

Proposed Committee Substitute by the Committee on Ethics and Elections

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A bill to be entitled

An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising the dates relating to the presidential preference primary; providing an effective date.

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

Section 1. Subsections (1), (2), (3), and (6) of section 103.101, Florida Statutes, are amended to read:

103.101 Presidential preference primary.--

(1) Each political party other than a minor political party shall, on the ~~third~~ ~~second~~ Tuesday in ~~February~~ ~~March~~ in each year the number of which is a multiple of 4, elect one person to be the candidate for nomination of such party for President of the United States or select delegates to the national nominating convention, as provided by party rule.

(2) There shall be a Presidential Candidate Selection Committee composed of the Secretary of State, who shall be a nonvoting chair; the Speaker of the House of Representatives; the President of the Senate; the minority leader of each house of the Legislature; and the chair of each political party required to have a presidential preference primary under this section.

(a) By ~~October~~ ~~December~~ 31 of the year preceding the ~~Florida~~ presidential preference primary, each political party shall submit to the Secretary of State a list of its presidential candidates to be placed on the presidential preference primary ballot or candidates entitled to have delegates appear on the presidential preference primary

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1 ballot. The Secretary of State shall prepare and publish a  
2 list of the names of the presidential candidates submitted.  
3 The Secretary of State shall submit such list of names of  
4 presidential candidates to the selection committee on the  
5 first Tuesday after the first Monday in November of the  
6 ~~January each year preceding the~~ a presidential preference  
7 primary ~~election is held~~. Each person designated as a  
8 presidential candidate shall have his or her name appear, or  
9 have his or her delegates' names appear, on the presidential  
10 preference primary ballot unless all committee members of the  
11 same political party as the candidate agree to delete such  
12 candidate's name from the ballot. The selection committee  
13 shall meet in Tallahassee on the first Tuesday after the first  
14 Monday in November of the ~~January each year preceding the~~ a  
15 presidential preference primary ~~is held~~. The selection  
16 committee shall publicly announce and submit to the Department  
17 of State no later than 5 p.m. on the following day the names  
18 of presidential candidates who shall have their names appear,  
19 or who are entitled to have their delegates' names appear, on  
20 the presidential preference primary ballot. The Department of  
21 State shall immediately notify each presidential candidate  
22 designated by the committee. Such notification shall be in  
23 writing, by registered mail, with return receipt requested.

24 (b) Any presidential candidate whose name does not  
25 appear on the list submitted to the Secretary of State may  
26 request that the selection committee place his or her name on  
27 the ballot. Such request shall be made in writing to the  
28 Secretary of State no later than the second Tuesday after the  
29 first Monday in November of the year preceding the  
30 presidential preference primary ~~January~~.

31 (c) If a presidential candidate makes a request that

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1 the selection committee reconsider placing the candidate's  
2 name on the ballot, the selection committee will reconvene no  
3 later than the second Thursday after the first Monday in  
4 November of the year preceding the presidential preference  
5 primary ~~January~~ to reconsider placing the candidate's name on  
6 the ballot. The Department of State shall immediately notify  
7 such candidate of the selection committee's decision.

8 (3) A candidate's name shall be printed on the  
9 presidential preference primary ballot unless the candidate  
10 submits to the Department of State, prior to the second  
11 Tuesday after the first Monday in November of the year  
12 preceding the presidential preference primary ~~January~~, an  
13 affidavit stating that he or she is not now, and does not  
14 presently intend to become, a candidate for President at the  
15 upcoming nominating convention. If a candidate withdraws  
16 pursuant to this subsection, the Department of State shall  
17 notify the state executive committee that the candidate's name  
18 will not be placed on the ballot. The Department of State  
19 shall, no later than the third Tuesday after the first Monday  
20 in November of the year preceding the presidential preference  
21 primary ~~January~~, certify to each supervisor of elections the  
22 name of each candidate for political party nomination to be  
23 printed on the ballot.

24 (6) Delegates must qualify no later than the second  
25 Friday in November of the year preceding the presidential  
26 preference primary ~~January~~ in the manner provided by party  
27 rule.

28 Section 2. This act shall take effect July 1, 2007.  
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