

2026620e1

1 A bill to be entitled
2 An act relating to candidate qualifying; amending s.
3 99.021, F.S.; requiring a candidate for federal office
4 to state in writing whether he or she intends to trade
5 stock while serving in federal office; creating s.
6 99.0211, F.S.; requiring candidates to ensure they
7 satisfy statutory and constitutional requirements for
8 office; authorizing certain candidates, political
9 parties, and affiliated party committees to challenge
10 compliance with such requirements in a specified
11 manner; providing that a person may not qualify as a
12 candidate and appear on the ballot if the court makes
13 a certain determination; providing that candidates,
14 political parties, and affiliated party committees are
15 entitled to expedited proceedings; requiring
16 supervisors of elections to remove the names of
17 certain candidates from the ballot and provide a
18 certain notice to voters; amending s. 99.061, F.S.;
19 revising the list of items a candidate must submit to
20 the filing officer to be a qualified candidate to
21 include a certain written statement and a specified
22 oath or affirmation; amending s. 105.031, F.S.;
23 requiring certain candidates to provide to the filing
24 officer a statement disclosing dual citizenship for
25 nomination and election to a judicial office or to a
26 district school board; amending s. 106.023, F.S.;
27 requiring a candidate to provide a certain oath or
28 affirmation in writing at the time of filing his or
29 her statement of candidacy; reenacting s.

2026620e1

30 99.012(1)(b), F.S., relating to definition of the term
31 "qualifying," to incorporate the amendments made to
32 ss. 99.061 and 105.031, F.S., in references thereto;
33 requiring candidates for representative to Congress
34 seeking ballot position by petition to obtain a
35 specified percentage of signatures to qualify for such
36 office; authorizing the obtaining of signatures from
37 any registered voters in this state; specifying
38 petition requirements; requiring candidates to file
39 qualification paperwork with and pay a qualifying fee
40 to the Department of State within a specified
41 timeframe; specifying that requirements and procedures
42 relating to qualifying for office must conform to
43 specified provisions; providing an effective date.

44
45 Be It Enacted by the Legislature of the State of Florida:

46
47 Section 1. Paragraph (d) of subsection (1) of section
48 99.021, Florida Statutes, is amended to read:

49 99.021 Form of candidate oath.—

50 (1)

51 (d)1. In addition, each candidate, whether a party
52 candidate, a candidate with no party affiliation, or a write-in
53 candidate, shall, at the time of subscribing to the oath or
54 affirmation, state in writing whether he or she owes any
55 outstanding fines, fees, or penalties that cumulatively exceed
56 \$250 for any violations of s. 8, Art. II of the State
57 Constitution; the Code of Ethics for Public Officers and
58 Employees under part III of chapter 112; any local ethics

2026620e1

59 ordinance governing standards of conduct and disclosure
60 requirements; or chapter 106. If the candidate owes any
61 outstanding fines, fees, or penalties exceeding the threshold
62 amount specified in this paragraph, he or she must also specify
63 the amount owed and each entity that levied such fine, fee, or
64 penalty. For purposes of this paragraph, any such fines, fees,
65 or penalties that have been paid in full at the time of
66 subscribing to the oath or affirmation are not deemed to be
67 outstanding.

68 2. In addition, each candidate seeking federal office,
69 whether a party candidate, a candidate with no party
70 affiliation, or a write-in candidate, shall, at the time of
71 subscribing to the oath or affirmation, state in writing whether
72 he or she intends to trade stocks if elected.

73 Section 2. Section 99.0211, Florida Statutes, is created to
74 read:

75 99.0211 Challenging candidacy.—

76 (1) A candidate must ensure that he or she will satisfy all
77 statutory and constitutional requirements for the office for
78 which he or she is seeking nomination or election.

79 (2) A candidate or a political party with a candidate in
80 the same race, or an affiliated party committee as authorized by
81 s. 103.092, may challenge a candidate's compliance with
82 subsection (1) by filing an action for declaratory and
83 injunctive relief in the circuit court for the county in which
84 the filing officer is headquartered.

