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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/11/2026 10:34 AM

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Senator Gaetz moved the following:

1 **Senate Amendment to Amendment (903278) (with title**
2 **amendment)**

3
4 Delete lines 562 - 717

5 and insert:

6 paragraphs (b), (c), and (d) of subsection (1) of section
7 99.021, Florida Statutes, are amended, and paragraphs (f) and
8 (g) are added to that subsection, to read:

9 99.021 Form of candidate oath.—

10 (1)

11 (b) In addition, any person seeking to qualify for



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12 nomination as a candidate of any political party shall, at the
13 time of subscribing to the oath or affirmation, state in
14 writing:

15 1. The party of which the person is a member.

16 2. That the person has been a registered member of the
17 political party for which he or she is seeking nomination as a
18 candidate for at least 365 consecutive days preceding ~~before~~ the
19 beginning of qualifying before ~~preceding~~ the general election
20 for which the person seeks to qualify.

21 3. That the person has paid the assessment levied against
22 him or her, if any, as a candidate for said office by the
23 executive committee of the party of which he or she is a member.

24 4. That the person has not legally changed his or her name
25 through a petition pursuant to s. 68.07 during the 365-day
26 period preceding the beginning of qualifying. This subparagraph
27 does not apply to any change of name in proceedings for
28 dissolution of marriage or adoption of children or based on a
29 change of name conducted with a marriage certificate.

30 (c) In addition, any person seeking to qualify for office
31 as a candidate with no party affiliation shall, at the time of
32 subscribing to the oath or affirmation, state in writing that he
33 or she is registered without any party affiliation and that he
34 or she has not:

35 1. Been a registered member of any political party for at
36 least 365 consecutive days preceding ~~before~~ the beginning of
37 qualifying before ~~preceding~~ the general election for which the
38 person seeks to qualify.

39 2. Legally changed his or her name through a petition
40 pursuant to s. 68.07 during the 365-day period preceding the



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41 beginning of qualifying. This subparagraph does not apply to any
42 change of name in proceedings for dissolution of marriage or
43 adoption of children or based on a change of name conducted with
44 a marriage certificate.

45 (d)1. In addition, each candidate, whether a party
46 candidate, a candidate with no party affiliation, or a write-in
47 candidate, shall, at the time of subscribing to the oath or
48 affirmation, state in writing whether he or she owes any
49 outstanding fines, fees, or penalties that cumulatively exceed
50 \$250 for any violations of s. 8, Art. II of the State
51 Constitution; the Code of Ethics for Public Officers and
52 Employees under part III of chapter 112; any local ethics
53 ordinance governing standards of conduct and disclosure
54 requirements; or chapter 106. If the candidate owes any
55 outstanding fines, fees, or penalties exceeding the threshold
56 amount specified in this paragraph, he or she must also specify
57 the amount owed and each entity that levied such fine, fee, or
58 penalty. For purposes of this paragraph, any such fines, fees,
59 or penalties that have been paid in full at the time of
60 subscribing to the oath or affirmation are not deemed to be
61 outstanding.

62 2. In addition, each candidate seeking federal office,
63 whether a party candidate, a candidate with no party
64 affiliation, or a write-in candidate, shall, at the time of
65 subscribing to the oath or affirmation, state in writing whether
66 he or she intends to trade stocks, if elected, in a manner other
67 than through a trust or similar mechanism which strictly limits
68 his or her ability to influence or exercise control over
69 decisions regarding the management of assets.



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70 (f) The statements in subparagraphs (b)4. and (c)2.
71 constitute substantive requirements for the person completing
72 the statement, and compliance with those requirements is
73 mandatory. The sole method to enforce compliance with such
74 requirements is contained in this paragraph. Compliance with
75 subparagraphs (b)4. and (c)2. may be challenged by a qualified
76 candidate or a political party with qualified candidates in the
77 same race by filing an action in the circuit court for the
78 county in which the qualifying officer is headquartered. A
79 person may not be qualified as a candidate for nomination or
80 election and his or her name may not appear on the ballot if in
81 an order that has become final, the court determines that the
82 person seeking to qualify has legally changed his or her name
83 through a petition pursuant to s. 68.07 during the 365-day
84 period preceding the beginning of qualifying, unless such change
85 of name occurred in proceedings for dissolution of marriage or
86 adoption of children or was based on a change of name conducted
87 with a marriage certificate.

88 (g) The statements in subparagraphs (b)2. and (c)1.
89 constitute substantive requirements for the person completing
90 the statement, and compliance with those requirements is
91 mandatory. The sole method to enforce compliance with such
92 requirements is contained in this paragraph. Compliance with
93 subparagraphs (b)2. and (c)1. may be challenged by a qualified
94 candidate or a political party with qualified candidates in the
95 same race by filing an action in the circuit court for the
96 county in which the qualifying officer is headquartered. A
97 person may not be qualified as a candidate for nomination or
98 election, and his or her name may not appear on the ballot, if,



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99 in an order that has become final, the court determines that:

100 1. The person seeking to qualify for nomination as a
101 candidate of any political party has not been a registered
102 member of that party for the 365-day period preceding the
103 beginning of qualifying; or

104 2. The person seeking to qualify for office as a candidate
105 with no party affiliation has not been registered without party
106 affiliation for, or has been a registered member of any
107 political party during, the 365-day period preceding the
108 beginning of qualifying.

