

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1572

SPONSOR: Senator Sullivan

SUBJECT: Judicial Elections/Circuit Judge

DATE: March 21, 2000

REVISED: 4/5/00 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Johnson</u>	<u>JU</u>	<u>Favorable</u>
2.	<u>Fox</u>	<u>Bradshaw</u>	<u>EE</u>	<u>Fav/1 amendment</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Senate Bill 1572 provides that the names of candidates for the position of circuit court judge be placed on the ballot in the order determined by *lot* rather than in alphabetical order. For single-county circuits, the county supervisor of elections conducts the drawing by lot. For multicounty circuits, the drawing is conducted by the Division of Elections of the Department of State.

This bill substantially amends the following section of the Florida Statute: s. 105.041.

II. Present Situation:

Chapter 105 governs nonpartisan elections, including the election of judges. Section 105.041, F.S., establishes the form of the ballot for nonpartisan elections and sets the method for certification of the placement of each candidate's name on the ballot. After qualifying is completed, the Department of State determines the order of the names for each ballot and certifies those names to the counties in the order they are to appear on the ballot. The names of the candidates for each office must be listed alphabetically on the ballot.

III. Effect of Proposed Changes:

Senate Bill 1572 changes the manner of listing the candidates for *circuit judge* positions from an alphabetical listing to a listing determined by lot. The county supervisor of elections conducts the name-placement drawing in single-county judicial circuits. The Division of Elections of the Department of State conducts the drawing in multi-county judicial races.

The bill also provides that the name order for the general election ballot remains the same as the first primary ballot, despite the removal of the names of candidates who were eliminated from the race.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Committee on Ethics and Elections

Provides that the placement of *all* circuit court candidates' names on the ballot, not just those from multi-county districts, shall be determined randomly by lot conducted by the *director of the Division of Elections*.