85 (3) A person may not be qualified as a candidate for
86 nomination or election, and his or her name may not appear on
87 the ballot, if, in an order that has become final, the court

2026620e1

88 determines that the candidate will not, at the time of
89 qualification, election, or assumption of office, as applicable,
90 satisfy all statutory and constitutional requirements for the
91 office for which he or she is seeking nomination or election.

92 (4) A candidate, a political party, or an affiliated party
93 committee bringing an action for declaratory and injunctive
94 relief under subsection (2) is entitled to an expedited final
95 hearing, and any appeal of a final hearing must receive
96 expedited consideration by the appellate court. Upon a final
97 order of the circuit court which contains the determination
98 under subsection (3), the supervisor of elections in each county
99 affected by such candidacy shall remove the name of the
100 candidate from the ballot, or if the ballots have already been
101 printed, include a notice with each vote-by-mail ballot, and
102 post a notice at each early voting location and polling
103 precinct, stating that a vote for such candidate will not be
104 counted.

105 Section 3. Paragraph (a) of subsection (7) of section
106 99.061, Florida Statutes, is amended to read:

107 99.061 Method of qualifying for nomination or election to
108 federal, state, county, or district office.-

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

112 1. A properly executed check drawn upon the candidate's
113 campaign account payable to the person or entity as prescribed
114 by the filing officer in an amount not less than the fee
115 required by s. 99.092, unless the candidate obtained the
116 required number of signatures on petitions pursuant to s.

2026620e1

117 99.095. The filing fee for a special district candidate is not
118 required to be drawn upon the candidate's campaign account. If a
119 candidate's check is returned by the bank for any reason, the
120 filing officer shall immediately notify the candidate and the
121 candidate shall have until the end of qualifying to pay the fee
122 with a cashier's check purchased from funds of the campaign
123 account. Failure to pay the fee as provided in this subparagraph
124 shall disqualify the candidate.

125 2. The candidate's oath required by s. 99.021, which must
126 contain the name of the candidate as it is to appear on the
127 ballot; the office sought, including the district or group
128 number if applicable; and the signature of the candidate, which
129 must be verified under oath or affirmation pursuant to s.
130 92.525(1)(a).

131 3. If the office sought is partisan, the written statement
132 of political party affiliation required by s. 99.021(1)(b); or
133 if the candidate is running without party affiliation for a
134 partisan office, the written statement required by s.
135 99.021(1)(c).

136 4. If the office sought is federal, the written statement
137 required by s. 99.021(1)(d)2.

138 ~~5.4.~~ The completed form for the appointment of campaign
139 treasurer and designation of campaign depository, as required by
140 s. 106.021.

141 ~~6.5.~~ The full and public disclosure or statement of
142 financial interests required by subsection (5). A public officer
143 who has filed the full and public disclosure or statement of
144 financial interests with the Commission on Ethics before
145 qualifying for office may file a copy of that disclosure or a

2026620e1

146 verification or receipt of electronic filing as provided in
147 subsection (5) at the time of qualifying.

148 7. An oath or affirmation in writing that states whether
149 the candidate is a citizen of another country in addition to
150 being a citizen of the United States, and, if so, discloses any
151 other country of which the candidate is also a citizen.

152 8. For a candidate seeking federal office, whether a party
153 candidate, a candidate with no party affiliation, or a write-in
154 candidate, an oath or affirmation in writing that states whether
155 the candidate previously held a federal office, and, if so,
156 discloses whether the candidate traded stocks while in such
157 office.

158 Section 4. Paragraph (a) of subsection (5) of section
159 105.031, Florida Statutes, is amended to read:

160 105.031 Qualification; filing fee; candidate's oath; items
161 required to be filed.—

162 (5) ITEMS REQUIRED TO BE FILED.—

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

167 1. Except for candidates for retention to judicial office,
168 a properly executed check drawn upon the candidate's campaign
169 account in an amount not less than the fee required by
170 subsection (3) or, in lieu thereof, the copy of the notice of
171 obtaining ballot position pursuant to s. 105.035. If a
172 candidate's check is returned by the bank for any reason, the
173 filing officer shall immediately notify the candidate and the
174 candidate shall, the end of qualifying notwithstanding, have 48

2026620e1

175 hours from the time such notification is received, excluding
176 Saturdays, Sundays, and legal holidays, to pay the fee with a
177 cashier's check purchased from funds of the campaign account.
178 Failure to pay the fee as provided in this subparagraph shall
179 disqualify the candidate.

