

By the Committee on Ethics and Elections; and Commissioner Schifino

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1 A proposal to amend
 2 Section 5 of Article VI of the State Constitution to
 3 authorize all electors qualified to vote for an office
 4 being filled by election to vote in a primary
 5 election, regardless of the elector's party
 6 affiliation, and to prescribe the method of election
 7 for specified local, county, state, and federal
 8 offices.

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 10 Be It Proposed by the Constitution Revision Commission of
 11 Florida:

12
 13 Section 5 of Article VI of the State Constitution is
 14 amended to read:

15 ARTICLE VI

16 SUFFRAGE AND ELECTIONS

17 SECTION 5. Primary, general, and special elections.—

18 (a) A general election shall be held in each county on the
 19 first Tuesday after the first Monday in November of each even-
 20 numbered year to choose a successor to each elective state and
 21 county officer whose term will expire before the next general
 22 election and, except as provided herein, to fill each vacancy in
 23 elective office for the unexpired portion of the term. A general
 24 election may be suspended or delayed due to a state of emergency
 25 or impending emergency pursuant to general law. Special
 26 elections and referenda shall be held as provided by law.

27 (b) This subsection shall govern all primary elections for
 28 all federal, state, county, and local elective offices except
 29 for those races in which no party affiliation, registration, or
 30 preference appears on the ballot as provided by law; and the
 31 system for selection of President and Vice President of the

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32 United States.

33 (1) All electors qualified to vote for the office being
34 filled shall be allowed to vote in the primary election
35 regardless of the voter's affiliation or lack of affiliation
36 with a political party and regardless of the candidate's
37 nomination by, or affiliation with, a political party.

38 (2) All candidates for an office shall be listed on a
39 single primary ballot regardless of their nomination by, or
40 affiliation with, a political party. Only the two candidates
41 receiving the greatest numbers of votes cast in the primary
42 election shall advance to the general election and appear on
43 that ballot; no other candidate shall appear on the general
44 election ballot.

45 (3) If more than one candidate is to be elected to an
46 office, the number of candidates advancing to the general
47 election shall be twice the number to be elected, with said
48 candidates receiving the greatest number of votes.

49 (4) Should only two candidates qualify for the same office,
50 no primary election will be held and the winner will be
51 determined in the general election.

52 (5) Candidates nominated, endorsed, or otherwise selected
53 by a political party to run in the primary election may have
54 such nomination, endorsement, or selection indicated on the
55 ballot in a manner provided by law.

56 (6) A candidate that is not nominated, endorsed, or
57 otherwise selected by a political party to run in the primary
58 election may have their political party preference, or lack of a
59 political party preference, indicated upon the ballot in a
60 manner provided by law. Designation of a party preference by a

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61 candidate under this paragraph shall not constitute or imply the
62 nomination, endorsement, or selection of the candidate by the
63 political party designated.

64 (7) Nothing in this subsection shall be interpreted to
65 prohibit a political party or a party central committee from
66 nominating, endorsing, supporting, or opposing any candidate.

67 (8) No state funds shall be used to pay for the
68 administration of an election unless all qualified voters
69 regardless of party preference or affiliation are allowed to
70 vote for any candidate who appears on the ballot.

71 (9) This subsection is effective upon adoption by the
72 voters and is self-executing ~~If all candidates for an office~~
73 ~~have the same party affiliation and the winner will have no~~
74 ~~opposition in the general election, all qualified electors,~~
75 ~~regardless of party affiliation, may vote in the primary~~
76 ~~elections for that office.~~