

CERTIFICATION OF DEPARTMENT OF STATE  
EMERGENCY RULE FILED WITH THE  
DEPARTMENT OF STATE

I hereby certify that an immediate danger to the public health, safety or welfare requires emergency action and that the attached rule is necessitated by the immediate danger. I further certify that the procedures used in the promulgation of this emergency rule were fair under the circumstances and that the rule otherwise complies with section 120.54(4), F.S. The adoption of this rule was authorized by the head of the agency and this rule is hereby adopted upon its filing with the Department of State.

Rule No(s).

11SER20-2 – Candidate Petition Process

Under the provision of section 120.54(4)(d), F.S., this rule takes effect upon filing unless a later time and date less than 20 days from filing, is set out below:

Effective Date: Immediately  
(month) (day) (year)



Signature, Person Authorized to Certify Rules

Secretary of State  
Title

Number of Pages Certified

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CERTIFICATION OF DEPARTMENT OF STATE  
DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

Rules covered by this certification:

1SER20-2



Signature of Agency Head

Secretary of State

Title

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**1SER20-2 (1S-2.045) Candidate Petition Process.**

(1)-(5)(e) No change.

(5)(f) In addition to the above requirements, the supervisor of elections shall not verify as valid a signature on a candidate petition form unless all of the following information is contained on the petition form:

1. The voter's name;
2. The voter's address (including city and county);
3. The voter's complete voter registration number or date of birth (to include the month, day, and year) that matches the date of birth on the voter's registration application;
4. The voter's original, ~~ink~~ signature or image of voter's original signature that can be utilized by the Supervisor of Elections to compare and verify the signature of the voter on record; and,
5. The date the voter signed the petition (to include the month, day, and year) as recorded by the voter.

(5)(g)-(7) No change.

*Rulemaking Authority 20.10(3), 97.012(1), 99.095, 99.097(1), 105.035(2) FS. Law Implemented 99.095, 99.061, 99.097, 103.021, 105.031, 105.035 FS. History—New 10-23-07, Amended 11-7-10, 12-5-11, 1-1-14, 10-18-15, 04-2-20.*

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SUNSHINE STATE FLORIDA

DEPARTMENT OF STATE

Division of Elections

RULE TITLE:

RULE NO:

Candidate Petition Process

1SER20-2

STATEMENT OF SPECIFIC FACTS AND REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, OR WELFARE:

A public health emergency and state of emergency have been ordered or declared by the Governor in Executive Orders No. 20-51 and 20-52 for the entire state in response to the COVID-19 virus. These and other orders and guidance limit person-to-person contact in various ways to prevent the spread of the virus, which makes it more difficult to collect original signed petitions in order to access the ballot by the petition method pursuant to section 99.095, Fla. Stat., and Rule 1S-2.045, F.A.C.

STATEMENT OF THE AGENCY'S REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:

The Division has received comments and concerns from candidates currently circulating petitions for ballot access. The state of emergency, orders, and guidance are quickly evolving over time. Permitting circulation and collection of candidate petitions by means other than personal contact prevents spread of the virus, while maintaining the petition method of ballot access for candidates, and supporting the state's important interests in the process as well. The Division of Elections is aware of the rulemaking procedures prescribed by Section 120.54, Florida Statutes, but due to the immediate and evolving nature of the state of emergency, regular rulemaking is too lengthy in both adoption and effect.

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