

DE 88-30 - July 15, 1988

**Grouping of Candidates on Ballot
Section 100.071, F.S.**

*To: Honorable Robert Sweat, Supervisor of Elections, Manatee County, Post Office Box 1000,
Bradenton, Florida 34206*

Prepared by: Division of Elections

This is in reference to your recent letter asking for an advisory opinion on the Florida Election Code as it relates to soil and water conservation districts. You are a supervisor of elections and the Division of Elections has authority under Section 106.23(2), Florida Statutes, to issue this opinion. You asked the following questions:

1. Do the supervisors for soil and water conservation districts have to run in groups?
2. Must the group number be filled in on the candidate's petition to have his name placed on the ballot prior to the candidate obtaining signatures on the petition?
3. If the group number does not need to be designated prior to obtaining the signatures, when is the deadline for submitting the group number?
4. Is the candidate permitted to change the group number once it has been designated on a petition?

Chapter 582, Florida Statutes, relates to soil and water conservation districts and Section 582.18, Florida Statutes, specifically applies to the election of soil and water conservation supervisors. Section 582.18(1)(c), Florida Statutes, states "The names of all nominees on behalf of whom such nominating petitions have been filed shall appear upon ballots in accordance with the general election laws."

Section 100.071, Florida Statutes, provides for grouping of candidates where there are two or more similar offices to be filled in the same election. This section provides:

Where two or more similar offices are to be filled in the same election, the names of candidates shall be placed or printed upon the ballot or voting machine in groups or districts; that is, if two or more members of the Legislature or two or more members of a governing board are to be elected from the same geographical area, then the candidates' names shall be placed or printed on the ballot or voting machines in groups or districts, as the case may be.

Section 100.071(1)(a), Fla. Stat.

Therefore, the answer to your first question, whether soil and water conservation supervisors must run

in groups, is in the affirmative in view of Sections 100.071 and 582.18(1)(c), Florida Statutes.

In reference to your second question, whether the group number must be filled in prior to obtaining signatures on the candidate's petition to have his name placed on the ballot, yes, it must as the group number or district number denotes for which particular office a person is a candidate.

Therefore, your third question is moot as the group number must be designated prior to obtaining signatures on petitions.

In reference to your fourth question, the candidate is not permitted to change the group number once it has been designated on a petition. If the candidate wants to change groups, he must complete a new petition and obtain the necessary signatures on that petition.

SUMMARY

Supervisors for soil and water conservation districts must run in groups when there are two or more similar offices to be filled in the same election. The group number must be filled in on the candidate's petition to have his name placed on the ballot prior to the candidate obtaining signatures on the petition. The candidate is not permitted to change the group number once it has been designated unless he completes a new petition and obtains necessary signatures on that petition.