180 2. The candidate's oath required by subsection (4), which
181 must contain the name of the candidate as it is to appear on the
182 ballot; the office sought, including the district or group
183 number if applicable; and the signature of the candidate, duly
184 acknowledged.

185 3. The loyalty oath required by s. 876.05, signed by the
186 candidate and duly acknowledged.

187 4. The completed form for the appointment of campaign
188 treasurer and designation of campaign depository, as required by
189 s. 106.021. In addition, each candidate for judicial office,
190 including an incumbent judge, shall file a statement with the
191 qualifying officer, within 10 days after filing the appointment
192 of campaign treasurer and designation of campaign depository,
193 stating that the candidate has read and understands the
194 requirements of the Florida Code of Judicial Conduct. Such
195 statement shall be in substantially the following form:

196

197 Statement of Candidate for Judicial Office

198

199 I, ...(name of candidate)..., a judicial candidate, have
200 received, read, and understand the requirements of the Florida
201 Code of Judicial Conduct.

202

...(Signature of candidate)...

203

...(Date)...

2026620e1

204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232

5. The full and public disclosure of financial interests required by s. 8, Art. II of the State Constitution or the statement of financial interests required by s. 112.3145, whichever is applicable. 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 prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

6. An oath or affirmation in writing that states whether the candidate is a citizen of another country in addition to being a citizen of the United States, and, if so, discloses any other country of which the candidate is also a citizen.

Section 5. Subsection (3) is added to section 106.023, Florida Statutes, to read:

106.023 Statement of candidate.—

(3) At the time of filing the statement of candidacy, a candidate must also provide an oath or affirmation in writing that states that he or she meets, or will meet at the time of election for the office sought or at the time of assuming the office, as applicable, all statutory and constitutional qualifications for the office sought.

Section 6. For the purpose of incorporating the amendments made by this act to sections 99.061 and 105.031, Florida Statutes, in references thereto, paragraph (b) of subsection (1) of section 99.012, Florida Statutes, is reenacted to read:

99.012 Restrictions on individuals qualifying for public office.—

(1) As used in this section:

2026620e1

233 (b) "Qualify" means to fulfill the requirements set forth
234 in s. 99.061(7) (a) or s. 105.031(5) (a).

235 Section 7. Notwithstanding any other law to the contrary,
236 for the 2026 General Election:

237 (1) Any candidate for representative to Congress seeking
238 ballot position by the petition process described in s. 99.095,
239 Florida Statutes, must obtain at least the number of signatures
240 equal to one-third of 1 percent of the ideal population for each
241 congressional district, as calculated by dividing the statewide
242 population in the most recent decennial census by the number of
243 representatives apportioned to the state after the most recent
244 decennial census. Signatures may be obtained from any registered
245 voter in Florida regardless of party affiliation or district
246 boundaries. Petitions must state that the candidate is seeking
247 the office of representative to Congress, but a district number
248 is not required.

249 (2) Each person seeking to qualify for nomination or
250 election as a representative to Congress must file his or her
251 qualification papers, and pay the qualifying fee, which shall
252 consist of the filing fee and election assessment, and party
253 assessment, if any has been levied, to the Department of State,
254 or qualify by the petition process described in s. 99.095,
255 Florida Statutes, with the Department of State, at any time
256 after noon of the 1st day for qualifying, which shall be the
257 71st day before the primary election, but not later than noon of
258 the 67th day before the date of the primary election.

259 (3) Except as otherwise provided in this section, all
260 requirements and procedures relating to qualifying and to the
261 candidate petition process must conform to the requirements and

2026620e1

262 procedures in law.

263 Section 8. This act shall take effect upon becoming a law.