

1 A bill to be entitled
2 An act relating to the residency of candidates and
3 public officers; creating ss. 99.0125 and 111.015,
4 F.S.; requiring a candidate or public officer required
5 to reside in a specific geographic area to have only
6 one domicile at a time; providing factors that may be
7 considered when determining residency; providing
8 exceptions for active duty military members; providing
9 an effective date.

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

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13 Section 1. Section 99.0125, Florida Statutes, is created
14 to read:

15 99.0125 Residency; candidates.—

16 (1) The address at which a candidate maintains his or her
17 domicile must be used to satisfy any candidate residency
18 requirement. A candidate may have only one domicile at a time.
19 The building claimed as a domicile must be zoned for residential
20 use and must comply with all requirements necessary to obtain a
21 certificate of occupancy or certificate of completion pursuant
22 to applicable building codes.

23 (2) Factors that may be considered in determining whether
24 a candidate meets a residency requirement include, but are not
25 limited to:

26 (a) A formal declaration of domicile in the public records
27 of the county.

28 (b) A statement, whether oral or written, indicating the

29 intention to establish a place as his or her domicile.

30 (c) Whether he or she transferred the title to his or her
 31 previous residence.

32 (d) The address at which he or she claims a homestead
 33 exemption.

34 (e) An address at which he or she has purchased, rented,
 35 or leased property.

36 (f) The address where he or she plans to build a new home.

37 (g) The amount of time that he or she spends at property
 38 he or she owns, leases, or rents.

39 (h) Proof of payment for, and usage activity of, utilities
 40 at property owned by the candidate.

41 (i) The address at which he or she receives mail and
 42 correspondence.

43 (j) The address provided to register his or her dependent
 44 children for school.

45 (k) The address of his or her spouse or immediate family
 46 members.

47 (l) The physical address of his or her employment.

48 (m) Previous permanent residency in a state other than
 49 Florida or in another country, and the date his or her residency
 50 was terminated.

51 (n) The address on his or her voter information card or
 52 other official correspondence from the supervisor of elections
 53 providing proof of voter registration.

54 (o) The address on his or her valid Florida driver license
 55 issued under s. 322.18, valid Florida identification card issued
 56 under s. 322.051, or any other license required by law.

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57 (p) The address on the title to, or a certificate of
58 registration of, his or her motor vehicle.

59 (q) The address listed on filed federal income tax
60 returns.

61 (r) The location where his or her bank statements and
62 checking accounts are registered.

63 (s) A request made to a federal, state, or local
64 government agency to update or change his or her address.

65 (t) Whether he or she has relinquished a license or permit
66 held in another jurisdiction.

67 (3) An active duty military member may not be deemed to
68 have acquired a domicile in this state by reason of being
69 stationed on duty in this state; nor shall an active duty
70 military member be deemed to have abandoned domicile in this
71 state because he or she is stationed in another municipality,
72 state, or country. However, this subsection does not prohibit an
73 active duty military member from establishing a new domicile
74 where he or she is stationed.

75 Section 2. Section 111.015, Florida Statutes, is created
76 to read:

77 111.015 Residency; public officers.-

78 (1) The address at which a public officer maintains his or
79 her domicile must be used to satisfy any residency requirement.

80 A public officer may have only one domicile at a time. The
81 building claimed as a domicile must be zoned for residential use
82 and must comply with all requirements necessary to obtain a
83 certificate of occupancy or certificate of completion pursuant
84 to applicable building codes.

85 (2) Factors that may be considered in determining whether
86 a public officer meets a residency requirement include, but are
87 not limited to:

88 (a) A formal declaration of domicile in the public records
89 of the county.

90 (b) A statement, whether oral or written, indicating the
91 intention to establish a place as his or her domicile.

92 (c) Whether he or she transferred the title to his or her
93 previous residence.

94 (d) The address at which he or she claims a homestead
95 exemption.

96 (e) An address at which he or she has purchased, rented,
97 or leased property.

98 (f) The address where he or she plans to build a new home.

99 (g) The amount of time that he or she spends at property
100 he or she owns, leases, or rents.

101 (h) Proof of payment for, and usage activity of, utilities
102 at property owned by the public officer.

103 (i) The address at which he or she receives mail and
104 correspondence.

105 (j) The address provided to register his or her dependent
106 children for school.

107 (k) The address of his or her spouse or immediate family
108 members.

109 (l) The physical address of his or her employment.

110 (m) Previous permanent residency in a state other than
111 Florida or in another country, and the date his or her residency
112 was terminated.

113 (n) The address on his or her voter information card or
114 other official correspondence from the supervisor of elections
115 providing proof of voter registration.

116 (o) The address on his or her valid Florida driver license
117 issued under s. 322.18, valid Florida identification card issued
118 under s. 322.051, or any other license required by law.

119 (p) The address on the title to, or a certificate of
120 registration of, his or her motor vehicle.

121 (q) The address listed on filed federal income tax
122 returns.

123 (r) The location where his or her bank statements and
124 checking accounts are registered.

125 (s) A request made to a federal, state, or local
126 government agency to update or change his or her address.

127 (t) Whether he or she has relinquished a license or permit
128 held in another jurisdiction.

129 (3) An active duty military member may not be deemed to
130 have acquired a domicile in this state by reason of being
131 stationed on duty in this state; nor shall an active duty
132 military member be deemed to have abandoned domicile in this
133 state because he or she is stationed in another municipality,
134 state, or country. However, this subsection does not prohibit an
135 active duty military member from establishing a new domicile
136 where he or she is stationed.

137 Section 3. This act shall take effect January 1, 2015.