

Legislative #

200744

29 difference between the 10 cents per signature to be paid by candidates and the actual cost of the
30 Supervisor of Elections to verify signatures; and

31 **WHEREAS**, this Ordinance does not create a hardship exemption for the qualifying fee
32 or petition process cost; and

33 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
34 newspaper of general circulation notifying the public of this proposed ordinance and of public
35 hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
36 Gainesville; and

37 **WHEREAS**, public hearings were held pursuant to the notice described above at which
38 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

39 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
40 **CITY OF GAINESVILLE, FLORIDA:**

41 **Section 1.** Section 9-10 of Chapter 9 of the Gainesville Code or Ordinances is amended
42 to read as follows:

43 **Sec. 9-10. - Qualifications of candidates for city commission.**

- 44 (a) Any person who meets the eligibility requirements described in Article II of the Charter
45 may become a candidate for the office of mayor or city commissioner of the city by filing
46 the necessary qualifying papers as provided in Florida Statutes with the registration and
47 qualifying officer for the city during the qualifying period, ~~and complying with the~~
48 ~~requirements to 1) pay the election assessment and 2) pay the qualifying fee or submit~~
49 ~~petition signatures as part of the petition process.~~
- 50 (b) The qualifying period for a regular election shall coincide with the qualifying period
51 provided by general law to qualify for election to a county office.

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52 (c) Election assessment; qualifying fee; petition process.

53 (1) Election Assessment. As a condition precedent to having the candidate's name printed
54 on the ballot for such election such person shall pay to the registration and qualifying
55 officer for the city the election assessment imposed by general law, or be exempted from
56 such payment of assessment pursuant to the provisions of general law.

57 (2) Qualifying fee or petition process. Commencing with the regular election in 2024, in
58 addition to the election assessment imposed by general law, as a condition precedent to
59 having the candidate's name printed on the ballot for such election such person shall pay
60 to the registration and qualifying officer for the city a qualifying fee or submit petition
61 signatures as set forth in this section.

62 a. Qualifying fee option. In addition to the election assessment, candidates shall
63 pay to the registration and qualifying officer for the city a qualifying fee of two
64 percent of the annual salary of the office sought.

65 b. Petition process option. In lieu of payment of the qualifying fee, a candidate
66 may collect signatures of registered voters on a petition form. Candidates who
67 seek to qualify through the petition process shall comply with the following
68 requirements:

69 1. Candidates must use the petition form required by the registration and
70 qualifying officer for the city.

71 2. Signatures may not be obtained until the candidate has filed the
72 appointment of campaign treasurer and designation of campaign
73 depository pursuant to state law and are valid only for the qualifying
74 period immediately following such filings.

- 75 3. ~~Except as provided in subsection 4 below, candidates~~ Candidates for at-
76 large seats or mayor must obtain the number of signatures of registered
77 voters of the city in the geographical area represented by the office sought
78 equal to at least one percent (1%) of the total number of registered voters
79 of the city that geographical area, as determined by the number of
80 registered voters in the city that geographical area in the last city regular
81 election.
- 82 4. Candidates for district seats must obtain the number of signatures of
83 registered voters of the city equal to at least one-quarter of one percent
84 (0.25%) of the total number of registered voters of the city, as determined
85 by the number of registered voters in the city in the last city regular
86 election. ~~If new city commission districts have not been adopted as part~~
87 ~~of redistricting at least four months before the deadline to submit petition~~
88 ~~signatures, candidates must obtain the number of signatures of any~~
89 ~~registered voters residing anywhere within the city, regardless of district~~
90 ~~boundaries, equal to at least one percent of the total number of registered~~
91 ~~voters of the current district for which the candidate seeks office, as~~
92 ~~determined by the number of registered voters in that current district in~~
93 ~~the last city election.~~
- 94 5. The candidate must submit petitions before noon of the 28th day preceding
95 the first day of the qualifying period for the office sought to the
96 registration and qualifying officer for the city. The candidate must pay in

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97 advance the sum of 10 cents (\$0.10) for each signature checked to the
98 registration and qualifying officer for the city.

99 6. The registration and qualifying officer for the city shall check the
100 signatures on the petitions to verify their status as voters in the city ~~or~~
101 ~~geographical area represented by the office sought, as applicable.~~ The city
102 may contract with the Supervisor of Elections of Alachua County to
103 verify the petition signatures on behalf of the registration and qualifying
104 officer for the city. The city will bear the cost to verify signatures that
105 exceeds 10 cents (\$0.10) per signature.

106 7. No later than the 7th day before the first day of the qualifying period, the
107 registration and qualifying officer for the city shall certify the number of
108 valid signatures.

109 (d) Any person who is seeking election as a write-in candidate shall not be required to pay a
110 ~~filing an election assessment or qualifying fee or submit a petition.~~ A write-in candidate
111 shall not be entitled to have the candidate's name printed on any ballot; however, space
112 for the candidate's name to be written in shall be provided on the ballot. No person may
113 qualify as a write-in candidate if the person has also otherwise qualified for election to
114 such office. All write-in candidates must submit their qualifying paperwork to the
115 registration and qualifying officer for the city by the end of the qualifying period set out
116 above.

117 (e) For purposes of determining the eligibility requirements of Article II of the Charter, a
118 person who resides in an area that is redistricted into another district (hereinafter the "new
119 district") shall be deemed to be a resident of the new district if the person resides

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120 anywhere within the area that is placed in the new district for a period of not less than six
121 months prior to the date the person qualifies to run for office.

122 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of
123 this Ordinance shall become and be made a part of the Charter and the Code of Ordinances of the
124 City of Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be
125 renumbered or relettered in order to accomplish such intentions.

126 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
127 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
128 finding shall not affect the other provisions or applications of this ordinance that can be given
129 effect without the invalid or unconstitutional provision or application, and to this end the
130 provisions of this ordinance are declared severable.

131 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
132 such conflict hereby repealed.

133 **Section 5.** This ordinance shall become effective immediately upon adoption.

134 **PASSED AND ADOPTED THIS _____ DAY OF _____, 2022.**

135

136 _____
137 LAUREN POE
138 MAYOR

139

140

141 ATTEST: Approved as to form and legality

142

143

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145

146 _____
147 OMICHELE D. GAINEY DANIEL M. NEE
148 CITY CLERK INTERIM CITY ATTORNEY

149

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150 This ordinance passed on first reading this ____ day of _____, 2022.

151

152 This ordinance passed on second reading this ____ day of _____, 2022.

153

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