



Residency Requirements for Leon County Candidates and Elected Officials

County Judges: Must be a resident of Leon County at the time of assuming office.

[Advisory Opinion to the Governor No. 65949:](#) "...refer to eligibility at the time of assuming office and not at the time of qualification to office."

[Department of State, Division of Elections Advisory Opinion 78-31:](#)

Circuit Court Judge, Bar Membership

"The eligibility requirement...in order to be a circuit court judge must be satisfied as of the time of assuming office, not when qualifying papers are filed or the person elected."

[Department of State, Division of Elections Advisory Opinion 92-10:](#)

Preregistration and Subsequent Qualification for Office

"It is well settled in Florida that the statutory oath a person is required to take upon qualifying for office refers to qualifications applicable when the term of the office he seeks begins. State ex rel. Fair v. Adams, 139_So.2d_879 (Fla. 1962), Davis ex rel. Taylor v. Crawford, 116_So._41 (1928), State ex rel. Knott v. Haskell, 72 So. 651 (1916)."

[Department of State, Division of Elections Advisory Opinion 94-04:](#)

When Qualifications for Selected Offices Must Be Met; Residency

"We remain of the opinion that the qualifications one must possess for public office are effective at the commencement of the term of office unless provided otherwise constitutionally, legislatively, or judicially."

Constitutional Officers (Sheriff, Property Appraiser, Clerk of the Court, Supervisor of Elections, and Superintendent of Schools): Must be a resident of Leon County at the time of assuming office.

[Department of State, Division of Elections Advisory Opinion 92-10:](#)

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[FL Constitution Article 10 Section 3:](#) “...the residence required when elected or appointed”

Leon County Commissioners: All candidates for the Leon County Commission must be a resident of the Leon County district for which they seek election to, or for the at-large seats a resident of Leon County at the time of qualifying.

[Leon County Charter Section 2.2\(1\):](#) *The County Commission.* The governing body of the County shall be a Board of County Commissioners composed of seven (7) members serving staggered terms of four (4) years. There shall be one (1) Commissioner elected for each of the five (5) County Commission districts, established pursuant to general law or by ordinance, and they shall be elected by the electors of that district. There shall be two (2) At-large Commissioners elected on a countywide basis by the electors of the County. Elections for all seven (7) members of the County Commission shall be non-partisan. Each candidate for the office of district County Commissioner shall reside within the district from which such candidate seeks election at the time of qualifying to run for that office, and during the term of office each Commissioner shall reside in the district from which such Commissioner ran for office, provided that any Commissioner whose residence is removed from a district by redistricting may continue to serve during the balance of the term of office.

School Board Members: Must be a resident of the School Board district at the time of qualifying for office.

[FL Statutes 1001.361:](#) Election of board by districtwide vote. Notwithstanding any provision of local law or any county charter, the election of members of the district school board shall be by vote of the qualified electors of the entire district in a nonpartisan election as provided in chapter 105. Each candidate for district school board member shall, at the time she or he qualifies, be a resident of the district school board member residence area from which the candidate seeks election. Each candidate who qualifies to have her or his name placed on the ballot shall be listed according to the district school board member residence area in which she or he resides. Each qualified elector of the district shall be entitled to vote for one candidate from each district school board member residence area. The candidate from each district school board member residence area who receives the highest number of votes in the general election shall be elected to the district school board.

Tallahassee Mayor and Commissioners: Must be a resident of the City of Tallahassee at the time of qualifying.

[City of Tallahassee Charter 7-5\(a\)](#): Any person who is a resident of the city and is a qualified elector therein may become a candidate for nomination to the office of mayor or city commissioner for the city by taking and subscribing to an oath or affirmation in substantially the following form and filing the same as provided by state law.

Before me, an officer authorized to administer oaths and take acknowledgments, personally appeared _____, who being first duly sworn says that he or she is a candidate for nomination for the office of (mayor or city commissioner) for the _____ (unexpired or full) term municipal primary election to be held in the year 20 _____; that he or she is a resident and qualified elector in the City of Tallahassee; that he or she is duly qualified to hold office under the constitution and laws of the State of Florida, and that he or she has not violated any of the laws of the city or state relating to primary or general elections or the registration of voters therefore.

[City of Tallahassee Charter 7-5\(b\)](#): Each candidate, including an incumbent, shall, prior to the end of the qualifying period, file with his eligibility oath a petition, on forms to be provided by the supervisor of elections, containing the signatures of at least 500 registered electors of the city or pay an election assessment to the supervisor of elections in the amount of one percent of the annual salary of the office sought.

Write-In Candidates: Must reside within the district at the time of their qualifying for office.

[FL Statutes 99.0615](#): Write-In candidate residency requirements. At the time of qualification, all write-in candidates must reside within the district represented by the office sought.