congress Act,” available at <https://www.congress.gov/bill/119th-congress/house-bill/5106/text> (last visited March 3, 2026).

Effective upon becoming a law, the bill specifies that for the 2026 general election, apportionment-year qualifying dates and petition qualification requirements apply to any candidate for representative to Congress. Specifically:

- If such candidate seeks to qualify via the petition process, he or she must obtain at least the number of signatures equal to one-third of 1 percent of the ideal population for each congressional district. Signatures may be obtained from any registered voter in Florida regardless of party affiliation or district boundaries. Petitions must state that the candidate is seeking the office of representative to Congress, but a district number is not required.
- The qualifying period for such candidates shall be from the 71st day to the 67th day before the primary election.

Except as otherwise provided in the bill, the bill takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends sections 99.021, 99.061, and 105.031, Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Rules on March 3, 2026:**

The committee substitute adds to the bill:

- A requirement that a candidate for federal office disclose specified information about intent to trade stocks or a past history of stock trading.
- An unnumbered section of law providing that notwithstanding current law, for the 2026 general election, apportionment-year qualifying dates and petition qualification requirements apply for candidates for representative to Congress.

- B. **Amendments:**

None.