109 Section 11. Effective upon becoming a law, section 99.0211,
110 Florida Statutes, is created to read:

111 99.0211 Challenging candidacy.—

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

115 (2) A candidate or a political party with a candidate in
116 the same race, or an affiliated party committee as authorized by
117 s. 103.092, may challenge a candidate's compliance with
118 subsection (1) by filing an action for declaratory and
119 injunctive relief in the circuit court for the county in which
120 the filing officer is headquartered.

121 (3) A person may not be qualified as a candidate for
122 nomination or election, and his or her name may not appear on
123 the ballot, if, in an order that has become final, the court
124 determines that the candidate will not, at the time of
125 qualification, election, or assumption of office, as applicable,
126 satisfy all statutory and constitutional requirements for the
127 office for which he or she is seeking nomination or election.



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128 (4) A candidate, a political party, or an affiliated party
129 committee bringing an action for declaratory and injunctive
130 relief under subsection (2) is entitled to an expedited final
131 hearing, and any appeal of a final hearing must receive
132 expedited consideration by the appellate court. Upon a final
133 order of the circuit court which contains the determination
134 under subsection (3), the supervisor of elections in each county
135 affected by such candidacy shall remove the name of the
136 candidate from the ballot or, if the ballots have already been
137 printed, include a notice with each vote-by-mail ballot, and
138 post a notice at each early voting location and polling
139 precinct, stating that a vote for such candidate will not be
140 counted.

141 Section 12. Effective upon becoming a law, paragraph (a) of
142 subsection (7) of section 99.061, Florida Statutes, is amended
143 to read:

144 99.061 Method of qualifying for nomination or election to
145 federal, state, county, or district office.—

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

149 1. A properly executed check drawn upon the candidate's
150 campaign account payable to the person or entity as prescribed
151 by the filing officer in an amount not less than the fee
152 required by s. 99.092, unless the candidate obtained the
153 required number of signatures on petitions pursuant to s.
154 99.095. The filing fee for a special district candidate is not
155 required to be drawn upon the candidate's campaign account. If a
156 candidate's check is returned by the bank for any reason, the



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157 filing officer shall immediately notify the candidate and the
158 candidate shall have until the end of qualifying to pay the fee
159 with a cashier's check purchased from funds of the campaign
160 account. Failure to pay the fee as provided in this subparagraph
161 shall disqualify the candidate.

162 2. The candidate's oath required by s. 99.021, which must
163 contain the name of the candidate as it is to appear on the
164 ballot; the office sought, including the district or group
165 number if applicable; and the signature of the candidate, which
166 must be verified under oath or affirmation pursuant to s.
167 92.525(1) (a).

168 3. If the office sought is partisan, the written statement
169 of political party affiliation required by s. 99.021(1) (b); or
170 if the candidate is running without party affiliation for a
171 partisan office, the written statement required by s.
172 99.021(1) (c).

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

175 5. The completed form for the appointment of campaign
176 treasurer and designation of campaign depository, as required by
177 s. 106.021.

178 ~~6.5~~ The full and public disclosure or statement of
179 financial interests required by subsection (5). A public officer
180 who has filed the full and public disclosure or statement of
181 financial interests with the Commission on Ethics before
182 qualifying for office may file a copy of that disclosure or a
183 verification or receipt of electronic filing as provided in
184 subsection (5) at the time of qualifying.

185 7. An oath or affirmation in writing that states whether



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186 the candidate is a citizen of another country in addition to
187 being a citizen of the United States, and, if so, discloses any
188 other country of which the candidate is also a citizen.

189 8. For a candidate seeking federal office, whether a party
190 candidate, a candidate with no party affiliation, or a write-in
191 candidate, an oath or affirmation in writing which states
192 whether the candidate previously held a federal office and, if
193 so, discloses whether the candidate traded stocks while in such
194 office in a manner other than through a trust or similar
195 mechanism which strictly limited his or her ability to influence
196 or exercise control over decisions regarding the management of
197 assets.

198
199 ===== T I T L E A M E N D M E N T =====

200 And the title is amended as follows:

201 Delete lines 1669 - 1684

202 and insert:

203 circumstances; requiring a candidate for federal
204 office to state in writing whether he or she intends
205 to trade stocks in a certain manner while serving in
206 federal office; creating s. 99.0211, F.S.; requiring
207 candidates to ensure that they satisfy statutory and
208 constitutional requirements for office; authorizing
209 certain candidates, political parties, and affiliated
210 party committees to challenge compliance with such
211 requirements in a specified manner; providing that a
212 person may not qualify as a candidate or appear on the
213 ballot if the court makes a certain determination;
214 providing that candidates, political parties, and



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215 affiliated party committees are entitled to expedited
216 proceedings; requiring supervisors of elections to
217 remove the names of certain candidates from the ballot
218 or provide a certain notice to voters; amending s.
219 99.061, F.S.; revising the list of items a candidate
220 must submit to the filing officer to be a qualified
221 candidate to include certain oaths or affirmations;